

106TH CONGRESS
1ST SESSION

H. R. 1960

To amend the Elementary and Secondary Education Act of 1965, to reauthorize and make improvements to that Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 1999

Mr. CLAY (for himself, Mr. KILDEE, Mr. MARTINEZ, Mr. OWENS, Mr. PAYNE, Mrs. MINK of Hawaii, Mr. ANDREWS, Mr. ROEMER, Mr. SCOTT, Ms. WOOLSEY, Mr. ROMERO-BARCELÓ, Mr. FATTAH, Mr. HINOJOSA, Mrs. MCCARTHY of New York, Mr. TIERNEY, Mr. KIND, Ms. SANCHEZ, Mr. FORD, Mr. KUCINICH, Mr. HOLT, and Mr. WU) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Elementary and Secondary Education Act of 1965, to reauthorize and make improvements to that Act, 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 That this Act may be cited as the “Educational Excellence
4 for All Children Act of 1999”.

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1 AMERICA’S EDUCATION GOALS

2 SEC. 3. (a) FINDINGS.—The Congress finds that:

3 (1) America’s Education Goals (formerly the
 4 National Education Goals) are very ambitious, and
 5 purposely designed to set high expectations for edu-
 6 cational performance at every stage of an individ-
 7 ual’s life, from the preschool years through adult-
 8 hood.

9 (2) With a focus by policymakers, educators,
 10 and the public on the Goals, the Nation will be able
 11 to raise its overall level of educational achievement.

1 (3) Since the 1990 adoption of the National
2 Education Goals, some progress has been made to-
3 ward achieving those Goals. Areas in which the Na-
4 tion has made progress toward these Goals during
5 the last decade include:

6 (A) On Goal #1, that all children will start
7 school ready to learn, there has been an in-
8 crease in the percentages of—

9 (i) preschool children whose parents
10 read to them or tell them stories; and

11 (ii) 2-year-old children who have been
12 fully immunized against preventable child-
13 hood diseases.

14 (B) On Goal #3, that all students dem-
15 onstrate competency over challenging subject
16 matter, the percentage of fourth, eighth, and
17 twelfth grade students who meet the Goals Pan-
18 el's performance standard in mathematics has
19 increased.

20 (C) On Goal #5, that United States stu-
21 dents become first in the world in mathematics
22 and science achievement, the percentage of all
23 college degrees awarded that are in mathe-
24 matics and science has increased for all stu-
25 dents.

1 (D) On Goal #7, that every school in the
2 United States will be free of drugs, violence,
3 and the unauthorized presence of firearms and
4 alcohol, the percentage of students who report
5 that they have been threatened or injured at
6 school has decreased.

7 (4) Areas in which the Nation has been unsuc-
8 cessful in making progress toward these Goals dur-
9 ing the last decade include:

10 (A) On Goal #4, that all teachers have ac-
11 cess to programs for the continued improve-
12 ment of their professional skills, the percentage
13 of secondary school teachers who hold a degree
14 in the subject that is their main teaching as-
15 signment has decreased.

16 (B) On Goal #6, that every adult will be
17 literate and prepared to compete in the global
18 economy and exercise the rights of citizenship—

19 (i) fewer adults with a high school di-
20 ploma or less, and who need additional
21 training, are participating in adult edu-
22 cation than individuals who have a postsec-
23 ondary education; and

24 (ii) the difference between the per-
25 centage of Black high school graduates

1 who complete a college degree and the per-
2 centage of white high school graduates who
3 complete a college degree has increased.

4 (C) On Goal #7, that every school in the
5 United States will be free of drugs, violence,
6 and the unauthorized presence of firearms and
7 alcohol—

8 (i) the percentage of students report-
9 ing that they have used an illicit drug, or
10 that someone offered to sell or give them
11 drugs, has increased;

12 (ii) the percentage of public school
13 teachers who report that they were threat-
14 ened or injured at school has increased;
15 and

16 (iii) a higher percentage of secondary
17 school teachers report that student disrup-
18 tions in their classrooms interfere with
19 their teaching.

20 (5) Because States began the 1990s at various
21 levels of achievement with respect to each of the
22 Goals, the time and effort needed to reach the Goals
23 will vary from State to State and from Goal to Goal.

24 (6) Individual States have made significant
25 progress toward the Goals, and some States have

1 made progress in multiple areas. Areas in which
2 States have made progress toward the Goals during
3 the last decade include:

4 (A) With respect to Goal #1, that all chil-
5 dren will start school ready to learn—

6 (i) 35 States have reduced the per-
7 centage of infants born with one or more
8 of four health risks;

9 (ii) 50 States have increased the per-
10 centage of mothers receiving early prenatal
11 care; and

12 (iii) 47 States have increased the per-
13 centage of children with disabilities partici-
14 pating in preschool.

15 (B) With respect to Goal #2, that at least
16 90 percent of all students graduate from high
17 school—

18 (i) 10 States have increased the per-
19 centage of young adults who have a high
20 school diploma; and

21 (ii) 3 States have reduced the percent-
22 age of students in grades 9 through 12
23 who leave school without completing a rec-
24 ognized program of secondary education.

1 (C) With respect to Goal #3, that all stu-
2 dents demonstrate competency over subject
3 matter—

4 (i) 27 States have increased the per-
5 centage of 8th-grade students who
6 achieved to at least the “proficient” stand-
7 ard on the 1996 National Assessment of
8 Educational Progress (NAEP) in mathe-
9 matics; and

10 (ii) 50 States have increased the per-
11 centage of students that received a score
12 on an Advanced Placement examination
13 that permitted the students to earn college
14 credits in the subject area tested.

15 (D) With respect to Goal #4, that all
16 teachers have access to programs for the con-
17 tinued improvement of their professional skills,
18 17 States have increased the percentage of pub-
19 lic school teachers who received support from a
20 master or mentor teacher during their first year
21 of teaching.

22 (E) With respect to Goal #5, that United
23 States students become first in the world in
24 mathematics and science achievement—

1 (i) 47 States have increased the per-
2 centage of all degrees that were awarded in
3 mathematics and science;

4 (ii) 33 States have increased the per-
5 centage of all degrees in mathematics and
6 science that were awarded to minority stu-
7 dents; and

8 (iii) 42 States have increased the per-
9 centage of all degrees in mathematics and
10 science that were awarded to female stu-
11 dents.

12 (F) With respect to Goal #6, that every
13 adult will be literate and prepared to compete
14 in the global economy and exercise the rights of
15 citizenship—

16 (i) 39 States have increased the per-
17 centage of high school graduates who im-
18 mediately enroll in an institution of higher
19 education; and

20 (ii) 10 States have increased the per-
21 centage of their citizens who registered to
22 vote.

23 (G) With respect to Goal #8, that every
24 school will promote partnerships that increase
25 parental involvement, 17 States have increased

1 the influence of parent associations in setting
2 public school policies.

3 (7) Areas in which States have been unsucces-
4 ful in making progress toward these Goals during
5 the 1990s include:

6 (A) On Goal #1, that all children will start
7 school ready to learn, the percentage of infants
8 born at low birthweight has increased in 32
9 States.

10 (B) On Goal #2, that at least 90 percent
11 of all students graduate from high school, the
12 high school dropout rate has increased in 10
13 States.

14 (C) On Goal #6, that every adult will be
15 literate and prepared to compete in the global
16 economy and exercise the rights of citizenship,
17 lower percentages of students are enrolling in
18 college immediately after high school in 11
19 States.

20 (D) On Goal #7, that every school in the
21 United States will be free of drugs, violence,
22 and the unauthorized presence of firearms and
23 alcohol—

24 (i) student use of marijuana has in-
25 creased in 16 States;

1 (ii) the percentage of students who re-
2 port that drugs are available on school
3 property has increased in 15 States; and

4 (iii) the percentage of public school
5 teachers reporting that student disruptions
6 in class interfere with their teaching has
7 increased in 37 States.

8 (8) The continued pursuit of these Goals is nec-
9 essary to ensure continued, and more evenly distrib-
10 uted, progress across our Nation.

11 (9) Federal programs and policies have contrib-
12 uted to States' ability to offer high-quality education
13 to all students and have helped States to implement
14 reforms intended to raise the achievement level of
15 every child.

16 (10) Even though all the Goals have not been
17 reached, nor accomplished to equal degrees, there is
18 a continued need to reaffirm these Goals as a bench-
19 mark to which all students can strive and attain.

20 (b) AMERICA'S EDUCATION GOALS.—The ESEA is
21 further amended by inserting immediately after section 2
22 (as added by section 2 of the bill) the following new sec-
23 tion:

24 “AMERICA'S EDUCATION GOALS

25 “SEC. 3. (a) PURPOSE.—It is the purpose of this sec-
26 tion to—

1 “(1) set forth a common set of national goals
2 for the education of our Nation’s students that the
3 Federal Government and all States and local com-
4 munities will work to achieve;

5 “(2) identify the Nation’s highest education pri-
6 orities related to preparing students for responsible
7 citizenship, further learning, and the technological,
8 scientific, and economic challenges of the 21st cen-
9 tury; and

10 “(3) establish a framework for educational ex-
11 cellence at the national, State, and local levels.

12 “(b) AMERICA’S EDUCATION GOALS.—The Congress
13 declares that America’s Education Goals are the following:

14 “(1) SCHOOL READINESS.—(A) All children in
15 America will start school ready to learn.

16 “(B) The objectives for this goal are that—

17 “(i) all children will have access to high-
18 quality, and developmentally appropriate, pre-
19 school programs that help prepare children for
20 school;

21 “(ii) every parent in the United States will
22 be a child’s first teacher, and devote time each
23 day to helping his or her preschool child learn,
24 and parents will have access to the training and
25 support they need; and

1 “(iii) children will receive the nutrition,
2 physical activity, and health care needed to ar-
3 rive at school with healthy minds and bodies,
4 and to maintain the mental alertness necessary
5 to be prepared to learn, and the number of low-
6 birthweight babies will be significantly reduced
7 through enhanced prenatal health systems.

8 “(2) SCHOOL COMPLETION.—(A) The high
9 school graduation rate will increase to at least 90
10 percent.

11 “(B) The objectives for this goal are that—

12 “(i) the Nation will dramatically reduce its
13 school dropout rate, and 75 percent of the stu-
14 dents who do drop out will successfully com-
15 plete a high school degree or its equivalent; and

16 “(ii) the gap in high school graduation
17 rates between American students from minority
18 backgrounds and their non-minority counter-
19 parts will be eliminated.

20 “(3) STUDENT ACHIEVEMENT AND CITIZEN-
21 SHIP.—(A) All students will leave grades 4, 8, and
22 12 having demonstrated competency over challenging
23 subject matter including English, mathematics,
24 science, foreign languages, civics and government,
25 economics, arts, history, and geography, and every

1 school in America will ensure that all students learn
2 to use their minds well, so they may be prepared for
3 responsible citizenship, further learning, and produc-
4 tive employment in our Nation’s modern economy.

5 “(B) The objectives for this goal are that—

6 “(i) the academic performance of all stu-
7 dents at the elementary and secondary level will
8 increase significantly in every quartile, and the
9 distribution of minority students in each quar-
10 tile will more closely reflect the student popu-
11 lation as a whole;

12 “(ii) the percentage of all students who
13 demonstrate the ability to reason, solve prob-
14 lems, apply knowledge, and write and commu-
15 nicate effectively will increase substantially;

16 “(iii) all students will be involved in activi-
17 ties that promote and demonstrate good citizen-
18 ship, good health, community service, and per-
19 sonal responsibility;

20 “(iv) all students will have access to phys-
21 ical education and health education to ensure
22 they are healthy and fit;

23 “(v) the percentage of all students who are
24 competent in more than one language will sub-
25 stantially increase; and

1 “(vi) all students will be knowledgeable
2 about the diverse cultural heritage of this Na-
3 tion and about the world community.

4 “(4) TEACHER EDUCATION AND PROFESSIONAL
5 DEVELOPMENT.—(A) The Nation’s teaching force
6 will have access to programs for the continued im-
7 provement of its professional skills and the oppor-
8 tunity to acquire the knowledge and skills needed to
9 instruct and prepare all American students for the
10 next century.

11 “(B) The objectives for this goal are that—

12 “(i) all teachers will have access to
13 preservice teacher education and continuing
14 professional development activities that will pro-
15 vide such teachers with the knowledge and skills
16 needed to teach to an increasingly diverse stu-
17 dent population with a variety of educational,
18 social, and health needs;

19 “(ii) all teachers will have continuing op-
20 portunities to acquire additional knowledge and
21 skills needed to teach challenging subject mat-
22 ter and to use emerging new methods, forms of
23 assessment, and technologies;

24 “(iii) States and school districts will create
25 integrated strategies to attract, recruit, pre-

1 pare, retrain, and support the continued profes-
2 sional development of teachers, administrators,
3 and other educators, so that there is a highly
4 talented work force of professional educators to
5 teach challenging subject matter; and

6 “(iv) partnerships will be established,
7 whenever possible, among local educational
8 agencies, institutions of higher education, par-
9 ents, and local labor, business, and professional
10 associations to provide and support programs
11 for the professional development of educators.

12 “(5) MATHEMATICS AND SCIENCE.—(A) United
13 States students will be first in the world in mathe-
14 matics and science achievement.

15 “(B) The objectives for this goal are that—

16 “(i) mathematics and science education, in-
17 cluding the metric system of measurement, will
18 be strengthened throughout the education sys-
19 tem, especially in the early grades;

20 “(ii) the number of teachers with a sub-
21 stantive background in mathematics and
22 science, including the metric system of meas-
23 urement, will increase; and

24 “(iii) the number of United States under-
25 graduate and graduate students, especially

1 women and minorities, who complete degrees in
2 mathematics, science, and engineering will in-
3 crease significantly.

4 “(6) ADULT LITERACY AND LIFELONG LEARN-
5 ING.—(A) Every adult American will be literate and
6 will possess the knowledge and skills necessary to
7 compete in a global economy and exercise the rights
8 and responsibilities of citizenship.

9 “(B) The objectives for this goal are that—

10 “(i) every major American business will be
11 involved in strengthening the connection be-
12 tween education and work;

13 “(ii) all workers will have the opportunity
14 to acquire the knowledge and skills, from basic
15 to highly technical, needed to adapt to emerging
16 new technologies, work methods, and markets
17 through public and private educational, voca-
18 tional, technical, workplace, or other programs;

19 “(iii) the number of high-quality programs,
20 including those at libraries, that are designed to
21 serve more effectively the needs of the growing
22 number of part-time and midcareer students
23 will increase substantially;

24 “(iv) the proportion of qualified students,
25 especially minorities, who enter college, who

1 complete at least two years, and who complete
2 their degree programs will increase substan-
3 tially;

4 “(v) the proportion of college graduates
5 who demonstrate an advanced ability to think
6 critically, communicate effectively, and solve
7 problems will increase substantially; and

8 “(vi) schools, in implementing comprehen-
9 sive parent involvement programs, will offer
10 more adult literacy, parent training and life-
11 long learning opportunities to improve the ties
12 between home and school, and enhance parents’
13 work and home lives.

14 “(7) SAFE, DISCIPLINED, AND ALCOHOL- AND
15 DRUG-FREE SCHOOLS.—(A) Every school in the
16 United States will be free of drugs, violence, and the
17 unauthorized presence of firearms and alcohol, and
18 will offer a disciplined environment conducive to
19 learning.

20 “(B) The objectives for this goal are that—

21 “(i) every school will implement a firm and
22 fair policy on use, possession, and distribution
23 of drugs and alcohol;

24 “(ii) parents, businesses, and governmental
25 and community organizations will work together

1 to ensure the rights of students to study in a
2 safe and secure environment that is free of
3 drugs and crime, and that schools provide a
4 healthy environment and a safe haven for all
5 children;

6 “(iii) every local educational agency will
7 develop and implement a policy to ensure that
8 all schools are free of violence and the unau-
9 thorized presence of weapons;

10 “(iv) every local educational agency will de-
11 velop a sequential, comprehensive kindergarten
12 through twelfth grade drug and alcohol preven-
13 tion education program;

14 “(v) drug and alcohol curriculum will be
15 taught as an integral part of sequential, com-
16 prehensive health education;

17 “(vi) community-based teams will be orga-
18 nized to provide students and teachers with
19 needed support; and

20 “(vii) every school will work to eliminate
21 sexual harassment.

22 “(8) PARENTAL PARTICIPATION.—(A) Every
23 school will promote partnerships that will increase
24 parental involvement and participation in promoting

1 the social, emotional, and academic growth of chil-
2 dren.

3 “(B) The objectives for this Goal are that—

4 “(i) every State will develop policies to as-
5 sist local schools and local educational agencies
6 to establish programs for increasing partner-
7 ships that respond to the varying needs of par-
8 ents and the home, including parents of chil-
9 dren who are disadvantaged, limited English
10 proficient, or have disabilities;

11 “(ii) every school will actively engage par-
12 ents and families in a partnership that supports
13 the academic work of children at home and
14 shared educational decisionmaking at school;
15 and

16 “(iii) parents and families will help to en-
17 sure that schools are adequately supported and
18 will hold schools and teachers to high standards
19 of accountability.”.

20 TRANSITION

21 SEC. 4. (a) ACTIONS OF THE SECRETARY.—The Sec-
22 retary shall take such steps as the Secretary determines
23 to be appropriate to provide for the orderly transition of
24 programs and activities under the ESEA, as amended by
25 the Educational Excellence for All Children Act of 1999,

1 from programs and activities under the ESEA, as it was
 2 in effect the date before the date of enactment of this Act.

3 (b) ACTIONS OF FUNDING RECIPIENTS.—A recipient
 4 of funds under the ESEA, as it was in effect the date
 5 before the date of enactment of this Act, may use such
 6 funds to carry out necessary and reasonable planning and
 7 transition activities in order to ensure a smooth implemen-
 8 tation of programs and activities under the ESEA, as
 9 amended by this Act.

10 EFFECTIVE DATES

11 SEC. 5. The provisions of this Act shall take effect
 12 on July 1, 2000, except that—

13 (1) those amendments that pertain to programs
 14 under the ESEA that are conducted by the Sec-
 15 retary on a competitive basis, and the amendments
 16 made by title VIII of this Act, shall take effect with
 17 respect to appropriations for use under those pro-
 18 grams for fiscal year 2001 and subsequent fiscal
 19 years; and

20 (2) section 4 of this Act shall take effect upon
 21 enactment.

22 TITLE I—HELPING DISADVANTAGED 23 CHILDREN MEET HIGH STANDARDS

24 DECLARATION OF POLICY AND STATEMENT OF PURPOSE

25 SEC. 101. (a) STATEMENT OF POLICY.—Section
 26 1001(a) of the ESEA is amended—

1 (1) by striking out “(a) STATEMENT OF POL-
2 ICY.—(1) IN GENERAL.” and inserting in lieu there-
3 of “(a) STATEMENT OF POLICY.”; and

4 (2) by striking out paragraph (2).

5 (b) RECOGNITION OF NEED.—Section 1001(b) of the
6 ESEA is amended—

7 (1) in paragraph (4), by striking out “and” at
8 the end thereof;

9 (2) in paragraph (5)—

10 (A) by striking out “National Education
11 Goal described in section 102(3) of the Goals
12 2000: Educate America Act” and inserting in
13 lieu thereof “of America’s Education Goals set
14 out in section 3 of this Act”; and

15 (B) by striking out the period at the end
16 thereof and inserting in lieu thereof a semicolon
17 and “and”; and

18 (3) by adding at the end thereof a new para-
19 graph (6) to read as follows:

20 “(6) holding local educational agencies and
21 schools accountable for results, including processes
22 for identifying and turning around low-performing
23 schools, provides a focus for educators and promotes
24 better outcomes for students.”.

1 (c) WHAT HAS BEEN LEARNED.—Section 1001(c) of
2 the ESEA is amended—

3 (1) in the subsection heading, by striking out
4 “SINCE 1988” and inserting in lieu thereof “IN RE-
5 CENT YEARS”;

6 (2) in the matter before paragraph (1), by
7 striking out “learned”;

8 (3) in paragraph (7), by adding the following
9 sentence at the end thereof: “Family literacy pro-
10 grams can help parents make this contribution.”;

11 (4) in paragraph (8)—

12 (A) in the first sentence, by striking out
13 “Decentralized” and inserting in lieu thereof
14 “Data-driven”; and

15 (B) in the second sentence, by inserting
16 “information,” before “resources”;

17 (5) by striking out paragraphs (2), (3), (6), and
18 (10);

19 (6) by redesignating paragraphs (4), (5), (7),
20 (8), (9), (11), and (12) as paragraphs (8) through
21 (14), respectively; and

22 (7) by inserting new paragraphs (2) through
23 (7) to read as follows:

24 “(2) Schools that enroll high concentrations of
25 children living in poverty face the greatest chal-

1 lenges, but recent research demonstrates that, by
2 implementing effective, research-based educational
3 strategies, they can succeed in educating children to
4 high standards.

5 “(3) New survey data demonstrate that the de-
6 velopment and implementation of standards and as-
7 sessments under this title are driving educational re-
8 form in high-poverty schools and local educational
9 agencies, and in elementary and secondary education
10 generally.

11 “(4) Standards-based reform, as encouraged,
12 accelerated, and supported by both the Improving
13 America’s Schools Act of 1994 and the Goals 2000:
14 Educate America Act, has resulted in overall im-
15 proved student achievement and indications are that
16 it is helping to close the achievement gap between
17 minority and non-minority students. A recent study
18 of North Carolina and Texas, the States that reg-
19 istered the largest achievement gains on the Na-
20 tional Assessment of Educational Progress, found
21 that the most plausible cause for those gains was an
22 aligned system of standards, curriculum, and assess-
23 ments tied to accountability for improvement by all
24 students.

1 “(5) Other recent research also confirms the va-
2 lidity of amendments to this title made by the Im-
3 proving America’s Schools Act of 1994. For exam-
4 ple, the National Research Council (NRC) report,
5 Preventing Reading Difficulties in Young Children,
6 stresses the importance of language development and
7 literacy in the preschool years, upgrading the cur-
8 riculum and instruction provided to all children in a
9 school, intensive professional development to prepare
10 teachers and other instructional staff to teach to
11 high standards, and providing extended learning op-
12 portunities outside the regular school day.

13 “(6) The NRC report also recommended the
14 early identification of reading difficulties in children
15 in the first grade, to ensure that interventions can
16 be offered early to those who need them most,
17 through the use of multiple approaches, including
18 developmentally appropriate assessments, the careful
19 observation of children’s reading by skilled observ-
20 ers, and the targeting of interventions to groups in
21 schools with large numbers of at-risk children.

22 “(7) The educational progress of children par-
23 ticipating in programs under this title depends on
24 their being taught by credentialed and highly quali-
25 fied staff, particularly in schools with the highest

1 concentrations of poverty, where paraprofessionals,
2 uncertified teachers, and teachers teaching out of
3 field frequently provide instructional services.”.

4 (d) STATEMENT OF PURPOSE.—Section 1001(d) of
5 the ESEA is amended—

6 (1) in paragraph (3), by striking out “pro-
7 moting schoolwide reform and”;

8 (2) in paragraph (6), by inserting a comma and
9 “such as family literacy programs,” after “opportu-
10 nities”;

11 (3) in paragraph (9), by striking out “schools
12 and” and inserting in lieu thereof “local educational
13 agencies, schools, and”;

14 (4) by redesignating paragraphs (2) through
15 (9) as paragraphs (3) through (10), respectively;
16 and

17 (5) by inserting after paragraph (1) a new
18 paragraph (2) to read as follows:

19 “(2) promoting comprehensive schoolwide re-
20 forms that are based on reliable research and effec-
21 tive practices;”.

22 AUTHORIZATION OF APPROPRIATIONS

23 SEC. 102. Section 1002 of the ESEA is amended to
24 read as follows:

1 “AUTHORIZATION OF APPROPRIATIONS

2 “SEC. 1002. (a) LOCAL EDUCATIONAL AGENCY
3 GRANTS.—For the purpose of carrying out part A, there
4 are authorized to be appropriated such sums as may be
5 necessary for fiscal year 2001 and each of the four suc-
6 ceeding fiscal years.

7 “(b) EVEN START.—For the purpose of carrying out
8 part B, there are authorized to be appropriated such sums
9 as may be necessary for fiscal year 2001 and each of the
10 four succeeding fiscal years.

11 “(c) EDUCATION OF MIGRATORY CHILDREN.—For
12 the purpose of carrying out part C, there are authorized
13 to be appropriated such sums as may be necessary for fis-
14 cal year 2001 and each of the four succeeding fiscal years.

15 “(d) STATE AGENCY PROGRAMS FOR CHILDREN AND
16 YOUTH WHO ARE NEGLECTED OR DELINQUENT.—For
17 the purpose of carrying out part D, there are authorized
18 to be appropriated such sums as may be necessary for fis-
19 cal year 2001 and each of the four succeeding fiscal years.

20 “(e) READING EXCELLENCE.—For the purpose of
21 carrying out part E, there are authorized to be appro-
22 priated such sums as may be necessary for fiscal year
23 2001 and each of the four succeeding fiscal years, of which
24 the Secretary shall reserve \$5 million for each fiscal year
25 to carry out section 1508.

1 “(f) FEDERAL ACTIVITIES.—For the purpose of car-
 2 rying out section 1602, there are authorized to be appro-
 3 priated such sums as may be necessary for fiscal year
 4 2001 and each of the four succeeding fiscal years.”.

5 RESERVATIONS FOR ACCOUNTABILITY AND EVALUATION

6 SEC. 103. Section 1003 of the ESEA is amended to
 7 read as follows:

8 “RESERVATIONS FOR ACCOUNTABILITY AND EVALUATION

9 “SEC. 1003. (a) STATE RESERVATIONS.—(1) Each
 10 State educational agency shall reserve 2.5 percent of the
 11 amount it receives under part A of this title for fiscal years
 12 2001 and 2002, and 3.5 percent of that amount for fiscal
 13 years 2003 through 2005, to carry out paragraph (2) and
 14 to carry out its responsibilities under sections 1116 and
 15 1117, including its statewide system of technical assist-
 16 ance and support for local educational agencies.

17 “(2) Of the amount reserved under paragraph (1) for
 18 any fiscal year, the State educational agency shall either—

19 “(A) allocate at least 70 percent directly to
 20 local educational agencies, by—

21 “(i) giving first priority to those agencies
 22 with schools identified for corrective action
 23 under section 1116(c)(5), which those agencies
 24 shall use effectively to carry out corrective ac-
 25 tion, as described in that section, in those
 26 schools; and

1 “(ii) giving second priority to those agen-
 2 cies with other schools identified for school im-
 3 provement under section 1116(c)(1), which
 4 those agencies shall use to bring about substan-
 5 tial improvement in the performance of those
 6 schools; or

7 “(B) use at least 70 percent to carry out an al-
 8 ternative system of intervention and corrective ac-
 9 tion approved by the Secretary under section
 10 1111(b)(3)(B)(ii).

11 “(b) NATIONAL ACTIVITIES.—From the total amount
 12 appropriated for any fiscal year to carry out this title, the
 13 Secretary may reserve not more than 0.30 percent to con-
 14 duct evaluations and studies, collect data, and carry out
 15 other activities under section 1601.”.

16 PART A—BASIC GRANTS

17 STATE PLANS

18 SEC. 111. Section 1111 of the ESEA is amended—

19 (1) in subsection (a)—

20 (A) in paragraph (1)—

21 (i) by inserting a comma and “in
 22 order to help all children achieve to high
 23 State standards and to improve teaching
 24 and learning in the State,” after “shall”;
 25 and

1 (ii) by striking out “the Goals 2000”
2 and all that follows through “section
3 14306” and inserting in lieu thereof “the
4 Individuals with Disabilities Education
5 Act, the Carl D. Perkins Vocational and
6 Technical Education Act of 1998, and
7 other Acts, as appropriate”; and

8 (B) by amending paragraph (2) to read as
9 follows:

10 “(2) CONSOLIDATED PLAN.—A State may sub-
11 mit its plan under paragraph (1) as part of a con-
12 solidated plan under section 11502.”;

13 (2) in subsection (b)—

14 (A) by amending the subsection heading to
15 read as follows: “STANDARDS, ASSESSMENTS,
16 AND ACCOUNTABILITY.”;

17 (B) in paragraph (1)—

18 (i) by amending subparagraph (B) to
19 read as follows:

20 “(B) The standards required by subpara-
21 graph (A) shall be the same standards that the
22 State applies to all schools and children in the
23 State.”; and

24 (ii) by amending subparagraph (C) to
25 read as follows:

1 “(C) If a State has not adopted State con-
2 tent and student performance standards for all
3 students, the State shall have such standards
4 for elementary and secondary school children
5 served under this part in subjects determined
6 by the State, but including at least mathematics
7 and reading or language arts, which shall in-
8 clude the same knowledge, skills, and levels of
9 performance expected of all children.”;

10 (C) by striking out paragraph (2) and re-
11 designating paragraph (3) as paragraph (2);

12 (D) in paragraph (2), as so redesignated—

13 (i) by inserting a comma and “start-
14 ing no later than the 2000–2001 school
15 year,” after “that will be used”;

16 (ii) in subparagraph (F)—

17 (I) in clause (ii), by striking out
18 “and” at the end thereof;

19 (II) in clause (iii), by striking out
20 “can do” and all that follows through
21 the end thereof and inserting in lieu
22 thereof “can do in content areas;”;
23 and

1 (III) by adding at the end thereof
2 new clauses (iv) and (v) to read as fol-
3 lows:

4 “(iv) the assessment (using tests writ-
5 ten in Spanish) of Spanish-speaking stu-
6 dents with limited English proficiency, if
7 Spanish-language assessments are more
8 likely than English-language tests to yield
9 accurate and reliable information on what
10 those students know and can do in content
11 areas other than English; and

12 “(v) notwithstanding clauses (iii) and
13 (iv), the assessment (using tests written in
14 English) of reading or language arts of
15 any student who has attended school in the
16 United States (not including Puerto Rico)
17 for three or more consecutive years;” and
18 (iii) in subparagraph (G)—

19 (I) by striking out “have at-
20 tended schools in a local educational
21 agency for a full academic year but”;
22 and

23 (II) by striking out “year, how-
24 ever the” and inserting in lieu thereof
25 “year; however, the”;

1 (E) by inserting after paragraph (2) a new
2 paragraph (3) to read as follows:

3 “(3) ACCOUNTABILITY.—(A) Each State receiv-
4 ing assistance under this part shall develop and im-
5 plement (and describe in its State plan) a statewide
6 system for holding local educational agencies and
7 schools accountable for student performance that
8 meets the following criteria:

9 “(i) It is based on the State content and
10 student performance standards described in
11 paragraph (1) and on the assessments described
12 in paragraph (2), and includes multiple indica-
13 tors, such as attendance and dropout rates.

14 “(ii) It includes all students in the grades
15 assessed under paragraph (2), in accordance
16 with that paragraph.

17 “(iii) It holds local educational agencies
18 and schools accountable for student achieve-
19 ment in at least reading and mathematics.

20 “(B) The accountability system described in
21 subparagraph (A), and described in the State plan,
22 shall also include a procedure for identifying local
23 educational agencies and schools in need of improve-
24 ment, intervening in those agencies and schools, and
25 (when those interventions are not effective) imple-

1 menting corrective actions no later than three years
2 after first identifying such an agency or school, that
3 either—

4 “(i) complies with sections 1116 and 1117
5 and includes rigorous criteria for identifying
6 those agencies and schools that are based on
7 their failure to make continuous and substantial
8 gains, which the Secretary may define in regu-
9 lations, in overall student performance and in
10 the performance of the lowest performing stu-
11 dents; or

12 “(ii) includes an alternative procedure for
13 identifying and intervening in those agencies
14 and schools, which gives highest priority to cor-
15 rective actions in the lowest performing agen-
16 cies and schools that fail to show gains over an
17 extended period, if the Secretary determines
18 that—

19 “(I) the alternative procedure is at
20 least as effective as the procedures de-
21 scribed in clause (i) and in sections 1116
22 and 1117, and that the State has shown
23 substantial overall achievement gains and a
24 reduction in the achievement gap between

1 high-performing and low-performing stu-
2 dents in the State; or

3 “(II) the alternative procedure will be
4 at least as effective as the procedures de-
5 scribed in clause (i) and in sections 1116
6 and 1117.

7 “(C) Each State plan shall also describe how
8 the State will recognize and reward local educational
9 agencies and schools under this part, including, at a
10 minimum, the designation of Distinguished Schools
11 under section 1116(b).

12 “(D) If a State does not have a statewide sys-
13 tem for holding local educational agencies account-
14 able that meets the requirements of subparagraphs
15 (A) through (C), it shall implement a system that
16 meets those requirements for local educational agen-
17 cies and schools participating under this part.”;

18 (F) in paragraph (4), by striking out
19 “paragraph (3)(C)” and inserting in lieu there-
20 of “paragraph (2)(C)”;

21 (G) by striking out paragraphs (5) through
22 (7) and inserting in lieu thereof a new para-
23 graph (5) to read as follows:

24 “(5) REVISIONS.—A State may revise its final
25 assessments described in this subsection at any time,

1 but no such revision shall affect the timelines estab-
2 lished under this subsection for identifying, assist-
3 ing, and taking corrective action with respect to,
4 schools and local educational agencies in need of im-
5 provement.”;

6 (H) by redesignating paragraph (8) as
7 paragraph (6); and

8 (I) in paragraph (6), as so redesignated—
9 (i) in subparagraph (A)—

10 (I) by striking out “sections
11 1112(c)(1)(D), 1114(b), and 1115(c)”
12 and inserting in lieu thereof “sections
13 1114 (b) and (c) and 1115”; and

14 (II) by inserting a comma and
15 “and in implementing section
16 1120A(c)” before the semicolon at the
17 end thereof; and

18 (ii) in subparagraph (B), by inserting
19 “as” after “factors”;

20 (3) by amending subsection (c) to read as fol-
21 lows:

22 “(c) ASSURANCES.—Each State plan shall contain
23 assurances that the State educational agency—

1 “(1) has involved the committee of practitioners
2 (established under section 1701(b)) in developing the
3 plan;

4 “(2) will suballocate at least 97 percent of the
5 allocation it receives under this part for any fiscal
6 year to local educational agencies (except as pro-
7 vided by sections 1003 and 1701(c)) so that those
8 funds can be used to improve teaching and learning
9 in local schools; and

10 “(3) will work to reduce State fiscal and ac-
11 counting barriers so that local educational agencies
12 can combine funds under this part with funds from
13 other Federal, State, and local sources to achieve
14 schoolwide reform in schoolwide programs under sec-
15 tion 1114.”;

16 (4) in subsection (d)—

17 (A) by striking out paragraph (2);

18 (B) in paragraph (1)—

19 (i) by striking out the paragraph des-
20 ignation “(1)” and the paragraph heading
21 “IN GENERAL.”; and

22 (ii) by redesignating subparagraphs
23 (A) through (F) as paragraphs (1) through
24 (6);

1 (C) in paragraph (2), as so redesignated,
 2 by inserting a comma and “and who include ex-
 3 perts on educational standards, assessments,
 4 accountability, and the diverse educational
 5 needs of students” after “parents”; and

6 (D) in paragraph (5), as redesignated by
 7 subparagraph (B)(ii), by redesignating clauses
 8 (i) through (iii) as subparagraphs (A) through
 9 (C), respectively;
 10 (5) in subsection (e)(1)—

11 (A) by redesignating subparagraphs (A)
 12 and (B) as subparagraphs (B) and (C); and

13 (B) by inserting before subparagraph (B)
 14 a new subparagraph (A) to read as follows:

15 “(A) be submitted for the first year for
 16 which this part is in effect following the enact-
 17 ment of the Educational Excellence for All Chil-
 18 dren Act of 1999;” and

19 (6) by amending subsection (g) to read as fol-
 20 lows:

21 (g) ENFORCEMENT.—If the Secretary determines
 22 that a State is not carrying out the requirements of sub-
 23 section (b)(3), relating to accountability, the Secretary
 24 may take any of the actions described in section 11209,
 25 in addition to any other action authorized by law.”.

LOCAL EDUCATIONAL AGENCY PLANS

SEC. 112. Section 1112 of the ESEA is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking out “Goals 2000” and all that follows through “section 14306” and inserting in lieu thereof “Individuals with Disabilities Education Act, the Carl D. Perkins Vocational and Technical Education Act of 1998, and other Acts, as appropriate”; and

(B) in paragraph (2), by striking out “section 14306” and inserting in lieu thereof “section 11504”;

(2) in subsection (b)—

(A) in the matter before paragraph (1), by striking out “Each” and inserting in lieu thereof “In order to help all children achieve to high standards, each”;

(B) in paragraph (1)—

(i) in subparagraph (B), by striking out “and” at the end thereof;

(ii) in subparagraph (C), by adding “and” at the end thereof; and

(iii) by adding at the end thereof a new subparagraph (D) to read as follows:

1 “(D) determine the literacy levels of first
2 graders and their need for interventions, and a
3 description of how it will ensure that any such
4 assessments—

5 “(i) are developmentally appropriate;

6 “(ii) use multiple measures to provide
7 information about the variety of skills that
8 research has identified as leading to early
9 reading; and

10 “(iii) are administered to students in
11 the language most likely to yield valid re-
12 sults;”;

13 (C) in paragraph (3), by inserting a
14 comma and “which shall also be a component of
15 its plan for professional development under title
16 II of this Act, if it receives funds under that
17 title” after “section 1119”;

18 (D) in paragraph (4)(B)—

19 (i) by striking out “or who were for-
20 merly” and all that follows through
21 “1994”;

22 (ii) by striking out “and youth at risk
23 of dropping out”; and

1 (iii) by inserting “Indian children
2 served under title IX,” after “under part
3 D,”;

4 (E) in paragraph (7), by striking out “eli-
5 gible”;

6 (F) by amending paragraph (9) to read as
7 follows:

8 “(9) where appropriate, a description of how
9 the local educational agency will use funds under
10 this part to support preschool programs in accord-
11 ance with section 1120B;”; and

12 (G) by adding at the end thereof new para-
13 graphs (10) and (11) to read as follows:

14 “(10) a description of the actions the agency
15 will take to assist its low-performing schools (includ-
16 ing schools identified under section 1116 as in need
17 of improvement), if there are any such schools, in
18 making the changes needed to educate all children to
19 the State standards; and

20 “(11) a description of how the agency will pro-
21 mote the use of extended learning time, such as an
22 extended school year, before- and after-school pro-
23 grams, and summer programs.”;

24 (3) in subsection (c)—

1 (A) by striking out paragraphs (2) and
2 (3); and

3 (B) in paragraph (1)—

4 (i) by striking out the paragraph des-
5 ignation “(1)” and the paragraph heading
6 “IN GENERAL.”;

7 (ii) by striking out subparagraphs (D)
8 and (H);

9 (iii) by redesignating subparagraphs
10 (A) through (C) and (E) through (G) as
11 paragraphs (1) through (6), respectively;

12 (iv) in paragraph (3), as so redesign-
13 nated, by striking out “adequate yearly
14 progress” and inserting in lieu thereof “the
15 continuous and substantial gains called for
16 under section 1111(b)(3)”;

17 (v) in paragraph (6), as redesignated
18 by clause (iii), by striking out “and” at the
19 end thereof; and

20 (vi) by adding at the end thereof new
21 paragraphs (7) and (8) to read as follows:

22 “(7) annually assess the English proficiency of
23 all children with limited English proficiency partici-
24 pating in programs under this part, use the results
25 of those assessments to help guide and modify in-

1 instruction in the content areas, and provide those re-
2 sults to the parents of those children; and

3 “(8) comply with the requirements of section
4 1119 regarding qualifications of teachers and para-
5 professionals.”;

6 (4) by amending subsection (d) to read as fol-
7 lows:

8 “(d) PLAN DEVELOPMENT AND DURATION.—(1)
9 Each local educational agency plan shall be developed in
10 consultation with teachers, administrators, and other ap-
11 propriate school personnel, and with parents of children
12 in schools served under this part.

13 “(2) Each such plan shall be submitted for the first
14 year for which this part is in effect following enactment
15 of the Educational Excellence for All Children Act of 1999
16 and shall remain in effect for the duration of the agency’s
17 participation under this part.

18 “(3) Each such local educational agency shall—

19 “(A) periodically review and, as necessary, re-
20 vise its plan, including revisions that respond to any
21 peer review carried out under this part; and

22 “(B) submit any such revisions to the State
23 educational agency for its approval.”; and

24 (5) in subsection (e)—

1 (A) by amending paragraph (1) to read as
 2 follows:

3 “(1) IN GENERAL.—Each local educational
 4 agency plan shall be filed according to a schedule es-
 5 tablished by the State educational agency.”;

6 (B) in paragraph (2), by inserting a
 7 comma and “through a peer-review process,”
 8 after “determines”; and

9 (C) by striking out paragraph (3).

10 ELIGIBLE SCHOOL ATTENDANCE AREAS

11 SEC. 113. Section 1113 of the ESEA is amended—

12 (1) in subsection (a)(7), by striking out “with”
 13 and all that follows through “if” and inserting in
 14 lieu thereof “under a desegregation plan ordered by
 15 a State or court or approved by the Secretary, or
 16 such a plan that the agency continues to implement
 17 after it has expired, if”;

18 (2) in subsection (b)(1)—

19 (A) in subparagraph (B), by striking out
 20 “and” at the end thereof;

21 (B) in subparagraph (C)(iii), by striking
 22 out the period at the end thereof and inserting
 23 in lieu thereof a semicolon and “and”; and

24 (C) by adding at the end thereof a new
 25 subparagraph (D) to read as follows:

1 “(D) designate and serve a school attend-
 2 ance area or school that is not eligible under
 3 subsection (a)(2), but that was eligible and that
 4 was served in the preceding fiscal year, but only
 5 for one additional fiscal year.”; and
 6 (3) in subsection (c)—

7 (A) in paragraph (2), by adding at the end
 8 thereof a new subparagraph (C) to read as fol-
 9 lows:

10 “(C) A local educational agency may allo-
 11 cate a greater per-child amount of funds under
 12 this part to higher-poverty school attendance
 13 areas and schools than it provides to lower-pov-
 14 erty areas and schools.”; and

15 (B) in paragraph (3)(A), by striking out
 16 “where appropriate, eligible”.

17 SCHOOLWIDE PROGRAMS

18 SEC. 114. (a) PURPOSE AND ELIGIBILITY.—Section
 19 1114(a) of the ESEA is amended—

20 (1) by amending the subsection heading to read
 21 as follows: “PURPOSE AND ELIGIBILITY.”;

22 (2) by amending paragraphs (1) and (2) to
 23 read as follows:

24 “(1) PURPOSE.—The purpose of a schoolwide
 25 program under this section is to—

1 “(A) enable a local educational agency to
2 use funds under this part, in combination with
3 other Federal, State, and local funds, to up-
4 grade the entire educational program in a high-
5 poverty school; and

6 “(B) help ensure that all children in such
7 a school meet challenging State standards for
8 student performance, particularly those children
9 who are most at risk of not meeting those
10 standards.

11 “(2) ELIGIBILITY.—A local educational agency
12 may use funds under this part for the purposes de-
13 scribed in paragraph (1) for a school that, in the
14 first year of the schoolwide program—

15 “(A) serves an eligible school attendance
16 area in which at least 50 percent of the children
17 are from low-income families; or

18 “(B) has a student enrollment at least 50
19 percent of which is comprised of such chil-
20 dren.”;

21 (3) in paragraph (4)(A)—

22 (A) by striking out “subsection (b)” and
23 inserting in lieu thereof “subsections (b) and
24 (c)”; and

1 (B) by inserting a comma and “except as
2 provided in section 613(a)(2)(D) of that Act”
3 after “Individuals with Disabilities Education
4 Act”; and

5 (4) by striking out paragraph (5).

6 (b) REORGANIZATION OF SECTION.—Section 1114 of
7 the ESEA is further amended—

8 (1) by striking out subsection (c); and

9 (2) by redesignating paragraph (2) of sub-
10 section (b) as subsection (c).

11 (c) COMPONENTS.—Section 1114(b) of the ESEA, as
12 amended by subsection (b)(2), is amended to read as fol-
13 lows:

14 “(b) COMPONENTS OF A SCHOOLWIDE PROGRAM.—
15 A schoolwide program shall include the following compo-
16 nents:

17 “(1) A comprehensive needs assessment of the
18 entire school that is based on—

19 “(A) information on the performance of all
20 children in the school in relation to the State
21 content standards and the State student per-
22 formance standards described in section
23 1111(b)(1); and

24 “(B) other factors that affect teaching and
25 learning in the school.

1 “(2) A coherent, research-based design to im-
2 prove teaching and learning throughout the entire
3 school that is based on the data from the needs as-
4 sessment described in paragraph (1) and includes—

5 “(A) schoolwide reform strategies that—

6 “(i) provide opportunities for all chil-
7 dren to meet the State’s proficient and ad-
8 vanced levels of student performance de-
9 scribed in section 1111(b)(1)(D);

10 “(ii) use effective research-based
11 methods and instructional strategies
12 that—

13 “(I) strengthen the core aca-
14 demic program in the school;

15 “(II) increase the amount and
16 quality of learning time, such as pro-
17 viding an extended school year and
18 before- and after-school and summer
19 programs and opportunities, and help
20 provide an enriched and accelerated
21 curriculum; and

22 “(III) include strategies for meet-
23 ing the educational needs of histori-
24 cally underserved populations, includ-

1 ing children with limited English pro-
2 ficiency;

3 “(iii)(I) address the needs of all chil-
4 dren in the school, but particularly the
5 needs of children who are most at risk of
6 not meeting the State student performance
7 standards, including the needs of children
8 who are members of the target population
9 of any program that is included in the
10 schoolwide program; and

11 “(II) address how the school will de-
12 termine if those needs have been met; and

13 “(iv) are integrated with, and are de-
14 signed to implement, State and local im-
15 provement plans or policies for comprehen-
16 sive standards-based reform;

17 “(B) instruction by highly qualified profes-
18 sional staff employed in accordance with section
19 1119;

20 “(C) in accordance with section 1119, on-
21 going, high-quality professional development for
22 teachers and aides and, where appropriate,
23 pupil services personnel, parents, principals,
24 and other staff to enable all children in the

1 school to meet the State student performance
2 standards;

3 “(D) strategies to increase parental in-
4 volvement, such as family literacy services;

5 “(E) plans for addressing transitions to
6 and from the grade span served by the
7 schoolwide program by, for example—

8 “(i) assisting preschool children in the
9 transition from early childhood programs
10 to kindergarten; and

11 “(ii) preparing high-school students
12 for the transition from school to further
13 education or the workplace; and

14 “(F) activities to ensure that students who
15 experience difficulty mastering any of the
16 standards required by section 1111(b) during
17 the course of the school year are provided with
18 effective, timely additional assistance, which
19 shall include—

20 “(i) measures to ensure that students’
21 difficulties are identified on a timely basis
22 and to provide sufficient information on
23 which to base effective assistance;

24 “(ii) for any student who has not met
25 those standards, teacher-parent con-

1 ferences, at which the teacher and parents
2 shall discuss—

3 “(I) what the school will do to
4 help the student meet those stand-
5 ards;

6 “(II) what the parents can do to
7 help the student improve his or her
8 performance; and

9 “(III) additional assistance that
10 may be available to the student at the
11 school or elsewhere in the community;
12 and

13 “(iii) specific interventions, such as
14 providing before- and after-school and
15 summer programs, and one-on-one tutoring
16 during non-instructional time.

17 “(3) Regular review of the school’s progress in
18 implementing its program and in achieving its goals
19 for student achievement.”.

20 (d) SCHOOLWIDE PLANS.—Subsection (c) of section
21 1114 of the ESEA, as redesignated by subsection (b)(2),
22 is amended—

23 (1) by striking out subparagraph (B);

24 (2) by redesignating subparagraphs (A) and (C)

25 as paragraphs (1) and (2), respectively;

1 (3) in paragraph (1), as so redesignated—

2 (A) by striking out “date of enactment”
3 and all that follows through “section 1117,”
4 and inserting in lieu thereof “effective date of
5 the Educational Excellence for All Children Act
6 of 1999), in consultation with the local edu-
7 cational agency,”;

8 (B) by redesignating clauses (i) through
9 (vii) as subparagraphs (A) through (G);

10 (C) in subparagraph (A), as redesignated
11 by subparagraph (B), by striking out “para-
12 graph (1)” and inserting in lieu thereof “sub-
13 section (b)”;

14 (D) in subparagraph (D), as redesignated
15 by subparagraph (B), by striking out “section
16 1111(b)(3)” and inserting in lieu thereof “sec-
17 tion 1111(b)(2)”;

18 (4) in paragraph (2), as redesignated by para-
19 graph (2)—

20 (A) by redesignating clauses (i) through
21 (v) as subparagraphs (A) through (E);

22 (B) in subparagraph (A), as so
23 redesignated—

24 (i) by redesignating subclauses (I) and
25 (II) as clauses (i) and (ii);

1 (ii) in clause (i), as so redesignated,
 2 by striking out “agency” and all that fol-
 3 lows through “1117,” and inserting in lieu
 4 thereof “agency”; and

5 (iii) in clause (ii), as redesignated by
 6 clause (i), by striking out “the date of en-
 7 actment of the Improving America’s
 8 Schools Act of 1994” and inserting in lieu
 9 thereof “the effective date of the Edu-
 10 cational Excellence for All Children Act of
 11 1999”; and

12 (C) in subparagraph (B), as redesignated
 13 by subparagraph (A), by striking out “other
 14 staff” and all that follows through “personnel”
 15 and inserting in lieu thereof “appropriate school
 16 staff”; and

17 (5) by adding at the end thereof a new para-
 18 graph (3) to read as follows:

19 “(3) No school shall implement a new or revised
 20 plan under this section until the local educational
 21 agency subjects it to a peer-review process, which
 22 may include reviewers from outside the agency, and
 23 approves it.”.

24 TARGETED ASSISTANCE SCHOOLS

25 SEC. 115. Section 1115 of the ESEA is amended—

26 (1) in subsection (b)—

1 (A) in paragraph (1)(A)—

2 (i) by striking out “part” and insert-
3 ing in lieu thereof “section”; and

4 (ii) in clause (ii), by striking out
5 “public education” and all that follows
6 through “setting” and inserting in lieu
7 thereof “public education”; and

8 (B) in paragraph (2)—

9 (i) by amending subparagraph (A)(i)
10 to read as follows:

11 “(i) Children with disabilities, migrant
12 children, and children with limited English
13 proficiency are eligible for services under
14 this part on the same basis as other chil-
15 dren.”;

16 (ii) in subparagraph (B), by inserting
17 “or in pre-school services under this title”
18 after “program”;

19 (iii) in subparagraph (C)—

20 (I) in clause (i), by striking out
21 “the program” and all that follows
22 through “may be” and inserting in
23 lieu thereof “part D is”; and

1 (II) in clause (ii), by striking out
2 “may be eligible” and inserting in lieu
3 thereof “is eligible”; and

4 (iv) in subparagraph (D), by striking
5 out “may be eligible” and inserting in lieu
6 thereof “is eligible”;

7 (2) in subsection (c)(1)—

8 (A) in subparagraph (B), by adding a
9 comma and “such as research-based approaches
10 for modifying instruction for children with lim-
11 ited English proficiency” after “children”;

12 (B) in subparagraph (D)(ii), by striking
13 out “curriculum, including applied learning”
14 and inserting in lieu thereof “curriculum”;

15 (C) by amending subparagraph (E) to read
16 as follows:

17 “(E) coordinate with and support the reg-
18 ular education program, which may include
19 services to assist preschool children in the tran-
20 sition from early childhood programs to elemen-
21 tary school programs and, for programs serving
22 high schools, preparing students for the transi-
23 tion from school to further education or the
24 workplace;”;

1 (D) in subparagraph (F), by inserting
 2 “employed in accordance with section 1119”
 3 after “staff”;

4 (E) in subparagraph (G), by striking out
 5 “subsection (e)(3) and”; and

6 (F) in subparagraph (H), by striking out
 7 “literary” and inserting in lieu thereof “lit-
 8 eracy”; and

9 (3) in subsection (e), by striking out paragraph
 10 (3).

11 SCHOOL CHOICE

12 SEC. 115A. Section 1115A(b)(4) of the ESEA is
 13 amended by striking out “section 1111(b)(3)” and insert-
 14 ing in lieu thereof “section 1111(b)(2)”.

15 ASSESSMENT AND LOCAL EDUCATIONAL AGENCY AND

16 SCHOOL IMPROVEMENT

17 SEC. 116. Subsections (a) through (d) of section
 18 1116 of the ESEA are amended to read as follows:

19 “(a) LOCAL REVIEW.—Each local educational agency
 20 receiving funds under this part shall—

21 “(1) use the State assessments and other indi-
 22 cators described in the State plan, as well as any ad-
 23 ditional measures or indicators described in the local
 24 educational agency’s plan, to review annually the
 25 progress of each school served under this part to de-
 26 termine if it is making continuous and substantial

1 gains as described in section 1111(b)(3) toward ena-
2 bling its students to meet the State student perform-
3 ance standards described in the State plan; and

4 “(2) provide the results of the local annual re-
5 view to schools so that they can continually refine
6 the program of instruction to help all children served
7 under this part in those schools meet those stand-
8 ards.

9 “(b) DESIGNATION OF DISTINGUISHED SCHOOLS.—
10 Each State educational agency shall designate as ‘Distin-
11 guished Schools’ those schools served under this part that
12 meet criteria established by the State, such as—

13 “(1) making the continuous and substantial
14 gains in student performance described in section
15 1111(b)(3) for three consecutive years;

16 “(2) having nearly all students meet the State
17 ‘proficient’ or ‘advanced’ levels of student perform-
18 ance; or

19 “(3) achieving, or significantly improving, eq-
20 uity in participation and achievement of students by
21 sex and race.

22 “(c) SCHOOL IMPROVEMENT.—

23 “(1) IN GENERAL.—

24 “(A) PURPOSE.—In order to improve staff,
25 curriculum, and the services offered to children,

1 so that they can meet challenging State stand-
2 ards, each local educational agency shall iden-
3 tify for school improvement any school served
4 under this part that—

5 “(i) for two consecutive years, failed
6 to meet the State’s criteria under section
7 1111(b)(3) either for overall improvement
8 or for improvement of the lowest per-
9 forming students, unless the Secretary has
10 approved an alternative procedure pro-
11 posed by the State in its plan under sec-
12 tion 1111(b)(3)(B)(ii); or

13 “(ii) immediately preceding the effec-
14 tive date of the amendments to this section
15 made by the Educational Excellence for All
16 Children Act of 1999, was in school-im-
17 provement status under this section, as
18 then in effect.

19 “(B) TRANSITION.—The two-year period
20 described in subparagraph (A) shall include any
21 continuous period of time, immediately pre-
22 ceding the effective date of the amendments
23 made to this section by the Educational Excel-
24 lence for All Children Act of 1999, during
25 which a school did not make adequate progress

1 as defined in the State’s plan under section
2 1111(b)(2)(B) or (7)(B), as then in effect.

3 “(C) TARGETED ASSISTANCE SCHOOLS.—

4 In determining whether a school that is con-
5 ducting a targeted assistance program under
6 section 1115 should be identified as in need of
7 improvement under this paragraph, a local edu-
8 cational agency may choose to review the
9 progress of only those students in that school
10 who are served under this part.

11 “(2) OPPORTUNITY TO REVIEW AND PRESENT
12 EVIDENCE.—(A) Before identifying a school for
13 school improvement under paragraph (1), the local
14 educational agency shall provide the school with an
15 opportunity to review the school-level data, including
16 assessment data, on which that proposed identifica-
17 tion is based.

18 “(B) If the school believes that the proposed
19 identification is in error for statistical or other sub-
20 stantive reasons, it may provide supporting evidence
21 to the local educational agency, which such agency
22 shall consider before making a final determination.

23 “(3) SCHOOL PLAN.—(A) Each school identified
24 under paragraph (1) shall, within three months of
25 being so identified, develop or revise a school plan,

1 in consultation with parents, school staff, the local
2 educational agency, and a State school support team
3 or other outside experts, that includes research-
4 based strategies and specific goals and objectives for
5 making continuous and substantial progress and
6 that—

7 “(i) has the greatest likelihood of improv-
8 ing the performance of participating children in
9 meeting the State’s student performance stand-
10 ards;

11 “(ii) addresses the fundamental teaching
12 and learning needs in that school, and the spe-
13 cific academic problems of low-performing stu-
14 dents;

15 “(iii) identifies and addresses the need to
16 improve the skills of its staff through effective
17 professional development;

18 “(iv) identifies student performance tar-
19 gets and goals for the next three years; and

20 “(v) specifies the responsibilities of the
21 local educational agency and the school under
22 the plan.

23 “(B) The local educational agency shall prompt-
24 ly subject the plan to a peer-review process, work

1 with the school to revise the plan as necessary, and
2 approve the plan.

3 “(C) The school shall implement its plan (or re-
4 vised plan) as soon as it is approved.

5 “(4) TECHNICAL ASSISTANCE.—For each school
6 identified under paragraph (1), the local educational
7 agency shall provide technical or other assistance as
8 the school develops and implements its plan.

9 “(5) CORRECTIVE ACTION.—In order to help
10 students served under this part meet challenging
11 State standards, each local educational agency shall
12 implement a system of corrective action in accord-
13 ance with the following, unless the Secretary has ap-
14 proved an alternative procedure proposed by the
15 State in its plan under section 1111(b)(3)(B)(ii):

16 “(A) After providing technical assistance
17 under paragraph (4) and taking other remedial
18 measures, the local educational agency—

19 “(i) may take corrective action at any
20 time with respect to a school that has been
21 identified under paragraph (1);

22 “(ii) shall take corrective action with
23 respect to any school that still fails to
24 make continuous and substantial gains, as
25 defined by the State, immediately after the

1 third year following its identification under
2 paragraph (1), except that the local edu-
3 cational agency may refrain from taking
4 such action for not more than one addi-
5 tional year if it assesses the school's per-
6 formance and determines that—

7 “(I) the school is meeting the
8 targets and goals of the school im-
9 provement plan described in para-
10 graph (3)(A)(iv), as shown by an im-
11 provement in student achievement
12 through a one-year gain in scores on
13 the State assessment; and

14 “(II) the school will meet the
15 State's criteria for continuous and
16 substantial gains within one year; and

17 “(iii) shall continue to provide tech-
18 nical assistance while instituting any cor-
19 rective action under clause (i) or (ii).

20 “(B) As used in this paragraph, the term
21 ‘corrective action’ means action, consistent with
22 State and local law, that—

23 “(i) substantially and directly re-
24 sponds to the consistent academic failure
25 that caused that agency to take that action

1 and to any underlying staffing, curricular,
2 or other problems in the school; and

3 “(ii) is designed to substantially in-
4 crease the likelihood that students in that
5 school will meet challenging State stand-
6 ards.

7 “(C) In any case described in subpara-
8 graph (A)(ii), the local educational agency shall
9 take at least one of the following corrective ac-
10 tions:

11 “(i) Instituting and fully imple-
12 menting a new curriculum, including ap-
13 propriate professional development for all
14 relevant staff, that is research-based and
15 offers substantial promise of improving
16 educational achievement for low-per-
17 forming students.

18 “(ii) Redesigning the school by recon-
19 stituting all or part of the school staff in
20 a manner consistent with section 1119(a);
21 restructuring the school, such as by cre-
22 ating schools within schools or other small-
23 er learning environments; or re-opening the
24 school under alternative governance ar-

1 rangements, such as a public charter
2 school.

3 “(iii) Closing the school.

4 “(iv) In conjunction with any other
5 action described in clauses (i) through (iii),
6 allowing students in the school who are
7 served under this part to choose to attend
8 other public schools and providing them
9 transportation (or the costs of transpor-
10 tation) to those schools.

11 “(D) The local educational agency shall
12 make public and disseminate any corrective ac-
13 tion it takes under this paragraph.

14 “(E) OPPORTUNITY TO REVIEW AND
15 PRESENT EVIDENCE.—(i) Before determining
16 that it will take corrective action with respect to
17 any school under this paragraph, the local edu-
18 cational agency shall provide the school an op-
19 portunity to review the school-level data, includ-
20 ing assessment data, on which the proposed de-
21 termination is made.

22 “(ii) If the school believes that the pro-
23 posed determination is in error for statistical or
24 other substantive reasons, it may provide sup-
25 porting evidence to the local educational agency,

1 which shall consider it before making a final de-
2 termination.

3 “(6) STATE EDUCATIONAL AGENCY RESPON-
4 SIBILITIES.—If a State educational agency deter-
5 mines that a local educational agency failed to carry
6 out its responsibilities under paragraphs (4) and (5),
7 it shall take such action as it finds necessary to im-
8 prove the affected schools and to ensure that the
9 local educational agency carries out those respon-
10 sibilities.

11 “(7) SPECIAL RULE.—A local educational agen-
12 cy may remove from school-improvement status
13 under this subsection any school that meets the
14 State’s criteria under section 1111(b)(3), including
15 showing substantial gains by the lowest-performing
16 students, for at least two of the three years following
17 its identification under paragraph (1).

18 “(d) STATE REVIEW AND LEA IMPROVEMENT.—

19 “(1) PURPOSE.—In order to ensure that chil-
20 dren served under this part meet challenging State
21 standards, each State educational agency shall annu-
22 ally review the progress of each participating local
23 educational agency, in accordance with section
24 1111(b)(3), to determine whether it is meeting the
25 State’s criteria for accountability, including showing

1 continuous and substantial gains in the achievement
2 of the lowest-performing students.

3 “(2) DISTINGUISHED SCHOOL DISTRICTS.—
4 Each State may designate as ‘Distinguished School
5 Districts’ those local educational agencies that, over
6 a three-year period, meet or exceed such criteria as
7 the State may establish for performance and im-
8 provement under this part.

9 “(3) IDENTIFICATION.—(A) A State edu-
10 cational agency shall identify for improvement any
11 local educational agency that, for two consecutive
12 years, does not meet the State’s criteria for account-
13 ability under section 1111(b)(3), including showing
14 continuous and substantial gains in achievement for
15 the lowest-performing students, unless the Secretary
16 has approved an alternative procedure in the State’s
17 plan under section 1111(b)(3)(B)(ii).

18 “(B)(i) Before identifying a local educational
19 agency for improvement under subparagraph (A),
20 the State educational agency shall provide the local
21 educational agency with an opportunity to review the
22 school-level data, including assessment data, on
23 which that proposed identification is based.

24 “(ii) If the local educational agency believes
25 that such proposed identification is in error due to

1 statistical or other substantive reasons, the local
2 educational agency may provide supporting evidence,
3 which the State educational agency shall consider
4 before making a final determination.

5 “(4) LOCAL EDUCATIONAL AGENCY REVI-
6 SIONS.—(A) Each local educational agency identified
7 under paragraph (3) shall, within three months of
8 being so identified, revise its plan under section
9 1112, in consultation with schools, parents, and out-
10 side educational experts, to—

11 “(i) address the fundamental teaching and
12 learning needs in the schools of that agency,
13 and the specific academic problems of low-per-
14 forming students;

15 “(ii) have the greatest likelihood of improv-
16 ing the performance of participating children in
17 meeting the State’s student performance stand-
18 ards; and

19 “(iii) identify annual student performance
20 targets and goals for the next three years.

21 “(B) Such revision shall include determining
22 why the local educational agency’s plan failed to
23 bring about increased achievement.

1 “(C) The local educational agency shall submit
2 its revised plan to the State educational agency for
3 peer review and approval.

4 “(5) STATE EDUCATIONAL AGENCY RESPONSIBILITY.—For each local educational agency identified under paragraph (3), the State educational agency shall provide technical or other assistance, if requested, as authorized under section 1117, to better enable the local educational agency to—

10 “(A) develop and implement its revised
11 plan; and

12 “(B) work with schools needing improvement.
13 ment.

14 “(6) CORRECTIVE ACTION.—In order to ensure
15 that children served under this part meet challenging State standards, each State educational agency shall implement a system of corrective action in accordance with the following, unless the Secretary has approved an alternative procedure in the State’s plan under section 1111(b)(3)(B)(ii):

21 “(A) After providing technical assistance
22 under paragraph (5) and taking other remedial
23 measures, the State educational agency—

24 “(i) may take corrective action at any
25 time with respect to a local educational

1 agency that has been identified under
2 paragraph (3);

3 “(ii) shall take such action with re-
4 spect to any local educational agency that
5 still fails to make continuous and substan-
6 tial gains, as defined by the State, imme-
7 diately after the third year following its
8 identification under paragraph (3), except
9 that the State educational agency may re-
10 frain from taking such action for not more
11 than one additional year if it assesses the
12 local educational agency’s performance and
13 determines that—

14 “(I) the local educational agency
15 is meeting the targets and goals in its
16 revised plan, as described in para-
17 graph (4)(A)(iii), as shown by an im-
18 provement in student achievement
19 through a one-year gain in scores on
20 the State assessment; and

21 “(II) the local educational agency
22 will meet the State’s criteria for con-
23 tinuous and substantial gains within
24 one year; and

1 “(iii) shall continue to provide tech-
2 nical assistance while instituting any cor-
3 rective action under clause (i) or (ii).

4 “(B) As used in this paragraph, the term
5 ‘corrective action’ means action, consistent with
6 State law, that—

7 “(i) substantially and directly re-
8 sponds to the persistent academic failure
9 that caused that agency to take that action
10 and to any underlying staffing, curricular,
11 or other problems in the local educational
12 agency; and

13 “(ii) is designed to substantially in-
14 crease the likelihood that students in the
15 local educational agency’s schools will meet
16 challenging State standards.

17 “(C) In any case described in subpara-
18 graph (A)(ii), the State educational agency
19 shall take at least one of the following correc-
20 tive actions:

21 “(i) Withholding of funds.

22 “(ii) Appointing a receiver or trustee
23 to administer the affairs of the local edu-
24 cational agency in place of the super-
25 intendent and school board.

1 “(iii) Abolishing or restructuring the
2 local educational agency.

3 “(iv) In conjunction with any other
4 action described in this subparagraph, al-
5 lowing students in schools served under
6 this part to choose to attend public schools
7 in other local educational agencies and pro-
8 viding them transportation (or the costs of
9 transportation) to those schools.

10 “(D) Before implementing any corrective
11 action under subparagraph (A), the State edu-
12 cational agency shall provide due process and a
13 hearing to the affected local educational agency,
14 if State law provides for such process and hear-
15 ing.

16 “(E) The State educational agency shall
17 make public and disseminate any corrective ac-
18 tion it takes under this paragraph.

19 “(7) SPECIAL RULE.—A State educational
20 agency may remove from improvement status under
21 this subsection any local educational agency that, for
22 at least two of the three years following identifica-
23 tion under paragraph (3), makes substantial gains
24 toward meeting the State’s standards.”.

3 SEC. 117. Section 1117 of the ESEA is amended to
4 read as follows:

5 “STATE ASSISTANCE FOR SCHOOL DISTRICT AND SCHOOL
6 SUPPORT AND IMPROVEMENT

7 “SEC. 1117. (a) SYSTEM FOR SUPPORT.—Each State
8 educational agency shall establish a statewide system of
9 intensive and sustained support and improvement for local
10 educational agencies and schools receiving funds under
11 this part, in order to increase the opportunity for all stu-
12 dents in those agencies and schools to meet the State’s
13 content standards and student performance standards.

14 “(b) PRIORITIES.—In carrying out this section, the
15 State educational agency shall—

“(1) first provide support and assistance to local educational agencies subject to corrective action under section 1116 and to help schools, in accordance with section 1116(c)(6), for which a local educational agency has failed to carry out its responsibilities under section 1116(c)(4) and (5);

22 “(2) next, provide support and assistance to
23 other local educational agencies identified as in need
24 of improvement under section 1116; and

25 “(3) then provide support and assistance to
26 other local educational agencies and schools partici-

1 pating under this part that need that support and
2 assistance in order to achieve the purpose of this
3 part.

4 “(c) APPROACHES.—In order to achieve the purpose
5 described in subsection (a), each such system shall provide
6 technical assistance and support through such approaches
7 as—

8 “(1) school support teams, composed of individ-
9 uals who are knowledgeable about research and
10 practice on teaching and learning, particularly about
11 strategies for improving educational results for low-
12 achieving students;

13 “(2) the designation and use of ‘Distinguished
14 Educators’, chosen from schools served under this
15 part that have been especially successful in enabling
16 children to meet (or make outstanding progress to-
17 ward meeting) State standards; and

18 “(3) a peer-review process designed to increase
19 the capacity of local educational agencies and
20 schools to develop high-quality school improvement
21 plans.

22 “(d) FUNDS.—Each State educational agency—

23 “(1) shall use funds reserved under section
24 1003(a)(1), but not used under section 1003(a)(2),
25 to carry out this section; and

“(2) may use State administrative funds reserved under section 1701(c) for that purpose.”.

PARENTAL INVOLVEMENT

SEC. 118. Section 1118 of the ESEA is amended—

(1) in subsection (a)(3)(A), by striking out “(other than funds allocated under section 1002(e))”;

(2) in subsection (c)—

(A) in paragraph (3), by striking out “section 1114(b)” and inserting in lieu thereof “section 1114(c)”;

(B) in paragraph (4)(B)—

(i) by striking out “school performance profiles required under section 1116(a)(3)” and inserting in lieu thereof “the school report cards required by section 11206”; and

(ii) by striking out “section 1111(b)(3)(H)” and inserting in lieu thereof “section 1111(b)(2)(H)”; and

(C) in paragraph (5)—

(i) by striking out “section 1114(b)(2)” and inserting in lieu thereof “section 1114(c)”; and

1 (ii) by striking out “participating chil-
 2 dren” and inserting in lieu thereof “chil-
 3 dren attending the school”;

4 (3) in subsection (e)(1)—

5 (A) by striking out “the National Edu-
 6 cation Goals” and inserting in lieu thereof
 7 “America’s Education Goals”; and

8 (B) by striking out “section 1111(b)(8)”
 9 and inserting in lieu thereof “section
 10 1111(b)(6)”;

11 (4) in subsection (f), by striking out “the pa-
 12 rental involvement requirements of”; and

13 (5) by striking out subsection (g).

14 TEACHER QUALIFICATIONS AND PROFESSIONAL

15 DEVELOPMENT

16 SEC. 119. Section 1119 of the ESEA is amended—

17 (1) by amending the section heading to read as
 18 follows: “HIGH-QUALITY INSTRUCTION”;

19 (2) by striking out subsections (f), (h), and (i)
 20 and redesignating subsections (b) through (e) and
 21 subsection (g) as subsections (d) through (h), re-
 22 spectively;

23 (3) by amending subsection (a) to read as fol-
 24 lows:

25 “(a) PURPOSE AND GENERAL REQUIREMENTS.—In
 26 order to enable all children to meet challenging State

1 standards, each local educational agency receiving assist-
2 ance under this part shall—

3 “(1) hire qualified instructional staff, consistent
4 with subsections (b) and (c);

5 “(2) provide high-quality professional develop-
6 ment that will improve teaching and learning in core
7 content areas, consistent with subsection (d); and

8 “(3) use at least five percent of its allocation
9 under this part for fiscal years 2001 and 2002, and
10 10 percent of that allocation for subsequent fiscal
11 years, for that professional development, except that
12 if a local educational agency fails to make substan-
13 tial progress against the indicators for professional
14 development identified by the Secretary under sec-
15 tion 2136 or the indicators for teacher quality estab-
16 lished by the State under section 11205 or by the
17 Secretary under section 11912, the State edu-
18 cational agency may withhold all or a portion of the
19 funds described in this paragraph and shall use any
20 funds so withheld to provide, or arrange for the pro-
21 vision of, the professional development described in
22 paragraph (2).”;

23 (4) by inserting new subsections (b) and (c) to
24 read as follows:

1 “(b) MINIMUM QUALIFICATIONS FOR TEACHERS.—

2 Each local educational agency shall ensure that, by no
3 later than the effective date of the amendments to this
4 section made by the Educational Excellence for All Chil-
5 dren Act of 1999, all new teachers in programs supported
6 with funds under this part—

7 “(1) are certified in the field in which they will
8 teach; or

9 “(2) have a bachelors degree and are enrolled
10 in a program through which they will obtain such
11 certification within three years.

12 “(c) PARAPROFESSIONALS.—(1) Each local edu-
13 cational agency shall ensure that, not later than July 1,
14 2002, all paraprofessionals working in programs sup-
15 ported with funds under this part meet the educational
16 requirements of paragraph (2) or (3) and perform only
17 the duties described in those paragraphs.

18 “(2) A paraprofessional may perform any of the fol-
19 lowing duties only if he or she has completed at least two
20 years of college and is under the direct supervision of a
21 teacher:

22 “(A) One-on-one tutoring for eligible students.
23 Any such tutoring must be at times that are in addi-
24 tion to the time a student would otherwise receive
25 instruction from a teacher.

1 “(B) Assisting with classroom management,
2 such as organizing instructional and other materials.

3 “(C) Providing assistance in a computer labora-
4 tory.

5 “(3) A paraprofessional who possesses a secondary
6 school diploma or its equivalent, but who has not com-
7 pleted at least two years of college, may perform only non-
8 instructional duties, such as improving parental involve-
9 ment, providing support in a library or media center, or
10 acting as a translator.

11 “(4) Each local educational agency shall ensure that
12 each paraprofessional described in paragraph (1)—

13 “(A) is appropriately trained and possesses the
14 knowledge and skills sufficient to support teachers,
15 parents, or school administrators, as the case may
16 be, in meeting the goals of this part;

17 “(B) participates in professional development
18 and other training opportunities directly relevant to
19 his or her work assignment or to upgrading his or
20 her assignment; and

21 “(C) is supervised by a teacher or other appro-
22 priate school staff member.”;

23 (5) in subsection (d), as redesignated by para-
24 graph (2)—

1 (A) by amending paragraph (1) to read as
2 follows:

3 “(1) Professional development under this sec-
4 tion shall include principals, teachers, and other
5 school staff in its design and shall—

6 “(A) improve the ability of teachers to help
7 all students, including children with disabilities,
8 children with limited English proficiency, and
9 economically disadvantaged children, reach high
10 State content and student performance stand-
11 ards;

12 “(B) advance teacher understanding of one
13 or more of the core academic subject areas and
14 effective instructional strategies for improving
15 student achievement in those areas;

16 “(C) be of sufficient duration to have a
17 positive and lasting impact on classroom in-
18 struction;

19 “(D) be an integral part of broader school
20 and district-wide plans for raising student
21 achievement to State standards;

22 “(E) be based on the best available re-
23 search on teaching and learning;

24 “(F) include professional development ac-
25 tivities that involve collaborative groups of

1 teachers and administrators from the same
2 school or district and, to the greatest extent
3 possible, include follow-up and school-based
4 support such as coaching or study groups; and

5 “(G) as a whole, be regularly evaluated for
6 its impact on increased teacher effectiveness
7 and improved student achievement, with the
8 findings of such evaluations used to improve the
9 quality of professional development.”; and

10 (B) in paragraph (2)—

11 (i) by amending subparagraph (A) to
12 read as follows:

13 “(A) instruction in the use of data and as-
14 sessments to inform and instruct classroom
15 practice;”;

16 (ii) by amending subparagraph (D) to
17 read as follows:

18 “(D) instruction in the use of technology
19 as a tool to improve instruction;”;

20 (iii) in subparagraph (H), by striking
21 out “Head Start” and all that follows
22 through “personnel” and inserting in lieu
23 thereof “Head Start, or family literacy
24 programs such as Even Start; State-run

1 preschool program personnel; and child-
 2 care providers”; and

3 (6) in subsection (h), as redesignated by para-
 4 graph (2), by striking out “this Act” and all that
 5 follows through “sources” and inserting in lieu
 6 thereof “this Act and other sources”.

7 PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE
 8 SCHOOLS

9 SEC. 120. Section 1120 of the ESEA is amended—

10 (1) in subsection (a)—

11 (A) in paragraph (1), by inserting “that
 12 address their needs, and shall ensure that
 13 teachers and families of these students partici-
 14 pate, on an equitable basis, in services and ac-
 15 tivities under sections 1118 and 1119” before
 16 the period at the end thereof; and

17 (B) in paragraph (4), by inserting, before
 18 the period at the end thereof, a comma and
 19 “which the local educational agency may deter-
 20 mine each year or every two years”;

21 (2) in subsection (b)—

22 (A) in paragraph (1)—

23 (i) in subparagraph (D), by striking
 24 out “assessed; and” and inserting in lieu
 25 thereof “assessed, and how the results of

1 that assessment will be used to improve
2 those services”;

3 (ii) in subparagraph (E), by striking
4 out “what is” and all that follows through
5 the period at the end thereof and inserting
6 in lieu thereof “the amounts of funds gen-
7 erated by low-income private school chil-
8 dren in each participating attendance area
9 for those services;”; and

10 (iii) by adding at the end thereof new
11 subparagraphs (F) and (G) to read as fol-
12 lows:

13 “(F) the method or sources of data that
14 are used under subsection (a)(4) to determine
15 the number of children from low-income fami-
16 lies in participating school attendance areas
17 who attend private schools; and

18 “(G) how and when the agency will make
19 decisions about the delivery of services to those
20 children.”; and

21 (B) in paragraph (2)—

22 (i) by inserting “shall include meet-
23 ings of agency and private school officials
24 and” after “consultation”; and

- 1 (ii) by inserting a comma and “and
 2 shall continue throughout implementation
 3 and assessment of activities under this sec-
 4 tion” before the period at the end thereof;
 5 (3) in subsection (d)(2), by striking out “sec-
 6 tions 14505 and 14506” and inserting in lieu there-
 7 of “sections 11805 and 11806”; and
 8 (4) by striking out subsection (e).

9 FISCAL REQUIREMENTS

10 SEC. 120A. Section 1120A of the ESEA is
 11 amended—

- 12 (1) in subsection (a), by striking out “section
 13 14501” and inserting in lieu thereof “section
 14 11801”; and

15 (2) in subsection (c)—

16 (A) in paragraph (2)—

- 17 (i) by amending the paragraph head-
 18 ing to read as follows: “CRITERIA FOR
 19 MEETING COMPARABILITY REQUIRE-
 20 MENT.”;

21 (ii) by amending subparagraph (A) to
 22 read as follows:

23 “(A) To meet the requirement of para-
 24 graph (1), a local educational agency shall es-
 25 tablish, and obtain the State educational agen-
 26 cy’s approval of, policies to ensure com-

1 parability in the use of State and local funds
2 among its schools participating under this part
3 and its other schools with respect to—

4 “(i) pupil-teacher ratios and the quali-
5 fications of teachers (by category of assign-
6 ment, such as regular education, special
7 education, and bilingual education) and
8 professional staff;

9 “(ii) curriculum, the range of courses
10 offered, instructional materials, and in-
11 structional resources to ensure that partici-
12 pating children have the opportunity to
13 achieve to the highest student performance
14 levels under the State’s challenging content
15 and student performance standards; and

16 “(iii) the condition and safety of
17 school facilities, and their accessibility to
18 technology.”;

19 (iii) by striking out subparagraph (B)
20 and redesignating subparagraph (C) as
21 subparagraph (B); and

22 (iv) by inserting after subparagraph
23 (B), as so redesignated, a new subpara-
24 graph (C) to read as follows:

“(C) Notwithstanding subparagraph (A), a local educational agency may continue to meet the requirement of paragraph (1) by complying with subparagraph (A) as it was in effect prior to the enactment of the Educational Excellence for All Children Act of 1999, but each local educational agency shall comply with subparagraph (A), as amended by that Act, no later than July 1, 2002.”; and

(B) in paragraph (3)(B), by striking out “biennially” and inserting in lieu thereof “annually”.

PRESCHOOL SERVICES AND COORDINATION
REQUIREMENTS

SEC. 120B. Section 1120B of the ESEA is amended—

(1) by amending the section heading to read as follows: “PRESCHOOL SERVICES; COORDINATION REQUIREMENTS”;

(2) in subsection (c), by striking out “Head Start Act Amendments of 1994” and inserting in lieu thereof “Head Start Amendments of 1998”; and

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

“(d) PRESCHOOL SERVICES.—(1) A local educational agency may use funds received under this part to provide preschool services—

1 “(A) directly to eligible preschool children in all
2 or part of its jurisdiction;

3 “(B) through any school participating in the
4 agency’s program under this part; or

5 “(C) through a contract with a local Head
6 Start agency, a partnership operating an Even Start
7 program, a State-funded preschool program, or a
8 comparable public early-childhood development pro-
9 gram.

10 “(2) Preschool programs operated with funds pro-
11 vided under this part may be operated and funded jointly
12 with Even Start programs under part B of this title, Head
13 Start programs, or State-funded preschool programs.

14 “(3) All preschool programs funded under this part
15 shall—

16 “(A) focus on the developmental needs of par-
17 ticipating children, including their social, cognitive,
18 and language-development needs, and use research-
19 based approaches that build on competencies that
20 lead to school success, particularly in language and
21 literacy development and in reading; and

22 “(B) ensure that participating children, at a
23 minimum—

24 “(i) understand and use language to com-
25 municate for various purposes;

1 “(ii) understand and use increasingly com-
2 plex and varied vocabulary;

3 “(iii) develop and demonstrate an appre-
4 ciation of books;

5 “(iv) develop phonemic, print, and
6 numeracy awareness; and

7 “(v) in the case of children with limited
8 English proficiency, progress toward acquisition
9 of the English language.—

10 ALLOCATIONS

11 SEC. 120C. (a) GRANTS FOR THE OUTLYING AREAS
12 AND THE SECRETARY OF THE INTERIOR.—Section
13 1121(b) of the ESEA is amended—

14 (1) in paragraph (1), by striking out “para-
15 graph (3)” and inserting in lieu thereof “paragraph
16 (2)”; and

17 (2) in paragraph (2)(A), by inserting “not more
18 than” after “shall reserve”.

19 (b) ALLOCATIONS TO STATES.—Section 1122 of the
20 ESEA is amended to read as follows:

21 “ALLOCATIONS TO STATES

22 “SEC. 1122. (a) AMOUNTS FOR BASIC GRANTS, CON-
23 CENTRATION GRANTS, AND TARGETED GRANTS.—Of the
24 amount appropriated under section 1002(a) for any fiscal
25 year that remains after funds are reserved under section

1 1003(b), the Secretary shall allocate the greater of the fol-
2 lowing to targeted grants under section 1125:

3 “(1) 20 percent of that remaining amount.

4 “(2) The portion of that remaining amount that
5 exceeds the combined appropriation for fiscal year
6 1995 for basic grants under section 1124 and for
7 concentration grants under section 1124A.

8 “(b) ALLOCATIONS.—Except as provided in sub-
9 sections (c) and (d), the Secretary shall allocate to each
10 State the sum of the amounts determined for the local
11 educational agencies in the State under sections 1124,
12 1124A, and 1125.

13 “(c) ADJUSTMENTS IN CASE OF INSUFFICIENT AP-
14 PROPRIATIONS.—(1) If the sums available for any fiscal
15 year under subsection (a) are insufficient to pay the full
16 amounts that all local educational agencies in the States
17 are eligible to receive under sections 1124, 1124A, and
18 1125, the Secretary shall ratably reduce the allocations
19 to those agencies and to the States.

20 “(2) If additional funds become available for making
21 payments under those sections, the Secretary shall ratably
22 increase those allocations.

23 “(d) HOLD-HARMLESS AMOUNTS.—(1) Notwith-
24 standing subsections (b) and (c), the amount made avail-

1 able to each local educational agency under each of sec-
2 tions 1124 and 1125 for any fiscal year shall be—

3 “(A) at least 95 percent of its amount for the
4 previous fiscal year if the number of children count-
5 ed under section 1124(c) is at least 30 percent of
6 the total number of children aged 5 through 17 in
7 that agency;

8 “(B) at least 90 percent of its amount for the
9 previous fiscal year if the number of children so
10 counted is at least 15 percent, but less than 30 per-
11 cent, of the total number of children aged 5 through
12 17 in that agency; and

13 “(C) at least 85 percent of its amount for the
14 previous fiscal year if the number of children so
15 counted is less than 15 percent of the total number
16 of children aged 5 through 17 in that agency.

17 “(2) In any fiscal year for which the Secretary makes
18 allocations under this part to counties—

19 “(A) the Secretary shall apply the percentages
20 described in paragraph (1) to counties; and

21 “(B) if the allocation to a county is not suffi-
22 cient to meet the requirement of paragraph (1) for
23 each local educational agency in that county, the
24 State educational agency shall proportionately reallo-
25 cate funds from all other local educational agencies

1 in the State that would otherwise receive allocations
 2 in excess of the amounts determined under that
 3 paragraph.

4 “(e) DEFINITION.—For the purpose of this section
 5 and sections 1124, 1124A, and 1125, the term ‘State’
 6 means each of the 50 States, the District of Columbia,
 7 and the Commonwealth of Puerto Rico.”.

8 (c) BASIC GRANTS TO LOCAL EDUCATIONAL AGEN-
 9 CIES.—Section 1124 of the ESEA is amended—

10 (1) in subsection (a)—

11 (A) by amending paragraph (1) to read as
 12 follows:

13 “(1) GRANTS FOR LOCAL EDUCATIONAL AGEN-
 14 CIES.—Except as provided in paragraph (4) and in
 15 section 1126, the grant that a local educational
 16 agency is eligible to receive under this section for a
 17 fiscal year is the amount determined by
 18 multiplying—

19 “(A) the number of children counted under
 20 subsection (c); and

21 “(B) 40 percent of the average per-pupil
 22 expenditure in the State, except that the
 23 amount determined under this subparagraph
 24 shall not be less than 32 percent, and not more

1 than 48 percent, of the average per-pupil ex-
2 penditure in the United States.”;

3 (B) by redesignating paragraphs (3) and
4 (4) as paragraphs (4) and (5), respectively;

5 (C) by amending paragraph (2), and in-
6 serting after paragraph (2) a new paragraph
7 (3), to read as follows:

8 “(2) CALCULATION OF GRANTS.—

9 “(A) ALLOCATIONS TO LOCAL EDU-
10 CATIONAL AGENCIES.—The Secretary shall cal-
11 culate grants under this section on the basis of
12 the number of children counted under sub-
13 section (c) for local educational agencies, unless
14 the Secretary and the Secretary of Commerce
15 determine that some or all of those data are un-
16 reliable or that their use would be otherwise in-
17 appropriate, in which case—

18 “(i) the two Secretaries shall publicly
19 disclose the reasons for their determination
20 in detail; and

21 “(ii) paragraph (3) shall apply.

22 “(B) ALLOCATIONS TO LARGE AND SMALL
23 LOCAL EDUCATIONAL AGENCIES.—(i) For any
24 fiscal year to which this paragraph applies, the

1 Secretary shall calculate grants under this sec-
2 tion for each local educational agency.

3 “(ii) The amount of a grant under this
4 section for each large local educational agency
5 shall be the amount determined under clause
6 (i).

7 “(iii) For small local educational agencies,
8 the State educational agency may either—

9 “(I) distribute grants under this sec-
10 tion in amounts determined by the Sec-
11 retary under clause (i); or

12 “(II) use an alternative method ap-
13 proved by the Secretary to distribute the
14 portion of the State’s total grants under
15 this section that is based on those small
16 agencies.

17 “(iv) An alternative method under clause
18 (iii)(II) shall be based on population data that
19 the State educational agency determines best
20 reflect the current distribution of children in
21 poor families among the State’s small local edu-
22 cational agencies that meet the eligibility cri-
23 teria of subsection (b).

24 “(v) If a small local educational agency is
25 dissatisfied with the determination of its grant

1 by the State educational agency under clause
2 (iii)(II), it may appeal that determination to the
3 Secretary, who shall respond within 45 days of
4 receiving it.

5 “(vi) As used in this subparagraph—

6 “(I) the term ‘large local educational
7 agency’ means a local educational agency
8 serving an area with a total population of
9 20,000 or more; and

10 “(II) the term ‘small local educational
11 agency’ means a local educational agency
12 serving an area with a total population of
13 less than 20,000.

14 “(3) ALLOCATIONS TO COUNTIES.—(A) For any
15 fiscal year to which this paragraph applies, the Sec-
16 retary shall calculate grants under this section on
17 the basis of the number of children counted under
18 section 1124(c) for counties, and State educational
19 agencies shall suballocate county amounts to local
20 educational agencies, in accordance with regulations
21 of the Secretary.

22 “(B) In any State in which a large number of
23 local educational agencies overlap county boundaries,
24 or for which the State believes it has data that
25 would better target funds than allocating them by

1 county, the State educational agency may apply to
2 the Secretary for authority to make the allocations
3 under this part for a particular fiscal year directly
4 to local educational agencies without regard to coun-
5 ties.

6 “(C) If the Secretary approves its application
7 under subparagraph (B), the State educational
8 agency shall provide the Secretary an assurance that
9 those allocations will be made—

10 “(i) using precisely the same factors for
11 determining a grant as are used under this
12 part; or

13 “(ii) using data that the State educational
14 agency submits to the Secretary for approval
15 that more accurately target poverty.

16 “(D) The State educational agency shall pro-
17 vide the Secretary an assurance that a procedure is
18 (or will be) established through which local edu-
19 cational agencies that are dissatisfied with its deter-
20 minations under subparagraph (B) may appeal di-
21 rectly to the Secretary for a final determination.”;
22 and

23 (D) by amending paragraph (4), as redes-
24 igned by subparagraph (B), to read as fol-
25 lows:

1 “(4) PUERTO RICO.—The grant that the Com-
 2 monwealth of Puerto Rico is eligible to receive under
 3 this section for a fiscal year is the amount deter-
 4 mined for Puerto Rico under paragraph (1), multi-
 5 plied by the following:

6 “(A) For fiscal year 2001, 77.6 percent.

7 “(B) For fiscal year 2002, 83.2 percent.

8 “(C) For fiscal year 2003, 88.8 percent.

9 “(D) For fiscal year 2004, 94.4 percent.

10 “(E) For fiscal years starting with fiscal
 11 year 2005, 100 percent.”;

12 (2) by amending subsection (b) to read as fol-
 13 lows:

14 “(b) MINIMUM NUMBER OF CHILDREN TO QUAL-
 15 IFY.—A local educational agency is eligible for a basic
 16 grant under this section for any fiscal year only if the
 17 number of children counted under subsection (c) for that
 18 agency is both—

19 “(1) 10 or more; and

20 “(2) more than two percent of the total school-
 21 age population in the agency’s jurisdiction.”;

22 (3) in subsection (c)—

23 (A) in paragraph (1)—

24 (i) in subparagraph (A), by adding

25 “and” at the end thereof;

1 (ii) by striking out subparagraph (B)
2 and redesignating subparagraph (C) as
3 subparagraph (B); and

4 (iii) in subparagraph (B), as so rededesignated, by inserting “(determined under
5 paragraph (4) for either the preceding year
6 as described in that paragraph, or for the
7 second preceding year, as the Secretary
8 finds appropriate)” after “number of children”;
9
10

11 (B) in paragraph (2)—

12 (i) in the second sentence, by striking
13 out “For fiscal year 1999 and beyond,
14 the” and inserting in lieu thereof “The”;
15 and

16 (ii) by striking out the third and
17 fourth sentences;

18 (C) in paragraph (3)—

19 (i) in the first sentence—

20 (I) by striking out “1997” and
21 inserting in lieu thereof “2001”; and

22 (II) by striking out “unreliable”
23 and all that follows through Sciences”
24 and inserting in lieu thereof “unreliable”;
25 and

1 (ii) in the second sentence, by striking
2 out “jointly issue a report setting forth
3 their reasons in detail” and inserting in
4 lieu thereof “publicly disclose their rea-
5 sons”;

6 (D) by striking out paragraph (4) and re-
7 designating paragraphs (5) and (6) as para-
8 graphs (4) and (5), respectively;

9 (E) in paragraph (4), as redesignated by
10 subparagraph (D)—

11 (i) by striking out the first sentence;

12 (ii) in the second sentence—

13 (I) by striking out “the number
14 of such children and”;

15 (II) by striking out “of such
16 ages” and inserting in lieu thereof
17 “aged 5 through 17”; and

18 (III) by striking out “(using”
19 and all that follows through “Octo-
20 ber)”; and

21 (iii) by adding the following sentence
22 at the end thereof: “For the purpose of
23 this section, the Secretary shall consider all
24 children who are in correctional institu-

1 tions to be living in institutions for delin-
2 quent children.”; and

3 (F) in paragraph (5), as redesignated by
4 subparagraph (D), by striking out the final sen-
5 tence; and

6 (4) in subsection (d), by striking out “sub-
7 section (b)(1) or (d) of”.

8 (d) CONCENTRATION GRANTS.—Section 1124A of
9 the ESEA is amended—

10 (1) in subsection (a)—

11 (A) in paragraph (1)—

12 (i) by amending subparagraph (A) to
13 read as follows:

14 “(A) Except as provided in subparagraph
15 (B), each local educational agency that is eligi-
16 ble for a grant under section 1124 for any fis-
17 cal year is eligible for an additional grant under
18 this section for that fiscal year if the number
19 of children counted under section 1124(c) in
20 the agency exceeds either—

21 “(i) 6,500; or

22 “(ii) 15 percent of the total number of
23 children aged 5 through 17 in the agen-
24 cy.”; and

25 (ii) in subparagraph (B)—

1 (I) by striking out “such sub-
2 sections (b)(1) and (d) of”; and

3 (II) by striking out “described in
4 subparagraph (A)”; and

5 (B) by amending paragraph (4) to read as
6 follows:

7 “(4) LOCAL ALLOCATIONS.—(A) Grant
8 amounts under this section shall be determined in
9 accordance with section 1124(a)(2) and (3).

10 “(B) For any fiscal year for which the Sec-
11 retary allocates funds under this section to counties,
12 a State may reserve not more than two percent of
13 its allocation under this section for any fiscal year
14 to make grants to local educational agencies that
15 meet the criteria of paragraph (1)(A)(i) or (ii) but
16 that are in ineligible counties.”; and

17 (2) by deleting subsections (b) and (c) and re-
18 designating subsection (d) as subsection (b).

19 (e) TARGETED ASSISTANCE GRANTS.—Section 1125
20 of the ESEA is amended—

21 (1) in subsection (b)—

22 (A) in paragraph (1)(B), by striking out
23 “the second sentence of subparagraph
24 1124(a)(1)(A)” and inserting in lieu thereof
25 “section 1124(a)(1)(A)”; and

1 (B) in paragraph (2), by striking out “sub-
2 paragraph 1124(a)(3)” and inserting in lieu
3 thereof “section 1124(a)(4)”;

4 (2) in subsection (c)—

5 (A) in paragraph (1), by amending the
6 paragraph heading to read as follows:
7 “WEIGHTS FOR ALLOCATIONS TO COUNTIES.”;
8 and

9 (B) in paragraph (2)—

10 (i) by amending the paragraph head-
11 ing to read as follows: “WEIGHTS FOR AL-
12 LOCATIONS TO LOCAL EDUCATIONAL AGEN-
13 CIES.”; and

14 (ii) in subparagraph (A), by striking
15 out “beginning with fiscal year 1999”;

16 (3) by amending subsection (d) to read as fol-
17 lows:

18 “(d) CALCULATION OF GRANT AMOUNTS.—Grants
19 under this section shall be calculated in accordance with
20 section 1124(a)(2) and (3).”; and

21 (4) in subsection (e), by striking out “sub-
22 section (b)(1) or (d) of”.

23 (f) EDUCATION FINANCE INCENTIVE PROGRAM.—
24 Section 1125A of the ESEA is amended—

1 (1) by amending subsection (a) to read as fol-
2 lows:

3 “(a) GRANTS.—From sums appropriated to carry out
4 this section, the Secretary is authorized to make grants
5 to States to carry out the purposes of this part.”;

6 (2) in subsection (b)—

7 (A) by striking out “Funds appropriated
8 pursuant to subsection (e)” and inserting in
9 lieu thereof “Funds described in subsection (a)
10 for each fiscal year”; and

11 (B) by striking out “appropriated pursuant
12 to subsection (e) for such fiscal year” and in-
13 serting in lieu thereof “of those funds”; and

14 (3) by striking out subsection (e).

15 (g) SPECIAL ALLOCATION PROCEDURES.—Section
16 1126(a)(1) of the ESEA is amended—

17 (1) by inserting “or delinquent” after “ne-
18 glected”; and

19 (2) by striking out “subparagraph
20 1124(c)(1)(C)” and inserting in lieu thereof “section
21 1124(c)(1)(B)”.

22 PROGRAM INDICATORS

23 SEC. 120D. Part A of title I of the ESEA is further
24 amended by adding at the end thereof a new subpart 3
25 to read as follows:

1 “Subpart 3—Program Indicators

2 “PROGRAM INDICATORS

3 “SEC. 1131. Each State receiving assistance under
4 this part shall report to the Secretary each year with re-
5 spect to its progress in meeting the following performance
6 indicators for participating schools and local educational
7 agencies, and shall use those indicators to improve its pro-
8 gram performance:

9 “(1) STUDENT PERFORMANCE.—Increasing
10 percentages of students in schools with at least 50
11 percent poverty will meet proficient and advanced
12 performance levels on State assessments in reading
13 and mathematics.

14 “(2) STUDENT PERFORMANCE.—The average
15 scores representing the performance of the lowest
16 achieving students on State assessments will in-
17 crease annually in both reading and mathematics.

18 “(3) ACCOUNTABILITY.—Increasing percentages
19 of schools identified as in need of improvement
20 under this part will show academic progress after
21 two years.

22 “(4) QUALIFIED TEACHERS.—The percentage
23 of teachers in programs under this part who are cer-
24 tified in the field in which they teach will increase
25 annually.

1 “(5) ALIGNED CURRICULA AND MATERIALS.—
 2 Increasing percentages of school principals will re-
 3 port that curricula and instructional materials in use
 4 in their school are aligned with challenging State
 5 content standards.

6 “(6) EXTENDED TIME.—Increasing percentages
 7 of schools will operate before- and after-school, sum-
 8 mer, and other programs designed to extend and re-
 9 inforce student learning.

10 “(7) PARENTAL INVOLVEMENT.—Increasing
 11 percentages of parents will report that their schools
 12 engage them in supporting their children’s learn-
 13 ing.”.

14 PART B—EVEN START

15 STATEMENT OF PURPOSE

16 SEC. 121. Section 1201 of the ESEA is amended—

17 (1) in paragraph (1), by inserting “high-qual-
 18 ity” after “existing”;

19 (2) in paragraph (2), by striking out “and” at
 20 the end thereof;

21 (3) in paragraph (3), by striking out the period
 22 and inserting in lieu thereof a semicolon and “and”;
 23 and

24 (4) by adding at the end thereof a new para-
 25 graph (4) to read as follows:

1 “(4) be based on the best available research on
2 language development, reading instruction, and pre-
3 vention of reading difficulties.”.

4 PROGRAM AUTHORIZED

5 SEC. 122. Section 1202 of the ESEA is amended—

6 (1) by amending subsection (a) to read as fol-
7 lows:

8 “(a) RESERVATION OF FUNDS.—For each fiscal year,
9 the Secretary shall reserve 5 percent of the amount appro-
10 priated under section 1002(b) for programs, under such
11 terms and conditions as the Secretary shall establish, that
12 are consistent with the purpose of this part, and that sup-
13 port national demonstration and model projects for iso-
14 lated and especially hard-to-reach populations, which shall
15 include projects for—

16 “(1) children of migratory workers;

17 “(2) the outlying areas, for which the Secretary
18 shall reserve one-half of one percent of the funds ap-
19 propriated under section 1002(b);

20 “(3) Indian tribes and tribal organizations; and

21 “(4) such other populations as the Secretary
22 may from time to time determine, such as families
23 that are homeless, that have children with severe
24 disabilities, or that include incarcerated mothers of
25 young children.”;

1 (2) by amending subsection (b) to read as fol-
2 lows:

3 “(b) RESERVATION FOR FEDERAL ACTIVITIES.—
4 From amounts appropriated under section 1002(b) for
5 any fiscal year, the Secretary may reserve not more than
6 one percent to provide, directly or through grants or con-
7 tracts with eligible organizations, technical assistance,
8 program improvement, and replication activities.”;

9 (3) in subsection (c)—

10 (A) by amending the subsection heading to
11 read “RESERVATION FOR STATEWIDE FAMILY
12 LITERACY INITIATIVES.”;

13 (B) in paragraph (1), by striking out
14 “From funds reserved under section
15 2260(b)(3), the Secretary shall” and inserting
16 in lieu thereof “From funds appropriated under
17 section 1002(b) for any fiscal year, the Sec-
18 retary may”;

19 (C) in paragraph (2)(C)—

20 (i) in the subparagraph heading, by
21 striking out “PART C OF TITLE II” and
22 inserting in lieu thereof “PART E”;

23 (ii) by striking out “section 2253(d)”
24 and inserting in lieu thereof “section
25 1503(d)”; and

1 (iii) by striking out “section 2253”
2 and inserting in lieu thereof “section
3 1503”; and

4 (D) in paragraph (3), by striking out “sec-
5 tion 2252” and inserting in lieu thereof “sec-
6 tion 1502”;

7 (4) in subsection (d)—

8 (A) in paragraph (2), by striking out “that
9 section” and inserting in lieu thereof “that
10 part”; and

11 (B) in paragraph (3)—

12 (i) by striking out “\$250,000, or”;
13 and

14 (ii) by striking out “such year, which-
15 ever is greater” and inserting in lieu there-
16 of “such year”; and

17 (5) in subsection (e)—

18 (A) in paragraph (2), by striking out “non-
19 profit”; and

20 (B) in paragraph (3), by striking out the
21 period at the end thereof and inserting in lieu
22 thereof a semicolon.

23 STATE PROGRAMS

24 SEC. 123. Section 1203 of the ESEA is amended—

25 (1) by redesignating subsections (a) and (b) as
26 subsections (b) and (c), respectively;

1 (2) by inserting a new subsection (a) to read as
2 follows:

3 “(a) STATE PLAN.—

4 “(1) CONTENTS.—Each State that desires to
5 receive a grant under this part shall submit a plan
6 to the Secretary containing such budgetary and
7 other information as the Secretary may require, and
8 which shall—

9 “(A) include the State’s indicators of pro-
10 gram quality, developed under section 1210 or,
11 if the State has not completed work on those
12 indicators, describe its progress in developing
13 them;

14 “(B) describe how the State is using, or
15 will use, those indicators to monitor, evaluate,
16 and improve projects it assists under this part,
17 and to decide whether to continue assisting
18 those projects;

19 “(C) describe how the State will help each
20 project under this part ensure the full imple-
21 mentation of the program elements described in
22 section 1205, including how it will encourage
23 local projects to use technology, such as dis-
24 tance learning, to improve program access and

1 the intensity of services, especially for isolated
2 populations;

3 “(D) describe how the State will conduct
4 the competition for subgrants, including the ap-
5 plication of the criteria described in section
6 1208; and

7 “(E) describe how the State will coordinate
8 resources, especially among State agencies, to
9 improve family literacy services in the State.

10 “(2) DURATION.—Each State plan shall—

11 “(A) be submitted for the first year for
12 which this part is in effect following the enact-
13 ment of the Educational Excellence for All Chil-
14 dren Act of 1999;

15 “(B) remain in effect for the duration of
16 the State’s participation under this part; and

17 “(C) be periodically reviewed and revised
18 by the State, as necessary.”;

19 (3) in subsection (b), as redesignated by para-
20 graph (1)—

21 (A) by striking out “section 1202(d)(1)”
22 and inserting in lieu thereof “section 1202(d)”;
23 and

1 (B) in paragraph (2), by striking out “sub-
 2 section (b)” and inserting in lieu thereof “sub-
 3 section (c)”; and

4 (4) in paragraph (1) of subsection (c), as redes-
 5 ignated by paragraph (1)—

6 (A) by striking out “section 1202(d)(1)”
 7 and inserting in lieu thereof “section 1202(d)”;
 8 and

9 (B) by striking out “subsection (a)” and
 10 inserting in lieu thereof “subsection (b)”.

11 USES OF FUNDS

12 SEC. 124. Section 1204 of the ESEA is amended—

13 (1) in subsection (a), by striking out “family-
 14 centered education programs” and inserting in lieu
 15 thereof “family literacy services”; and

16 (2) in subsection (b)(1), by inserting “and in
 17 section 1208(c)(2)” after “paragraph (2)”.

18 PROGRAM ELEMENTS

19 SEC. 125. Section 1205 of the ESEA is amended to
 20 read as follows:

21 “PROGRAM ELEMENTS

22 “SEC. 1205. Each program assisted under this part
 23 shall—

24 “(1) identify and recruit families most in need
 25 of services provided under this part, as indicated by
 26 the eligible parent or parents’ low income and low

1 level of adult literacy or English language pro-
2 ficiency, and other need-related factors;

3 “(2) screen and prepare parents (including
4 teenage parents) and children to enable them to par-
5 ticipate fully in the activities and services provided
6 under this part, including testing, referral to nec-
7 essary counseling, and other developmental, support,
8 and related services;

9 “(3) be designed to accommodate participating
10 families’ work schedules and other responsibilities,
11 including scheduling and locating services to allow
12 joint participation by parents and children, and pro-
13 viding support services necessary for participation in
14 the activities assisted under this part if those serv-
15 ices are unavailable from other sources, such as—

16 “(A) child care for the period that the par-
17 ents are involved in the programs assisted
18 under this part;

19 “(B) transportation to enable parents and
20 their children to participate in those programs;
21 and

22 “(C) career counseling and job-placement
23 services;

24 “(4) provide high-quality, intensive family lit-
25 eracy services (as defined in section 1202(e)(3)),

1 using instructional approaches that the best avail-
2 able research on reading indicates will be most effec-
3 tive in building adult literacy and children’s lan-
4 guage development and reading ability;

5 “(5) with respect to the qualifications of staff
6 whose salaries are supported with funds under this
7 part, ensure that—

8 “(A)(i) a majority of instruction is pro-
9 vided by teachers who have obtained at least a
10 bachelor’s degree, and who are certified in the
11 field in which they are teaching, or who are en-
12 rolled in a program leading to such certification
13 within two years;

14 “(ii) within four years of the effective date
15 of the amendments to this section made by the
16 Educational Excellence for All Children Act of
17 1999, all instruction is provided by teachers
18 who have at least a bachelor’s degree; and

19 “(iii) as of that effective date, all new
20 teachers who are hired to provide instruction
21 have at least a bachelor’s degree, and are cer-
22 tified in the field in which they are going to
23 teach, or are enrolled in a program leading to
24 such certification within two years;

1 “(B) not later than July 1, 2002, para-
2 professionals who provide instructional support
3 services, such as one-on-one tutoring and fol-
4 low-up educational activities in home visits and
5 with individuals and small groups, have com-
6 pleted at least two years of college and are
7 under the direct supervision of a teacher de-
8 scribed in subparagraph (A); and

9 “(C) paraprofessionals who provide non-in-
10 structional services, such as family recruitment,
11 acting as a translator, community-liaison work,
12 and media-center or library support, possess at
13 least a secondary school diploma or its equiva-
14 lent;

15 “(6) provide special training for staff, including
16 child-care staff, to develop the skills, and obtain cer-
17 tification in, instructional areas needed to carry out
18 the purpose of this part;

19 “(7) provide and monitor integrated instruc-
20 tional services to participating parents and children
21 through center-based and home-based programs;

22 “(8) serve those families most in need of the ac-
23 tivities and services provided under this part, includ-
24 ing individuals with special needs, such as individ-

1 uals with disabilities, individuals with limited
2 English proficiency, and homeless individuals;

3 “(9) use methods that ensure that participating
4 families successfully complete the program,
5 including—

6 “(A) operating a year-round program, in-
7 cluding continuing to provide some instructional
8 services for participants during the summer
9 months;

10 “(B) providing developmentally appropriate
11 educational services for at least a three-year
12 age range of children;

13 “(C) encouraging participating families to
14 regularly attend and remain in the program for
15 a sufficient time to meet their program goals;
16 and

17 “(D) promoting the continuity of family
18 literacy services across critical points in the
19 lives of children and their parents so that those
20 individuals can retain and improve their edu-
21 cational outcomes;

22 “(10) be coordinated with—

23 “(A) programs assisted under other parts
24 of this title and this Act;

9 “(11) provide for an independent evaluation of
10 the program, consistent with section 1207(c)(1)(E),
11 to be used for program improvement.”.

SEC. 126. Section 1206(a)(1)(B) of the ESEA is amended by inserting a comma and “or who are attending secondary school” after “this part”.

17 SEC. 127. (a) PLANS.—Section 1207(c) of the ESEA
18 is amended—

21 (2) in paragraph (1)—

24 “(A) a description of the program goals,
25 including outcomes for children and families
26 that are consistent with the program indicators

1 established or adopted by the State under sec-
 2 tion 1210, and of the strategies the applicant
 3 will use to reach those goals;”;

4 (B) in subparagraph (B), by inserting
 5 “each of” after “incorporate”;

6 (C) in subparagraph (D) by inserting
 7 “and” at the end thereof; and

8 (D) by striking out subparagraphs (E) and
 9 (F) and inserting in lieu thereof the following:
 10 “(E) provisions for rigorous and objective
 11 evaluation of progress toward the goals de-
 12 scribed in subparagraph (A), and the con-
 13 tinuing use of evaluation data for program im-
 14 provement.”; and

15 (3) in paragraph (2), by striking out “para-
 16 graph (1)(A)” and inserting in lieu thereof “para-
 17 graph (1)”.

18 (b) TECHNICAL AMENDMENT.—Section 1207 of the
 19 ESEA is further amended by striking out subsection (d).

20 AWARD OF SUBGRANTS

21 SEC. 128. (a) SELECTION PROCESS.—Section
 22 1208(a) of the ESEA is amended—

23 (1) in paragraph (1)—

24 (A) in subparagraph (B), by striking out
 25 “limited-English” and inserting in lieu thereof
 26 “limited English”;

1 (B) by striking out subparagraph (C);

2 (C) by redesignating subparagraphs (D)
3 through (H) as subparagraphs (C) through (G)
4 respectively;

5 (D) in subparagraph (E), as redesignated
6 by subparagraph (C), by striking out “Federal”
7 and inserting in lieu thereof “non-Federal”; and

8 (E) in subparagraph (G), as redesignated
9 by subparagraph (C), by striking out “local
10 educational agencies” and inserting in lieu
11 thereof “family literacy projects”; and

12 (2) in paragraph (3), by striking out “one or
13 more of the following individuals:” and inserting in
14 lieu thereof “an individual with expertise in family
15 literacy programs, and may include other individ-
16 uals, such as one or more of the following:”.

17 (b) EXEMPLARY PROJECTS.—Section 1208 of the
18 ESEA is amended by adding at the end thereof a new
19 subsection (c) to read as follows:

20 “(c) EXEMPLARY PROJECTS.—(1) Notwithstanding
21 subsection (b)(5)(A), each State may use funds under this
22 part in any fiscal year to continue providing assistance,
23 for up to two additional years, for not more than two
24 projects that have been highly successful in achieving the
25 goals described in their plans under section 1207(c)(1)(A)

1 and that have substantial potential to serve as models for
 2 other projects throughout the Nation and as mentor sites
 3 for other family-literacy programs in the State.

4 “(2) The Federal share of any subgrant under para-
 5 graph (1) shall not exceed 40 percent for the first year
 6 and 30 percent for the second year.”.

7 EVALUATION

8 SEC. 129. Section 1209 of the ESEA is amended to
 9 read as follows:

10 “EVALUATION

11 “SEC. 1209. The Secretary shall provide for an inde-
 12 pendent evaluation of programs assisted under this part,
 13 to—

14 “(1) determine their performance and effective-
 15 ness; and

16 “(2) identify effective programs that can be du-
 17 plicated and used in providing technical assistance to
 18 Federal, State, and local programs.”.

19 INDICATORS OF PROGRAM QUALITY

20 SEC. 130. Section 1210 of the ESEA is amended—

21 (1) by striking out “Each” and inserting in lieu
 22 thereof “By September 30, 2000, each”; and

23 (2) by adding at the end thereof a new para-
 24 graph (3) to read as follows:

25 “(3) With respect to a program’s implementa-
 26 tion of high-quality, intensive family literacy serv-

1 ices, specific levels of intensity of those services and
 2 duration of individuals' participation that are nec-
 3 essary to result in the outcomes described under
 4 paragraphs (1) and (2), which the State shall peri-
 5 odically review and revise as needed to achieve those
 6 outcomes.”.

7 REPEAL AND REDESIGNATION

8 SEC. 130A. (a) REPEAL.—Section 1211 of the ESEA
 9 is repealed.

10 (b) REDESIGNATION.—Section 1212 of the ESEA is
 11 redesignated as section 1211.

12 PART C—EDUCATION OF MIGRATORY CHILDREN

13 STATE ALLOCATIONS

14 SEC. 131. Section 1303 of the ESEA is amended—

15 (1) by amending subsection (a) to read as fol-
 16 lows:

17 “(a) STATE ALLOCATIONS.—

18 “(1) IN GENERAL.—Except as provided in para-
 19 graph (2) and subsection (b), each State is entitled
 20 to receive under this part, for each fiscal year, an
 21 amount equal to—

22 “(A) the sum of—

23 “(i) the number of identified eligible
 24 migratory children, aged 3 through 21, re-
 25 siding in the State during the previous
 26 year; and

1 “(ii) the number of identified eligible
 2 migratory children, aged 3 through 21,
 3 who received services under this part in
 4 summer or intersession programs provided
 5 by the State; multiplied by

6 “(B) 40 percent of the average per-pupil
 7 expenditure in the State, but not less than 32
 8 percent or more than 48 percent of the average
 9 per-pupil expenditure in the United States.

10 “(2) MINIMUM AND MAXIMUM ALLOCATIONS.—
 11 No State’s allocation under paragraph (1) for any
 12 fiscal year shall be more than 120 percent, or less
 13 than 80 percent, of its allocation for the previous
 14 year, except that no State’s allocation shall be less
 15 than \$200,000.”;

16 (2) by amending subsection (b) to read as fol-
 17 lows:

18 “(b) ALLOCATIONS TO PUERTO RICO.—Subject to
 19 subsection (a)(2), the grant that the Commonwealth of
 20 Puerto Rico is eligible to receive under this section for a
 21 fiscal year is the amount determined for Puerto Rico
 22 under subsection (a)(1), multiplied by the following:

23 “(1) For fiscal year 2001, 77.6 percent.

24 “(2) For fiscal year 2002, 83.2 percent.

25 “(3) For fiscal year 2003, 88.8 percent.

1 “(4) For fiscal year 2004, 94.4 percent.

2 “(5) For fiscal years starting with fiscal year
3 2005, 100 percent.”; and

4 (3) by striking out subsections (d) and (e).

5 STATE APPLICATIONS

6 SEC. 132. Section 1304 of the ESEA is amended—

7 (1) in subsection (b)—

8 (A) in paragraph (1), by striking out
9 “through” and all that follows through the end
10 thereof and inserting in lieu thereof “through—

11 “(A) the full range of services that are
12 available for migratory children from appro-
13 priate local, State, and Federal educational pro-
14 grams;

15 “(B) joint planning among such local,
16 State, and Federal programs, and bilingual
17 education programs under part A of title VII;

18 “(C) the integration of services available
19 under this part with services provided by those
20 other programs; and

21 “(D) measurable program goals and out-
22 comes;

23 (B) in paragraph (5), by striking out “the
24 requirements of paragraph (1)” and inserting
25 in lieu thereof “the numbers and needs of mi-
26 gratory children, the requirements of subsection

1 (d), and the availability of funds from other
2 Federal, State, and local programs”;

3 (C) by redesignating paragraphs (5) and
4 (6) as paragraphs (6) and (7); and

5 (D) by inserting after paragraph (4) a new
6 paragraph (5) to read as follows:

7 “(5) a description of how the State will encour-
8 age the participation of migratory children in State
9 assessments required under section 1111(b)(2);”;
10 and

11 (2) in subsection (c)—

12 (A) in paragraph (1)(A), by striking out
13 “section 1306(b)(1)” and inserting in lieu
14 thereof “section 1306(a)”;

15 (B) in paragraph (2), by striking out “part
16 F” and inserting in lieu thereof “part G”;

17 (C) in paragraph (3)—

18 (i) by striking out “appropriate”; and

19 (ii) by striking out “carried out, to
20 the extent feasible,” and inserting in lieu
21 thereof “carried out”; and

22 (D) in paragraph (7), by striking out “sec-
23 tion 1303(e)” and inserting in lieu thereof “sec-
24 tion 1303(a)(1)(A)”.

1 AUTHORIZED ACTIVITIES

2 SEC. 133. Section 1306 of the ESEA is amended to
3 read as follows:

4 “AUTHORIZED ACTIVITIES

5 “SEC. 1306. (a) IN GENERAL.—(1)(A) Each State
6 educational agency, through its operating agencies, shall
7 have the flexibility to determine the activities to be pro-
8 vided with funds made available under this part; except
9 that (B) such funds shall first be used to meet the identi-
10 fied needs of migratory children that result from their mi-
11 gratory lifestyle, and permit these children to participate
12 effectively in school.

13 “(2) Funds provided under this part shall be used
14 to address the needs of migratory children that are not
15 addressed by services available from other Federal or non-
16 Federal programs, except that migratory children who are
17 eligible to receive services under part A of this title may
18 receive those services through funds provided under that
19 part, or with funds under this part that remain after the
20 agency addresses the needs described in paragraph (1)(B).

21 “(b) CONSTRUCTION.—Nothing in this part shall be
22 construed to prohibit a local operating agency from serv-
23 ing migratory children simultaneously with students with
24 similar educational needs in the same educational settings,
25 where appropriate.

1 “(c) SPECIAL RULE.—Notwithstanding section 1114,
2 a school that receives funds under this part shall continue
3 to address the identified needs described in subsection
4 (a)(1).”.

5 COORDINATION OF MIGRANT EDUCATION ACTIVITIES

6 SEC. 134. Section 1308 of the ESEA is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (1), by striking out “non-
9 profit”; and

10 (B) in paragraph (2) by striking out “sub-
11 part” and inserting in lieu thereof “subsection”;

12 (2) by amending subsection (b) to read as fol-
13 lows:

14 “(b) ASSISTANCE.—The Secretary shall assist States
15 in developing effective methods for the transfer of student
16 records and in determining the number of migratory chil-
17 dren in each State.”;

18 (3) in subsection (c), by striking out
19 “\$6,000,000” and inserting in lieu thereof
20 “\$10,000,000”; and

21 (4) by amending subsection (d) to read as fol-
22 lows:

23 “(d) INCENTIVE GRANTS.—From the amounts made
24 available to carry out this section for any fiscal year, the
25 Secretary may reserve not more than \$3,000,000 to award
26 grants of not more than \$250,000 to State educational

1 agencies that propose consortium arrangements with an-
 2 other State or other appropriate entity that the Secretary
 3 determines, pursuant to criteria the Secretary shall estab-
 4 lish, would improve the delivery of services to migratory
 5 children whose education is interrupted.”.

6 DEFINITIONS

7 SEC. 135. Section 1309(2) of the ESEA is amended
 8 by striking out “parent, spouse, or guardian” each place
 9 it appears and inserting in lieu thereof “parent or
 10 spouse”.

11 PART D—NEGLECTED AND DELINQUENT CHILDREN

12 PROGRAM NAME

13 SEC. 141. The heading of part D of title I of the
 14 ESEA is amended to read as follows:

15 “PART D—STATE AGENCY PROGRAMS FOR CHILDREN
 16 AND YOUTH WHO ARE NEGLECTED OR DELINQUENT”.

17 FINDINGS; PURPOSE; PROGRAM AUTHORIZED

18 SEC. 142. (a) FINDING.—Section 1401(a) of the
 19 ESEA is amended to read as follows:

20 “(a) FINDINGS.—Congress finds the following:

21 “(1) A large percentage of youth in the juve-
 22 nile-justice system have poor academic achievement,
 23 are a year or more behind grade level, and have
 24 dropped out of school.

25 “(2) Many schools and correctional facilities fail
 26 to communicate regarding a youth’s academic needs,

1 and students often return to their home school ill-
2 prepared to meet current curriculum requirements.

3 “(3) Schools are often reluctant to deal with
4 youth returning from facilities and often receive no
5 funds to deal with the unique educational and other
6 needs of those youth.

7 “(4) There is a need for federal assistance to
8 support State efforts to educate students in State
9 institutions for neglected and delinquent children
10 and youth to challenging academic standards.”.

11 (b) PURPOSE.—Section 1401(b) of the ESEA is
12 amended—

13 (1) in paragraph (1), by striking out “local
14 and”; and

15 (2) by amending paragraph (3) to read as fol-
16 lows:

17 “(3) to provide youth returning from institu-
18 tions with a support system to ensure their contin-
19 ued education.”.

20 (c) PROGRAM AUTHORIZED.—Section 1401(c) of the
21 ESEA is amended—

22 (1) by striking out “and local educational agen-
23 cies”; and

24 (2) by striking out “at risk” and all that fol-
25 lows through “graduation”.

1 PAYMENTS FOR PROGRAMS UNDER PART D

2 SEC. 143. Section 1402 of the ESEA is amended—

3 (1) by striking out “(a) AGENCY SUB-
4 GRANTS.—”; and

5 (2) by striking out subsections (b) and (c).

6 ALLOCATION OF FUNDS

7 SEC. 144. Section 1412 of the ESEA is amended—

8 (1) in subsection (a)(1)—

9 (A) by striking out “Each State agency de-
10 scribed in section 1411 (other than an agency
11 in the Commonwealth of Puerto Rico)” and in-
12 serting in lieu thereof “Except as provided in
13 subsection (b), each State agency described in
14 section 1411”; and

15 (B) by inserting “in” before “an amount
16 equal”; and

17 (2) by amending subsection (b) to read as fol-
18 lows:

19 “(b) SUBGRANTS TO STATE AGENCIES IN PUERTO
20 RICO.—The amount of the subgrant for which a State
21 agency in the Commonwealth of Puerto Rico is eligible
22 under this part for a fiscal year is the amount determined
23 for that agency under subsection (a), multiplied by the fol-
24 lowing:

25 “(1) For fiscal year 2001, 77.6 percent.

26 “(2) For fiscal year 2002, 83.2 percent.

1 “(3) For fiscal year 2003, 88.8 percent.

2 “(4) For fiscal year 2004, 94.4 percent.

3 “(5) For fiscal years starting with fiscal year
4 2005, 100 percent.”.

5 STATE PLAN AND STATE AGENCY APPLICATIONS

6 SEC. 145. (a) STATE PLAN.—Section 1414(a) of the
7 ESEA is amended—

8 (1) in paragraph (1), by striking out “14306”
9 and inserting in lieu thereof “11506”; and

10 (2) in paragraph (2)—

11 (A) in subparagraph (B), by striking out
12 “as such children would have if such children”
13 and inserting in lieu thereof a comma and “and
14 will be held to the same challenging standards,
15 as they would if they”; and

16 (B) in subparagraph (C)(ii), by striking
17 out “1416” and inserting in lieu thereof
18 “1431”.

19 (b) STATE AGENCY APPLICATIONS.—Section
20 1414(c)(6) of the ESEA of the ESEA is amended by
21 striking out “14701” and inserting in lieu thereof “1431”.

22 USE OF FUNDS

23 SEC. 146. Section 1415(a)(2)(D) of the ESEA is
24 amended by striking out “14701” and inserting in lieu
25 thereof “1431”.

1 LOCAL AGENCY PROGRAMS

2 SEC. 147. Part D of title I of the ESEA is further
3 amended by—

- 4 (1) repealing subpart 2; and
5 (2) redesignating subpart 3 as subpart 2.

6 PROGRAM EVALUATIONS

7 SEC. 148. Section 1431 of the ESEA is amended—

8 (1) in subsection (a)—

9 (A) by striking out “or local educational
10 agency”; and

11 (B) by striking out “subpart 1 or 2” and
12 inserting in lieu thereof “subpart 1”;

13 (2) by amending subsection (b) to read as fol-
14 lows:

15 “(b) EVALUATION MEASURES.—In conducting each
16 evaluation under subsection (a), a State agency shall use
17 multiple measures of student progress that, while con-
18 sistent with section 1414(a)(2)(B), are appropriate for the
19 students and are feasible for the agency to achieve (consid-
20 ering such factors as the duration of students’ participa-
21 tion in the program).”; and

22 (3) in subsection (c), by striking out “and local
23 educational agency”.

24 DEFINITIONS

25 SEC. 149. Section 1432 of the ESEA is amended by
26 striking out paragraph (2) and redesignating paragraphs

1 (3), (4), and (5) as paragraphs (2), (3), and (4), respec-
2 tively.

3 PART E—FEDERAL EVALUATIONS, DEMONSTRATIONS,
4 AND TRANSITION PROJECTS
5 EVALUATIONS, MANAGEMENT INFORMATION, AND OTHER
6 NATIONAL ACTIVITIES

7 SEC. 151. Section 1501 of the ESEA is amended to
8 read as follows:

9 “EVALUATIONS, MANAGEMENT INFORMATION, AND
10 OTHER NATIONAL ACTIVITIES

11 “SEC. 1501. (a) PURPOSE.—The purpose of this sec-
12 tion is to authorize—

13 “(1) evaluations of the activities assisted under
14 this title to determine their effectiveness, consistent
15 with the Government Performance and Results Act
16 of 1993;

17 “(2) activities undertaken in partnership with
18 the States to develop information needed to inform
19 program management and support continuous im-
20 provement at the State, school district, and school
21 levels;

22 “(3) applied research, technical assistance, dis-
23 semination, and recognition activities relating to this
24 title; and

25 “(4) obtaining biennial updates of census data
26 used under this title.

1 “(b) NATIONAL ASSESSMENT OF TITLE I.—

2 (1) IN GENERAL.—The Secretary shall conduct
3 a national assessment of programs assisted under
4 this title, in coordination with the national longitu-
5 dinal study of schools under subsection (d), which
6 shall be planned, reviewed, and conducted with an
7 independent panel authorized under section 11911.

8 “(2) SCOPE OF ASSESSMENT.—The national as-
9 sessment shall examine—

10 “(A) the implementation and impact of the
11 programs carried out under this title on student
12 academic performance, particularly in schools
13 with high concentrations of children living in
14 poverty;

15 “(B) the implementation and impact of
16 State standards, assessments, and account-
17 ability systems developed under this title on
18 educational programs and instruction at the
19 local level;

20 “(C) the effect of schoolwide programs
21 under section 1114 and targeted-assistance pro-
22 grams under section 1115 on increasing the
23 number of students who have access to an en-
24 riched, challenging curriculum consistent with
25 high standards;

1 “(D) the implementation and impact of the
2 professional development activities supported
3 under this title on instruction and student per-
4 formance;

5 “(E) the extent to which local educational
6 agencies and schools, in carrying out activities
7 under this title, provide parents with meaning-
8 ful opportunities to participate in the education
9 of their children at home and at school, and the
10 impact of those opportunities;

11 “(F) the extent to which the resources pro-
12 vided under this title are effectively targeted to
13 schools that need them most;

14 “(G) the effectiveness of Federal adminis-
15 tration, including monitoring and technical as-
16 sistance, on programs under this title; and

17 “(H) such other issues as the Secretary
18 may determine.

19 “(3) SOURCES OF INFORMATION.—The Sec-
20 retary shall use information from a variety of
21 sources, including the National Assessment of Edu-
22 cational Progress, State evaluations, and available
23 research studies, in carrying out the national assess-
24 ment.

1 “(4) INTERIM AND FINAL REPORTS.—The Sec-
2 retary shall submit to the President and the appro-
3 priate committees of the Congress an interim report
4 on the national assessment within three years of the
5 enactment of the Educational Excellence for All
6 Children Act of 1999 and a final report within four
7 years of that enactment.

8 “(c) STUDIES AND DATA COLLECTION.—

9 (1) IN GENERAL.—In addition to other activi-
10 ties described in this section, the Secretary may, di-
11 rectly or through grants to, and contracts with, ap-
12 propriate entities—

13 “(A) conduct studies and evaluations of
14 the need for, and effectiveness of, programs
15 under this title;

16 “(B) collect data that are needed to com-
17 ply with the Government Performance and Re-
18 sults Act of 1993; and

19 “(C) provide guidance and technical assist-
20 ance to State educational agencies and local
21 educational agencies in developing and main-
22 taining management-information systems
23 through which they can develop program-per-
24 formance indicators, collect data to measure

1 performance against those indicators, and use
2 the data to improve services and performance.

3 “(2) MINIMUM INFORMATION.—At a minimum,
4 the Secretary shall collect trend information on the
5 effect of programs under this title, which shall com-
6 plement the data collected and reported under sub-
7 sections (b) and (d).

8 “(d) NATIONAL LONGITUDINAL STUDY OF
9 SCHOOLS.—(1) The Secretary shall carry out an ongoing
10 longitudinal study of schools in order to provide the public,
11 the Congress, and educators involved in the program car-
12 ried out under this title—

13 “(A) an accurate description of its short-term
14 and long-term effectiveness;

15 “(B) information that can be used to improve
16 its effectiveness in enabling students to meet chal-
17 lenging State student performance standards; and

18 “(C) information on such other topics as the
19 Secretary may find appropriate, such as the pro-
20 gram’s effectiveness in enabling students to graduate
21 from secondary school and make successful transi-
22 tions to postsecondary education and work.

23 “(2) The longitudinal study shall—

24 “(A) include a nationally representative sample
25 of schools participating in programs under this title

1 that serve large concentrations of children with lim-
2 ited English proficiency; and

3 “(B) evaluate the extent to which those children
4 are—

5 “(i) participating in services and school-im-
6 provement efforts supported by this title; and

7 “(ii) included and accommodated in State
8 assessments under this title.”.

9 DEMONSTRATIONS OF INNOVATIVE PRACTICES

10 SEC. 152. Section 1502 of the ESEA is amended—

11 (1) in subsection (a)(1), by striking out “sec-
12 tion 1002(g)(2)” and inserting in lieu thereof “sec-
13 tion 1002(f)”;

14 (2) in subsection (b), by striking out “section
15 1002(g)(2)” and inserting in lieu thereof “section
16 1002(f)”.

17 PART F—GENERAL PROVISIONS

18 GENERAL PROVISIONS

19 SEC. 161. Part F of title I of the ESEA is
20 amended—

21 (1) by striking out sections 1601 and 1602; and

22 (2) by redesignating sections 1603 and 1604 as
23 sections 1601 and 1602, respectively.

PART G—READING EXCELLENCE

READING AND LITERACY GRANTS TO STATE

EDUCATIONAL AGENCIES

SEC. 171. Section 2253 of the ESEA is amended—

(1) by amending subsection (a)(2)(A) to read as follows:

“(A) NUMBER OF GRANTS.—After receiving a grant under this subpart, a State educational agency may apply for a subsequent grant, but the period of any subsequent grant may not begin before the end of the period of the prior grant.”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the first sentence, by striking out “and in such form” and inserting in lieu thereof a comma and “in such form, and containing such information”; and

(ii) in the second sentence, by inserting “also” after “shall”; and

(B) in paragraph (2)(B), by adding at the end thereof a new clause (ix) to read as follows:

“(ix) The process and criteria that the State educational agency will use to review and approve applications for local reading

1 improvement subgrants under section 1505
2 and for tutorial assistance subgrants under
3 section 1506, including a peer-review proc-
4 ess that includes individuals described in
5 section 1503(c)(2)(B) and, in the case of
6 tutorial assistance subgrants under section
7 1506, includes experts on tutorial assist-
8 ance.”;

9 (3) in subsection (c)(2), by amending subpara-
10 graph (C) to read as follows:

11 “(C) PRIORITY.—(i) The panel shall rec-
12 ommend grant applications from State edu-
13 cational agencies under this section to the Sec-
14 retary for funding or disapproval.

15 “(ii) In making its recommendations, the
16 panel shall give priority to applications from
17 State educational agencies in States that have
18 modified or are modifying, or that provide per-
19 suasive evidence that not later than 18 months
20 after receiving a grant under this section the
21 State will modify, its requirements for certifi-
22 cation of elementary school teachers to require
23 prospective teachers to be effectively trained in
24 methods of reading instruction that reflect sci-
25 entifically based reading research.

1 “(iii) Nothing in this part shall be read to
2 establish a national system of teacher certifi-
3 cation.”; and

4 (4) in subsection (d)(3), by striking out “the
5 date of the enactment of the Reading Excellence
6 Act” and inserting in lieu thereof “October 21,
7 1998”.

8 USE OF FUNDS BY STATE EDUCATIONAL AGENCIES

9 SEC. 172. Section 2254 of the ESEA is amended to
10 read as follows:

11 “USE OF AMOUNTS BY STATE EDUCATIONAL AGENCIES

12 “SEC. 2254. A State educational agency that receives
13 a grant under section 1503—

14 “(1) may use not more than five percent of the
15 grant funds for the administrative costs of carrying
16 out this part, including the use of not more than two
17 percent of the grant funds to carry out section 1509;
18 and

19 “(2) shall award not more than 15 percent of
20 the grant funds through at least one subgrant under
21 section 1506.”.

22 LOCAL READING IMPROVEMENT SUBGRANTS

23 SEC. 173. (a) IN GENERAL.—Section 2255(a) of the
24 ESEA is amended—

25 (1) in paragraph (1)—

1 (A) by inserting “serve children in grades
2 one through three and that” after “agencies
3 that”;

4 (B) in subparagraph (B), by inserting
5 “serving children in grades one through three”
6 after “State”; and

7 (C) in subparagraph (C), by inserting
8 “serving children in grades one through three”
9 after “State”;

10 (2) by redesignating paragraph (2) as para-
11 graph (3);

12 (3) by redesignating the second sentence of
13 paragraph (1) as paragraph (2); and

14 (4) in paragraph (2), as so redesignated—

15 (A) by inserting the paragraph heading
16 “DEFINITION.—” after the paragraph designa-
17 tion “(2)”; and

18 (B) by striking out “subparagraph (C)”
19 and inserting in lieu thereof “paragraph
20 (1)(C)”.

21 (b) USE OF FUNDS.—Section 2255(d) of the ESEA
22 is amended—

23 (1) by redesignating paragraph (2) as para-
24 graph (3) and redesignating the second sentence of
25 paragraph (1) as paragraph (2);

1 (2) in paragraph (1)—

2 (A) by striking out “paragraph (2)” and
3 inserting in lieu thereof “paragraph (3)”;

4 (B) by inserting “serves children in third
5 grade or below and” after “any school that”;
6 and

7 (C) by striking out “the second sentence of
8 subsection (a)(1)” and inserting in lieu thereof
9 “subsection (a)(2)”; and

10 (3) in paragraph (2), as redesignated by para-
11 graph (1), by striking out “Such activities shall”
12 and inserting in lieu thereof “AUTHORIZED ACTIVI-
13 TIES.—The activities referred to in paragraph (1)”.

14 TUTORIAL ASSISTANCE SUBGRANTS

15 SEC. 174. (a) IN GENERAL.—Section 2256(a) of the
16 ESEA is amended—

17 (1) in paragraph (1)—

18 (A) by inserting “local educational agen-
19 cies that serve children in grades one through
20 three and that” after “basis to”;

21 (B) by striking out subparagraph (A) and
22 redesignating subparagraphs (B) through (D)
23 as subparagraphs (A) through (C), respectively;

24 (C) in subparagraph (A), as so redesign-
25 ated, by striking out “local educational agen-
26 cies that”;

1 (D) in subparagraph (B), as redesignated
2 by subparagraph (B)—

3 (i) by striking out “local educational
4 agencies with” and inserting in lieu thereof
5 “have”; and

6 (ii) by inserting “that serve children
7 in grades one through three” after
8 “State”; and

9 (E) in subparagraph (C), as redesignated
10 by subparagraph (B)—

11 (i) by striking out “local educational
12 agencies with” and inserting in lieu thereof
13 “have”; and

14 (ii) by inserting “that serve children
15 in grades one through three” after
16 “State”;

17 (2) by redesignating paragraphs (2), (3), and
18 (4) as paragraphs (3), (4), and (5), respectively;

19 (3) by redesignating the second sentence of
20 paragraph (1) as paragraph (2);

21 (4) in paragraph (2), as so redesignated—

22 (A) by inserting the paragraph heading
23 “DEFINITION.—” after the paragraph designa-
24 tion “(2)”; and

1 (B) by striking out “subparagraph (D)”
2 and inserting in lieu thereof “paragraph
3 (1)(C)”;

4 (5) in subparagraph (B) of paragraph (3), as
5 redesignated by paragraph (2), by striking out
6 “shall, as a condition” and all that follows through
7 “provide” and inserting in lieu thereof “shall pro-
8 vide”;

9 (6) in the second sentence of paragraph (4), as
10 redesignated by paragraph (2), by striking out “that
11 (A)” and all that follows through the end thereof
12 and inserting in lieu thereof “that—

13 “(A) is described in paragraph (1)(A);

14 “(B) has the largest, or second largest,
15 number of children who are counted under sec-
16 tion 1124(c), in comparison to all other schools
17 in the local educational agency; or

18 “(C) has the highest, or second highest,
19 school-age child-poverty rate (as defined in
20 paragraph (2)), in comparison to all other
21 schools in the local educational agency.”; and

22 (7) in paragraph (5), as redesignated by para-
23 graph (2)—

24 (A) by striking out “paragraph (2)” and
25 inserting in lieu thereof “paragraph (3)”;

1 (B) by striking out “paragraph (3)” and
 2 inserting in lieu thereof “paragraph (4)”.

3 (b) USE OF FUNDS.—Section 2256(b)(2) of the
 4 ESEA is amended by inserting “who are in, or have just
 5 completed, a pre-kindergarten program, kindergarten, or
 6 grades 1, 2, or 3 and” after “to children”.

7 NATIONAL EVALUATION

8 SEC. 175. Section 2257 of the ESEA is amended by
 9 striking out “From funds reserved under section
 10 2260(b)(1), the” and inserting in lieu thereof “The”.

11 INFORMATION DISSEMINATION

12 SEC. 176. Section 2258 of the ESEA is amended—

13 (1) in subsection (a)—

14 (A) by striking out “section 2260(b)(2)”
 15 and inserting in lieu thereof “section 1002(e)”;
 16 and

17 (B) by adding the following sentence at the
 18 end thereof: “The Institute may use not more
 19 than 5 percent of the amount reserved under
 20 section 1002(e) for the costs of administering
 21 this section.”; and

22 (2) by adding at the end thereof a new sub-
 23 section (c) to read as follows:

24 “(c) SECRETARY’S AUTHORITY.—From amounts ap-
 25 propriated for any fiscal year under section 1002(e), the
 26 Secretary may reserve not more than one percent to pro-

1 vide, directly or through grants or contracts, technical as-
 2 sistance, program improvement, and replication activi-
 3 ties.”.

4 AUTHORIZATION OF APPROPRIATIONS

5 SEC. 177. Section 2260 of the ESEA is repealed.

6 TRANSFER AND REDESIGNATIONS

7 SEC. 178. (a) REDESIGNATION OF TITLE I PARTS
 8 E AND F.—Title I of the ESEA is further amended—

9 (1) by redesignating parts E and F as parts F
 10 and G, respectively;

11 (2) by redesignating sections 1601 and 1602,
 12 as redesignated by section 161(2) of this Act, as sec-
 13 tions 1701 and 1702, respectively; and

14 (3) by redesignating sections 1501, 1502, and
 15 1503 as sections 1601, 1602, and 1603, respectively.

16 (b) TRANSFER OF READING EXCELLENCE ACT TO
 17 TITLE I.—(1) Part C of title II of the ESEA, as amended
 18 by this part, is redesignated as, and transferred to, part
 19 E of title I of the ESEA.

20 (2) Sections 2251 through 2259 of the ESEA are re-
 21 designated as sections 1501 through 1509, respectively.

22 (3) Section 1503 of the ESEA, as redesignated by
 23 paragraph (2), is amended—

24 (A) in subsection (a)(1), by striking out “sec-
 25 tions 2254 through 2256” and inserting in lieu
 26 thereof “sections 1504 through 1506”;

1 (B) in subsection (b)(2)—

2 (i) by striking out “sections 2255 and
3 2256” each place it appears and inserting in
4 lieu thereof “sections 1505 and 1506”; and

5 (ii) in subparagraph (E)(iii), by striking
6 out “sections 2255(a)(1) and 2256(a)(1)” and
7 inserting in lieu thereof “sections 1505(a)(1)
8 and 1506(a)(1)”; and

9 (C) in subsection (d)(1)(D), by striking out
10 “section 2255” and inserting in lieu thereof “section
11 1505”.

12 (4) Section 1505 of the ESEA, as redesignated by
13 paragraph (2), is amended—

14 (A) in subsection (a)(1), by striking out “sec-
15 tion 2253” and inserting in lieu thereof “section
16 1503”; and

17 (B) in subsection (e), by striking out “title I of
18 this Act” and inserting in lieu thereof “other parts
19 of this title”.

20 (5) Subsection (a) of section 1506 of the ESEA, as
21 redesignated by paragraph (2), is amended—

22 (A) in paragraph (1), by striking out “section
23 2253” and inserting in lieu thereof “section 1503”;
24 and

1 (B) in paragraph (5), as redesignated by sec-
2 tion 174(2)—

3 (i) by striking out “2254(2)” and inserting
4 in lieu thereof “section 1504(2)”; and

5 (ii) by striking out “section 2255” and in-
6 serting in lieu thereof “section 1505”.

7 (6) Section 1507 of the ESEA, as redesignated by
8 paragraph (2), is amended by striking out “section
9 2253(c)(2)” and inserting in lieu thereof “section
10 1503(c)(2)”.

11 (7) Section 1508 of the ESEA, as redesignated by
12 paragraph (2), is amended—

13 (A) in subsection (a), by striking out “section
14 2255 or 2256” and inserting in lieu thereof “section
15 1505 or 1506”; and

16 (B) in subsection (b)(3), by striking out “sec-
17 tion 2253” each place it appears and inserting in
18 lieu thereof “section 1503”.

19 (8) Section 1509 of the ESEA, as redesignated by
20 paragraph (2), is amended—

21 (A) in subsection (a)—

22 (i) in paragraph (1), by striking out “sec-
23 tion 2253” and inserting in lieu thereof “sec-
24 tion 1503”; and

1 (ii) in paragraph (3), by striking out “sec-
 2 tion 2257” and inserting in lieu thereof “sec-
 3 tion 1507”; and

4 (B) in subsection (b)—

5 (i) by striking out “section 2253” and in-
 6 serting in lieu thereof “section 1503”;

7 (ii) in paragraph (1), by striking out “sec-
 8 tion 2255” and inserting in lieu thereof “sec-
 9 tion 1505”; and

10 (iii) in paragraph (2), by striking out “sec-
 11 tion 2253(b)(2)(E)(iv)” and inserting in lieu
 12 thereof “section 1503(b)(2)(E)(iv)”.

13 TITLE II—HIGH STANDARDS IN THE
 14 CLASSROOM

15 HIGH STANDARDS IN THE CLASSROOM

16 SEC. 201. Title II of the ESEA is amended to read
 17 as follows:

18 “TITLE II—HIGH STANDARDS IN THE
 19 CLASSROOM

20 “PART A—TEACHING TO HIGH STANDARDS

21 “Subpart 1—Findings, Purpose, and Authorization of
 22 Appropriations

23 “FINDINGS

24 “SEC. 2111. The Congress finds as follows:

1 “(1) All students can learn and achieve to high
2 standards.

3 “(2) States that have shown the most recent
4 success in improving student achievement are those
5 that have developed challenging content and student
6 performance standards, aligned curricula and assess-
7 ments with those standards, prepare educators to
8 teach to those standards, and hold schools account-
9 able for the achievement of all students against
10 those standards.

11 “(3) A crucial component of an effective strat-
12 egy for achieving high standards is ensuring,
13 through professional development, that all teachers
14 provide their students with challenging learning ex-
15 periences in the core academic subjects.

16 “(4) Increased teachers’ knowledge of academic
17 content and effective teaching skills are associated
18 with increases in student achievement. While other
19 factors also influence learning, teacher quality makes
20 a critical difference in how well students learn,
21 across all categories of students. For example, recent
22 research has found that teachers’ expertise has a
23 greater impact on students’ achievement in reading
24 than any other in-school factor.

1 “(5) Recent research has found that teachers
2 who participate in sustained curriculum-centered
3 professional development are much more likely to re-
4 port that their teaching is aligned with high stand-
5 ards than are teachers who have not received such
6 training.

7 “(6) Students who attend schools with large
8 numbers of poor children are less likely to be taught
9 by teachers who have met all State requirements for
10 certification or licensure or who have a solid aca-
11 demic background in the subject matter they are
12 teaching.

13 “(7) Despite the fact that every year the Na-
14 tion’s colleges and universities produce many more
15 teachers than are hired and that over 2 million indi-
16 viduals who possess education degrees are currently
17 engaged in activities other than teaching, many
18 school districts experience difficulty recruiting and
19 hiring enough fully qualified teachers. Among the
20 reasons researchers have found for districts hiring
21 less than fully qualified teachers are—

22 “(A) cumbersome and poorly coordinated
23 State licensing procedures and local hiring
24 practices;

1 “(B) bureaucratic personnel practices that
2 result in hiring decisions being delayed until as
3 late as the start of the school year;

4 “(C) local salaries and working conditions
5 that discourage many individuals from entering
6 teaching and cause experienced teachers to
7 leave the profession;

8 “(D) the lack of portability of teacher cre-
9 dentials, pensions, and credited years of experi-
10 ence across State and school district lines;

11 “(E) a lack of support for new teachers,
12 such as high-quality mentoring programs, that
13 can help reduce the attrition rate and the num-
14 ber of new teachers that school districts must
15 hire every year; and

16 “(F) compensation systems that do not re-
17 ward teachers for improving their knowledge
18 and skills.

19 “(8) As a result of increasing enrollments, nat-
20 ural teacher turnover, and the retirement of many
21 veteran teachers, the Nation faces the challenge of
22 hiring approximately two million new teachers in the
23 coming decade.

24 “(9) As retirement and other causes of attrition
25 diminish the pool of experienced school administra-

1 tors, many school districts report a growing shortage
2 of qualified candidates for the job of principal at the
3 elementary, middle, and high school levels.

4 “(10) Programs that facilitate mid-career tran-
5 sitions from other fields can be an effective means
6 of bringing talented individuals into the classroom
7 and addressing teacher shortages.

8 “(11) Programs that recruit, train, and retain
9 highly qualified recent college graduates as teachers
10 in high-poverty local educational agencies can also
11 help to bring talented individuals into the classroom
12 and address teacher shortages.

13 “(12) Research has found that high-quality pro-
14 fessional development is—

15 “(A) linked to high standards: professional
16 development activities should improve the abil-
17 ity of teachers to help all students, including
18 children with disabilities, children with limited
19 English proficiency, and economically disadvan-
20 taged children, reach high State academic
21 standards;

22 “(B) focused on content: professional de-
23 velopment activities should advance teacher un-
24 derstanding of one or more of the core aca-
25 demic subject areas and effective instructional

1 strategies for improving student achievement in
2 those areas;

3 “(C) collaborative: professional develop-
4 ment activities should involve collaborative
5 groups of teachers and administrators from the
6 same school or district;

7 “(D) sustained: professional development
8 activities should be of sufficient duration to
9 have a positive and lasting impact on classroom
10 instruction and, to the greatest extent possible,
11 should include follow-up and school-based sup-
12 port such as coaching or study groups;

13 “(E) embedded in a plan: professional de-
14 velopment activities should be embedded in
15 school and district-wide plans designed to raise
16 student achievement to State academic stand-
17 ards; and

18 “(F) informed by research: professional de-
19 velopment activities should be based on the best
20 available research on teaching and learning.

21 “(13) Programs funded under this part can as-
22 sist the Nation to achieve America’s Education
23 Goals #3, #4, and #5, as set out in section 3 of
24 this Act.

1 “PURPOSE

2 “SEC. 2112. The purpose of this part is to support
3 improvement in classroom instruction so that all students
4 are prepared to achieve to challenging State content and
5 student performance standards in the core academic sub-
6 jects, by providing assistance to State and local edu-
7 cational agencies and to institutions of higher education
8 to—

9 “(1) support States and school districts in con-
10 tinuing the task of developing challenging content
11 and student performance standards and aligned as-
12 sessments, revising curricula and teacher certifi-
13 cation requirements, and using challenging content
14 and student performance standards to improve
15 teaching and learning;

16 “(2) ensure that teachers and administrators
17 have access to professional development that is
18 aligned with challenging State content and student
19 performance standards in the core academic sub-
20 jects;

21 “(3) provide assistance to new teachers during
22 their first three years in the classroom; and

23 “(4) support the development and acquisition of
24 curricular materials and other instructional aids, if
25 they are not normally provided by the local edu-

1 cational agency or the State as part of the regular
 2 instructional program, that will advance local stand-
 3 ards-based school reform efforts.

4 “AUTHORIZATIONS OF APPROPRIATIONS

5 “SEC. 2113. (a) SUBPART 2.—For the purpose of
 6 carrying out subpart 2, there are authorized to be appro-
 7 priated such sums as may be necessary for fiscal year
 8 2001 and each of the four succeeding fiscal years.

9 “(b) SUBPART 3.—For the purpose of carrying out
 10 subpart 3, there are authorized to be appropriated such
 11 sums as may be necessary for fiscal year 2001 and each
 12 of the four succeeding fiscal years.

13 “Subpart 2—State and Local Activities

14 “ALLOCATIONS TO STATES

15 “SEC. 2121. (a) RESERVATION OF FUNDS.—From
 16 the amount available to carry out this subpart for any fis-
 17 cal year, the Secretary shall reserve a total of one percent
 18 to provide assistance to—

19 “(1) the outlying areas, which the Secretary
 20 shall distribute among them on the basis of their rel-
 21 ative need, which they shall use to provide profes-
 22 sional development; and

23 “(2) the Secretary of the Interior for profes-
 24 sional development activities for teachers, other
 25 staff, and administrators in schools operated or
 26 funded by the Bureau of Indian Affairs.

1 “(b) STATE ALLOCATIONS.—After reserving funds
2 under subsection (a), the Secretary shall allocate the re-
3 maining funds among the States as follows:

4 “(1) Fifty percent shall be allocated on the
5 basis of the relative amounts the States received
6 under subpart 2 of part A of title I for the previous
7 fiscal year.

8 “(2) Fifty percent shall be allocated on the
9 basis of the relative populations of individuals aged
10 5 through 17, as determined by the Secretary on the
11 basis of the most recent data that are satisfactory
12 to the Secretary.

13 “(c) MINIMUM STATE ALLOCATION.—Notwith-
14 standing subsection (b), the Secretary shall allocate to
15 each State no less than one-half of 1 percent of the total
16 amount available under that subsection.

17 “(d) DEFINITION.—For the purpose of this section,
18 the term ‘State’ means each of the 50 States, the District
19 of Columbia, and the Commonwealth of Puerto Rico.

20 “PRIORITY FOR PROFESSIONAL DEVELOPMENT IN
21 MATHEMATICS AND SCIENCE

22 “SEC. 2122. (a) PRIORITY.—(1) In any fiscal year
23 for which the appropriation for this subpart is \$300 mil-
24 lion or less, each State educational agency, working jointly
25 with the State agency for higher education, shall ensure
26 that all funds received under this subpart are used for pro-

1 fessional development in mathematics and science that is
2 aligned with State content and student performance
3 standards.

4 “(2) In any fiscal year for which the appropriation
5 for this subpart is greater than \$300 million, the State
6 educational agency and the State agency for higher edu-
7 cation shall jointly ensure that the total amount of funds
8 under this subpart that they use for professional develop-
9 ment in mathematics and science is at least as much as
10 the allocation the State would have received if that appro-
11 priation had been \$300 million.

12 “(b) INTERDISCIPLINARY ACTIVITIES.—A State may
13 apply funds under this subpart that it uses for activities
14 that focus on more than one core academic subject toward
15 meeting the requirements of subsection (a) if those activi-
16 ties include a strong focus on improving instruction in
17 mathematics or science.

18 “(c) ADDITIONAL FUNDS.—Each State educational
19 agency and State agency for higher education shall jointly
20 ensure that any funds in excess of the amount required
21 by subsection (a) to be spent on professional development
22 in mathematics or science are used to provide professional
23 development activities in one or more of the core academic
24 subjects.

1 “STATE APPLICATION

2 “SEC. 2123. (a) APPLICATIONS REQUIRED.—(1)

3 Each State desiring to receive its allocation under this
4 subpart shall submit an application to the Secretary at
5 such time, in such form, and containing such information
6 as the Secretary may reasonably require.

7 “(2) The State educational agency shall develop the
8 State application—

9 “(A) in consultation with the State agency for
10 higher education, community-based and other non-
11 profit organizations of demonstrated effectiveness in
12 professional development, and institutions of higher
13 education; and

14 “(B) with the extensive participation of teach-
15 ers, teacher educators, school administrators, and
16 content specialists.

17 “(b) CONTENTS.—Each such application shall
18 include—

19 “(1) a description of how the State educational
20 agency will use all funds received under this subpart,
21 including funds reserved for State-level activities
22 under section 2126, to implement State plans or
23 policies that support comprehensive standards-based
24 education reform through the following strategies:

1 “(A) Supporting the alignment of cur-
2 ricula, assessments, and professional develop-
3 ment with challenging State and local content
4 and student performance standards.

5 “(B) Providing professional development,
6 aligned with State content and student per-
7 formance standards in core academic subjects.

8 “(C) Ensuring that teachers employed by
9 local educational agencies are proficient in con-
10 tent knowledge and teaching skills;

11 “(2) a description of how the State educational
12 agency will coordinate activities funded under this
13 subpart with professional development activities that
14 are supported with funds from other relevant Fed-
15 eral and non-Federal programs;

16 “(3) a description of how the State educational
17 agency will ensure that all recipients of funds under
18 this subpart report on the program performance in-
19 dicators identified by the Secretary under section
20 2136;

21 “(4) a list of any additional indicators of pro-
22 gram performance, beyond those required under this
23 subpart, on which the State educational agency and
24 State agency for higher education will require recipi-
25 ents to report, and a description of how those State

1 agencies will use the information collected to im-
2 prove program performance; and

3 “(5) a description of the process the State edu-
4 cational agency will use to make competitive awards
5 to local educational agencies under section 2128, in-
6 cluding a description of—

7 “(A) the State’s criteria for classifying
8 local educational agencies as among those hav-
9 ing the greatest need for services provided
10 under this subpart and its justification for
11 those criteria;

12 “(B) the State’s strategies for ensuring
13 that local educational agencies that have his-
14 torically had little success in competing for
15 funds are provided a reasonable opportunity to
16 compete for subgrants;

17 “(C) the State’s criteria for determining
18 the amounts that it will award to recipients and
19 the criteria for providing noncompetitive renew-
20 als of subgrants; and

21 “(D) the technical assistance that the
22 State educational agency will provide, under
23 section 2128(e)(2), to local educational agencies
24 that it identifies as having the greatest need for

1 services and that fail to receive an award under
2 this subpart.

3 “(c) APPROVAL.—The Secretary shall, using a peer-
4 review process, approve a State application if it meets the
5 requirements of this section and holds reasonable promise
6 of achieving the purpose described in section 2112.

7 “ANNUAL STATE REPORTS

8 “SEC. 2124. Each State that receives funds under
9 this subpart shall annually report to the Secretary, by
10 such deadline as the Secretary may establish, with the
11 first such report due by October 1, 2001—

12 “(1) on its activities under this subpart;

13 “(2) on the progress of recipients of subgrants
14 under this subpart against such program perform-
15 ance indicators as the Secretary may identify under
16 section 2136 and against any additional indicators
17 included in the State’s application; and

18 “(3) such other information as the Secretary
19 may reasonably require.

20 “WITHIN-STATE ALLOCATIONS

21 “SEC. 2125. (a) STATE ADMINISTRATION AND
22 STATE-LEVEL ACTIVITIES.—(1) Each State educational
23 agency may reserve not more than a total of 10 percent
24 of the amount it receives under this subpart for any fiscal
25 year for—

26 “(A) its costs of administering this subpart;

1 “(B) the State-level activities described in sec-
2 tion 2126; and

3 “(C) evaluations of the effectiveness of activities
4 under this part, including effectiveness as measured
5 against such indicators of program performance as
6 the Secretary may identify under section 2136.

7 “(2) A State educational agency may use not more
8 than one third of the amount reserved under paragraph
9 (1) for administration of this subpart, including any costs
10 of conducting subgrant competitions under section 2128.

11 “(b) RESERVATION FOR STATE AGENCY FOR HIGH-
12 ER EDUCATION.—For the purpose of carrying out section
13 2127 for any fiscal year, each State educational agency
14 shall make available to the State agency for higher edu-
15 cation an amount equal to what the State’s allocation
16 would be if the amount appropriated for this subpart were
17 \$60 million.

18 “(c) SUBGRANTS TO LOCAL EDUCATIONAL AGEN-
19 CIES.—Each State educational agency shall use the re-
20 maining funds to make subgrants to local educational
21 agencies as follows:

22 “(1) Fifty percent shall be allocated to local
23 educational agencies in proportion to the relative
24 numbers of children, aged 5 through 17, from fami-

1 lies below the poverty level who reside in the juris-
2 dictions served by those agencies.

3 “(2) Fifty percent shall be used to provide addi-
4 tional funds to local educational agencies on a com-
5 petitive basis under section 2128.

6 “STATE-LEVEL ACTIVITIES

7 “SEC. 2126. Each State shall use funds it reserves
8 under section 2125(a)(1)(B) to carry out activities de-
9 scribed in its approved application that promote high-qual-
10 ity classroom instruction, such as—

11 “(1) supporting the continued improvement of
12 State content and student performance standards
13 and assessments aligned with those standards;

14 “(2) providing technical assistance and other
15 services to increase the capacity of local educational
16 agencies and schools to develop and implement sys-
17 temic local improvement plans, implement State and
18 local assessments, and develop curricula consistent
19 with State and local content and performance stand-
20 ards;

21 “(3) supporting the development and improve-
22 ment of performance-based accountability and incen-
23 tive systems for schools;

24 “(4) supporting the development and implemen-
25 tation, at the local educational agency and school-
26 building level, of improved systems for recruiting, se-

1 lecting, hiring, mentoring, supporting, evaluating,
2 and rewarding teachers and principals;

3 “(5) redesigning and strengthening professional
4 licensure systems for educators;

5 “(6) developing and implementing professional
6 development opportunities for teachers, principals,
7 and other educators based on State content and stu-
8 dent performance standards;

9 “(7) developing performance-based assessment
10 systems for full teacher licensure;

11 “(8) establishing, expanding, or improving rig-
12 orous alternative routes to State certification or li-
13 censure;

14 “(9) developing or strengthening assessments to
15 test the content knowledge and teaching skills of
16 new teachers;

17 “(10) creating a statewide network to provide
18 potential teachers with access to information on job
19 openings and required qualifications, and with access
20 to on-line applications;

21 “(11) supporting the work of a broad-based
22 Statewide panel that promotes comprehensive edu-
23 cation reform; and

1 “(12) meeting the requirements of part B of
2 title XI of this Act, except for the development of
3 policies on school discipline.

4 “SUBGRANTS TO PARTNERSHIPS OF INSTITUTIONS OF
5 HIGHER EDUCATION AND LOCAL EDUCATIONAL AGENCIES

6 “SEC. 2127. (a) ADMINISTRATION.—From the funds
7 made available to it under section 2125(b) for any fiscal
8 year, the State agency for higher education may use not
9 more than three and one-third percent for its expenses in
10 administering this subpart, including conducting evalua-
11 tions against such indicators of program performance as
12 the Secretary may identify under section 2136.

13 “(b) SUBGRANTS TO PARTNERSHIPS.—(1) The State
14 agency for higher education shall use the remainder of
15 those funds, in cooperation with the State educational
16 agency, to make subgrants to, or enter into contracts or
17 cooperative agreements with, institutions of higher edu-
18 cation or nonprofit organizations of demonstrated effec-
19 tiveness in providing professional development in the core
20 academic subjects.

21 “(2) Each subgrant under this section shall be—

22 “(A) of sufficient size and duration to carry out
23 the purpose of this subpart effectively;

24 “(B) awarded, using a peer-review process, on
25 a competitive basis; and

1 “(C) for a period of three years, which the
2 State agency for higher education shall extend for
3 an additional two years if it determines that sub-
4 stantial progress is being made toward meeting the
5 specific goals set out in the written agreements re-
6 quired by subsection (c) and against such indicators
7 of program performance as the Secretary may iden-
8 tify under section 2136.

9 “(3) In making subgrants, the State agency for high-
10 er education shall give a priority to projects that focus
11 on induction programs for new teachers.

12 “(4) In making subgrants, the State agency for high-
13 er education shall consider—

14 “(A) the need for the proposed professional de-
15 velopment activities in the local educational agency
16 or agencies with which the institution or organiza-
17 tion has an agreement under subsection (c), as dem-
18 onstrated by measurable indicators, such as those
19 described in section 2128(c) and those identified by
20 the Secretary under section 2136;

21 “(B) the quality of the proposed program and
22 its likelihood of success in improving classroom in-
23 struction and student academic achievement; and

24 “(C) such other criteria as it finds appropriate.

1 “(c) LOCAL EDUCATIONAL AGENCIES AS REQUIRED
2 PARTNERS.—(1) No institution of higher education or
3 nonprofit organization may receive a subgrant under this
4 section unless it enters into a written agreement with at
5 least one local educational agency to provide professional
6 development for elementary and secondary school teachers
7 in the schools of that agency in the core academic subjects.

8 “(2) Each such agreement shall identify specific goals
9 for how the professional development that the subgrantee
10 provides will enhance the ability of those teachers to pre-
11 pare all students to achieve to challenging State and local
12 content and student performance standards.

13 “(d) COORDINATION.—Any professional development
14 activities carried out under this section shall be coordi-
15 nated with activities carried out under title II of the High-
16 er Education Act of 1965, if the local educational agency
17 or institution of higher education is participating in pro-
18 grams funded under that title.

19 “(e) JOINT EFFORTS WITHIN INSTITUTIONS OF
20 HIGHER EDUCATION.—Each activity assisted under this
21 section shall involve the joint effort of the institution of
22 higher education’s school or department of education and
23 the school or departments in the specific disciplines in
24 which the professional development will be provided.

1 “(f) USES OF FUNDS.—A recipient of funds under
2 this section shall use those funds for—

3 “(1) professional development in the core aca-
4 demic subjects, aligned with State or local content
5 standards, for teams of teachers from a school or
6 local educational agency and, where appropriate, ad-
7 ministrators and teaching assistants on a career
8 track;

9 “(2) research-based programs to assist new
10 teachers during their first three years in the class-
11 room, which may include—

12 “(A) mentoring and coaching by trained
13 mentor teachers that lasts at least two years;

14 “(B) team teaching with experienced
15 teachers;

16 “(C) time for observation of, and consulta-
17 tion with, experienced teachers;

18 “(D) assignment of fewer course prepara-
19 tions; and

20 “(E) provision of additional time for prep-
21 aration; and

22 “(3) providing technical assistance to school
23 and agency staff for planning, implementing, and
24 evaluating professional development.

1 “(g) ANNUAL REPORTS.—(1) Beginning with fiscal
2 year 2002, each subgrantee under this section shall submit
3 an annual report to the State agency for higher education,
4 by a date set by that agency, on its progress against such
5 indicators of program performance as the Secretary may
6 identify under section 2136.

7 “(2) Each such report shall—

8 “(A) include a copy of each written agreement
9 required by subsection (c); and

10 “(B) describe how the subgrantee and the local
11 educational agency have collaborated to achieve the
12 specific goals set out in the agreement, and the re-
13 sults of that collaboration.

14 “(3) The State agency for higher education
15 shall provide the State educational agency with a
16 copy of each subgrantee’s annual report.

17 “COMPETITIVE LOCAL AWARDS

18 “SEC. 2128. (a) IN GENERAL.—Each State edu-
19 cational agency shall use the funds described in section
20 2125(c)(2) for competitive grants to local educational
21 agencies that are primarily focused on those agencies with
22 the greatest need for activities related to the development
23 and effective implementation of curricula aligned with
24 State content and student performance standards and for
25 professional development activities that are aligned with
26 those standards.

1 “(b) SELECTION PROCESS.—(1) The State edu-
2 cational agency shall award subgrants under this section
3 through a peer-review process that includes reviewers who
4 are knowledgeable in the academic content areas.

5 “(2) The State educational agency shall—

6 “(A) provide local educational agencies and the
7 general public with a list of the selection criteria
8 that the State educational agency will use in making
9 subgrants; and

10 “(B) at the completion of the awards process,
11 make public a complete list of applicants and of the
12 applicants that received awards.

13 “(c) DEMONSTRATION OF NEED.—The State edu-
14 cational agency shall identify the applicants with the
15 greatest need for services based on objective data supplied
16 by the applicant, such as—

17 “(1) the number or percentage of children who
18 fail to meet State performance standards on assess-
19 ments used for part A of title I;

20 “(2) the number or percentage of schools iden-
21 tified for school improvement under section 1116(c);

22 “(3) the number or percentage of teachers em-
23 ployed who have not received full State certification
24 or licensure;

1 “(4) the number or percentage of secondary-
2 school teachers whose primary teaching assignment
3 is in a core academic subject for which the teacher
4 does not have an academic major or minor in the
5 subject area or a related field;

6 “(5) the number or percentage of students liv-
7 ing in poverty;

8 “(6) the number or percentage of students who
9 have limited English proficiency; and

10 “(7) the applicant’s fiscal capacity to fund pro-
11 grams described in this section without Federal as-
12 sistance.

13 “(d) SELECTION OF SUBGRANTEES.—The State edu-
14 cational agency shall make awards to applicants based
15 on—

16 “(1) the quality of the applicant’s proposal and
17 the likelihood of its success in improving classroom
18 instruction and student academic achievement; and

19 “(2) the demonstrated need of the applicant
20 under subsection (c).

21 “(e) OPPORTUNITY TO COMPETE.—(1) To ensure
22 that local educational agencies that have the greatest need
23 are provided a reasonable opportunity to compete for an
24 award, State educational agencies shall adopt at least one

1 of, or a strategy similar to at least one of, the following
2 strategies:

3 “(A) Holding more than one competition for
4 funds from a fiscal year and, before each subsequent
5 competition, providing technical assistance in devel-
6 oping a high-quality application to districts it identi-
7 fies as having the greatest need that were unsuccess-
8 ful in the initial grant competition.

9 “(B) Holding a competition restricted to local
10 educational agencies that it has identified as having
11 the greatest need for services.

12 “(C) Requiring recipients seeking a renewal of
13 their awards to form a partnership with an applicant
14 that failed to receive an award.

15 “(D) Providing a competitive priority to those
16 districts it has identified as having the greatest need
17 for services.

18 “(2) At a minimum, a State educational agency shall,
19 after the completion of an award cycle and before the start
20 of the next cycle, provide any applicant local educational
21 agency that met its criteria for greatest need for services,
22 but that did not receive a subgrant, with technical assist-
23 ance in developing a high-quality application for future
24 competitions.

1 “(f) SCOPE OF PROJECTS.—The State educational
2 agency shall approve only applications for projects that are
3 of sufficient size, scope, and quality to achieve the purpose
4 of this part.

5 “(g) DURATION OF SUBGRANTS.—Each subgrant
6 under this section shall be for a period of three years,
7 which the State educational agency shall extend for an ad-
8 ditional two years if it determines that the local edu-
9 cational agency is making substantial progress toward
10 meeting the specific goals in its plan described in section
11 2129(c)(1) and against such indicators of program per-
12 formance as the Secretary may identify under section
13 2136.

14 “LOCAL APPLICATIONS

15 “SEC. 2129. (a) APPLICATION REQUIRED.—A local
16 educational agency that wishes to receive a subgrant under
17 this subpart shall submit an application to the State edu-
18 cational agency containing such information as the State
19 educational agency may reasonably require.

20 “(b) PLAN.—(1) Each such application shall include
21 a district-wide plan for raising student achievement
22 against State standards through each of the following
23 strategies:

24 “(A) Supporting the alignment of curricula, as-
25 sessments, and professional development with chal-
26 lenging State and local content standards.

1 “(B) Providing professional development in core
2 academic content areas.

3 “(C) Carrying out activities to assist new teach-
4 ers during their first three years in the classroom.

5 “(D) Ensuring that teachers employed by the
6 local educational agency are proficient in teaching
7 skills and in the content knowledge needed to effec-
8 tively teach the content called for by State stand-
9 ards.

10 “(2) Each plan under paragraph (1) shall be data-
11 driven and based on results of assessments of student per-
12 formance that the local educational agency is using under
13 title I.

14 “(c) ADDITIONAL CONTENTS.—Each such applica-
15 tion shall also—

16 “(1) identify specific, measurable goals for
17 achieving the purpose described in section 2112
18 that, at a minimum, reflect the performance indica-
19 tors identified by the Secretary under section 2136;

20 “(2) describe how the local educational agency
21 will address the needs of high-poverty, low-per-
22 forming schools within its jurisdiction;

23 “(3) describe how the local educational agency
24 will address the needs of teachers of students with

1 limited English proficiency and other students with
2 special needs;

3 “(4) include an assurance that the local edu-
4 cational agency will collect data that measure
5 progress toward the indicators of program perform-
6 ance identified by the Secretary under section 2136;

7 “(5) describe how the local educational agency
8 will coordinate funds under this subpart with the
9 professional development activities funded through
10 other State and Federal programs;

11 “(6) describe how the local educational agency
12 will use funds described in section 2125(c)(1) to
13 help implement the plan described in subsection (b);
14 and

15 “(7) if applying for a competitive subgrant
16 under section 2128, describe how it will use the ad-
17 ditional funds under that section to support imple-
18 mentation of that plan.

19 “(d) APPROVAL.—Notwithstanding section
20 2125(c)(1)—

21 “(1) a State educational agency shall approve a
22 local educational agency’s application under this sec-
23 tion only if it determines that it holds reasonable
24 promise of achieving the purpose described in section
25 2112; and

1 “(2) school-based collaborative efforts among
2 teachers to improve instruction in core academic
3 subject areas, including programs that facilitate
4 teacher observation and analyses of fellow teachers’
5 classroom practice to improve instruction;

6 “(3) sustained collaboration that takes place
7 over the course of at least one school year among
8 teachers and outside experts to improve instruction
9 in core academic subject areas;

10 “(4) teacher participation in working groups,
11 task forces, or committees charged with adapting
12 and implementing high standards for all students,
13 including district-wide and school-based teams of
14 teachers charged with aligning curricula and lesson
15 plans with State content and student performance
16 standards and assessments;

17 “(5) programs to assist new teachers during
18 their first three years in the classroom, such as—

19 “(A) mentoring and coaching by trained
20 mentor teachers that lasts for at least two
21 school years;

22 “(B) team teaching with experienced
23 teachers;

24 “(C) time for observation of, and consulta-
25 tion with, experienced teachers;

1 “(D) assignment of fewer course prepara-
2 tions; and

3 “(E) provision of additional time for
4 course preparation;

5 “(6) programs to implement peer-review proc-
6 esses for teachers and principals;

7 “(7) collaborative professional development ex-
8 periences for veteran teachers based on the stand-
9 ards in the core academic subjects of the National
10 Board for Professional Teaching Standards;

11 “(8) the participation of teams of teachers in
12 summer institutes and summer immersion activities
13 that are focused on preparing teachers to bring all
14 students to high standards in one or more of the
15 core academic subjects;

16 “(9) the establishment and maintenance of local
17 professional networks that provide a forum for inter-
18 action among teachers and that allow for the ex-
19 change of information on advances in content and
20 pedagogy;

21 “(10) the development of incentives to encour-
22 age teachers employed by the agency, and other
23 qualified individuals, to obtain proficiency in content
24 knowledge in a core academic subject area identified

1 by the agency as having a shortage of qualified
2 teachers;

3 “(11) the development and acquisition of cur-
4 ricular materials and other instructional aids, if they
5 are not normally provided by the local educational
6 agency or the State as part of the regular instruc-
7 tional program, that will advance local reform efforts
8 to raise student achievement against State and local
9 content and student performance standards; and

10 “(12) the development and distribution of
11 school and agency report cards on the status of edu-
12 cation and educational progress, as required by sec-
13 tion 11206.

14 “LOCAL ACCOUNTABILITY

15 “SEC. 2131. (a) ANNUAL REPORTS.—Each local edu-
16 cational agency that receives funds under this subpart
17 shall make publicly available and submit to the State edu-
18 cational agency every year, beginning in fiscal year 2002,
19 a report on its activities under this subpart, in such form
20 and containing such information as the State educational
21 agency may reasonably require.

22 “(b) CONTENTS.—The report shall contain, at a
23 minimum—

24 “(1) information on progress across the local
25 educational agency against such indicators of pro-

1 gram performance as the Secretary may identify
2 under section 2136;

3 “(2) information on progress across the local
4 educational agency toward achieving the specific
5 goals described in section 2129(c)(1);

6 “(3) data disaggregated by school-poverty level
7 as defined by the Secretary; and

8 “(4) a description of the methodology used to
9 gather the data.

10 “LOCAL COST-SHARING REQUIREMENT

11 “SEC. 2132. (a) FUNDS AWARDED BY FORMULA.—
12 The Federal share of activities carried out under this sub-
13 part with funds awarded by formula under section
14 2125(c)(1) shall not exceed 67 percent for any fiscal year.

15 “(b) OTHER FUNDS.—The Federal share of activities
16 carried out under this subpart with funds awarded under
17 section 2125(c)(2) shall not exceed—

18 “(1) 85 percent during the first year of the
19 subgrant;

20 “(2) 75 percent during the second year;

21 “(3) 65 percent during the third year;

22 “(4) 55 percent during the fourth year; and

23 “(5) 50 percent during the fifth year.

24 “(c) SERVICES TO PRIVATE SCHOOL STUDENTS AND
25 TEACHERS.—Notwithstanding subsections (a) and (b),
26 the Federal share of the cost of providing services to stu-

1 dents and teachers in private schools, in accordance with
2 section 11803 through 11806, may be up to 100 percent.

3 “(d) AVAILABLE RESOURCES FOR COST-SHARING.—
4 A local educational agency may meet its obligations under
5 subsections (a) or (b) through one or more of the fol-
6 lowing:

7 “(1) Cash expenditures from non-Federal
8 sources, including private contributions.

9 “(2) Services provided in kind, fairly evaluated.

10 “(3) Release time for participating teachers.

11 “(4) Funds received under other Federal stat-
12 utes and programs, if used in a manner consistent
13 with those statutes and programs and for the benefit
14 of students and teachers that would otherwise have
15 been served with those funds.

16 “MAINTENANCE OF EFFORT

17 “SEC. 2133. No funds may be provided to a local edu-
18 cational agency under this subpart unless the State edu-
19 cational agency is satisfied that the local educational agen-
20 cy will spend, from other sources, at least as much for
21 professional development activities described in this sub-
22 part as the average amount it spent from other sources
23 for those activities over the previous three years.

24 “EQUIPMENT AND TEXTBOOKS

25 “SEC. 2134. A local educational agency may not use
26 subgrant funds under this subpart for equipment, com-

1 puter hardware, textbooks, telecommunications fees, or
2 other items, that would otherwise be provided by the local
3 educational agency, the State, or a private school whose
4 students receive services under this part.

5 “SUPPLEMENT, NOT SUPPLANT

6 “SEC. 2135. A local educational agency that receives
7 funds under this subpart shall use those funds only to sup-
8 plement the amount of funds or resources that would, in
9 the absence of those Federal funds, be made available
10 from non-Federal sources for the purposes of the program
11 authorized under this subpart, and not to supplant those
12 non-Federal funds or resources.

13 “PROGRAM PERFORMANCE INDICATORS

14 “SEC. 2136. Not later than three months after the
15 effective date of the amendments to this title made by the
16 Educational Excellence for All Children Act of 1999, the
17 Secretary shall, in collaboration with States, local edu-
18 cational agencies, and institutions of higher education,
19 identify indicators of program performance under this
20 subpart, against which recipients of funds under this sub-
21 part shall report their progress, in such manner as the
22 Secretary may determine.

23 “DEFINITIONS

24 “SEC. 2137. As used in this subpart, the following
25 terms have the following meanings:

1 “(1) CORE ACADEMIC SUBJECTS.—The term
2 ‘core academic subjects’ means—

3 “(A) mathematics;

4 “(B) science;

5 “(C) reading (or language arts) and
6 English;

7 “(D) social studies (history, civics/govern-
8 ment, geography, and economics);

9 “(E) foreign languages; and

10 “(F) fine arts (music, dance, drama, and
11 the visual arts).

12 “(2) HIGH-POVERTY LOCAL EDUCATIONAL
13 AGENCY.—The term ‘high-poverty local educational
14 agency’ has the meaning given that term in section
15 2217(1).

16 “(3) LOW-PERFORMING SCHOOL.—The term
17 ‘low-performing school’ means—

18 “(A) a school identified by a local edu-
19 cational agency for school improvement under
20 section 1116(e); or

21 “(B) a school in which the great majority
22 of students fail to meet State student perform-
23 ance standards based on assessments the local
24 educational agency is using under part A of
25 title I.

1 “(4) PROFESSIONAL DEVELOPMENT.—The
2 term ‘professional development’ means sustained and
3 intensive activities that improve teachers’ content
4 knowledge and teaching skills and that—

5 “(A) enhance the ability of teachers to help
6 all students, including children with disabilities,
7 children with limited English proficiency and
8 economically disadvantaged children, reach high
9 State and local content and student perform-
10 ance standards;

11 “(B) advance teacher understanding of one
12 or more of the core academic subject areas and
13 effective instructional strategies for improving
14 student achievement in those areas;

15 “(C) are of sufficient duration to have a
16 positive and lasting impact on classroom in-
17 struction;

18 “(D) are an integral part of broader school
19 and district-wide plans for raising student
20 achievement to State and local standards;

21 “(E) are based on the best available re-
22 search on teaching and learning;

23 “(F) include professional development ac-
24 tivities that involve collaborative groups of
25 teachers and administrators from the same

1 school or district and, to the greatest extent
2 possible, include follow-up and school-based
3 support such as coaching or study groups; and
4 “(G) as a whole, are regularly evaluated
5 for their impact on increased teacher effective-
6 ness and improved student achievement, with
7 the findings of such evaluations used to improve
8 the quality of professional development.

9 “Subpart 3—National Activities for the Improvement of
10 Teaching and School Leadership

11 “PROGRAM AUTHORIZED

12 “SEC. 2141. (a) IN GENERAL.—The Secretary is au-
13 thorized to make grants to, and to enter into contracts
14 and cooperative agreements with, local educational agen-
15 cies, educational service agencies, State educational agen-
16 cies, State agencies for higher education, institutions of
17 higher education, and other public and private nonprofit
18 agencies, organizations, and institutions to carry out sub-
19 section (b).

20 “(b) ACTIVITIES.—The Secretary—

21 “(1) may support activities of national signifi-
22 cance that are not supported through other sources
23 and that the Secretary determines will contribute to
24 the improvement of teaching and school leadership
25 in the Nation’s schools, such as—

1 “(A) supporting collaborative efforts by
2 States, or consortia of States, to review and
3 benchmark the quality, rigor and alignment of
4 State standards and assessments;

5 “(B) supporting the development of mod-
6 els, at the State and local levels, of innovative
7 compensation systems that—

8 “(i) provide incentives for talented in-
9 dividuals who have a strong knowledge of
10 academic content to enter teaching; and

11 “(ii) reward experienced teachers who
12 acquire new knowledge and skills that are
13 needed in the schools and districts in
14 which they teach; and

15 “(C) supporting collaborative efforts by
16 States, or consortia of States, to develop per-
17 formance-based systems for assessing content
18 knowledge and teaching skills prior to full
19 teacher licensure;

20 “(2) may support activities of national signifi-
21 cance that the Secretary determines will contribute
22 to the recruitment and retention of highly qualified
23 teachers and principals in high-poverty local edu-
24 cational agencies, such as—

1 “(A) the development and implementation
2 of a national teacher recruitment clearinghouse
3 and job bank, which shall be coordinated and,
4 to the extent feasible, integrated with the Amer-
5 ica’s Job Bank administered by the Secretary
6 of Labor, to—

7 “(i) disseminate information and re-
8 sources nationwide on entering the teach-
9 ing profession to persons interested in be-
10 coming teachers;

11 “(ii) serve as a national resource cen-
12 ter for effective practices in teacher re-
13 cruitment and retention;

14 “(iii) link prospective teachers to local
15 educational agencies and training re-
16 sources; and

17 “(iv) provide information and tech-
18 nical assistance to prospective teachers
19 about certification and other State and
20 local requirements related to teaching;

21 “(B) the development and implementation,
22 or expansion, of programs that recruit talented
23 individuals to become principals, including such
24 programs that employ alternative routes to
25 State certification, and that prepare both new

1 and experienced principals to serve as instruc-
2 tional leaders, which may include the creation
3 and operation of a national center for the prep-
4 aration and support of principals as leaders of
5 school reform;

6 “(C) efforts to increase the portability of
7 teacher pensions and reciprocity of teaching
8 credentials across State lines;

9 “(D) research, evaluation, and dissemina-
10 tion activities related to effective strategies for
11 increasing the portability of teachers’ credited
12 years of experience across State and school dis-
13 trict lines; and

14 “(E) the development and implementation
15 of national or regional programs to—

16 “(i) recruit highly talented individuals
17 to become teachers, through alternative
18 certification routes, in high-poverty local
19 educational agencies; and

20 “(ii) help retain those individuals as
21 classroom teachers in those local edu-
22 cational agencies for more than three
23 years;

24 “(3) shall carry out a national evaluation of the
25 effect of activities under this part, including changes

1 in instructional practice and objective measures of
2 student achievement;

3 “(4) may support the National Board for Pro-
4 fessional Teaching Standards; and

5 “(5) shall support the Eisenhower National
6 Clearinghouse for Mathematics and Science Edu-
7 cation under section 2142.

8 “EISENHOWER NATIONAL CLEARINGHOUSE FOR
9 MATHEMATICS AND SCIENCE EDUCATION

10 “SEC. 2142. (a) ESTABLISHMENT OF CLEARING-
11 HOUSE. The Secretary shall award a competitive grant or
12 contract to establish the Eisenhower National Clearing-
13 house for Mathematics and Science Education (hereafter
14 in this section referred to as ‘the Clearinghouse’).

15 “(b) AUTHORIZED ACTIVITIES.—

16 (1) APPLICATION AND AWARD BASIS.—(A)
17 Each entity desiring to establish and operate the
18 Clearinghouse shall submit an application to the
19 Secretary at such time, in such manner, and con-
20 taining such information as the Secretary may re-
21 quire.

22 “(B) The Secretary shall establish a peer-review
23 process to make recommendations on the recipient of
24 the award for the Clearinghouse.

25 “(C) The Secretary shall make the award for
26 the Clearinghouse on the basis of merit.

1 “(2) DURATION.—The Secretary shall award
2 the grant or contract for the Clearinghouse for a pe-
3 riod of five years.

4 “(3) ACTIVITIES.—The award recipient shall
5 use the award funds to—

6 “(A) maintain a permanent collection of
7 such mathematics and science education in-
8 structional materials and programs for elemen-
9 tary and secondary schools as the Secretary
10 finds appropriate, with a priority for such mate-
11 rials and programs that have been identified as
12 promising or exemplary, through a systematic
13 approach such as the use of expert panels re-
14 quired under the Educational Research, Devel-
15 opment, Dissemination, and Improvement Act
16 of 1994;

17 “(B) disseminate the materials and pro-
18 grams described in paragraph (1) to the public,
19 State educational agencies, local educational
20 agencies, and schools (particularly high-poverty,
21 low-performing schools), including through the
22 maintenance of an interactive national elec-
23 tronic information management and retrieval
24 system accessible through the Worldwide Web

1 and other advanced communications tech-
2 nologies;

3 “(C) coordinate with other databases con-
4 taining mathematics and science curriculum
5 and instructional materials, including Federal,
6 non-Federal, and, where feasible, international
7 databases;

8 “(D) using not more than ten percent of
9 the amount awarded under this section for any
10 fiscal year, participate in collaborative meetings
11 of representatives of the Clearinghouse and the
12 regional consortia established under section
13 2424 of this title to—

14 “(i) discuss issues of common interest
15 and concern;

16 “(ii) foster effective collaboration and
17 cooperation in acquiring and distributing
18 curriculum materials and programs; and

19 “(iii) coordinate and enhance com-
20 puter network access to the Clearinghouse
21 and the resources of the regional consortia;

22 “(E) support the development and dissemi-
23 nation of model professional development mate-
24 rials in mathematics and science education;

1 “(F) contribute materials or information,
2 as appropriate, to other national repositories or
3 networks; and

4 “(G) gather qualitative and evaluative data
5 on submissions to the Clearinghouse, and dis-
6 seminate that data widely, including through
7 the use of electronic dissemination networks.

8 “(4) SUBMISSION TO CLEARINGHOUSE.—Each
9 Federal agency or department that develops mathe-
10 matics or science education instructional materials
11 or programs, including the National Science Foun-
12 dation and the Department, shall submit copies of
13 that material and those programs to the Clearing-
14 house.

15 “(5) STEERING COMMITTEE.—The Secretary
16 may appoint a steering committee to recommend
17 policies and activities for the Clearinghouse.

18 “(6) APPLICATION OF COPYRIGHT LAWS.—(A)
19 Nothing in this section shall be construed to allow
20 the use or copying, in any medium, of any material
21 collected by the Clearinghouse that is protected
22 under the copyright laws of the United States unless
23 the permission of the owner of the copyright is ob-
24 tained.

1 “(B) In carrying out this section, the Clearing-
2 house shall ensure compliance with title 17 of the
3 United States Code.

4 “PART B—TRANSITION TO TEACHING; TROOPS TO
5 TEACHERS

6 “FINDINGS

7 “SEC. 2211. The Congress finds as follows:

8 “(1) School districts will need to hire more than
9 2 million teachers in the next decade. The need for
10 teachers in the areas of math, science, foreign lan-
11 guages, special education, and bilingual education,
12 and for those able to teach in high-poverty school
13 districts will be particularly high. To meet this need,
14 talented Americans of all ages should be recruited to
15 become successful, qualified teachers.

16 “(2) Nearly 13 percent of teachers of academic
17 subjects have neither an undergraduate major nor
18 minor in their main assignment fields. This problem
19 is more acute in high-poverty schools, where the out-
20 of-field percentage is 22 percent.

21 “(3) The Third International Math and Science
22 Study (TIMSS) ranked U.S. high school seniors last
23 among 16 countries in physics and next to last in
24 math. It is also evident, mainly from the TIMSS
25 data, that based on academic scores, a stronger em-

1 phasis needs to be placed on the academic prepara-
2 tion of our children in math and science.

3 “(4) One-fourth of high-poverty schools find it
4 very difficult to fill bilingual teaching positions, and
5 nearly half of public school teachers have students in
6 their classrooms for whom English is a second lan-
7 guage.

8 “(5) Many career-changing professionals with
9 strong content-area skills are interested in a teach-
10 ing career, but need assistance in getting the appro-
11 priate pedagogical training and classroom experi-
12 ence.

13 “(6) The Troops to Teachers model has been
14 highly successful in linking high-quality teachers to
15 teach in high-poverty school districts.

16 “PURPOSE

17 “SEC. 2212. The purpose of this part is to address
18 the need of high-poverty school districts for highly quali-
19 fied teachers in particular subject areas, such as mathe-
20 matics, science, foreign languages, bilingual education,
21 and special education needed by those school districts,
22 by—

23 “(1) continuing and enhancing the Troops to
24 Teachers model for recruiting and supporting the
25 placement of such teachers; and

1 “(2) recruiting, preparing, placing, and sup-
2 porting career-changing professionals who have
3 knowledge and experience that will help them be-
4 come such teachers.

5 “PROGRAM AUTHORIZED

6 “SEC. 2213. (a) AUTHORITY.—Subject to subsection
7 (b), the Secretary is authorized to use funds appropriated
8 under subsection (c) for each fiscal year to award grants,
9 contracts, or cooperative agreements to institutions of
10 higher education and public and private nonprofit agencies
11 or organizations to carry out programs authorized by this
12 part.

13 “(b) TROOPS TO TEACHERS.—(1) Before making
14 awards under subsection (a) for any fiscal year, the Sec-
15 retary shall first—

16 “(A) consult with the Secretary of Defense and
17 the Secretary of Transportation regarding the ap-
18 propriate amount of funding needed to continue and
19 enhance the Troops to Teachers program; and

20 “(B) upon agreement, transfer that amount to
21 the Department of Defense to carry out the Troops
22 to Teachers program.

23 “(2) The Secretary may enter into a written agree-
24 ment with the Departments of Defense and Transpor-
25 tation, or take such other steps as the Secretary deter-

1 mines are appropriate to ensure effective continuation of
2 the Troops to Teachers program.

3 “(c) AUTHORIZATION OF APPROPRIATIONS.—For the
4 purpose of carrying out this part, there are authorized to
5 be appropriated such sums as may be necessary for fiscal
6 year 2001 and each of the four succeeding fiscal years.

7 “APPLICATION

8 “SEC. 2214. Each applicant that desires an award
9 under section 2213(a) shall submit an application to the
10 Secretary containing such information as the Secretary
11 may require, including—

12 “(1) a description of the target group of career-
13 changing professionals upon which the applicant will
14 focus in carrying out its program under this part,
15 including a description of the characteristics of that
16 target group that shows how the knowledge and ex-
17 perience of its members are relevant to meeting the
18 purpose of this part;

19 “(2) a description of how the applicant will
20 identify and recruit program participants;

21 “(3) a description of the training that program
22 participants will receive and how that training will
23 relate to their certification as teachers;

24 “(4) a description of how the applicant will en-
25 sure that program participants are placed and teach
26 in high-poverty local educational agencies;

1 “(5) a description of the teacher induction serv-
2 ices (which may be provided through existing induc-
3 tion programs) the program participants will receive
4 throughout at least their first year of teaching;

5 “(6) a description of how the applicant will col-
6 laborate, as needed, with other institutions, agencies,
7 or organizations to recruit, train, place, and support
8 program participants under this part, including evi-
9 dence of the commitment of those institutions, agen-
10 cies, or organizations to the applicant’s program;

11 “(7) a description of how the applicant will
12 evaluate the progress and effectiveness of its pro-
13 gram, including—

14 “(A) the program’s goals and objectives;

15 “(B) the performance indicators the appli-
16 cant will use to measure the program’s
17 progress; and

18 “(C) the outcome measures that will be
19 used to determine the program’s effectiveness;
20 and

21 “(8) an assurance that the applicant will pro-
22 vide to the Secretary such information as the Sec-
23 retary determines necessary to determine the overall
24 effectiveness of programs under this part.

1 “USES OF FUNDS AND PERIOD OF SERVICE

2 “SEC. 2215. (a) AUTHORIZED ACTIVITIES.—Funds
3 under this part may be used for—

4 “(1) recruiting program participants, including
5 informing them of opportunities under the program
6 and putting them in contact with other institutions,
7 agencies, or organizations that would train, place,
8 and support them;

9 “(2) training stipends and other financial incen-
10 tives for program participants, such as moving ex-
11 penses, not to exceed \$5,000, in the aggregate, per
12 participant;

13 “(3) assisting institutions of higher education
14 or other providers of teacher training to tailor their
15 training to meet the particular needs of professionals
16 who are changing their careers to teaching;

17 “(4) placement activities, including identifying
18 high-poverty local educational agencies with needs
19 for the particular skills and characteristics of the
20 newly trained program participants and assisting
21 those participants to obtain employment in those
22 local educational agencies; and

23 “(5) post-placement induction or support activi-
24 ties for program participants.

1 “(b) PERIOD OF SERVICE.—A program participant in
2 a program under this subpart who completes his or her
3 training shall serve in a high-poverty local educational
4 agency for at least three years.

5 “(c) REPAYMENT.—The Secretary shall establish
6 such requirements as the Secretary determines appro-
7 priate to ensure that program participants who receive a
8 training stipend or other financial incentive under sub-
9 section (a)(2), but fail to complete their service obligation
10 under subsection (b), repay all or a portion of such stipend
11 or other incentive.

12 “EQUITABLE DISTRIBUTION

13 “SEC. 2216. To the extent practicable, the Secretary
14 shall make awards under this part that support programs
15 in different geographic regions of the Nation.

16 “DEFINITIONS

17 “SEC. 2217. As used in this part—

18 “(1) the term ‘high-poverty local educational
19 agency’ means a local educational agency in which
20 the percentage of children, ages 5 through 17, from
21 families below the poverty level is 20 percent or
22 greater, or the number of such children exceeds
23 10,000; and

24 “(2) the term ‘program participants’ means ca-
25 reer-changing professionals who—

26 “(A) hold at least a baccalaureate degree;

1 “(B) demonstrate interest in, and commit-
2 ment to, becoming a teacher; and

3 “(C) have knowledge and experience that
4 is relevant to teaching a high-need subject area
5 in a high-poverty local educational agency.

6 “PART C—EARLY CHILDHOOD EDUCATOR

7 PROFESSIONAL DEVELOPMENT

8 “PURPOSE

9 “SEC. 2301. In support of the national effort to at-
10 tain the first of America’s Education Goals, as set out in
11 section 2(c)(1) of this Act, the purpose of this part is to
12 enhance the school readiness of young children, particu-
13 larly disadvantaged young children, and to prevent them
14 from encountering reading difficulties once they enter
15 school, by improving the knowledge and skills of early
16 childhood educators who work in communities that have
17 high concentrations of children living in poverty.

18 “PROGRAM AUTHORIZED

19 “SEC. 2302. (a) ELIGIBLE PARTNERSHIPS.—The
20 Secretary shall carry out the purpose of this part through
21 competitive grants to partnerships consisting of—

22 “(1) either—

23 “(A) one or more institutions of higher
24 education that provide professional development
25 for early childhood educators who work with

1 children from low-income families in high-need
2 communities; or

3 “(B) another public or private, nonprofit
4 entity that provides such professional develop-
5 ment; and

6 “(2) one or more public agencies (including
7 local educational agencies, State educational agen-
8 cies, State human services agencies, and State and
9 local agencies administering programs under the
10 Child Care and Development Block Grant Act of
11 1990); Head Start agencies; or private, nonprofit or-
12 ganizations.

13 “(b) PRIORITY.—In selecting grantees under this
14 part, the Secretary shall give priority to applications from
15 partnerships that include one or more local educational
16 agencies that operate early childhood education programs
17 for children from low-income families in high-need commu-
18 nities.

19 “(c) DURATION OF GRANTS.—(1) Each grant under
20 this part shall be for up to four years.

21 “(2) No grantee may receive more than one grant
22 under this part.

23 “APPLICATIONS

24 “SEC. 2303. (a) APPLICATIONS REQUIRED.—Any eli-
25 gible applicant that desires to receive a grant under this
26 part shall submit an application at such time, in such

1 manner, and containing such information as the Secretary
2 may require.

3 “(b) CONTENTS.—Each such application shall
4 include—

5 “(1) a description of the high-need community
6 to be served by the project, including such demo-
7 graphic and socioeconomic information as the Sec-
8 retary may request;

9 “(2) information on the quality of the early
10 childhood educator professional development pro-
11 gram currently conducted by the institution of high-
12 er education or other provider in the partnership;

13 “(3) the results of the assessment that the enti-
14 ties in the partnership have undertaken to determine
15 the most critical professional development needs of
16 the early childhood educators to be served by the
17 partnership and in the broader community, and a
18 description of how the proposed project will address
19 those needs;

20 “(4) a description of how the proposed project
21 will be carried out, including—

22 “(A) how individuals will be selected to
23 participate;

1 “(B) the types of research-based profes-
2 sional development activities that will be carried
3 out;

4 “(C) how research on effective professional
5 development and on adult learning will be used
6 to design and deliver project activities;

7 “(D) how the project will coordinate with
8 and build on, and will not supplant or dupli-
9 cate, early childhood education professional de-
10 velopment activities that exist in the commu-
11 nity;

12 “(E) how the project will train early child-
13 hood educators to provide services that are
14 based on the best available research on child,
15 language, and literacy development and on early
16 childhood pedagogy; and

17 “(F) how the program will train early
18 childhood educators to meet the diverse edu-
19 cational needs of children in the community, in-
20 cluding children who have limited English pro-
21 ficiency, disabilities, or other special needs;

22 “(5) a description of—

23 “(A) the specific objectives that the appli-
24 cant will seek to attain through the project, and

1 how the applicant will measure progress toward
2 attainment of those objectives; and

3 “(B) how the objectives and the measure-
4 ment activities align with the performance indi-
5 cators established by the Secretary under sec-
6 tion 2306(a);

7 “(6) a description of the applicant’s plan
8 for institutionalizing the activities carried out
9 under the project, so that they continue once
10 Federal funding ceases;

11 “(7) an assurance that, where applicable, the
12 project will provide appropriate professional develop-
13 ment to volunteer staff, as well as to paid staff; and

14 “(8) an assurance that, in developing its appli-
15 cation and in carrying out its project, it has con-
16 sulted with, and will consult with, relevant agencies
17 and organizations described in section 2302(a)(2)
18 that are not members of the partnership.

19 “SELECTION OF GRANTEES

20 “SEC. 2304. (a) CRITERIA.—The Secretary shall se-
21 lect applicants to receive funding on the basis of the com-
22 munity’s need for assistance and the quality of the appli-
23 cations.

24 “(b) GEOGRAPHIC DISTRIBUTION.—In selecting
25 grantees, the Secretary shall seek to ensure that commu-

1 nities in different regions of the Nation, as well as both
2 urban and rural communities, are served.

3 “USES OF FUNDS

4 “SEC. 2305. (a) IN GENERAL.—Each recipient of a
5 grant under this part shall use the grant funds to carry
6 out activities that will improve the knowledge and skills
7 of early childhood educators who are working in early
8 childhood programs that are located in high-need commu-
9 nities and serve concentrations of children from low-in-
10 come families.

11 “(b) ALLOWABLE ACTIVITIES.—Allowable activities
12 include, but are not limited to—

13 “(1) professional development for individuals
14 working as early childhood educators, particularly to
15 familiarize those individuals with recent research on
16 child, language, and literacy development and on
17 early childhood pedagogy;

18 “(2) professional development for early child-
19 hood educators in working with parents, based on
20 the best current research on child, language, and lit-
21 eracy development and parent involvement, so that
22 they can prepare their children to succeed in school;

23 “(3) professional development for early child-
24 hood educators to work with children who have lim-
25 ited English proficiency, disabilities, and other spe-
26 cial needs;

1 “(4) activities that assist and support early
2 childhood educators during their first three years in
3 the field;

4 “(5) development and implementation of early
5 childhood educator professional development pro-
6 grams that make use of distance learning and other
7 technologies; and

8 “(6) data collection, evaluation, and reporting
9 needed to meet the requirements of this part relat-
10 ing to accountability.

11 “ACCOUNTABILITY

12 “SEC. 2306. (a) PERFORMANCE INDICATORS.—Si-
13 multaneously with the publication of any application no-
14 tice for grants under this part, the Secretary shall an-
15 nounce performance indicators for this part, which shall
16 be designed to measure—

17 “(1) the quality of the professional development
18 provided;

19 “(2) the impact of that professional develop-
20 ment on the early childhood education provided by
21 the individuals who are trained; and

22 “(3) such other measures of program impact as
23 the Secretary determines appropriate.

24 “(b) ANNUAL REPORTS.—(1) Grantees shall report
25 annually to the Secretary on their progress against the
26 performance indicators.

1 “(2) The Secretary may terminate a grant at any
2 time if he determines that the grantee is not making satis-
3 factory progress against those indicators.

4 “COST-SHARING

5 “SEC. 2307. (a) IN GENERAL.—Each grantee shall
6 provide, from other sources, which may include other Fed-
7 eral sources—

8 “(1) at least 50 percent of the total cost of its
9 project for the grant period; and

10 “(2) at least 20 percent of the project cost in
11 each year.

12 “(b) ACCEPTABLE CONTRIBUTIONS.—A grantee may
13 meet the requirement of subsection (a) through cash or
14 in-kind contributions, fairly valued.

15 “(c) WAIVERS.—The Secretary may waive or modify
16 the requirements of subsection (a) in cases of dem-
17 onstrated financial hardship.

18 “DEFINITIONS

19 “SEC. 2308. As used in this part, the following terms
20 have the following meanings:

21 “(1)(A) The term ‘high-need community’
22 means—

23 “(i) a municipality, or portion of a munici-
24 pality, in which at least 50 percent of children
25 are from low-income families; or

1 “(ii) a municipality that is one of the 10
2 percent of municipalities within its State having
3 the greatest numbers of those children.

4 “(B) In determining which communities are de-
5 scribed in subparagraph (A), the Secretary shall use
6 such data as he determines are most accurate and
7 appropriate.

8 “(2) The term ‘low-income family’ means a
9 family with an income below the poverty line (as de-
10 fined by the Office of Management and Budget and
11 revised annually in accordance with section 673(2)
12 of the Community Services Block Grant Act (42
13 U.S.C. 9902(2))) applicable to a family of the size
14 involved for the most recent fiscal year for which
15 satisfactory data are available.

16 “(3) The term ‘early childhood educator’ means
17 a person who provides care and education to chil-
18 dren at any age from birth through kindergarten.

19 “FEDERAL COORDINATION

20 “SEC. 2309. The Secretary and the Secretary of
21 Health and Human Services shall coordinate activities
22 under this part and other early childhood programs ad-
23 ministered by the two Secretaries.

24 “AUTHORIZATION OF APPROPRIATIONS

25 “SEC. 2310. For the purpose of carrying out this
26 part, there are authorized to be appropriated such sums

1 as may be necessary for fiscal year 2001 and each of the
2 four succeeding fiscal years.

3 “PART D—TECHNICAL ASSISTANCE PROGRAMS

4 “FINDINGS

5 “SEC. 2401. The Congress finds that—

6 “(1) sustained, high-quality technical assistance
7 that responds to State and local demand, supported
8 by widely disseminated, research-based information
9 on what constitutes high-quality technical assistance
10 and how to identify high-quality technical assistance
11 providers, can enhance the opportunity for all chil-
12 dren to achieve to challenging State academic con-
13 tent and student performance standards;

14 “(2) an integrated system for acquiring, using,
15 and supplying technical assistance is essential to im-
16 proving programs and affording all children this op-
17 portunity;

18 “(3) States, local educational agencies, tribes,
19 and schools serving students with special needs, such
20 as educationally disadvantaged students and stu-
21 dents with limited English proficiency, have clear
22 needs for technical assistance in order to use funds
23 under this Act to provide those students with oppor-
24 tunities to achieve to challenging State academic

1 content standards and student performance stand-
2 ards;

3 “(4) current technical assistance and dissemina-
4 tion efforts are insufficiently responsive to the needs
5 of States, local educational agencies, schools, and
6 tribes for help in identifying their particular needs
7 for technical assistance and developing and imple-
8 menting their own integrated systems for using the
9 various sources of funding for technical assistance
10 activities under this Act (as well as other Federal,
11 State, and local resources) to improve teaching and
12 learning and to implement more effectively the pro-
13 grams authorized by this Act; and

14 “(5) the Internet and other forms of advanced
15 telecommunications technology are an important
16 means of providing information and assistance in a
17 cost-effective way.

18 “PURPOSE

19 “SEC. 2402. The purpose of this part is to create a
20 comprehensive and cohesive, national system of technical
21 assistance and dissemination that is based on market prin-
22 ciples in responding to the demand for, and expanding the
23 supply of, high-quality technical assistance. Such a system
24 shall support States, local educational agencies, tribes,
25 schools, and other recipients of funds under this Act in

1 implementing standards-based reform and improving stu-
2 dent performance through—

3 “(1) the provision of financial support and im-
4 partial, research-based information designed to as-
5 sist States and high-need local educational agencies
6 to develop and implement their own integrated sys-
7 tems of technical assistance and select high-quality
8 technical assistance activities and providers for use
9 in those systems;

10 “(2) the establishment of technical assistance
11 centers in areas that reflect identified national needs
12 in order to ensure the availability of strong technical
13 assistance in those areas;

14 “(3) the integration of all technical assistance
15 and information dissemination activities carried out
16 or supported by the Department of Education in
17 order to ensure comprehensive support for school
18 improvement;

19 “(4) the creation of a technology-based system,
20 for disseminating information about ways to improve
21 educational practices throughout the Nation, that re-
22 flects input from students, teachers, administrators,
23 and other individuals who participate in, or may be
24 affected by, the Nation’s educational system; and

1 “(5) national evaluations of effective technical
2 assistance.

3 “Subpart 1—Strengthening the Capacity of State and
4 Local Educational Agencies To Become Effective,
5 Informed Consumers of Technical Assistance

6 “PURPOSE

7 “SEC. 2411. It is the purpose of this subpart to—

8 “(1) provide grants to State and local edu-
9 cational agencies in order to—

10 “(A) respond to the growing demand for
11 increased local decisionmaking in determining
12 technical assistance needs and appropriate tech-
13 nical assistance services;

14 “(B) encourage States and local edu-
15 cational agencies to assess their technical as-
16 sistance needs, and how their various sources of
17 funding for technical assistance under this Act
18 and from other sources can best be coordinated
19 to meet those needs (including their needs to
20 collect and analyze data);

21 “(C) build the capacity of State and local
22 educational agencies to use technical assistance
23 effectively and thereby improve their ability to
24 provide the opportunity for all children to
25 achieve to challenging State academic content

1 standards and student performance standards;
2 and

3 “(D) assist State and local educational
4 agencies in acquiring high-quality technical as-
5 sistance; and

6 “(2) establish an independent source of con-
7 sumer information regarding the quality of technical
8 assistance activities and providers, in order to assist
9 State and local educational agencies, and other con-
10 sumers of technical assistance that receive funds
11 under this Act, in selecting technical assistance ac-
12 tivities and providers for their use.

13 “ALLOCATION OF FUNDS

14 “SEC. 2412. From the funds appropriated to carry
15 out this subpart for any fiscal year—

16 “(1) the Secretary shall first allocate one per-
17 cent of such funds to the Bureau of Indian Affairs
18 and the Outlying Areas, in accordance with their re-
19 spective needs for such funds (as determined by the
20 Secretary) to carry out activities that meet the pur-
21 poses of this subpart; and

22 “(2) from the remainder of such funds, the Sec-
23 retary shall—

24 “(A) allocate two-thirds of such remainder
25 to State educational agencies in accordance
26 with the formula described in section 2413; and

1 “(B) allocate one-third of such remainder
2 to the 100 local educational agencies with the
3 largest number of children counted under sec-
4 tion 1124(c), in accordance with the formula
5 described in section 2416.

6 “FORMULA GRANTS TO STATE EDUCATIONAL AGENCIES

7 “SEC. 2413. (a) FORMULA.—Subject to subsection
8 (b), the Secretary shall allocate the funds under section
9 2412(2)(A) among the States in proportion to the relative
10 amounts each State would have received for Basic Grants
11 under subpart 2 of part A of title I of this Act for the
12 most recent fiscal year, if the Secretary had disregarded
13 the allocations under such subpart to local educational
14 agencies that are eligible to receive direct grants under
15 section 2416.

16 “(b) ADJUSTMENTS TO ALLOCATIONS.—The Sec-
17 retary shall adjust the allocations under subsection (a),
18 as necessary, to ensure that, of the total amount allocated
19 to States under subsection (a) and to local educational
20 agencies under section 2416, the percentage allocated to
21 a State under this section and to localities in the State
22 under section 2416 is at least the minimum percentage
23 for the State described in section 1124(d) for the previous
24 fiscal year.

25 “(c) REALLOCATIONS.—If the Secretary determines
26 that any amount of any State’s allocation under sub-

1 section (a) (as adjusted, if necessary, under subsection
2 (b)) will not be required for such fiscal year for carrying
3 out the activities for which such amount has been allo-
4 cated, the Secretary shall make such amount available for
5 reallocation. Any such reallocation among other States
6 shall occur on such dates as the Secretary shall establish,
7 and shall be made on the basis of criteria established by
8 regulation. Any amount reallocated to a State under this
9 subsection for any fiscal year shall remain available for
10 obligation during the succeeding fiscal year, and shall be
11 deemed to be part of the State's allocation for the year
12 in which the amount is obligated.

13 "STATE APPLICATION

14 "SEC. 2414. (a) APPLICATION REQUIREMENTS.—
15 Each State desiring a grant under this subpart shall sub-
16 mit an application to the Secretary at such time, in such
17 manner, and containing such information as the Secretary
18 may require. Each such application shall describe—

19 "(1) the State's need for, and the capacity of
20 the State educational agency to provide, technical
21 assistance in implementing programs under this Act
22 (including assistance on the collection and analysis
23 of data) and in implementing the State plan or poli-
24 cies for comprehensive, standards-based education
25 reform;

1 “(2) how the State will use the funds provided
2 under this subpart to coordinate all its sources of
3 funds for technical assistance, including all sources
4 of such funds under this Act, into an integrated sys-
5 tem of providing technical assistance to local edu-
6 cational agencies, and other local recipients of funds
7 under this Act, within the State and implement that
8 system;

9 “(3) the State educational agency’s plan for
10 using funds from all sources under this Act to build
11 its capacity, through the acquisition of outside tech-
12 nical assistance and other means, to provide tech-
13 nical assistance to local educational agencies and
14 other recipients within the State;

15 “(4) how, in carrying out technical assistance
16 activities using funds provided from all sources
17 under this Act, the State will—

18 “(A) assist local educational agencies and
19 schools in providing high-quality education to
20 all children served under this Act to achieve to
21 challenging academic standards;

22 “(B) give the highest priority to meeting
23 the needs of high-poverty, low-performing local
24 educational agencies (taking into consideration

1 any assistance that such local educational agen-
2 cies may be receiving under section 2416); and

3 “(C) give special consideration to local
4 educational agencies and other recipients of
5 funds under this Act serving rural and isolated
6 areas.

7 “(b) APPROVAL.—The Secretary shall approve a
8 State’s application for funds under this subpart if it meets
9 the requirements of subsection (a) and is of sufficient
10 quality to meet the purposes of this subpart. In deter-
11 mining whether to approve a State’s application, the Sec-
12 retary shall take into consideration the advice of peer re-
13 viewers. The Secretary shall not disapprove any applica-
14 tion under this section without giving the State notice and
15 opportunity for a hearing.

16 “STATE USES OF FUNDS

17 “SEC. 2415. (a) IN GENERAL.—The State edu-
18 cational agency may use funds provided under this sub-
19 part to—

20 “(1) build its capacity (and the capacity of
21 other State agencies that implement programs under
22 this Act) to use technical assistance funds provided
23 under this Act effectively through the acquisition of
24 high-quality technical assistance, and the selection of
25 high-quality technical assistance activities and pro-

1 viders, that meet the technical assistance needs iden-
2 tified by the State;

3 “(2) develop, coordinate, and implement an in-
4 tegrated system—

5 “(A) that provides technical assistance to
6 local educational agencies and other recipients
7 of funds under this Act within the State, di-
8 rectly, through contracts, or through subgrants
9 to local educational agencies, or other recipients
10 of funds under this Act, for activities that meet
11 the purposes of this subpart; and

12 “(B) that uses all sources of funds pro-
13 vided for technical assistance, including all
14 sources of such funds under this Act; and

15 “(3) acquire the technical assistance it needs to
16 increase opportunities for all children to achieve to
17 challenging State academic content standards and
18 student performance standards and to implement
19 the State’s plan or policies for comprehensive stand-
20 ards-based education reform.

21 “(b) TYPES OF TECHNICAL ASSISTANCE.—A State’s
22 integrated system of providing technical assistance may
23 include assistance on such activities as the following:

24 “(1) Implementing State standards in the class-
25 room, including aligning instruction, curriculum, as-

1 sessments, and other aspects of school reform with
2 those standards.

3 “(2) Collecting, disaggregating, and using data
4 to analyze and improve the implementation, and in-
5 crease the impact, of educational programs.

6 “(3) Conducting needs assessments and plan-
7 ning intervention strategies that are aligned with
8 State goals and accountability systems.

9 “(4) Planning and implementing effective, re-
10 search-based reform strategies, including schoolwide
11 reforms, and strategies for making schools safe, dis-
12 ciplined, and drug-free.

13 “(5) Improving the quality of teaching and the
14 ability of teachers to serve students with special
15 needs (including educationally disadvantaged stu-
16 dents and students with limited English proficiency).

17 “(6) Planning and implementing strategies to
18 promote opportunities for all children to achieve to
19 challenging State academic content standards and
20 student performance standards.

21 “GRANTS TO LARGE LOCAL EDUCATIONAL AGENCIES

22 “SEC. 2416. (a) FORMULA.—The Secretary shall al-
23 locate the funds under section 2412(2)(B) among the local
24 educational agencies described therein in proportion to the
25 relative amounts allocated to each such local educational

1 agency for Basic Grants under subpart 2 of part A of title
2 I of this Act for the most recent fiscal year.

3 “(b) REALLOCATIONS.—If the Secretary determines
4 that any amount of any local educational agency’s alloca-
5 tion under subsection (a) will not be required for such fis-
6 cal year for carrying out the activities for which such
7 amount has been allocated, the Secretary shall make such
8 amount available for reallocation. Any such reallocation
9 among other local educational agencies described in sec-
10 tion 2412(2)(B) shall occur on such dates as the Secretary
11 shall establish, and shall be made on the basis of criteria
12 established by regulation. Any amount reallocated to a
13 local educational agency under this subsection for any fis-
14 cal year shall remain available for obligation during the
15 succeeding fiscal year, and shall be deemed to be part of
16 the local educational agency’s allocation for the year in
17 which the amount is obligated.

18 “LOCAL APPLICATION

19 “SEC. 2417. (a) APPLICATION REQUIREMENTS.—
20 Each local educational agency described in section
21 2412(2)(B) that desires a grant under section 2416 shall
22 submit an application to the Secretary at such time, in
23 such manner, and containing such information as the Sec-
24 retary may require. Each such application shall describe—

25 “(1) the local educational agency’s need for
26 technical assistance in implementing programs under

1 this Act (including assistance on the use and anal-
2 ysis of data) and in implementing the State’s, or its
3 own, plan or policies for comprehensive standards-
4 based education reform; and

5 “(2) how the local educational agency will use
6 the funds provided under this subpart to coordinate
7 all its various sources of funds for technical assist-
8 ance, including all sources of such funds under this
9 Act and from other sources, into an integrated sys-
10 tem for acquiring and using outside technical assist-
11 ance and other means of building its own capacity
12 to provide the opportunity for all children to achieve
13 to challenging State academic content standards and
14 student performance standards implementing pro-
15 grams under this Act, and implement that system.

16 “(b) APPROVAL.—The Secretary shall approve a local
17 educational agency’s application for funds under this sub-
18 part if it meets the requirements of subsection (a) and
19 is of sufficient quality to meet the purposes of this sub-
20 part. In determining whether to approve a local edu-
21 cational agency’s application, the Secretary shall take into
22 consideration the advice of peer reviewers. The Secretary
23 shall not disapprove any application under this section
24 without giving the local educational agency notice and op-
25 portunity for a hearing.

1 “LOCAL USES OF FUNDS

2 “SEC. 2418. (a) IN GENERAL.—A local educational
3 agency described in section 2412(2)(B) may use funds
4 provided under section 2416 to—

5 “(1) build its capacity to use technical assist-
6 ance funds provided under this Act effectively
7 through the acquisition of high-quality technical as-
8 sistance and the selection of high-quality technical
9 assistance activities and providers that meet its tech-
10 nical assistance needs;

11 “(2) develop, coordinate, and implement an in-
12 tegrated system of providing technical assistance to
13 its schools using all sources of funds provided for
14 technical assistance, including all sources of such
15 funds under this Act; and

16 “(3) acquire the technical assistance it needs to
17 increase opportunities for all children to achieve to
18 challenging State academic content standards and
19 student performance standards and to implement
20 the State’s, or its own, plan or policies for com-
21 prehensive standards-based education reform.

22 “(b) TYPES OF TECHNICAL ASSISTANCE.—A local
23 educational agency may use funds provided under this
24 subpart for technical assistance activities such as those de-
25 scribed in section 2415(b).

1 “EQUITABLE SERVICES FOR PRIVATE SCHOOLS

2 “SEC. 2419. (a) INFORMATION AND TRAINING.—If
3 a State or local educational agency uses funds under this
4 subpart to—

5 “(1) provide professional development for teach-
6 ers or school administrators, it shall provide for such
7 professional development for teachers or school ad-
8 ministrators in private schools located in the same
9 geographic area on an equitable basis; or

10 “(2) provide information about State edu-
11 cational goals, standards, or assessments, it shall,
12 upon request, provide such information to private
13 schools located in the same geographic area.

14 “(b) WAIVER.—If a State or local educational agency
15 is prohibited by law from complying with subsection
16 (a)(1), or the Secretary determines it has substantially
17 failed or is unwilling to comply with subsection (a)(1), the
18 Secretary shall waive subsection (a)(1) and arrange for
19 the provision of such professional development services for
20 such teachers or school administrators, consistent with ap-
21 plicable State goals and standards and section 11806 of
22 this Act.

23 “CONSUMER INFORMATION

24 “SEC. 2419A. (a) The Secretary shall, through one
25 or more contracts, establish an independent source of con-
26 sumer information regarding the quality and effectiveness

1 of technical assistance activities and providers available to
2 States, local educational agencies, and other recipients of
3 funds under this Act, in selecting technical assistance ac-
4 tivities and providers for their use.

5 “(b) A contract under this section may be awarded
6 for a period of up to five years.

7 “(c) The Secretary may reserve, from the funds ap-
8 propriated to carry out this subpart for any fiscal year,
9 such sums as he determines necessary to carry out this
10 section.

11 “AUTHORIZATION OF APPROPRIATIONS

12 “SEC. 2419B. For purposes of carrying out this sub-
13 part, there are authorized to be appropriated such sums
14 as may be necessary for fiscal year 2001 and for each of
15 the four succeeding fiscal years.

16 “Subpart 2—Technical Assistance Centers Serving
17 Special Needs

18 “GENERAL PROVISIONS

19 “SEC. 2421. In addition to meeting the requirements
20 of a particular section of this subpart, all technical assist-
21 ance providers that receive funds under this subpart, all
22 consortia that receive funds under subpart 2 of part B
23 of title III, and the educational laboratories, and clearing-
24 houses of the Educational Resources Information Center,
25 supported under the Educational Research, Development,

1 Dissemination, and Improvement Act (notwithstanding
2 any other provision of such title or Act), shall—

3 “(1) participate in a technical assistance net-
4 work with the Department and other federally sup-
5 ported technical assistance providers in order to co-
6 ordinate services and resources;

7 “(2) ensure that the services they provide—

8 “(A) are of high quality;

9 “(B) are cost-effective;

10 “(C) reflect the best information available
11 from research and practice, including findings
12 and applications such as those made available
13 through the Regional Educational Laboratories,
14 Research and Development Centers, National
15 Clearinghouses, and other federally supported
16 providers of technical assistance; and

17 “(D) are aligned with State and local edu-
18 cation reform efforts;

19 “(3) in collaboration with State educational
20 agencies in the States served, educational service
21 agencies (where appropriate), and representatives of
22 high-poverty, low-performing urban and rural local
23 educational agencies in each State served, develop a
24 targeted approach to providing technical assistance
25 that gives priority to providing intensive, ongoing

1 services to high-poverty local educational agencies
2 and schools that are most in need of raising student
3 achievement (such as schools identified as in need of
4 improvement under section 1116(c));

5 “(4) cooperate with the Secretary in carrying
6 out activities (including technical assistance activi-
7 ties authorized by other programs under this Act)
8 such as publicly disseminating materials and infor-
9 mation that are produced by the Department and
10 are relevant to the purpose, expertise, and mission
11 of the technical assistance provider; and

12 “(5) use technology, including electronic dis-
13 semination networks and Internet-based resources,
14 in innovative ways to provide high-quality technical
15 assistance.

16 “CENTERS FOR TECHNICAL ASSISTANCE ON THE NEEDS
17 OF SPECIAL POPULATIONS

18 “SEC. 2422. (a) PROGRAM AUTHORITY.—

19 (1) IN GENERAL.—The Secretary is authorized
20 to award grants, contracts, or cooperative agree-
21 ments for each fiscal year to public or private non-
22 profit entities, or consortia of such entities, to pro-
23 vide for the operation of two technical assistance
24 centers to provide training and technical assistance
25 to State educational agencies, local educational
26 agencies, schools, tribes, community-based organiza-

1 tions, and other recipients of funds under this Act
2 concerning—

3 “(A) how to address the specific linguistic,
4 cultural, or other needs of limited English pro-
5 ficient, migratory, Indian, and Alaska Native
6 students; and

7 “(B) educational strategies for enabling
8 those students to achieve to challenging State
9 academic content and performance standards.

10 “(2) SPECIAL EXPERTISE REQUIRED.—An enti-
11 ty may receive an award under this section only if
12 it demonstrates, to the satisfaction of the Secretary,
13 that it has expertise in the areas described in para-
14 graphs (1) (A) and (B).

15 “(b) DURATION OF AWARD.—Grants, contracts, or
16 cooperative agreements under this section shall be award-
17 ed for a period of up to 5 years.

18 “(c) CENTER REQUIREMENTS.—

19 (1) IN GENERAL.—In order to assist local edu-
20 cational agencies and schools to provide high-quality
21 education to the students described in subsection
22 (a)(1)(A), so that they can achieve to challenging
23 State academic content and performance standards,
24 each center established under this section shall—

1 “(A) maintain appropriate staff expertise;
2 and

3 “(B) provide support, training, and assist-
4 ance to State educational agencies, tribes, local
5 educational agencies, schools, and other grant
6 recipients under this Act in meeting the needs
7 of the students described in subsection
8 (a)(1)(A), including the coordination of other
9 Federal programs and State and local pro-
10 grams, resources, and reforms.

11 “(2) PRIORITY.—Each center assisted under
12 this section shall give priority to providing services
13 to schools, including Bureau of Indian Affairs-fund-
14 ed schools, that educate the students described in
15 subsection (a)(1)(A) and have the highest percent-
16 ages or numbers of children in poverty and the low-
17 est student achievement levels.

18 “(d) ACCOUNTABILITY.—To ensure the quality and
19 effectiveness of the centers supported under this section,
20 the Secretary shall—

21 “(1) develop a set of performance indicators
22 that assesses whether the work of the centers assists
23 in improving teaching and learning under this Act
24 for students described in subsection (a)(1)(A);

1 “(2) conduct surveys every two years of entities
2 to be served under this section to determine if such
3 entities are satisfied with the access to, and quality
4 of, such services;

5 “(3) collect, as part of the Department’s re-
6 views of programs under this Act, information about
7 the availability and quality of services provided by
8 the centers, and share that information with the cen-
9 ters; and

10 “(4) take whatever steps are reasonable and
11 necessary to ensure that each center performs its re-
12 sponsibilities in a satisfactory manner, which may
13 include—

14 “(A) termination of an award under this
15 part (if the Secretary concludes that perform-
16 ance has been unsatisfactory) and the selection
17 of a new center; and

18 “(B) whatever interim arrangements the
19 Secretary determines are necessary to ensure
20 the satisfactory delivery of services under this
21 section.

22 “(e) AUTHORIZATION OF APPROPRIATIONS.—For
23 purposes of carrying out this section, there are authorized
24 to be appropriated such sums as may be necessary for fis-

1 cal year 2001 and for each of the four succeeding fiscal
2 years.

3 “PARENTAL INFORMATION AND RESOURCE CENTERS

4 “SEC. 2423. (a) PROGRAM AUTHORITY.—

5 (1) IN GENERAL.—The Secretary is authorized
6 to award grants, contracts, or cooperative agree-
7 ments for each fiscal year to nonprofit organizations
8 that serve parents (particularly those organizations
9 that make substantial efforts to reach low-income,
10 minority, or limited English proficient parents) to
11 establish parental information and resource centers
12 that—

13 “(A) coordinate the efforts of Federal,
14 State, and local parent education and family in-
15 volvement initiatives; and

16 “(B) provide training, information, and
17 support to—

18 “(i)(I) State educational agencies;

19 “(II) local educational agencies, par-
20 ticularly local educational agencies with
21 high-poverty and low-performing schools;
22 and

23 “(III) schools, particularly high-pov-
24 erty and low-performing schools; and

1 “(ii) organizations that support fam-
2 ily-school partnerships, such as parent
3 teacher organizations.

4 “(2) AWARD RULE.—In making awards under
5 this section, the Secretary shall, to the greatest ex-
6 tent possible, ensure that each State is served by at
7 least one recipient of such an award.

8 “(b) APPLICATIONS.—

9 (1) IN GENERAL.—Each nonprofit organization
10 that desires an award under this section shall sub-
11 mit an application to the Secretary at such time,
12 and in such manner, as the Secretary shall deter-
13 mine.

14 “(2) CONTENTS.—Each application submitted
15 under paragraph (1) shall, at a minimum, include—

16 “(A) a description of the applicant’s capac-
17 ity and expertise to implement a grant under
18 this section;

19 “(B) a description of how the applicant
20 would use its award to help State and local edu-
21 cational agencies, schools, and non-profit orga-
22 nizations in the State, particularly those mak-
23 ing substantial efforts to reach a large number
24 or percentage of low-income, minority, or lim-
25 ited English proficient children—

1 “(i) identify barriers to parent or fam-
2 ily involvement in schools, and strategies to
3 overcome those barriers; and

4 “(ii) implement high-quality parent
5 education and family involvement pro-
6 grams that—

7 “(I) improve the capacity of par-
8 ents to participate more effectively in
9 the education of their children;

10 “(II) support the effective imple-
11 mentation of research-based instruc-
12 tional activities that support parents
13 and families in promoting early lan-
14 guage and literacy development; and

15 “(III) support schools in pro-
16 moting meaningful parent and family
17 involvement;

18 “(C) a description of the applicant’s plan
19 to disseminate information on high-quality par-
20 ent education and family involvement programs
21 to local educational agencies, schools, and non-
22 profit organizations that serve parents in the
23 State;

24 “(D) a description of how the applicant
25 would coordinate its activities with the activities

1 of other Federal, State, and local parent edu-
2 cation and family involvement programs and
3 with national, State, and local organizations
4 that provide parents and families with training,
5 information, and support on how to help their
6 children prepare for success in school and
7 achieve to high academic standards;

8 “(E) a description of how the applicant
9 would use technology, particularly the Internet,
10 to disseminate information; and

11 “(F) a description of the applicant’s goals
12 for the center, as well as baseline indicators for
13 each of the goals, a timeline for achieving the
14 goals, and interim measures of success toward
15 achieving the goals.

16 “(c) MATCHING REQUIREMENTS.—The Federal
17 share of the cost of any center funded under this section
18 shall not exceed 75 percent. The non-Federal share of the
19 cost of a center may be provided in cash or in kind, fairly
20 evaluated.

21 “(d) USES OF FUNDS.—

22 (1) IN GENERAL.—Recipients of funds awarded
23 under this section shall use such funds to support
24 State and local educational agencies, schools, and
25 non-profit organizations in implementing programs

1 that provide parents with training, information, and
2 support on how to help their children achieve to high
3 academic standards. Such activities may include:

4 “(A) Assistance in the implementation of
5 programs that support parents and families in
6 promoting early language and literacy develop-
7 ment and prepare children to enter school ready
8 to succeed in school.

9 “(B) Assistance in developing networks
10 and other strategies to support the use of re-
11 search-based, proven models of parent edu-
12 cation and family involvement, including the
13 ‘Parents as Teachers’ and ‘Home Instruction
14 Program for Preschool Youngsters’ programs,
15 to promote children’s development and learning.

16 “(C) Assistance in preparing parents to
17 communicate more effectively with teachers and
18 other professional educators and support staff,
19 and providing a means for on-going, meaningful
20 communication between parents and schools.

21 “(D) Assistance in developing and imple-
22 menting parent education and family involve-
23 ment programs that increase parental knowl-
24 edge about standards-based school reform.

1 “(E) Disseminating information on pro-
2 grams, resources, and services available at the
3 national, State, and local levels that support
4 parent and family involvement in the education
5 of their school-age children.

6 “(2) TARGETED ACTIVITIES.—Each recipient of
7 funds under this section shall use at least 75 percent
8 of its award to support activities that serve areas
9 with large numbers or concentrations of low-income
10 families.

11 “(e) NATIONAL ACTIVITIES.—For any fiscal year, the
12 Secretary may reserve up to 5 percent of funds appro-
13 priated to carry out this section for that fiscal year to—

14 “(1) provide technical assistance to the centers
15 funded under this section; and

16 “(2) carry out evaluations of the program au-
17 thorized by this part.

18 “(f) DEFINITIONS.—For purposes of this section—

19 “(1) the term ‘parent education’ includes par-
20 ent support activities, the provision of resource ma-
21 terials on child development, parent-child learning
22 activities and child rearing issues, private and group
23 educational guidance, individual and group learning
24 experiences for the parent and child, and other ac-

1 activities that enable the parent to improve learning in
2 the home;

3 “(2) the term ‘Parents as Teachers program’
4 means a voluntary early childhood parent education
5 program that—

6 “(A) is designed to provide all parents of
7 children from birth through age 5 with the in-
8 formation and support such parents need to
9 give their child a solid foundation for school
10 success;

11 “(B) is based on the Missouri Parents as
12 Teachers model, with the philosophy that par-
13 ents are their child’s first and most influential
14 teachers;

15 “(C) provides—

16 “(i) regularly scheduled personal visits
17 with families by certified parent educators;

18 “(ii) regularly scheduled develop-
19 mental screenings; and

20 “(iii) linkage with other resources
21 within the community in order to provide
22 services that parents may want and need,
23 except that such services are beyond the
24 scope of the Parents as Teachers program;
25 and

1 “(3) the term ‘Home Instruction for Preschool
2 Youngsters program’ means a voluntary early-learn-
3 ing program for parents with one or more children
4 between the ages of 3 through 5, that—

5 “(A) provides support, training, and appro-
6 priate educational materials necessary for par-
7 ents to implement a school-readiness, home in-
8 struction program for their child; and

9 “(B) includes—

10 “(i) group meetings with other par-
11 ents participating in the program;

12 “(ii) individual and group learning ex-
13 periences with the parent and child;

14 “(iii) provision of resource materials
15 on child development and parent-child
16 learning activities; and

17 “(iv) other activities that enable the
18 parent to improve learning in the home.

19 “(g) REPORTS.—Each recipient of funds under this
20 section shall annually submit a report to the Secretary,
21 on its activities under this section, in such form and con-
22 taining such information as the Secretary may reasonably
23 require. A report under this subsection shall include, at
24 a minimum—

1 “(1) the number and types of activities sup-
2 ported by the recipient with funds received under
3 this section;

4 “(2) activities supported by the recipient that
5 served areas with high numbers or concentrations of
6 low-income families; and

7 “(3) the progress made by the recipient in
8 achieving the goals included in its application.

9 “(h) GENERAL PROVISIONS.—Notwithstanding any
10 other provision of this section—

11 “(1) no person, including a parent who edu-
12 cates a child at home, public school parent, or pri-
13 vate school parent, shall be required to participate in
14 any program of parent education or developmental
15 screening pursuant to the provisions of this section;

16 “(2) no program assisted under this section
17 shall take any action that infringes in any manner
18 on the right of a parent to direct the education of
19 their children; and

20 “(3) the provisions of section 444(c) of the
21 General Education Provisions Act shall apply to or-
22 ganizations that receive awards under this section.

23 “(i) AUTHORIZATION OF APPROPRIATIONS.—For
24 purposes of carrying out this section, there are authorized
25 to be appropriated such sums as may be necessary for fis-

1 cal year 2001 and for each of the four succeeding fiscal
2 years.

3 “EISENHOWER REGIONAL MATHEMATICS AND SCIENCE
4 EDUCATION CONSORTIA

5 “SEC. 2424. (a) PROGRAM AUTHORITY.—

6 “(1) IN GENERAL.—

7 “(A) GRANTS, CONTRACTS, OR COOPERA-
8 TIVE AGREEMENTS AUTHORIZED.—The Sec-
9 retary, in consultation with the Director of the
10 National Science Foundation, is authorized to
11 award grants, contracts, or cooperative agree-
12 ments to eligible entities to enable such entities
13 to establish and operate regional mathematics
14 and science education consortia for the purpose
15 of—

16 “(i) disseminating exemplary mathe-
17 matics and science education instructional
18 materials; and

19 “(ii) providing technical assistance for
20 the implementation of teaching methods
21 and assessment tools for use by elementary
22 and secondary school students, teachers,
23 and administrators.

24 “(B) NUMBER OF AWARDS.—The Sec-
25 retary, in accordance with the provisions of this
26 subsection, shall award at least one grant, con-

1 tract, or cooperative agreement to an eligible
2 entity in each region.

3 “(C) SPECIAL RULE.—In any fiscal year, if
4 the amount made available pursuant to sub-
5 section (h) is less than \$4,500,000, then the
6 Secretary may waive the provisions of subpara-
7 graph (B) and award grants, contracts, or co-
8 operative agreements of sufficient size, scope,
9 and quality to carry out this subsection.

10 “(D) DESIGNATION.—Each regional con-
11 sortium assisted under this subsection shall be
12 known as an ‘Eisenhower regional consortium’.

13 “(2) PERIOD OF AWARD AND REVIEW.—Grants,
14 contracts, or cooperative agreements under this sec-
15 tion shall be awarded for a period of not more than
16 five years and shall be reviewed before the end of the
17 30-month period beginning on the date the award is
18 made.

19 “(3) AWARD AMOUNT.—In making awards
20 under this section, the Secretary shall ensure that
21 there is a relatively equal distribution of the funds
22 made available among the regions, except that the
23 Secretary may award additional funds to a regional
24 consortium on the basis of population and geo-
25 graphical conditions of the region being served.

1 “(b) USE OF FUNDS.—Funds provided under this
2 section may be used by a regional consortium, under the
3 direction of a regional board established under subsection
4 (d), to—

5 “(1) work cooperatively with the other regional
6 consortia, the Eisenhower National Clearinghouse
7 for Science and Mathematics Education established
8 under section 2142, and federally funded technical
9 assistance providers, to accomplish more effectively
10 the activities described in this subsection;

11 “(2) assist, train, and provide technical assist-
12 ance to classroom teachers, administrators, and
13 other educators to identify, implement, assess, or
14 adapt the instructional materials, teaching methods,
15 and assessment tools described in subsection
16 (a)(1)(A);

17 “(3) provide for the training of classroom
18 teachers to enable such teachers to instruct other
19 teachers, administrators, and educators in the class-
20 room use of the instructional materials, teaching
21 methods, and assessment tools described in sub-
22 section (a)(1)(A);

23 “(4) implement programs and activities de-
24 signed to meet the needs of groups that are under-

1 represented in, and underserved by, mathematics
2 and science education;

3 “(5) collect data on activities assisted under
4 this section in order to evaluate the effectiveness of
5 the activities of the regional consortia;

6 “(6) identify exemplary teaching practices and
7 materials from within the region and communicate
8 such practices and materials to the Eisenhower Na-
9 tional Clearinghouse for Mathematics and Science
10 Education;

11 “(7) communicate, on a regular basis, with en-
12 tities within the region that are delivering services to
13 students and teachers of mathematics and science;
14 and

15 “(8) assist in the development and evaluation of
16 State and regional plans and activities that hold
17 promise of bringing about systemic reform in stu-
18 dent performance in mathematics and science.

19 “(c) APPLICATION.—Each eligible entity desiring a
20 grant or contract under this section shall submit an appli-
21 cation to the Secretary at such time, in such manner, and
22 accompanied by such additional information as the Sec-
23 retary may reasonably require. Each such application
24 shall—

1 “(1) demonstrate that the eligible entity has ex-
2 pertise in the fields of mathematics and science edu-
3 cation;

4 “(2) demonstrate that the eligible entity will
5 implement and disseminate mathematics and science
6 education instructional materials, teaching methods,
7 and assessment tools through a consortium of the
8 region’s mathematics and science education organi-
9 zations and agencies;

10 “(3) demonstrate that the eligible entity will
11 carry out the functions of the regional consortium;

12 “(4) demonstrate that emphasis will be given to
13 programs and activities designed to meet the needs
14 of groups that are underrepresented in, and under-
15 served by, mathematics and science education;

16 “(5) demonstrate that the business community
17 in the region served by the regional consortium will
18 play an integral role in designing and supporting the
19 regional consortium’s work; and

20 “(6) assure that the eligible entity will conduct
21 its activities and supervise its personnel in a manner
22 that effectively ensures compliance with the copy-
23 right laws of the United States under title 17,
24 United States Code.

25 “(d) REGIONAL BOARDS.—

1 (1) IN GENERAL.—Each eligible entity receiving
2 an award under this section shall establish a re-
3 gional board to oversee the administration and es-
4 tablishment of program priorities for the regional
5 consortium established by such eligible entity. Such
6 regional board shall be broadly representative of the
7 agencies and organizations participating in the re-
8 gional consortium.

9 “(2) PROHIBITION ON USE OF FEDERAL
10 FUNDS.—No Federal funds may be used for the es-
11 tablishment or operation of a regional board re-
12 quired by paragraph (1), except that at the discre-
13 tion of a regional board, Federal funds may be used
14 to provide assistance such as travel and accommoda-
15 tions for board members who could not otherwise af-
16 ford to participate as members of the board.

17 “(e) PAYMENTS; FEDERAL SHARE; NON-FEDERAL
18 SHARE.—

19 (1) PAYMENTS.—The Secretary shall pay to
20 each eligible entity having an application approved
21 under subsection (c) the Federal share of the cost of
22 the activities described in the application.

23 “(2) FEDERAL SHARE.—For the purpose of
24 paragraph (1), the Federal share shall be 80 per-
25 cent.

1 “(3) NON-FEDERAL SHARE.—The non-Federal
2 share of the cost of activities described in the appli-
3 cation submitted under subsection (c) may be in
4 cash or in kind, fairly evaluated. At least 10 percent
5 of such non-Federal share shall be from sources
6 other than the Federal Government or State or local
7 government.

8 “(f) EVALUATION.—

9 (1) EVALUATION REQUIRED.—The Secretary,
10 through the Office of Educational Research and Im-
11 provement and in accordance with section 11911,
12 shall collect sufficient data on, and evaluate the ef-
13 fectiveness of, the activities of each regional consor-
14 tium.

15 “(2) ASSESSMENT.—The evaluations described
16 in paragraph (1) shall include an assessment of the
17 effectiveness of the regional consortium in meeting
18 the needs of the schools, teachers, administrators,
19 and students in the region.

20 “(3) REPORT.—At the end of each award, the
21 Secretary shall submit to the Congress a report on
22 the effectiveness of the programs conducted at each
23 regional consortium.

24 “(g) DEFINITIONS.—For purposes of this part:

1 “(1) The term ‘eligible entity’ means an entity
2 that has demonstrated expertise in mathematics and
3 science education and is—

4 “(A) a private nonprofit organization;

5 “(B) an institution of higher education;

6 “(C) an elementary or secondary school;

7 “(D) a State or local educational agency;

8 “(E) a regional educational laboratory in
9 consortium with the research and development
10 center established under section 931(c)(1)(B)(i)
11 of the Educational Research, Development, Dis-
12 semination, and Improvement Act of 1994; or

13 “(F) any combination of the entities de-
14 scribed in subparagraphs (A) through (E).

15 “(2) The terms ‘mathematics’ and ‘science’ in-
16 clude the technology education associated with math-
17 ematics and science, respectively.

18 “(3) The term ‘region’ means a region of the
19 United States served by a regional education labora-
20 tory that is supported by the Secretary pursuant to
21 section 405(d)(4)(A)(i) of the General Education
22 Provisions Act (as such section was in existence on
23 the day preceding the date of enactment of the
24 Goals 2000: Educate America Act).

“(h) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out this section, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years.

18 “WEB-BASED AND OTHER INFORMATION DISSEMINATION

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1 “(B) In designing and implementing the system
2 under this subsection, the Secretary shall create opportu-
3 nities for the continuing input of students, teachers, ad-
4 ministrators, and other individuals who participate in, or
5 may be affected by, the Nation’s educational system.

6 “(C) The Secretary may carry out the program au-
7 thorized by this subsection through the award of grants,
8 contracts, or cooperative agreements on a competitive
9 basis.

10 “(2) The system authorized by this subsection shall
11 include information on—

12 “(A) stimulating instructional materials that
13 are aligned with challenging content standards; and

14 “(B) successful and innovative practices in—

15 “(i) instruction;

16 “(ii) professional development;

17 “(iii) challenging academic content and
18 student performance standards;

19 “(iv) assessments;

20 “(v) effective school management; and

21 “(vi) such other areas as the Secretary de-
22 termines are appropriate.

23 “(3)(A) The Secretary may require the technical as-
24 sistance providers funded under this part, or under sub-
25 part 2 of part B of title III, or the educational laboratories

1 and clearinghouses of the Educational Resources Informa-
2 tion Center supported under the Educational Research,
3 Development, Dissemination, and Improvement Act (not-
4 withstanding any other provision of such part, subpart,
5 or Act), to—

6 “(i) provide information (including information
7 on practices employed in the regions or States
8 served by the providers) for use in the system au-
9 thorized by this subsection;

10 “(ii) coordinate their activities in order to en-
11 sure a unified system of technical assistance; or

12 “(iii) otherwise participate in the system au-
13 thorized by this subsection.

14 “(B) The Secretary shall ensure that—

15 “(i) the dissemination activities authorized
16 under this subsection are integrated with, and do
17 not duplicate, the dissemination activities of the Of-
18 fice of Educational Research and Improvement; and

19 “(ii) the public has access, through the system
20 authorized by this subsection, to the latest research,
21 statistics, and other information supported by, or
22 available from, such Office.

23 “(b) ADDITIONAL ACTIVITIES.—The Secretary is au-
24 thorized to carry out additional activities, using advanced
25 telecommunications technologies where appropriate, to as-

1 sist local educational agencies, State educational agencies,
 2 tribes, and other recipients of funds under this Act in
 3 meeting the requirements of the Government Performance
 4 and Results Act of 1993. Such assistance may include in-
 5 formation on measuring and benchmarking program per-
 6 formance and student outcomes.

7 “AUTHORIZATION OF APPROPRIATIONS

8 “SEC. 2432. For purposes of carrying out this sub-
 9 part, there are authorized to be appropriated such sums
 10 as may be necessary for fiscal year 2001 and for each of
 11 the four succeeding fiscal years.

12 “Subpart 4—National Evaluation Activities

13 “NATIONAL EVALUATION ACTIVITIES

14 “SEC. 2441. The Secretary shall conduct, directly or
 15 through grants, contracts, or cooperative agreements, such
 16 activities as the Secretary determines necessary to—

17 “(1) determine what constitutes effective tech-
 18 nical assistance;

19 “(2) evaluate the effectiveness of the technical
 20 assistance and dissemination programs authorized
 21 by, or assisted under, this part and the educational
 22 laboratories, and clearinghouses of the Educational
 23 Resources Information Center, supported under the
 24 Educational Research, Development, Dissemination,
 25 and Improvement Act (notwithstanding any other
 26 provision of such Act); and

1 “(3) increase the effectiveness of such pro-
2 grams.”.

3 TITLE III—TECHNOLOGY FOR EDUCATION

4 SHORT TITLE

5 SEC. 301. Section 3101 of the ESEA is amended by
6 striking out “of 1994”.

7 FINDINGS

8 SEC. 302. Section 3111 of the ESEA is amended—
9 (1) by amending paragraph (1) to read as fol-
10 lows:

11 “(1) technology can—

12 “(A) support education improvement ef-
13 forts by expanding available resources and re-
14 shaping instruction, teaching, and learning en-
15 vironments; and

16 “(B) when used effectively and aligned
17 with challenging State academic content and
18 performance standards, support teacher capac-
19 ity to create classrooms where students develop
20 higher-order thinking and information tech-
21 nology skills;”;

22 (2) by amending paragraph (3) to read as fol-
23 lows:

24 “(3) the Federal Government—

1 “(A) has played an integral role in expand-
2 ing and improving access to technology as an
3 important tool for teaching and learning; and

4 “(B) can continue to serve as a catalyst in
5 bringing effective uses for education technology
6 to the classroom by providing support for—

7 “(i) access to technology;

8 “(ii) the development of educational
9 software and web-based learning resources;
10 and

11 “(iii) sustained and intensive, high-
12 quality professional development that is
13 aligned with challenging State academic
14 content and performance standards;”;

15 (3) by amending paragraph (5) to read as fol-
16 lows:

17 “(5) a 1996 Department of Commerce study
18 found that, by the year 2000, 60 percent of all jobs
19 will require computer-related skills, and other stud-
20 ies show that women and some minorities are under-
21 represented in the information technology workforce;

22 (4) by striking out paragraph (7);

23 (5) in paragraph (8), by striking out “acquisi-
24 tion and maintenance” and inserting in lieu thereof
25 “acquisition, maintenance, and ongoing support”;

1 (6) by striking out paragraphs (9) and (11);
2 (7) in paragraph (12), by adding “and” at the
3 end thereof;

4 (8) by striking out paragraph (13);

5 (9) by amending paragraph (14) to read as fol-
6 lows:

7 “(14) the rapidly changing nature of tech-
8 nology, among other factors, requires the Depart-
9 ment to maintain a leadership role in developing a
10 national vision and strategies for bringing effective
11 technology applications and practices to all class-
12 rooms and all educational programs through such
13 activities as—

14 “(A) developing and carrying out a strat-
15 egy for an ongoing evaluation of existing and
16 anticipated future uses of educational tech-
17 nology to better inform the Federal role in sup-
18 porting the use of educational technology, stim-
19 ulate reform and innovation in teaching and
20 learning with technology, and further the devel-
21 opment of advanced technology;

22 “(B) evaluating and assessing technology
23 programs;

24 “(C) disseminating information;

1 “(D) coordinating with public and private
2 partnerships; and

3 “(E) convening expert panels to identify
4 effective uses of educational technology;”;

5 (10) by striking out paragraph (15);

6 (11) by redesignating paragraphs (2), (3), (4),
7 (5), (6), (8), (10), (12), and (14) as paragraphs (4),
8 (5), (9), (10), (15), (16), (17), (18), and (19), re-
9 spectively;

10 (12) by inserting immediately after paragraph
11 (1) the following new paragraphs:

12 “(2) the cost of processing, storing, and trans-
13 mitting information continues to plummet, making
14 new advances in computer and telecommunications
15 technology more available to schools;

16 “(3) by providing students with a rapidly ex-
17 panding educational resource base, and a unique
18 means of developing content knowledge, improve-
19 ments in software and other technology applications
20 (such as high-quality video, voice recognition, mod-
21 eling and simulation, and intelligent tutoring and
22 virtual reality tools), have increased student oppor-
23 tunities for meaningful exploration and discovery;”;

1 (13) by inserting immediately after paragraph
2 (5) (as redesignated by paragraph (11)) the fol-
3 lowing new paragraphs:

4 “(6) poor children are less likely than their
5 wealthier peers to have access to a computer at
6 home, and to attend a school in which teachers use
7 technology to develop technical and higher-order
8 thinking skills;

9 “(7) public schools have made significant
10 progress toward meeting the goal of connecting
11 every school to the Internet, with the percentage of
12 schools that are connected to the Internet increasing
13 from 35 percent in 1994 to 89 percent in 1998 and
14 nearly doubling between 1997 and 1998, but a gap
15 continues to exist between wealthy and poor schools
16 in the extent to which classrooms are connected to
17 the Internet and the manner in which technology is
18 used to support instruction;

19 “(8) the E-Rate and other Federal education
20 technology initiatives are significantly increasing the
21 number of classrooms connected to the Internet and
22 providing affordable access to advanced tele-
23 communications;”; and

1 (14) by inserting immediately after paragraph
2 (10) (as redesignated by paragraph (11)) the fol-
3 lowing new paragraphs:

4 “(11) because girls of all ethnicities consistently
5 rate themselves significantly lower than boys on
6 computer ability, and are less likely to experiment
7 with technology and enroll in advanced computer
8 science courses, the Federal Government should en-
9 courage States, local educational agencies, and
10 teachers to consider the needs of girls and women to
11 obtain technical proficiency, so that they can com-
12 pete in an increasingly technological society;

13 “(12) the Federal Government should support
14 efforts to ensure the accessibility of all educational
15 technology, not just assistive technology, to students
16 with disabilities through strategies such as universal
17 design;

18 “(13) although 25 States have some require-
19 ment for computer education for teacher licensure,
20 only two States require teacher candidates to show
21 that they can use technology, and only three States
22 require participation in technology training, as a
23 prerequisite for license renewal;

24 “(14) according to a 1998 National Center for
25 Education Statistics survey, only 20 percent of full-

1 time K–12 teachers feel fully prepared to integrate
2 technology into classroom instruction;”.

3 STATEMENT OF PURPOSE

4 SEC. 303. Section 3112 of the ESEA is amended to
5 read as follows:

6 “STATEMENT OF PURPOSE

7 “SEC. 3112. To help all students to develop technical
8 and higher-order thinking skills and to achieve to chal-
9 lenging State academic content and performance stand-
10 ards, as well as America’s Education Goals, it is the pur-
11 pose of this title to—

12 “(1) help provide all classrooms with access to
13 educational technology through support for the ac-
14 quisition of advanced multimedia computers, Inter-
15 net connections, and other technologies;

16 “(2) help ensure access to, and effective use of,
17 educational technology in all classrooms through the
18 provision of sustained and intensive, high-quality
19 professional development that improves teachers’ ca-
20 pability to integrate educational technology effec-
21 tively into their classrooms by actively engaging stu-
22 dents and teachers in the use of technology;

23 “(3) help improve the capability of teachers to
24 design and construct new learning experiences using
25 technology, and actively engage students in that de-
26 sign and construction;

1 “(4) support efforts by State educational agen-
2 cies and local educational agencies to create learning
3 environments designed to prepare students to
4 achieve to challenging State academic content and
5 performance standards through the use of research-
6 based teaching practices and advanced technologies;

7 “(5) support technical assistance to State edu-
8 cational agencies, local educational agencies, and
9 communities to help them use technology-based re-
10 sources and information systems to support school
11 reform and meet the needs of students and teachers;

12 “(6) support the development of applications
13 that make use of such technologies as advanced tele-
14 communications, hand-held devices, web-based learn-
15 ing resources, distance learning networks, and mod-
16 eling and simulation software;

17 “(7) support Federal partnerships with business
18 and industry to realize more rapidly the potential of
19 digital communications to expand the scope of, and
20 opportunities for, learning;

21 “(8) support evaluation and research on the ef-
22 fective use of technology in preparing all students to
23 achieve to challenging State academic content and
24 performance standards, and the impact of tech-
25 nology on teaching and learning;

1 “(9) provide national leadership to stimulate
2 and coordinate public and private efforts, at the na-
3 tional, State, and local levels, that support the devel-
4 opment and integration of advanced technologies
5 and applications to improve school planning and
6 classroom instruction;

7 “(10) support the development, or redesign, of
8 teacher preparation programs to enable prospective
9 teachers to integrate the use of technology in teach-
10 ing and learning;

11 “(11) increase the capacity of State and local
12 educational agencies to improve student achieve-
13 ment, particularly that of students in high-poverty,
14 low-performing schools;

15 “(12) promote the formation of partnerships
16 and consortia to stimulate the development of, and
17 new uses for, technology in teaching and learning;

18 “(13) support the creation or expansion of com-
19 munity technology centers that will provide dis-
20 advantaged residents of economically distressed
21 urban and rural communities with access to infor-
22 mation technology and related training; and

23 “(14) help to ensure that technology is acces-
24 sible to, and usable by, all students, particularly stu-

1 dents with disabilities or limited English pro-
2 ficiency.”.

3 PROHIBITION AGAINST SUPPLANTING

4 SEC. 304. (a) Section 3113 of the ESEA is repealed.

5 (b) Title III of the ESEA is further amended by in-
6 serting immediately after section 3112 the following new
7 section:

8 “SUPPLEMENT, NOT SUPPLANT

9 “SEC. 3113. A recipient of funds awarded under this
10 title shall use such funds only to supplement the amount
11 of funds or resources that would, in the absence of such
12 Federal funds, be made available from non-Federal
13 sources for the purposes of the programs authorized under
14 this title, and not to supplant such non-Federal funds or
15 resources.”.

16 PART A—FEDERAL LEADERSHIP AND NATIONAL
17 ACTIVITIES

18 STRUCTURE OF PART

19 SEC. 311. Part A of title III of the ESEA is
20 amended—

21 (1) by striking out the part heading and des-
22 ignation thereof;

23 (2) by striking out the subpart headings and
24 designations for subparts 1, 2, and 3 thereof;

25 (3) by repealing subpart 4; and

1 (4) by inserting immediately before section
2 3121 the following new part designation and head-
3 ing:

4 “PART A—FEDERAL LEADERSHIP AND NATIONAL
5 ACTIVITIES”.

6 NATIONAL LONG-RANGE TECHNOLOGY PLAN

7 SEC. 312. Section 3121 of the ESEA is amended—

8 (1) by amending subsection (a) to read as fol-
9 lows:

10 “(a) IN GENERAL.—Not later than one year after the
11 date of enactment of the Educational Excellence for All
12 Children Act of 1999, the Secretary shall update the na-
13 tional long-range educational technology plan and broadly
14 disseminate the updated plan.”; and

15 (2) in subsection (c)—

16 (A) in the matter preceding paragraph (1),
17 by inserting “updated” immediately before “na-
18 tional”;

19 (B) in paragraph (7)—

20 (i) by striking out “section 3123” and
21 inserting in lieu thereof “section 3101”;
22 and

23 (ii) by striking out “and” at the end
24 thereof;

1 (C) in paragraph (8), by striking out the
2 period at the end thereof and inserting in lieu
3 thereof a semicolon and “and”;

4 (D) by redesignating paragraphs (7) and
5 (8) as paragraphs (9) and (10), respectively;

6 (E) by inserting immediately after para-
7 graph (6) the following new paragraphs:

8 “(7) how the Secretary will promote the full in-
9 tegration of technology into learning, including the
10 creation of new instructional opportunities through
11 access to challenging courses and information that
12 would otherwise not have been available, and inde-
13 pendent learning opportunities for students through
14 technology;

15 “(8) how the Secretary will encourage the cre-
16 ation of opportunities for teachers to develop,
17 through the use of technology, their own networks
18 and resources for sustained and intensive, high-qual-
19 ity professional development;” and

20 (F) by inserting immediately after para-
21 graph (10) (as redesignated by subparagraph
22 (D)) the following new paragraph:

23 “(11) how the Secretary will encourage the
24 commercial development of effective, high-quality,

1 cost-competitive educational technology and soft-
2 ware.”.

3 FEDERAL LEADERSHIP

4 SEC. 313. Section 3122 of the ESEA is amended—

5 (1) in subsection (a), by striking out “United
6 States National Commission on Libraries and Infor-
7 mation Sciences,” and inserting in lieu thereof
8 “White House Office of Science and Technology Pol-
9 icy,”;

10 (2) in subsection (b)(1), by striking out “in ac-
11 cordance with” through the end thereof and insert-
12 ing in lieu thereof a period; and

13 (3) in subsection (c)—

14 (A) by striking out paragraph (4) and in-
15 serting in lieu thereof the following new para-
16 graph:

17 “(4) the development of a national repository of
18 information on the effective uses of educational tech-
19 nology, including its use for sustained and intensive,
20 high-quality professional development, and the dis-
21 semination of that information nationwide;”; and

22 (B) in paragraph (7), by striking out “ex-
23 isting technology” and inserting in lieu thereof
24 “technology and innovative tools”.

1 REPEAL; REDESIGNATIONS; AUTHORIZATION OF
2 APPROPRIATIONS

3 SEC. 314. (a) Sections 3114, 3115, and 3123 of the
4 ESEA are repealed.

5 (b) Title III of the ESEA is further amended—

6 (1) by redesignating sections 3101, 3111, 3112,
7 3113, 3121, and 3122 as sections 3001, 3002, 3003,
8 3004, 3102, and 3103, respectively; and

9 (2) by inserting immediately before section
10 3102 (as redesignated by paragraph (1)) the fol-
11 lowing new section:

12 “NATIONAL EVALUATION OF EDUCATION TECHNOLOGY

13 “SEC. 3101. (a) NATIONAL EVALUATION.—

14 “(1) IN GENERAL.—In order to better inform
15 the Federal role in supporting the use of educational
16 technology, in stimulating reform and innovation in
17 teaching and learning with technology, and in ad-
18 vancing the development of more advanced and new
19 types and applications of such technology, the Sec-
20 retary shall—

21 “(A) develop, within 12 months of the date
22 of enactment of the Educational Excellence for
23 All Children Act of 1999, a strategy for an on-
24 going evaluation of existing and anticipated fu-
25 ture uses of educational technology; and

26 “(B) carry out such an evaluation.

1 “(2) ACTIVITIES AUTHORIZED.—From the
2 funds reserved under subsection (b), the Secretary
3 may—

4 “(A) conduct long-term controlled studies
5 on the effectiveness of the uses of educational
6 technology;

7 “(B) convene panels of experts to—

8 “(i) identify uses of educational tech-
9 nology that hold the greatest promise for
10 improving teaching and learning;

11 “(ii) assist the Secretary with the re-
12 view and assessment of the progress and
13 effectiveness of projects that are funded
14 under this title; and

15 “(iii) identify barriers to the commer-
16 cial development of effective, high-quality,
17 cost-competitive educational technology
18 and software;

19 “(C) conduct evaluations and applied re-
20 search studies that examine—

21 “(i) how students learn using edu-
22 cational technology, whether singly or in
23 groups, and across age groups, student
24 populations (including students with spe-
25 cial needs, such as students with limited

1 English proficiency and students with dis-
2 abilities) and settings; and

3 “(ii) the characteristics of classrooms
4 and other educational settings that use
5 educational technology effectively;

6 “(D) collaborate with other Federal agen-
7 cies that support research on, and evaluation
8 of, the use of network technology in educational
9 settings; and

10 “(E) carry out such other activities as the
11 Secretary determines appropriate.

12 “(b) AVAILABILITY OF TITLE III FUNDS FOR EVAL-
13 UATION.—Notwithstanding any other provision of this
14 title, the Secretary may use up to 4 percent of the funds
15 appropriated to carry out this title for any fiscal year to
16 carry out the activities described in subsection (a) for that
17 fiscal year.”; and

18 (3) by inserting immediately after section 3103
19 (as redesignated by paragraph (1)) the following
20 new section:

21 “AUTHORIZATION OF APPROPRIATIONS

22 “SEC. 3104. For purposes of carrying out this part,
23 there are authorized to be appropriated such sums as may
24 be necessary for fiscal year 2001 and for each of the four
25 succeeding fiscal years.”.

1 PART B—SPECIAL PROJECTS

2 REPEALS; REDESIGNATIONS; NEW PART

3 SEC. 321. (a) Parts B and E of title III of the ESEA
4 are repealed.

5 (b) Parts C and D of title III of the ESEA are redес-
6 igned as subparts 2 and 3 of part B of title III of the
7 ESEA, respectively.

8 (c) Sections 3301, 3302, 3303, 3304, 3305, 3306,
9 3307, 3308, 3401, 3402, and 3403 of the ESEA are re-
10 designated as sections 3221, 3222, 3223, 3224, 3225,
11 3226, 3227, 3228, 3231, 3232, and 3233, respectively.

12 (d) Title III of the ESEA is further amended by in-
13 serting immediately after section 3104 (as added by sec-
14 tion 314(b)(3) of the bill) the following new part heading
15 and designation, and the following new subpart:

16 “PART B—SPECIAL PROJECTS

17 “Subpart 1—Next-Generation Technology Innovation

18 Awards

19 “PURPOSE; PROGRAM AUTHORITY

20 “SEC. 3211. (a) PURPOSE.—It is the purpose of this
21 subpart to—

22 “(1) expand the knowledge base about the use
23 of the next generation of advanced computers and
24 telecommunications in delivering new applications
25 for teaching and learning;

1 “(2) address questions of national significance
2 about the next generation of technology and its use
3 to improve teaching and learning; and

4 “(3) develop, for wide-scale adoption by State
5 educational agencies and local educational agencies,
6 models of innovative and effective applications of
7 technology to teaching and learning, such as high
8 quality video, voice recognition devices, modeling and
9 simulation software (particularly web-based software
10 and intelligent tutoring), hand-held devices, and vir-
11 tual reality and wireless technologies, that are
12 aligned with challenging State academic content and
13 student performance standards.

14 “(b) PROGRAM AUTHORITY.—

15 (1) IN GENERAL.—The Secretary is authorized,
16 through the Office of Educational Technology, to
17 award grants, contracts, or cooperative agreements
18 on a competitive basis to eligible applicants in order
19 to carry out the purposes of this subpart.

20 “(2) PERIOD OF AWARD.—The Secretary may
21 award grants, contracts, or cooperative agreements
22 under this subpart for a period of not more than five
23 years.

24 “ELIGIBILITY

25 “SEC. 3212. (a) ELIGIBLE APPLICANTS.—In order to
26 receive an award under this subpart, an applicant shall,

1 subject to subsection (c)(1), be a consortium that
2 includes—

3 “(1) at least one State educational agency or
4 local educational agency; and

5 “(2) at least one institution of higher education,
6 for-profit business, museum, library, or other public
7 or private entity with a particular expertise that
8 would assist in carrying out the purposes of this
9 subpart.

10 “(b) APPLICATION REQUIREMENTS.—In order to re-
11 ceive an award under this subpart, an eligible applicant
12 shall submit an application to the Secretary at such time,
13 and containing such information, as the Secretary may re-
14 quire. Such application shall include—

15 “(1) a description of the proposed project, and
16 how it would carry out the purposes of this subpart;
17 and

18 “(2) a detailed plan for the independent evalua-
19 tion of the project, which shall include benchmarks
20 to monitor progress toward specific project objec-
21 tives.

22 “(c) PRIORITIES.—In making awards under this sub-
23 part, the Secretary may establish one or more priorities
24 consistent with the objectives of this subpart, including:

1 “(1) A priority for applicants, the members of
2 which are one or more of the particular types de-
3 scribed in subsection (a)(2).

4 “(2) A priority for projects that develop innova-
5 tive models of effective use of educational tech-
6 nology, including the development of distance learn-
7 ing networks, software (including software deliver-
8 able through the Internet), and online-learning re-
9 sources.

10 “(3) A priority for projects serving more than
11 one State and involving large-scale innovations in
12 the use of technology in education.

13 “(4) A priority for projects that develop innova-
14 tive models that serve traditionally underserved pop-
15 ulations, including low-income students, students
16 with disabilities, and students with limited English
17 proficiency.

18 “(5) A priority for projects in which applicants
19 provide substantial financial and other resources to
20 achieve the goals of the project.

21 “(6) A priority for projects that develop innova-
22 tive models for using electronic networks to provide
23 challenging courses, such as Advanced Placement
24 courses.

1 “USES OF FUNDS

2 “SEC. 3213. A recipient shall use funds awarded
3 under this subpart to—

4 “(1) develop new applications of educational
5 technologies and telecommunications to support
6 school reform efforts, such as wireless and web-
7 based telecommunications, hand-held devices, web-
8 based learning resources, distributed learning envi-
9 ronments (including distance learning networks),
10 and the development of educational software and
11 other applications; and

12 “(2) carry out other activities consistent with
13 the purposes of this subpart, such as—

14 “(A) developing innovative models for im-
15 proving teachers’ ability to integrate technology
16 effectively into course curriculum, through sus-
17 tained and intensive, high-quality professional
18 development;

19 “(B) developing high-quality, standards-
20 based, digital content, including multimedia
21 software, digital video, and web-based re-
22 sources, such as—

23 “(i) new technological formats to fa-
24 cilitate deeper subject matter under-
25 standing in particularly challenging learn-

1 ing environments in areas such as physics,
2 foreign language, or Advanced Placement
3 courses;

4 “(ii) computer modeling, visualization,
5 and simulation tools;

6 “(iii) new methods for assessing stu-
7 dent performance;

8 “(iv) web-based and other distance
9 learning curricula and related materials,
10 such as interoperable software components;

11 “(v) learning-focused digital libraries,
12 information retrieval systems, and other
13 designs for supporting broad re-use of
14 learning content; and

15 “(vi) software that supports the devel-
16 opment, modification, and maintenance of
17 educational materials;

18 “(C) using telecommunications, and other
19 technologies, to make programs accessible to
20 students with special needs (such as low-income
21 students, students with disabilities, students in
22 remote areas, and students with limited English
23 proficiency) through such activities as using
24 technology to support mentoring;

1 “(D) providing classroom and extra-
2 curricular opportunities for female students to
3 explore the different uses of technology;

4 “(E) promoting school-family partnerships,
5 which may include services for adults and fami-
6 lies, particularly parent education programs
7 that provide parents with training, information,
8 and support on how to help their children
9 achieve to high academic standards;

10 “(F) acquiring connectivity linkages, re-
11 sources, distance learning networks, and serv-
12 ices, including hardware and software, as need-
13 ed to accomplish the goals of the project; and

14 “(G) collaborating with other Department
15 of Education and Federal information tech-
16 nology research and development programs.

17 “EVALUATION

18 “SEC. 3214. The Secretary is authorized to—

19 “(1) develop tools and provide resources for re-
20 cipients of funds under this subpart to evaluate their
21 activities;

22 “(2) provide technical assistance to assist re-
23 cipients of funds under this subpart in evaluating
24 their projects;

25 “(3) conduct independent evaluations of the ac-
26 tivities assisted under this subpart; and

1 “(4) disseminate findings and methodologies
2 from evaluations of activities assisted under this
3 subpart, or other information obtained from such
4 projects that would promote the design, replication,
5 or implementation of effective models for evaluating
6 the impact of educational technology on teaching
7 and learning.

8 “AUTHORIZATION OF APPROPRIATIONS

9 “SEC. 3215. For purposes of carrying out this sub-
10 part, there are authorized to be appropriated such sums
11 as may be necessary for fiscal year 2001 and for each of
12 the four succeeding fiscal years.”.

13 READY-TO-LEARN DIGITAL TELEVISION

14 SEC. 322. (a) Subpart 2 of part C of title III of the
15 ESEA (as redesignated by section 321(b) of the bill) is
16 further amended, in the heading thereof, by inserting
17 “Digital” immediately before “Television”.

18 (b) Section 3221(a) of the ESEA (as redesignated
19 by section 321(c) of the bill) is amended by striking out
20 “section 3302(b)” and “the National Education Goals.”
21 and inserting in lieu thereof “section 3222(b)” and
22 “America’s Education Goals.”, respectively.

23 (c) Section 3222(a)(2) of the ESEA (as redesignated
24 by section 321(c) of the bill) is amended by striking out
25 “and those funded under the Star Schools Act”.

1 (d) Section 3223(2) of the ESEA (as redesignated
2 by section 321(c) of the bill) is amended by striking out
3 “part” each place it appears and inserting in lieu thereof
4 “subpart” in each such place.

5 (e) Section 3224 of the ESEA (as redesignated by
6 section 321(c) of the bill) is amended by striking out “sec-
7 tion 3301 or 3303” and inserting in lieu thereof “section
8 3221 or 3223”.

9 (f) Section 3225 of the ESEA (as redesignated by
10 section 321(c) of the bill) is amended—

11 (1) in subsection (a), by striking out “section
12 3201” and inserting in lieu thereof “section 3221”;
13 and

14 (2) in subsection (b)—

15 (A) in paragraph (1), by striking out “sec-
16 tion 3302(a); and” and inserting in lieu thereof
17 “section 3222(a); and”; and

18 (B) in paragraph (2), by striking out “sec-
19 tion 3303(3),” and inserting in lieu thereof
20 “section 3223(3),”.

21 (g) Section 3226 of the ESEA (as redesignated by
22 section 321(c) of the bill) is amended by striking out “sec-
23 tion 3302,” and inserting in lieu thereof “section 3222,”.

24 (h) Section 3228 of the ESEA (as redesignated by
25 section 321(c) of the bill) is amended—

1 (1) in subsection (a), by striking out “part,
2 \$30,000,000 for fiscal year 1995, and such sums as
3 may be necessary” and “section 3302.” and insert-
4 ing in lieu thereof “subpart, such sums as may be
5 necessary for fiscal year 2001 and” and “section
6 3222”, respectively; and

7 (2) in subsection (b), by striking out “section
8 3303(1)(C).” and inserting in lieu thereof “section
9 3223(1)(C).”.

10 TELECOMMUNICATIONS PROGRAM FOR PROFESSIONAL

11 DEVELOPMENT IN THE CORE CONTENT AREAS

12 SEC. 323. (a) Subpart 3 of part B of title III of the
13 ESEA (as redesignated by section 321(b) of the bill) is
14 further amended by amending the subpart heading to read
15 as follows: “Telecommunications Program for Professional
16 Development in the Core Content Areas”.

17 (b) Section 3231 of the ESEA (as redesignated by
18 section 321(c) of the bill) is amended to read as follows:

19 “PURPOSE; PROGRAM AUTHORITY

20 “SEC. 3231. (a) PURPOSE.—It is the purpose of this
21 subpart to assist elementary and secondary school teach-
22 ers in preparing all students to achieve to challenging
23 State academic content and performance standards
24 through a national telecommunications-based program to
25 improve teaching in core content areas.

1 “(b) PROGRAM AUTHORITY.—From funds appro-
2 priated to carry out this subpart, the Secretary may make
3 grants to nonprofit telecommunications entities, or part-
4 nerships of such entities, to carry out the purposes of this
5 subpart.”.

6 (c) Section 3232 of the ESEA (as redesignated by
7 section 321(c) of the bill) is amended—

8 (1) in subsection (a)—

9 (A) in the matter preceding paragraph (1),
10 by striking out “part” and inserting in lieu
11 thereof “subpart”;

12 (B) in paragraph (1), by striking out “ex-
13 isting publicly funded telecommunications infra-
14 structure to deliver video, voice and data” and
15 inserting in lieu thereof “public broadcasting
16 infrastructure, digital libraries, and emerging
17 school networks to deliver video and web-based
18 resources”; and

19 (C) in paragraph (2), by striking out
20 “State or local” through the end thereof and in-
21 serting in lieu thereof “national, State, or local
22 nonprofit public communications entities, insti-
23 tutions of higher education, museums, libraries,
24 and national education professional associations

1 that have developed content standards in the
2 core content areas;” and

3 (2) in subsection (b)—

4 (A) in the heading thereof, by striking out
5 “DEMONSTRATION” and inserting in lieu there-
6 of “PROJECT”; and

7 (B) by striking out “assure that the dem-
8 onstration project authorized by this part is”
9 and inserting in lieu thereof “ensure that the
10 projects carried out under this subpart are”.

11 (d) Section 3233 of the ESEA (as redesignated by
12 section 321(c) of the bill) is amended by striking out
13 “part, \$5,000,000 for the fiscal year 1995, and such sums
14 as may be necessary” and inserting in lieu thereof “sub-
15 part, such sums as may be necessary for fiscal year 2001
16 and”.

17 COMMUNITY TECHNOLOGY CENTERS

18 SEC. 324. Part B of Title III of the ESEA (as
19 amended by section 321 of the bill) is further amended
20 by adding immediately at the end thereof the following
21 new subpart:

22 “Subpart 4—Community Technology Centers

23 “PURPOSE; PROGRAM AUTHORITY

24 “SEC. 3241. (a) PURPOSE.—It is the purpose of this
25 subpart to assist eligible applicants to—

1 “(1) create or expand community technology
2 centers that will provide disadvantaged residents of
3 economically distressed urban and rural communities
4 with access to information technology and related
5 training; and

6 “(2) provide technical assistance and support to
7 community technology centers.

8 “(b) PROGRAM AUTHORITY.—

9 “(1) IN GENERAL.—The Secretary is author-
10 ized, through the Office of Educational Technology,
11 to award grants, contracts, or cooperative agree-
12 ments on a competitive basis to eligible applicants in
13 order to assist them in—

14 “(A) creating or expanding community
15 technology centers; or

16 “(B) providing technical assistance and
17 support to community technology centers.

18 “(2) PERIOD OF AWARD.—The Secretary may
19 award grants, contracts, or cooperative agreements
20 under this subpart for a period of not more than
21 three years.

22 “ELIGIBILITY AND APPLICATION REQUIREMENTS

23 “SEC. 3242. (a) ELIGIBLE APPLICANTS.—In order to
24 be eligible to receive an award under this subpart, an ap-
25 plicant shall—

1 “(1) have the capacity to expand significantly
2 access to computers and related services for dis-
3 advantaged residents of economically distressed
4 urban and rural communities (who would otherwise
5 be denied such access); and

6 “(2) be—

7 “(A) an entity such as a foundation, mu-
8 seum, library, for-profit business, public or pri-
9 vate nonprofit organization, or community-
10 based organization;

11 “(B) an institution of higher education;

12 “(C) a State educational agency;

13 “(D) a local education agency; or

14 “(E) a consortium of entities described in
15 subparagraphs (A), (B), (C), or (D).

16 “(b) APPLICATION REQUIREMENTS.—In order to re-
17 ceive an award under this subpart, an eligible applicant
18 shall submit an application to the Secretary at such time,
19 and containing such information, as the Secretary may re-
20 quire. Such application shall include—

21 “(1) a description of the proposed project, in-
22 cluding a description of the magnitude of the need
23 for the services and how the project would expand
24 access to information technology and related services

1 to disadvantaged residents of an economically dis-
2 tressed urban or rural community;

3 “(2) a demonstration of—

4 “(A) the commitment, including the finan-
5 cial commitment, of entities such as institu-
6 tions, organizations, business and other groups
7 in the community that will provide support for
8 the creation, expansion, and continuation of the
9 proposed project; and

10 “(B) the extent to which the proposed
11 project establishes linkages with other appro-
12 priate agencies, efforts, and organizations pro-
13 viding services to disadvantaged residents of an
14 economically distressed urban or rural commu-
15 nity;

16 “(3) a description of how the proposed project
17 would be sustained once the Federal funds awarded
18 under this subpart end; and

19 “(4) a plan for the evaluation of the program,
20 which shall include benchmarks to monitor progress
21 toward specific project objectives.

22 “(c) MATCHING REQUIREMENTS.—The Federal
23 share of the cost of any project funded under this subpart
24 shall not exceed 50 percent. The non-Federal share of

1 such project may be in cash or in kind, fairly evaluated,
2 including services.

3 “USES OF FUNDS

4 “SEC. 3243. (a) REQUIRED USES.—A recipient shall
5 use funds under this subpart for—

6 “(1) creating or expanding community tech-
7 nology centers that expand access to information
8 technology and related training for disadvantaged
9 residents of distressed urban or rural communities;
10 and

11 “(2) evaluating the effectiveness of the project.

12 “(b) PERMISSIBLE USES.—A recipient may use funds
13 under this subpart for activities, described in its applica-
14 tion, that carry out the purposes of this subpart, such
15 as—

16 “(1) supporting a center coordinator, and staff,
17 to supervise instruction and build community part-
18 nerships;

19 “(2) acquiring equipment, networking capabili-
20 ties, and infrastructure to carry out the project; and

21 “(3) developing and providing services and ac-
22 tivities for community residents that provide access
23 to computers, information technology, and the use of
24 such technology in support of pre-school preparation,
25 academic achievement, lifelong learning, and work-
26 force development, such as the following:

1 “(A) After-school activities in which chil-
2 dren and youths use software that provides aca-
3 demic enrichment and assistance with home-
4 work, develop their technical skills, explore the
5 Internet, and participate in multimedia activi-
6 ties, including web page design and creation.

7 “(B) Adult education and family literacy
8 activities through technology and the Internet,
9 including—

10 “(i) General Education Development,
11 English as a Second Language, and adult
12 basic education classes or programs;

13 “(ii) introduction to computers;

14 “(iii) intergenerational activities; and

15 “(iv) lifelong learning opportunities.

16 “(C) Career development and job prepara-
17 tion activities, such as—

18 “(i) training in basic and advanced
19 computer skills;

20 “(ii) resume writing workshops; and

21 “(iii) access to databases of employ-
22 ment opportunities, career information,
23 and other online materials.

24 “(D) Small business activities, such as—

1 “(i) computer-based training for basic
2 entrepreneurial skills and electronic com-
3 merce; and

4 “(ii) access to information on business
5 start-up programs that is available online,
6 or from other sources.

7 “(E) Activities that provide home access to
8 computers and technology, such as assistance
9 and services to promote the acquisition, instal-
10 lation, and use of information technology in the
11 home through low-cost solutions such as
12 networked computers, web-based television de-
13 vices, and other technology.

14 “AUTHORIZATION OF APPROPRIATIONS

15 “SEC. 3244. For purposes of carrying out this sub-
16 part, there are authorized to be appropriated such sums
17 as may be necessary for fiscal year 2001 and for each of
18 the four succeeding fiscal years.”.

19 PART C—PREPARING TOMORROW’S TEACHERS TO USE
20 TECHNOLOGY

21 NEW PART

22 SEC. 331. Title III of the ESEA is further amended
23 by adding immediately after subpart 4 of part B of such
24 title (as added by section 324 of the bill) the following
25 new part:

1 “PART C—PREPARING TOMORROW’S TEACHERS TO USE
2 TECHNOLOGY

3 “PURPOSE; PROGRAM AUTHORITY

4 “SEC. 3301. (a) PURPOSE.—It is the purpose of this
5 part to assist consortia of public and private entities in
6 carrying out programs that prepare prospective teachers
7 to use advanced technology to foster learning environ-
8 ments conducive to preparing all students to achieve to
9 challenging State and local content and student perform-
10 ance standards.

11 “(b) PROGRAM AUTHORITY.—

12 “(1) IN GENERAL.—The Secretary is author-
13 ized, through the Office of Educational Technology,
14 to award grants, contracts, or cooperative agree-
15 ments on a competitive basis to eligible applicants in
16 order to assist them in developing or redesigning
17 teacher preparation programs to enable prospective
18 teachers to use technology effectively in their class-
19 rooms.

20 “(2) PERIOD OF AWARD.—The Secretary may
21 award grants, contracts, or cooperative agreements
22 under this part for a period of not more than five
23 years.

1 “ELIGIBILITY

2 “SEC. 3302. (a) ELIGIBLE APPLICANTS.—In order to
3 receive an award under this part, an applicant shall be
4 a consortium that includes—

5 “(1) at least one institution of higher education
6 that offers a baccalaureate degree and prepares
7 teachers for their initial entry into teaching;

8 “(2) at least one State educational agency or
9 local educational agency; and

10 “(3) one or more of the following entities:

11 “(A) An institution of higher education
12 (other than the institution described in para-
13 graph (1)).

14 “(B) A school or department of education
15 at an institution of higher education.

16 “(C) A school or college of arts and
17 sciences at an institution of higher education.

18 “(D) A private elementary or secondary
19 school.

20 “(E) A professional association, founda-
21 tion, museum, library, for-profit business, pub-
22 lic or private nonprofit organization, commu-
23 nity-based organization, or other entity with the
24 capacity to contribute to the technology-related
25 reform of teacher preparation programs.

1 “(b) APPLICATION REQUIREMENTS.—In order to re-
2 ceive an award under this part, an eligible applicant shall
3 submit an application to the Secretary at such time, and
4 containing such information, as the Secretary may re-
5 quire. Such application shall include—

6 “(1) a description of the proposed project, in-
7 cluding how the project would ensure that individ-
8 uals participating in the project would be prepared
9 to use technology to create learning environments
10 conducive to preparing all students to achieve to
11 challenging State and local content and student per-
12 formance standards;

13 “(2) a demonstration of—

14 “(A) the commitment, including the finan-
15 cial commitment, of each of the members of the
16 consortium; and

17 “(B) the active support of the leadership of
18 each member of the consortium for the pro-
19 posed project;

20 “(3) a description of how each member of the
21 consortium would be included in project activities;

22 “(4) a description of how the proposed project
23 would be continued once the Federal funds awarded
24 under this part end; and

“(1) IN GENERAL.—The Federal share of the cost of any project funded under this part shall not exceed 50 percent. Except as provided in paragraph (2), the non-Federal share of such project may be in cash or in kind, fairly evaluated, including services.

16 “USES OF FUNDS

“(1) creating programs that enable prospective teachers to use advanced technology to create learning environments conducive to preparing all students to achieve to challenging State and local content and student performance standards; and

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1 “(b) PERMISSIBLE USES.—A recipient may use funds
2 under this part for activities, described in its application,
3 that carry out the purposes of this part, such as—

4 “(1) developing and implementing high-quality
5 teacher preparation programs that enable educators
6 to—

7 “(A) learn the full range of resources that
8 can be accessed through the use of technology;

9 “(B) integrate a variety of technologies
10 into the classroom in order to expand students’
11 knowledge;

12 “(C) evaluate educational technologies and
13 their potential for use in instruction; and

14 “(D) help students develop their own tech-
15 nical skills and digital learning environments;

16 “(2) developing alternative teacher development
17 paths that provide elementary and secondary schools
18 with well-prepared, technology-proficient educators;

19 “(3) developing performance-based standards
20 and aligned assessments to measure the capacity of
21 prospective teachers to use technology effectively in
22 their classrooms;

23 “(4) providing technical assistance to other
24 teacher preparation programs;

8 “AUTHORIZATION OF APPROPRIATIONS

9 “SEC. 3304. For purposes of carrying out this part,
10 there are authorized to be appropriated such sums as may
11 be necessary for fiscal year 2001 and for each of the four
12 succeeding fiscal years.”.

15 NEW PART

SEC. 341. Title III of the ESEA is further amended
by inserting at the end thereof the following new part
heading, subpart heading, and section:

21 “Subpart 1—Technology Literacy Challenge Fund

22 “PURPOSE

23 “SEC. 3411. It is the purpose of this subpart to in-
24 crease the capacity of State and local educational agencies
25 to improve student achievement, particularly that of stu-

1 dents in high-poverty, low-performing schools, by sup-
 2 porting State and local efforts that—

3 “(1) make effective use of new technologies and
 4 technology applications, networks, and electronic
 5 learning resources;

6 “(2) utilize research-based teaching practices
 7 that are linked to advanced technologies; and

8 “(3) promote sustained and intensive, high-
 9 quality professional development that increases
 10 teacher capacity to create improved learning environ-
 11 ments through the integration of educational tech-
 12 nology into instruction.”.

13 ALLOTMENT AND REALLOTMENT

14 SEC. 342. Section 3131(a)(2) of the ESEA is
 15 amended—

16 (1) by inserting “(including, for purposes of
 17 this subpart, the Bureau of Indian Affairs)” imme-
 18 diately after “State educational agency”; and

19 (2) by striking out the period at the end thereof
 20 and inserting a comma and “except that such min-
 21 imum shall apply to the aggregate of grants received
 22 under this subpart by the outlying areas for a fiscal
 23 year.”.

24 TECHNOLOGY LITERACY CHALLENGE FUND

25 SEC. 343. Section 3132 of the ESEA is amended—

1 (1) by amending the heading thereof to read as
2 follows:

3 “TECHNOLOGY LITERACY CHALLENGE FUND”;

4 (2) by amending subsection (a)(2) to read as
5 follows:

6 “(2) USE OF GRANTS.—(A) Each State edu-
7 cational agency that receives a grant under para-
8 graph (1) shall use—

9 “(i) not less than 95 percent of the grant
10 funds received to award, on a competitive basis,
11 subgrants to eligible local applicants, as defined
12 in section 3417, for use in creating new learn-
13 ing environments designed to prepare all stu-
14 dents, including students with disabilities or
15 limited English proficiency, to achieve to chal-
16 lenging State academic content and perform-
17 ance standards through the use of research-
18 based teaching practices and advanced tech-
19 nologies; and

20 “(ii) subject to subparagraph (C), the re-
21 mainder of the grant funds for administrative
22 costs and technical assistance.

23 “(B) In awarding subgrants under subpara-
24 graph (A)(i), a State educational agency shall give
25 priority to an eligible local applicant that is a part-

1 nership that meets the requirements of section
2 3417(1)(B).

3 “(C) From the funds described in subparagraph
4 (A)(i), a State educational agency may use not more
5 than 2 percent of the grant funds received by that
6 agency under this subpart to provide planning sub-
7 grants to eligible local applicants in order to assist
8 them to develop strategic long-term local technology
9 plans that shall be included in the application for a
10 subgrant under section 3416(1).”; and

11 (3) by amending subsection (b)(2) to read as
12 follows:

13 “(2) provide eligible local applicants with assist-
14 ance in—

15 “(A) developing applications under section
16 3416;

17 “(B) forming partnerships among the enti-
18 ties described in section 3417(1)(B); and

19 “(C) establishing performance indicators
20 and methods for measuring program outcomes
21 against the indicators.”.

22 STATE APPLICATION

23 SEC. 344. Section 3133 of the ESEA is amended to
24 read as follows:

1 “STATE APPLICATION

2 “SEC. 3133. To receive funds under this subpart, a
3 State educational agency shall submit an application to
4 the Secretary at such time, in such manner, and accom-
5 panied by such information as the Secretary may reason-
6 ably require. As part of its application, a State educational
7 agency shall submit a new or updated statewide edu-
8 cational technology plan. The plan submitted shall dem-
9 onstrate how it will be coordinated with and support the
10 State plan or policies for comprehensive standards-based
11 education reform, and shall describe—

12 “(1) how the State educational agency will meet
13 the national technology goals that—

14 “(A) all teachers in the Nation will have
15 the training and support they need to help stu-
16 dents learn using computers and the informa-
17 tion superhighway;

18 “(B) all teachers and students will have
19 modern multimedia computers in their class-
20 rooms;

21 “(C) every classroom will be connected to
22 the information superhighway; and

23 “(D) effective software and online learning
24 resources will be an integral part of every
25 school’s curriculum;

1 “(2) the State educational agency’s long-term
2 strategies for financing educational technology in the
3 State, including how the State educational agency
4 will use other sources of Federal and non-Federal
5 funds, including the E-Rate, for this purpose;

6 “(3) the State educational agency’s criteria for
7 identifying, for purposes of section 3317(1)(A), a
8 local educational agency as high-poverty, serving at
9 least one low-performing school, and having a sub-
10 stantial need for technology, and how the State edu-
11 cational agency will report to the public the criteria
12 to be used and the outcome of the competition;

13 “(4) the State educational agency’s specific
14 goals for using advanced technology to improve stu-
15 dent achievement to challenging State academic con-
16 tent and performance standards by—

17 “(A) using web-based resources and tele-
18 communications networks to provide challenging
19 content and improve classroom instruction;

20 “(B) using research-based teaching prac-
21 tices and models of effective uses of advanced
22 technology; and

23 “(C) promoting sustained and intensive,
24 high-quality professional development that in-
25 creases teacher capacity to create improved

1 learning environments through the integration
2 of technology into instruction;

3 “(5) the State educational agency’s perform-
4 ance indicators for each of the goals described in
5 paragraphs (1), (2), and (4) and included in its
6 plan, baseline performance data for the indicators, a
7 timeline for achieving the goals, and interim meas-
8 ures of success toward achieving the goals;

9 “(6) how the State educational agency will en-
10 sure that grants to eligible local applicants are of
11 sufficient size, scope, and quality to meet the pur-
12 poses of this subpart effectively;

13 “(7) how the State educational agency will pro-
14 vide technical assistance to eligible local applicants,
15 and its capacity for providing such assistance;

16 “(8) how the State educational agency will en-
17 sure that educational technology is accessible to, and
18 usable by, all students, including students with spe-
19 cial needs, such as students who have disabilities or
20 limited English proficiency; and

21 “(9) how the State educational agency will
22 evaluate its activities under the plan.”.

23 LOCAL USES OF FUNDS

24 SEC. 345. Section 3134 of the ESEA is amended to
25 read as follows:

1 “LOCAL USES OF FUNDS

2 “SEC. 3134. Each eligible local applicant shall use
3 the funds made available under section 3413(a)(2)(i) for
4 one or more of the following activities:

5 “(1) Adapting or expanding existing and new
6 applications of technology to enable teachers to cre-
7 ate learning environments designed to prepare stu-
8 dents to achieve to challenging State academic con-
9 tent and student performance standards through the
10 use of research-based teaching practices and ad-
11 vanced technologies.

12 “(2) Providing sustained and intensive, high-
13 quality professional development in the integration
14 of advanced technologies into curriculum and in
15 using those technologies to create new learning envi-
16 ronments, including training in the use of technology
17 to access data and resources to develop curricula
18 and instructional materials.

19 “(3) Enabling teachers to use the Internet to
20 communicate with other teachers and retrieve web-
21 based learning resources.

22 “(4) Using technology to collect, manage, and
23 analyze data to inform school improvement efforts.

24 “(5) Acquiring wireless telecommunications,
25 hand-held devices, modeling or simulation tools, dis-

1 tance learning networks, and other advanced tech-
2 nologies with classroom applications.

3 “(6) Acquiring wiring and access to advanced
4 telecommunications.

5 “(7) Using web-based learning resources, in-
6 cluding those that provide access to challenging
7 courses such as Advanced Placement courses.

8 “(8) Assisting schools to use technology to pro-
9 mote parent and family involvement, and support
10 communications between family and school.”.

11 LOCAL APPLICATIONS

12 SEC. 346. Section 3135 of the ESEA is amended—

13 (1) in the matter preceding paragraph (1)—

14 (A) by inserting the subsection designation
15 and heading “(a) IN GENERAL.—” immediately
16 after the section heading; and

17 (B) by striking out “local educational
18 agency” and “section 3132(a)(2)” and inserting
19 in lieu thereof “eligible local applicant” and
20 “section 3413(a)(2)”, respectively;

21 (2) in paragraph (1)—

22 (A) by amending subparagraph (A) to read
23 as follows:

24 “(A) a description of how the applicant
25 plans to improve the achievement of all stu-
26 dents by—

1 “(i) making effective use of new tech-
2 nologies, networks, and electronic learning
3 resources;

4 “(ii) using research-based teaching
5 practices that are linked to advanced tech-
6 nologies; and

7 “(iii) promoting sustained and inten-
8 sive, high-quality professional development
9 that increases the capacity of teachers to
10 create improved learning environments
11 through the integration of educational
12 technology into instruction.”;

13 (B) by striking out subparagraph (B);

14 (C) by amending subparagraphs (C), (D),
15 and (E) to read as follows:

16 “(C) a description of the applicant’s goals
17 regarding the use of educational technology to
18 meet the purposes of this subpart, as well as
19 the applicant’s baseline data, timelines, bench-
20 marks, and indicators of success for meeting
21 these goals;

22 “(D) a description of how the applicant
23 will ensure sustained and intensive, high-quality
24 professional development for teachers, adminis-

1 trators, and other educational personnel to fur-
2 ther the use of technology in the classroom;

3 “(E) a description of the administrative
4 and technical support that the applicant will
5 provide schools;”;

6 (D) in subparagraph (G), by striking out
7 “and” at the end thereof;

8 (E) by amending subparagraph (H) to
9 read as follows:

10 “(H) a description of the applicant’s strat-
11 egy for financing its strategic, long-term local
12 technology plan, including the use of other Fed-
13 eral and non-Federal funds;’—

14 (F) by redesignating subparagraphs (D),
15 (E), (F), (G), and (H) as subparagraphs (E),
16 (F), (G), (H), and (I), respectively;

17 (G) by adding at the end thereof the fol-
18 lowing new subparagraphs:

19 “(J) a description of how the applicant will
20 use advanced technology to promote commu-
21 nication between teachers for activities such
22 as—

23 “(i) sharing examples of student
24 work;

1 “(ii) developing instructional strate-
2 gies;

3 “(iii) developing curricula aligned with
4 State or local standards;

5 “(iv) using data to improve teaching
6 and learning; and

7 “(K) a description of how the applicant
8 would use technology to improve the teaching
9 and learning of students with special needs,
10 such as students with disabilities or limited
11 English proficiency.”.

12 (3) by amending paragraph (2) to read as fol-
13 lows:

14 “(2) describe how the applicant included par-
15 ents, public libraries, business leaders, and commu-
16 nity leaders in the development of the strategic long-
17 term local technology plan described in paragraph
18 (1);”;

19 (4) in paragraph (3), by striking out “and” at
20 the end thereof;

21 (5) in paragraph (4)(B), by striking out “Na-
22 tional Education Goals” and inserting in lieu thereof
23 “America’s Education Goals”;

24 (6) by redesignating paragraph (4) as para-
25 graph (8);

1 (7) by inserting immediately after paragraph
2 (3) the following new paragraphs:

3 “(4) describe how the applicant would use
4 subgrant funds to benefit low-performing schools;

5 “(5) describe how the applicant will ensure that
6 technology is accessible to, and usable by, all stu-
7 dents, particularly students with disabilities or lim-
8 ited English proficiency;

9 “(6) include an assurance that, before any
10 funds received under this part are used for acquiring
11 wiring or access to advanced telecommunications,
12 the applicant will use all resources available to it
13 through the E-Rate;

14 “(7) if the applicant is a partnership, describe
15 the members of the partnership, their respective
16 roles, and their respective contributions to improving
17 the capacity of the local educational agency; and”;

18 (8) by striking out subsection (d);

19 (9) in subsection (e), by striking out “local edu-
20 cational agency” and “under this Act or the Goals
21 2000: Educate America Act,” and inserting in lieu
22 thereof “eligible local applicant” and “under this
23 Act,” respectively; and

24 (10) by redesignating subsection (e) as sub-
25 section (b).

1 REPEALS; CONFORMING CHANGES; REDESIGNATIONS

2 SEC. 347. (a) Sections 3136 and 3137 of the ESEA
3 are repealed.

4 (b)(1) Section 3131(a) of the ESEA is amended—

5 (A) in paragraph (1), by striking out “section
6 3114(a)(1)(C)” and inserting in lieu thereof “section
7 3418”; and

8 (B) in paragraph (2), by striking out “section
9 3115(a)(1)(C)” and inserting in lieu thereof “section
10 3418”; and

11 (2) Section 3132 of the ESEA is amended—

12 (A) in subsection (a)(1), by striking out “sec-
13 tion 3131,” and “section 3133.” and inserting in
14 lieu thereof “section 3412,” and “section 3414.”, re-
15 spectively; and

16 (B) in subsection (b)(1)(B), by striking out
17 “section 3133;” and inserting in lieu thereof “sec-
18 tion 3414;”.

19 (c) Sections 3131, 3132, 3133, 3134, and 3135 of
20 the ESEA are redesignated as sections 3412, 3413, 3414,
21 3415, and 3416, respectively.

22 DEFINITIONS; AUTHORIZATION OF APPROPRIATIONS

23 SEC. 348. Title III of the ESEA is further amended
24 by adding immediately after section 3416 (as redesignated
25 by section 347(c) of the bill) the following new sections:

1 “DEFINITIONS

2 “SEC. 3417. For purposes of this subpart—

3 “(1) ‘eligible local applicant’ means—

4 “(A) a local educational agency that, as
5 determined by the State educational agency,—

6 “(i) is among the local educational
7 agencies in the State with the highest
8 numbers or percentages of children from
9 households living in poverty;

10 “(ii) includes one or more low-per-
11 forming schools; and

12 “(iii) has a substantial need for as-
13 sistance in acquiring and using technology;
14 or

15 “(B) a partnership that includes at least
16 one local educational agency that meets the re-
17 quirements of subparagraph (A) and at least
18 one—

19 “(i) local educational agency that can
20 demonstrate that teachers in schools
21 served by that agency are using technology
22 effectively in their classrooms;

23 “(ii) institution of higher education;

24 “(iii) for-profit organization that de-
25 velops, designs, manufactures, or produces

1 technology products or services, or has
 2 substantial expertise in the application of
 3 technology; or

4 “(iv) public or private non-profit orga-
 5 nization with demonstrated experience in
 6 the application of educational technology;
 7 and

8 “(2) ‘low-performing school’ means a school—

9 “(A) identified by the local educational
 10 agency for school improvement under section
 11 1116(c) of this Act; or

12 “(B) in which a substantial majority of
 13 students fail to meet State performance stand-
 14 ards based on State or local assessments that
 15 are aligned to the performance standards.

16 “AUTHORIZATION OF APPROPRIATIONS

17 “SEC. 3418. For purposes of carrying out this sub-
 18 part, there are authorized to be appropriated such sums
 19 as may be necessary for fiscal year 2001 and for each of
 20 the four succeeding fiscal years.”.

21 REGIONAL TECHNOLOGY IN EDUCATION CONSORTIA

22 SEC. 349. (a) Title III of the ESEA is further
 23 amended by inserting immediately after section 3418 (as
 24 added by section 348 of the bill) the following new subpart
 25 designation and heading: “Subpart 2—Regional Tech-
 26 nology in Education Consortia”.

1 (b) Section 3141 of the ESEA is amended—

2 (1) in subsection (a)—

3 (A) by amending the heading thereof to
4 read as follows: “GRANTS, CONTRACTS, AND
5 COOPERATIVE AGREEMENTS AUTHORIZED.—”;

6 (B) by amending paragraph (1) to read as
7 follows:

8 “(1) AUTHORITY.—The Secretary, through the
9 Office of Educational Technology, shall make grants,
10 or enter into contracts or cooperative agreements, in
11 accordance with the provisions of this subpart, to
12 consortia that meet the requirements of paragraph
13 (2). In making such awards, the Secretary shall en-
14 sure, to the extent possible, that each geographic re-
15 gion of the United States shall be served by a recipi-
16 ent of an award under this subpart.”; and

17 (C) in paragraph (2)—

18 (i) in the matter preceding subpara-
19 graph (A), by striking out “a grant under
20 this section” and inserting in lieu thereof
21 “an award under this subpart”;

22 (ii) by redesignating subparagraphs
23 (B) and (C) as subparagraphs (C) and
24 (D), respectively; and

1 (iii) by inserting immediately after
2 subparagraph (A) the following new sub-
3 paragraph:

4 “(B) meet the requirements of section
5 2421 in addition to meeting the requirements of
6 this subpart;” and

7 (2) in subsection (b)—

8 (A) in paragraph (1)—

9 (i) in the matter preceding subpara-
10 graph (A), by striking out “a grant under
11 this section” and inserting in lieu thereof
12 “an award under this subpart”;

13 (ii) in subsection (B)—

14 (I) by striking out “information,
15 in coordination with information avail-
16 able from the Secretary,” and insert-
17 ing in lieu thereof “information”; and

18 (II) by striking out “evaluate and
19 make recommendations on equipment
20 and software that support the Amer-
21 ica’s Education Goals and are suited
22 for a school’s particular needs,”; and

23 (iii) in subparagraph (C), by striking
24 out “to participate” through the end there-
25 of and inserting in lieu thereof “assistance

1 in applying advanced technologies and web-
2 based resources in order to design learning
3 environments for the 21st Century; and”;
4 (B) in paragraph (2)—

5 (i) in the matter preceding subpara-
6 graph (A), by striking out “a grant under
7 this section” and inserting in lieu thereof
8 “an award under this subpart”;

9 (ii) in subparagraph (A)—

10 (I) in the matter preceding clause
11 (i), by striking out “technology-spe-
12 cific, ongoing professional develop-
13 ment,” and inserting in lieu thereof
14 “sustained and intensive high-quality
15 professional development that pre-
16 pares educators to be effective devel-
17 opers, users, and evaluators of edu-
18 cational technology,”;

19 (II) in clause (i), by striking out
20 “that use” through the end thereof
21 and inserting in lieu thereof “for
22 teachers, administrators, school librar-
23 ians, and other education personnel;
24 and”; and

25 (III) in clause (ii)—

1 (aa) by striking out sub-
2 clauses (II), and (V);

3 (bb) in subclause (III), by
4 adding “and” at the end thereof;

5 (cc) in subclause (IV), by
6 striking out “video conferences
7 and seminars which” and insert-
8 ing in lieu thereof “the use of ad-
9 vanced telecommunications and
10 distance learning networks to”;
11 and

12 (dd) by redesignating sub-
13 clauses (III) and (IV) as sub-
14 clauses (II) and (III), respec-
15 tively;

16 (iii) by striking out subparagraphs
17 (B) and (C);

18 (iv) in subparagraph (F), by striking
19 out “for students” through the end thereof
20 and inserting in lieu thereof a comma and
21 “coordinated with other programs sup-
22 ported under this title, that incorporate the
23 effective use of advanced technology into
24 teacher preparation courses;”;

25 (v) in subparagraph (G)—

1 (I) by striking out “develop sup-
2 port from” and inserting in lieu there-
3 of “increase the involvement and sup-
4 port of”; and

5 (II) by striking out the period at
6 the end thereof and inserting in lieu
7 thereof a semicolon and “and”; and

8 (vi) by redesignating subparagraphs
9 (D), (E), (F), and (G) as subparagraphs
10 (B), (C), (D), and (E), respectively;
11 (C) in paragraph (3)—

12 (i) in the matter preceding subpara-
13 graph (A), by striking out “a grant under
14 this section” and inserting in lieu thereof
15 “an award under this subpart”;

16 (ii) in subparagraph (A), by adding
17 “and” at the end thereof;

18 (iii) in subparagraph (B), by striking
19 out the semicolon and “and” at the end
20 thereof and inserting in lieu thereof a pe-
21 riod;

22 (iv) by striking out subparagraph (C);

23 (v) by redesignating subparagraphs
24 (A) and (B) as subparagraphs (B) and
25 (C), respectively; and

1 (vi) by inserting immediately before
2 subparagraph (B) (as redesignated by
3 clause (v)) the following new subpara-
4 graph:

5 “(A) maintain, or contribute to, a nation-
6 ally accessible repository that contains informa-
7 tion about effective uses of educational tech-
8 nology, including for sustained and intensive,
9 high-quality professional development, and dis-
10 seminate that information nationwide;” and

11 (D) by amending paragraph (4) to read as
12 follows:

13 “(4) Each consortium receiving an award under
14 this subpart shall—

15 “(A) collaborate, and coordinate the serv-
16 ices that it provides, with appropriate regional
17 and other entities assisted in whole or in part
18 by the Department;

19 “(B) coordinate activities and establish
20 partnerships with organizations and institutions
21 of higher education that represent the interests
22 of the region regarding the application of tech-
23 nology to teaching, learning, instructional man-
24 agement, dissemination, the collection and dis-

1 tribution of educational statistics, and the
2 transfer of student information; and

3 “(C) collaborate with the Department and
4 recipients of funding under other technology
5 programs of the Department, particularly the
6 Technology Literacy Challenge Fund under
7 subpart 1, and the Next-Generation Technology
8 Innovation Awards program under subpart 1 of
9 part B, to assist the Department and those re-
10 cipients as requested by the Secretary.”.

11 (c) Section 3141 of the ESEA is redesignated as sec-
12 tion 3421.

13 (d) Title III of the ESEA is further amended by in-
14 serting immediately after section 3421 (as redesignated by
15 subsection (c)) the following new section:

16 “AUTHORIZATION OF APPROPRIATIONS

17 “SEC. 3422. For purposes of carrying out this sub-
18 part, there are authorized to be appropriated such sums
19 as may be necessary for fiscal year 2001 and for each of
20 the four succeeding fiscal years.”.

21 TITLE IV—SAFE AND DRUG-FREE SCHOOLS
22 AND COMMUNITIES ACT

23 SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES

24 SEC. 401. Title IV of the ESEA is amended to read
25 as follows:

1 “TITLE IV—SAFE AND DRUG-FREE SCHOOLS
2 AND COMMUNITIES

3 “SHORT TITLE

4 “SEC. 4001. This title may be cited as the ‘Safe and
5 Drug-Free Schools and Communities Act’.

6 “FINDINGS

7 “SEC. 4002. The Congress finds that:

8 “(1) Safe and Drug-Free Schools and Commu-
9 nities Programs support achievement of Goal One of
10 the National Drug Control Strategy—to educate and
11 enable America’s youth to reject illegal drugs, as
12 well as alcohol and tobacco—and Goal Seven of
13 America’s Education Goals—that every school in the
14 United States will be free of drugs, violence, and the
15 unauthorized presence of firearms and alcohol.

16 “(2) It is essential for schools to provide a
17 drug-free, safe, and orderly learning environment for
18 all students, if all students are to live healthy lives
19 and achieve to high academic standards.

20 “(3) Student drug use and school violence are
21 serious educational and public health concerns.

22 “(4) Safe and Drug-Free Schools and Commu-
23 nities programs are most likely to be effective when
24 they are based on a thorough assessment of objective
25 data about the drug and violence problems in schools
26 and communities, are designed to meet measurable

1 goals and objectives, are based on sound research or
2 evaluation findings, and are evaluated regularly and
3 held accountable for results.

4 “(5) Safe and Drug-Free Schools and Commu-
5 nities program resources should be targeted at the
6 local level to projects in areas that demonstrate need
7 for the funds, have developed the best strategic
8 plans for using the funds, and are committed to
9 being accountable for results.

10 “(6) Lifelong physical activity contributes to
11 students’ well-being and, consistent with the second
12 of America’s Education Goals, it is appropriate for
13 the Federal government to help strengthen State
14 and local efforts in this area.

15 “PURPOSE

16 “SEC. 4003. DECLARATION OF PURPOSE.—The pur-
17 pose of this title is to support programs for creating and
18 maintaining drug-free, safe, and orderly environments for
19 learning in and around schools, by awarding Federal fi-
20 nancial assistance to—

21 “(1) State educational agencies for competitive
22 awards to local educational agencies with a dem-
23 onstrated need for services and the highest quality
24 proposed programming;

25 “(2) Governors for competitive awards to local
26 educational agencies, as well as community-based or-

1 organizations and other public entities and nonprofit
2 organizations, for programs that complement and
3 support local educational agency programs;

4 “(3) State educational agencies and Governors
5 for capacity-building, and technical assistance and
6 accountability services and activities to improve the
7 effectiveness of, and institutionalize, State and local
8 Safe and Drug-Free Schools and Communities pro-
9 grams; and

10 “(4) Public and private organizations, and indi-
11 viduals, for training programs, demonstrations, eval-
12 uations, research projects, direct services, and tech-
13 nical assistance to schools and school systems, devel-
14 oping and disseminating materials and information,
15 drug and violence prevention programs at the post-
16 secondary level, and other activities related to the
17 purposes of this title.

18 “AUTHORIZATION OF APPROPRIATIONS

19 “SEC. 4004. There are authorized to be
20 appropriated—

21 “(1) such sums as may be necessary for fiscal
22 year 2001 and each of the four succeeding fiscal
23 years to carry out part A;

24 “(2) such sums as may be necessary for fiscal
25 year 2001 and each of the four succeeding fiscal
26 years to carry out part B; and

1 “(3) such sums as may be necessary for fiscal
2 year 2001 and each of the four succeeding fiscal
3 years to carry out part C.

4 “PART A—STATE GRANTS FOR DRUG AND VIOLENCE
5 PREVENTION PROGRAMS

6 “RESERVATIONS AND ALLOTMENTS

7 “SEC. 4111. (a) RESERVATIONS.—(1) From the
8 amount made available under section 4004(1) to carry out
9 this part for each fiscal year, the Secretary—

10 “(A) shall reserve 1 percent of such amount for
11 grants under this part to Guam, American Samoa,
12 the Virgin Islands, and the Commonwealth of the
13 Northern Mariana Islands, to be allotted in accord-
14 ance with the Secretary’s determination of their re-
15 spective needs;

16 “(B) shall reserve 1 percent of such amount for
17 the Secretary of the Interior to carry out programs
18 for Indian youth;

19 “(C) shall reserve 0.2 percent of such amount
20 for programs for Native Hawaiians; and

21 “(D) may reserve not more than \$2,000,000 for
22 evaluation activities required by section 4117(a).

23 “(2)(A)(i) Funds reserved under paragraph (1)(A)
24 may not be consolidated under the provisions of title V
25 of Public Law 95–134.

1 “(ii) The Governor of Guam, American Samoa, the
2 Virgin Islands, or the Commonwealth of the Northern
3 Mariana Islands may direct the Secretary to consolidate
4 the Governor’s share of funds under this part with the
5 State educational agency’s share and award the consoli-
6 dated amount to the State educational agency for adminis-
7 tration in accordance with the requirements of this part
8 applicable to State educational agencies.

9 “(iii) Funds reserved under paragraph (1)(A) shall
10 be used to carry out programs and activities that—

11 “(I) are authorized by this part and are imple-
12 mented in a manner that is consistent with the pro-
13 gram requirements under section 4114; and

14 “(II) are subject to the application require-
15 ments under section 4112(a).

16 “(B) Funds reserved under paragraph (1)(B) shall
17 be used to carry out programs and activities authorized
18 by this part that meet the needs of Native American youth
19 and that are implemented in a manner that is consistent
20 with the program requirements under section 4114.

21 “(C)(i) Funds reserved under paragraph (1)(C) shall
22 be used by the Secretary to award grants or contracts to
23 organizations primarily serving or representing Native
24 Hawaiians to carry out programs and activities authorized
25 by this part that meet the needs of Native Hawaiian youth

1 and that are implemented in a manner that is consistent
2 with the program requirements under section 4114.

3 “(ii) Recipients of funds reserved under paragraph
4 (1)(C) shall coordinate their programs and activities with
5 programs and activities under this part carried out by the
6 State educational agency of Hawaii.

7 “(iii) For the purposes of this section, the term ‘Na-
8 tive Hawaiian’ has the same meaning as the term is pro-
9 vided in section 9212 of the Elementary and Secondary
10 Education Act of 1965.

11 “(b) STATE ALLOTMENTS.—(1) Except as provided
12 in paragraph (2), the Secretary shall, for each fiscal year,
13 allocate among the States—

14 “(A) one-half of the remainder not reserved
15 under subsection (a) according to the ratio between
16 the school-aged population of each State and the
17 school-aged population of all the States; and

18 “(B) one-half of such remainder according to
19 the ratio between the amount each State received
20 under section 1122 of part A of title I of the Act
21 for the preceding year and the sum of such amounts
22 received by all the States.

23 “(2) MINIMUM.—For any fiscal year, no State shall
24 be allotted under this subsection an amount that is less

1 than one-half of one percent of the total amount allotted
2 to all the States under this subsection.

3 “(3) REALLOTMENT.—The Secretary may reallocate any
4 amount of any allotment to a State if the Secretary deter-
5 mines that the State will be unable to use such amount
6 within two years of such allotment. Such reallocations
7 shall be made on the same basis as allotments are made
8 under paragraph (1).

9 “(4) DEFINITIONS.—For the purposes of this part—

10 “(A) the term ‘State’ means each of the 50
11 States, the District of Columbia, and the Common-
12 wealth of Puerto Rico; and

13 “(B) the term ‘local educational agency’ in-
14 cludes educational service agencies and consortia of
15 such agencies.

16 “STATE APPLICATIONS

17 “SEC. 4112. (a) STATE APPLICATION. In order to re-
18 ceive an allotment under section 4111(b) for any fiscal
19 year, a State shall submit to the Secretary, at such time
20 and in such manner as the Secretary may require, a 5-
21 year application that—

22 “(1) is submitted jointly by the Governor and
23 the State educational agency of the State;

24 “(2) contains a description of how funds under
25 this part will be coordinated with other programs

1 under this Act and with other Federal education and
2 drug prevention programs;

3 “(3) contains a comprehensive plan for the use
4 of funds by the State educational agency and the
5 Governor to provide safe, orderly, and drug-free
6 school environments that includes—

7 “(A) the results of the State’s needs as-
8 sessment for drug and violence-prevention pro-
9 grams, which shall be based on the results of
10 ongoing State evaluation activities and include
11 data on the prevalence of drug use and violence
12 by youth in schools and communities in the
13 State;

14 “(B) a list of the State’s results-based per-
15 formance measures for drug and violence pre-
16 vention, which shall—

17 “(i) be focused on student behavior
18 and attitudes and derived from the needs
19 assessment;

20 “(ii) be selected from a core set of in-
21 dicators that the Secretary shall develop in
22 consultation with State and local officials;

23 “(iii) include targets and due dates
24 for the attainment of these indicators;

1 “(iv) include a description of the pro-
2 cedures the State will use to inform local
3 educational agencies of the State’s results-
4 based performance measures for drug and
5 violence prevention for assessing and pub-
6 licly reporting progress toward meeting
7 these indicators, or revising them as need-
8 ed; and

9 “(v) include a description of how the
10 procedures described in subparagraph (C)
11 and subparagraph (D) will support the
12 achievement of the State’s results-based
13 performance measures;

14 “(C) a description of the procedures the
15 State educational agency will use for reviewing
16 applications and awarding funds to local edu-
17 cational agencies on a competitive basis under
18 section 4113(c), including—

19 “(i) the objective criteria the State
20 educational agency will use for determining
21 which local educational agencies are eligi-
22 ble to compete for these funds;

23 “(ii) the criteria the State educational
24 agency will use to assess the relative qual-
25 ity of applications and demonstrated need

1 for funding by these local educational
2 agencies;

3 “(iii) the peer review process the
4 State educational agency will use to review
5 applications;

6 “(iv) how the State educational agen-
7 cy will ensure that the geographical dis-
8 tribution of awards reflects the diversity of
9 local educational agencies in the State; and

10 “(v) how the State educational agency
11 and the Governor will coordinate these pro-
12 grams;

13 “(D) a description of the procedures, in-
14 cluding objective criteria, the State educational
15 agency will use for reviewing any applications
16 and awarding any funds to local educational
17 agencies on a non-competitive basis under sec-
18 tion 4113(c)(3);

19 “(E) a description of the procedures the
20 Governor will use to award funds to eligible ap-
21 plicants on a competitive basis consistent with
22 section 4115(c), including—

23 “(i) the criteria the Governor will use
24 to assess the relative quality of applica-

1 tions and demonstrated need for funding
2 of eligible applicants;

3 “(ii) the peer review process the Gov-
4 ernor will use to review applications;

5 “(iii) how those funds will be used for
6 community resources and activities that
7 support local educational agency programs
8 to create drug-free, safe, and disciplined
9 learning environments in, and passageways
10 to and from schools; and

11 “(iv) how the Governor will ensure
12 that the geographic distribution of awards
13 reflects the diversity of local educational
14 agencies in the State;

15 “(F) a description of how the State edu-
16 cational agency and Governor will use the funds
17 reserved under sections 4113(b) and 4115(b)
18 for coordinated capacity-building and technical
19 assistance and program accountability services
20 and activities at the State and local levels, in-
21 cluding how the State educational agency and
22 Governor will coordinate their activities with
23 law enforcement, health, mental health, and
24 education programs and officials at the State
25 and local levels;

1 “(G) a description of how the State edu-
2 cational agency and the Governor will monitor
3 local programs; and

4 “(H) a description of how the State edu-
5 cational agency will ensure that local edu-
6 cational agencies not receiving funds under this
7 part will be provided technical assistance to im-
8 prove their programs;

9 “(4) contains assurances that the application
10 was developed in consultation and coordination with
11 appropriate State officials, including the head of the
12 State alcohol and drug abuse agency, the heads of
13 the State health and mental health agencies, the
14 head of the State criminal justice planning agency,
15 the head of the State child welfare agency, the head
16 of the State board of education, or their designees,
17 and representatives of parents, students, and com-
18 munity-based organizations; and

19 “(5) contains assurance that the State will co-
20 operate with, and assist, the Secretary in conducting
21 the national impact evaluation of programs required
22 by section 4117(a).

23 “(b) PEER REVIEW.—The Secretary shall use a peer
24 review process in reviewing State applications under this
25 section.

1 “STATE AND LOCAL EDUCATIONAL AGENCY PROGRAMS

2 “SEC. 4113. (a) ALLOCATION OF FUNDS.—In each
3 fiscal year, 80 percent of the total amount allocated to
4 the State under section 4111(b) shall be used by the State
5 educational agency and local educational agencies in the
6 State to carry out programs and activities in accordance
7 with this section that are designed to create and maintain
8 drug-free, safe, and orderly environments for learning in
9 and around schools in the State.

10 “(b) STATE LEVEL ACTIVITIES.—(1) A State edu-
11 cational agency shall reserve not more than 20 percent of
12 the amount described in subsection (a) for State-level ac-
13 tivities described in paragraphs (2) and (4).

14 “(2) A State educational agency may use not more
15 than 5 percent of the amount described in subsection (a)
16 for the costs of carrying out its administrative responsibil-
17 ities under this part.

18 “(3) The State educational agency shall reserve the
19 remainder of the amount described in paragraph (1) after
20 application of paragraph (2), but not less than 10 percent
21 of the amount described in subsection (a), for State-level
22 activities described in paragraph (4).

23 “(4)(A) The State educational agency and the Gov-
24 ernor shall jointly use the amounts reserved under para-
25 graph (3) and section 4115(b)(3) to plan, develop, and im-

1 plement capacity building, technical assistance, and ac-
2 countability services that are designed to support the ef-
3 fective implementation of local drug and violence preven-
4 tion activities throughout the State and promote program
5 accountability and improvement.

6 “(B)(i) The State educational agency and Governor
7 may carry out the services and activities described in sub-
8 paragraph (A) directly, or through subgrants or contracts
9 with public and private organizations, as well as individ-
10 uals.

11 “(ii) Except as provided under clause (iii), the State
12 educational agency and Governor shall, to the extent prac-
13 ticable, use funds under this paragraph to provide capacity
14 building and technical assistance and accountability serv-
15 ices and activities to all local educational agencies in the
16 State, including those that do not receive funds under this
17 part.

18 “(iii) The State educational agency and the Governor
19 may use funds under this paragraph to provide emergency
20 intervention services to schools and communities following
21 a traumatic crisis, such as a shooting, major accident, or
22 drug-related incident that has disrupted the learning envi-
23 ronment.

24 “(C) For the purpose of this paragraph—

1 “(i) ‘capacity building’ means activities to im-
2 prove the knowledge, skills, and expertise of State
3 and local program staff needed to plan, implement,
4 and improve effective research-based programs; and

5 “(ii) ‘technical assistance and accountability
6 services’ means activities designed to improve State
7 and local programs and activities under this part, in-
8 cluding dissemination of information and curricula,
9 program evaluation, demonstration programs, peer
10 review of local educational agency applications, and
11 evaluation assistance, such as collecting, monitoring,
12 and reporting program indicator data.

13 “(c) LOCAL LEVEL ACTIVITIES.—(1) A State edu-
14 cational agency shall use not less than 80 percent of the
15 amount described in subsection (a) for local-level activities
16 described in paragraphs (2) and (3).

17 “(2)(A) A State educational agency shall use at least
18 70 percent of the amount described in subsection (a) to
19 make competitive subgrants, consistent with subparagraph
20 (C)(i), to local educational agencies (or consortia of local
21 educational agencies) that the State educational agency
22 determines, based on objective data, need assistance under
23 this part.

1 “(B) In determining which local educational agencies
2 (or consortia) need assistance under this part, the State
3 educational agency may consider such factors as—

4 “(i) high rates of alcohol, tobacco, or drug use
5 among youth;

6 “(ii) high rates of victimization of youth by vio-
7 lence and crime;

8 “(iii) high rates of arrest and adjudication of
9 youth for violent or drug- or alcohol-related delin-
10 quency;

11 “(iv) high rates of bullying, hate-related inci-
12 dents, racial harassment, sexual harassment, or sex-
13 ual abuse;

14 “(v) high rates of referrals of youths to drug
15 and alcohol abuse treatment and rehabilitation pro-
16 grams;

17 “(vi) high rates of referrals of youths to juve-
18 nile court;

19 “(vii) high rates of expulsions and suspensions
20 of students from schools;

21 “(viii) high rates of reported cases of child
22 abuse and domestic violence;

23 “(ix) the extent of illegal gang activity;

24 “(x) local fiscal capacity to fund such programs
25 without Federal assistance;

1 “(xi) the incidence of drug paraphernalia in
2 schools;

3 “(xii) high rates of drug-related emergencies or
4 deaths; and

5 “(xiii) high rates of drug distribution or sales
6 on, or around, school grounds.

7 “(C)(i) The State educational agency shall base the
8 competition it conducts under subparagraph (A) on the
9 quality of the applicant’s proposed program and how close-
10 ly it is aligned with the principles of effectiveness de-
11 scribed in clause (ii).

12 “(ii) For the purpose of this subsection, the State
13 educational agency shall use the following principles of ef-
14 fectiveness:

15 “(I) The applicant’s program is based on a
16 thorough assessment of objective data about the
17 drug and violence problems in the schools and com-
18 munities to be served.

19 “(II) The applicant has established a set of
20 measurable goals and objectives aimed at ensuring
21 that all schools served by the local educational agen-
22 cy have a drug-free, safe, and orderly learning envi-
23 ronment, and has designed its programs to meet
24 those goals and objectives.

1 “(III) The applicant has designed and will im-
2 plement its programs for youth based on research or
3 evaluation that provides evidence that the program
4 to be used will prevent or reduce drug use, violence,
5 delinquency, or disruptive behavior among youth.

6 “(IV) The applicant will evaluate its program
7 periodically to assess its progress toward achieving
8 its goals and objectives, and will use evaluation re-
9 sults to refine, improve, and strengthen its program,
10 and refine its goals and objectives, as needed.

11 “(D) A State educational agency may make sub-
12 grants under this paragraph to not more than 50 percent
13 of the local educational agencies in the State, unless the
14 State demonstrates in its application under section 4112
15 that the State educational agency can make subgrants to
16 more than 50 percent of the local educational agencies in
17 the State and still comply with subparagraph (E).

18 “(E) Subgrants under this paragraph shall be of suf-
19 ficient size to support high-quality, effective programs and
20 activities that are designed to create safe, disciplined, and
21 drug-free learning environments in schools and that are
22 consistent with the needs, goals, and objectives identified
23 in the State’s plan under section 4112.

24 “(3)(A) A State educational agency may use not more
25 than 10 percent of the amount described in subsection (a)

1 to make non-competitive subgrants to local educational
2 agencies (or consortia of local educational agencies) with
3 the greatest need for assistance as described in paragraph
4 (2)(B) that did not receive a subgrant under subpara-
5 graph (2)(A). A local educational agency may not receive
6 more than one subgrant under this paragraph.

7 “(B) A State educational agency shall not make a
8 subgrant to a local educational agency under this para-
9 graph unless it—

10 “(i) assists the local educational agency in
11 meeting the information requirements under section
12 4116(a) pertaining to local educational agency needs
13 assessment, results-based performance measures,
14 comprehensive safe and drug-free schools plan, eval-
15 uation plan, and assurances; and

16 “(ii) provides continuing technical assistance to
17 the local educational agency to build its capacity to
18 develop and implement high-quality, effective pro-
19 grams consistent with the principles of effectiveness
20 in subsection (c)(2)(C)(ii).

21 “(d) PROJECT PERIODS AND REALLOCATION.—
22 (1)(A) Subgrants under subsection (c) shall be for project
23 periods not to exceed three years.

24 “(B) In order to receive funds under this section for
25 the second or third year of the project, a local educational

1 agency shall demonstrate to the satisfaction of the State
2 educational agency that the local educational agency's
3 project is making reasonable progress toward its perform-
4 ance measures under section 4116(a)(3)(C).

5 “(2) A State educational agency may require local
6 educational agencies to return funds awarded to them
7 under this section that they have not expended within one
8 year of the date of the subgrant, and may award such
9 recovered funds to other local educational agencies with
10 the greatest need for them—

11 “(A) through a new competition;

12 “(B) by funding high-quality applications that
13 were not funded in a previous competition; or

14 “(C) by making supplemental awards to current
15 subgrant recipients.

16 “LOCAL DRUG AND VIOLENCE PREVENTION PROGRAMS

17 “SEC. 4114. (a) PRINCIPLES OF EFFECTIVENESS.—

18 Each local educational agency that receives a subgrant
19 under section 4113(c) shall use those funds to support re-
20 search-based, drug- and violence-prevention services and
21 activities that are consistent with the principles of effec-
22 tiveness described in section 4113(c)(2)(C)(ii).

23 “(b) OTHER AUTHORIZED ACTIVITIES.—(1) Each
24 local educational agency that receives a subgrant under
25 section 4113(c) may also use those funds to carry out,
26 in a manner that is consistent with the most recent rel-

1 evant research, other services and activities that are con-
2 sistent with the purposes of this title, such as—

3 “(A) staff training and development;

4 “(B) parental involvement and training;

5 “(C) community involvement activities;

6 “(D) law enforcement and security activities
7 that are related to school safety and drug use;

8 “(E) creating and maintaining safe zones of
9 passage to and from school to prevent violence and
10 drug trafficking;

11 “(F) counseling, mentoring, and referral serv-
12 ices, and other student assistance programs;

13 “(G) before- and after-school programs;

14 “(H) alternative education programs for those
15 students who have been expelled from their regular
16 education programs;

17 “(I) programs to assist students to reenter the
18 regular education program upon return from treat-
19 ment or alternative education settings;

20 “(J) services and activities that reduce the need
21 for suspension and expulsion in maintaining class-
22 room order and school discipline;

23 “(K) services and activities to prevent and re-
24 duce truancy;

1 “(L) teaching students about the risks and con-
2 sequences associated with handling firearms and
3 that enables them to make safe choices and avoid in-
4 juries to themselves and others; and

5 “(M) activities designed to prevent hate crimes.

6 “(2) A local educational agency may not use more
7 that 20 percent of its subgrant for the acquisition or use
8 of metal detectors and security personnel unless it dem-
9 onstrates in its application under section 4116 to the sat-
10 isfaction of the State educational agency that it has a com-
11 pelling need to do so.

12 “GOVERNOR’S PROGRAMS

13 “SEC. 4115. (a) ALLOCATION OF FUNDS.—In each
14 fiscal year, 20 percent of the total amount allocated to
15 the State under section 4111(b) shall be used by the Gov-
16 ernor to support community efforts that directly com-
17 plement the efforts of local educational agencies to foster
18 drug-free, safe, and orderly learning environments in and
19 around schools.

20 “(b) STATE-LEVEL ACTIVITIES.—(1) A Governor
21 shall reserve not more than 20 percent of the amount de-
22 scribed in subsection (a) for State-level activities described
23 in paragraph (2) and section 4113(b)(4).

24 “(2) A Governor may use not more than 5 percent
25 of the amount described in subsection (a) for costs, direct

1 or indirect, of carrying out the Governor’s administrative
2 responsibilities under this part.

3 “(3) The Governor shall reserve the remainder of the
4 amount described in paragraph (1), after application of
5 paragraph (2), but not less than 10 percent of the amount
6 described in subsection (a), for State-level activities that
7 are administered jointly with the State educational agency,
8 as described in section 4113(b)(4).

9 “(c) LOCAL-LEVEL ACTIVITIES.—(1)(A) A Governor
10 shall use not less than 80 percent of the amount described
11 in subsection (a) to make competitive subgrants to, or con-
12 tracts with, community-based organizations, local edu-
13 cational agencies, and other public entities and private
14 non-profit organizations, or consortia thereof, to support
15 community efforts that directly complement the efforts of
16 local educational agencies to foster drug-free, safe, and or-
17 derly learning environments in and around schools.

18 “(B) To be eligible for a subgrant under this sub-
19 section, an applicant (other than a local educational agen-
20 cy applying on its own behalf) shall include in its applica-
21 tion its written agreement with one or more local edu-
22 cational agencies, or one or more schools within a local
23 educational agency, to provide services and activities in
24 support of such local educational agencies or schools, as
25 well as an explanation of how those services and activities

1 will complement or support the local educational agencies’
2 or schools’ efforts to provide a drug-free, safe, and orderly
3 school environment.

4 “(C) The Governor shall base the competition con-
5 ducted under subparagraph (A)—

6 “(i) on the quality of the applicant’s proposed
7 program and how closely it is aligned with the prin-
8 ciples of effectiveness described in section
9 4113(c)(2)(C)(ii); and

10 “(ii) on the needs of the schools or local edu-
11 cational agencies to be served, based on the objective
12 criteria determined by the Governor.

13 “(D) Subgrants under this subsection may support
14 community efforts on a Statewide, regional, or local basis
15 and may support the efforts of local educational agencies
16 and schools that do not receive funds under this part.

17 “(2)(A) Each recipient of a subgrant under this sub-
18 section shall use those funds to support research-based
19 services and activities that are consistent with the prin-
20 ciples of effectiveness described in section
21 4113(c)(2)(C)(ii).

22 “(B) Each recipient of a subgrant under this sub-
23 section may also use those funds to carry out, in a manner
24 that is consistent with the most recent relevant research,

1 other services and activities that are consistent with the
2 purposes of this title, such as—

3 “(i) counseling and mentoring services;

4 “(ii) the support of school resource officers, and
5 other partnerships with law enforcement;

6 “(iii) after-school programs;

7 “(iv) activities designed to prevent hate crimes;

8 and

9 “(v) alternative education programs for stu-
10 dents removed from their regular educational pro-
11 grams.

12 “LOCAL APPLICATIONS

13 “SEC. 4116. APPLICATION CONTENTS.—(a)(1) Ap-
14 plicants for subgrants under section 4113(c)(2), section
15 4113(c)(3), and section 4115(c) shall submit an applica-
16 tion at such time and including such information as the
17 State educational agency or the Governor, as applicable,
18 requires, consistent with paragraph (3).

19 “(2)(A) Applications from local educational agencies
20 for subgrants under section 4113(c)(2), section
21 4113(c)(3), and section 4115(c) shall be developed in con-
22 sultation with a local or regional advisory council that in-
23 cludes, to the extent possible, representatives of local gov-
24 ernment, business, parents, students, teachers, pupil serv-
25 ices personnel, mental health service providers, appro-
26 priate State agencies, private schools, law enforcement,

1 community-based organizations, and other groups inter-
2 ested in, and knowledgeable about, drug and violence pre-
3 vention.

4 “(B) Applications from entities other than local edu-
5 cational agencies for subgrants under section 4115(c)
6 shall be developed in consultation with the schools or local
7 educational agencies to be served and, to the extent prac-
8 ticable, with the representatives described in subparagraph
9 (A).

10 “(3) Each application for a subgrant described in
11 subsection (a) shall contain—

12 “(A) the results of the applicant’s needs assess-
13 ment concerning the creation and maintenance of a
14 drug-free, safe, and orderly school environment and
15 include data on the prevalence of drug use and vio-
16 lence by youth in the schools and communities to be
17 served;

18 “(B) a description of how the applicant will tar-
19 get services and activities on the communities,
20 schools, and students with the greatest need for as-
21 sistance in creating and maintaining drug-free, safe,
22 and orderly learning environments;

23 “(C) the applicant’s results-based performance
24 measures for creating and maintaining a drug-free,
25 safe, and orderly learning environment, which shall

1 be focused on student behavior and attitudes, and
2 include annual targets for each performance meas-
3 ure;

4 “(D) a description of the procedures the appli-
5 cant will use to assess and publicly report progress
6 toward meeting its performance indicators;

7 “(E) a description of how—

8 “(i) the applicant will use the funds to be
9 awarded and how the activities it will support
10 with those funds address the needs identified
11 under subparagraph (A) and the performance
12 measures identified in subparagraph (C); and

13 “(ii) if the applicant is a local educational
14 agency, how those activities are consistent with
15 the Safe and Drug-Free Schools plan under
16 paragraph (4)(F) or another existing school
17 plan related to safe, disciplined, and drug-free
18 environments;

19 “(F) a description of how the applicant will co-
20 ordinate its activities with local, State, and Federal
21 law enforcement, health, mental health, and edu-
22 cation officials;

23 “(G) a description of how the applicant will co-
24 ordinate its activities under this part with those im-

1 plemented under the Drug-Free Communities Act, if
2 any;

3 “(H) a description of the applicant’s plan for
4 evaluating its project; and

5 “(I) any other information the State edu-
6 cational agency or Governor, as applicable, may re-
7 quire to review applications, and award subgrants,
8 based on the applicant’s need for assistance and the
9 quality of the application.

10 “(4) Each applicant for a subgrant under section
11 4113(c)(2) or 4113(c)(3) shall also include in its applica-
12 tion an assurance that it—

13 “(A) has a policy, consistent with State law and
14 the Gun-Free Schools Act, that requires the expul-
15 sion of students who possess a firearm at school;

16 “(B) has, or will have, a full- or part-time pro-
17 gram coordinator whose primary responsibility is
18 planning, designing, implementing, and evaluating
19 the applicant’s programs (unless the applicant dem-
20 onstrates in its application, to the satisfaction of the
21 State educational agency, that such a program coor-
22 dinator is not needed);

23 “(C) will evaluate its program every two years
24 to assess its progress toward meeting its goals and
25 objectives, and will use the results of its evaluation

1 to improve its program and refine its goals and ob-
2 jectives, as needed; and

3 “(D) has, or the schools to be served have, a
4 comprehensive Safe and Drug-Free Schools plan
5 that includes—

6 “(i) appropriate and effective discipline
7 policies that prohibit disorderly conduct, the
8 possession of firearms and other weapons, and
9 the illegal use, possession, distribution, and sale
10 of tobacco, alcohol, and other drugs by stu-
11 dents, and that mandate predetermined con-
12 sequences, sanctions, or interventions for spe-
13 cific offenses;

14 “(ii) security procedures at school and
15 while students are on the way to and from
16 school, which may include the use of metal de-
17 tectors and the development and implementa-
18 tion of formal agreements with law enforcement
19 officials;

20 “(iii) early intervention and prevention ac-
21 tivities of demonstrated effectiveness designed
22 to create and maintain safe, disciplined, and
23 drug-free environments;

24 “(iv) school readiness and family involve-
25 ment activities;

1 “(v) improvements to classroom manage-
2 ment and school environment, such as efforts to
3 reduce class size or improve classroom dis-
4 cipline;

5 “(vi) procedures to identify and intervene
6 with troubled students, including establishing
7 linkages with, and referring students to, juve-
8 nile justice, community mental health, and
9 other service providers;

10 “(vii) activities that connect students to re-
11 sponsible adults in the community, including ac-
12 tivities such as after-school or mentoring pro-
13 grams; and

14 “(viii) a crisis management plan for re-
15 sponding to violent or traumatic incidents on
16 school grounds, which provides for addressing
17 the needs of victims, and communicating with
18 parents, the media, law enforcement officials,
19 and mental health service providers.

20 “(5) Each applicant for a subgrant under section
21 4115(c) shall also include in its application—

22 “(A) a description of how the services and ac-
23 tivities to be supported will be coordinated with rel-
24 evant programs under this part that are supported

1 by State educational agencies, including how recipi-
2 ents will share resources, services, and data;

3 “(B) a description of how the applicant will co-
4 ordinate its activities under this part with those im-
5 plemented under the Drug-Free Communities Act, if
6 any; and

7 “(C)(i) an assurance that it will evaluate its
8 program every two years to assess its progress to-
9 ward meeting its goals and objectives, and will use
10 the results of its evaluation to improve its program
11 and refine its goals and objectives as needed, if the
12 applicant is not a local educational agency; or

13 “(ii) the assurances under paragraph (4) if the
14 applicant is a local educational agency.

15 “(b) REVIEW OF APPLICATION.—To review applica-
16 tions under this section—

17 “(1) State educational agencies shall use a peer
18 review process; and

19 “(2) Governors may use a peer review process
20 or other methods that ensure that applications are
21 funded on the basis of need and quality.

22 “NATIONAL EVALUATIONS AND DATA COLLECTIONS

23 “SEC. 4117. (a) NATIONAL EVALUATIONS.—(1) The
24 Secretary shall provide for periodic national evaluations,
25 at least every two years, of the quality and impact of pro-
26 grams under this title and other programs designed to pre-

1 vent drugs and violence in schools and submit a report
2 of the findings of such evaluations to the President and
3 Congress.

4 “(2)(A) The National Center for Education Statistics
5 shall collect data to determine the frequency, seriousness,
6 and incidence of violence in elementary and secondary
7 schools in the States. The Secretary shall collect the data
8 using, wherever appropriate, data submitted by the States
9 pursuant to subsection (b)(1)(B).

10 “(B) The Secretary shall report to Congress on the
11 data collected under this paragraph, together with such
12 recommendations as the Secretary determines appro-
13 priate.

14 “(3) The Secretary of Education and the Attorney
15 General shall publish annual reports on school safety.

16 “(b) STATE REPORTS.—(1) The Governor and State
17 educational agency of each State shall annually report to
18 the Secretary, in such form as the Secretary may require,
19 on the State’s progress toward attaining its performance
20 indicators, required under section 4112(a)(1)(c)(ii), for
21 achieving drug-free, safe, and orderly learning environ-
22 ments in its schools. Annual reports shall—

23 “(A) be based on the State’s ongoing evaluation
24 activities;

1 “(B) include data on the prevalence and inci-
2 dence of drug use and violence by youth in schools
3 and communities;

4 “(C) address the implementation and outcomes
5 of State and local programs under this part, as well
6 as their effectiveness; and

7 “(D) be made readily available to the public.

8 “(2) Each State shall report to the Secretary, in such
9 form as the Secretary, in consultation with the Secretary
10 of Health and Human Services, may require, all school-
11 related suicides and homicides within the State within 30
12 days of the incident.

13 “(c) LOCAL REPORTS.—(1)(A) Each local edu-
14 cational agency that receives a subgrant under section
15 4113(c)(2) or section 4113(c)(3) shall report annually to
16 the State educational agency and the public on—

17 “(i) the local educational agency’s progress to-
18 ward meeting its results-based performance indica-
19 tors for its program;

20 “(ii) the results of its on-going evaluation of its
21 program; and

22 “(iii) any problems the local educational agency
23 has encountered in implementing its program that
24 warrant the provision of technical assistance by the
25 State educational agency.

1 “(B) The State educational agency shall review the
2 annual reports described under paragraph (1) and shall
3 not provide funding for the second or third year of a local
4 educational agency’s program unless it determines that
5 the local educational agency is making reasonable progress
6 toward meeting its objectives.

7 “(2)(A) Each recipient of funds under section
8 4115(c) shall report annually to the Governor and to the
9 public on—

10 “(i) its progress toward meeting its results-
11 based performance measures for its program;

12 “(ii) the results of its on-going evaluation of its
13 program; and

14 “(iii) any problems it encountered in imple-
15 menting its program that warrant the provision of
16 technical assistance by the Governor.

17 “(B) The Governor shall review the annual reports
18 described under subparagraph (A), and shall not provide
19 funding for subsequent years of a multi-year program un-
20 less the Governor determines that the recipient is making
21 reasonable progress toward meeting its objectives.

22 “PART B—NATIONAL PROGRAMS

23 “NATIONAL ACTIVITIES

24 “SEC. 4211. (a) PROGRAM AUTHORIZED.—From
25 funds appropriated to carry out this part for each fiscal

1 year under section 4004(2), the Secretary shall carry
2 out—

3 “(1) programs designed to promote drug-free,
4 safe, and orderly learning environments for students
5 at all educational levels, from preschool through the
6 postsecondary level; and

7 “(2) programs for such students that promote
8 lifelong physical activity.

9 “(b) DRUG-FREE, SAFE, AND ORDERLY LEARNING
10 ENVIRONMENTS.—(1) The Secretary may carry out the
11 programs described in subsection (a)(1) directly, or
12 through grants, contracts, or cooperative agreements with
13 public and private agencies, organizations, and individ-
14 uals, or through agreements with other Federal agencies,
15 and shall coordinate with other Federal agencies, as ap-
16 propriate.

17 “(2) Programs under this subsection may include,
18 but are not limited to—

19 “(A) one or more centers to provide training
20 and technical assistance for teachers, school admin-
21 istrators and staff, and others on the identification
22 and implementation of effective strategies to pro-
23 mote safe, orderly, and drug-free learning environ-
24 ments;

1 “(B) programs to train teachers in innovative
2 techniques and strategies of effective drug and vio-
3 lence prevention;

4 “(C) research and demonstration projects to
5 test innovative approaches to drug and violence pre-
6 vention;

7 “(D) evaluations of the effectiveness of pro-
8 grams funded under this title, or other programs de-
9 signed to create safe, disciplined, and drug-free envi-
10 ronments;

11 “(E) direct services and technical assistance to
12 schools and school systems, including those afflicted
13 with especially severe drug and violence problems;

14 “(F) developing and disseminating drug and vi-
15 olence prevention materials and information in print,
16 audiovisual, or electronic format, including informa-
17 tion about effective research-based programs, poli-
18 cies, practices, strategies, and curriculum and other
19 relevant materials to support drug and violence pre-
20 vention education;

21 “(G) recruiting, hiring, and training program
22 coordinators to assist school districts in imple-
23 menting high-quality, effective, research-based drug
24 and violence prevention programs;

1 “(H) the development and provision of edu-
2 cation and training programs, curricula, instruc-
3 tional materials, and professional training for pre-
4 venting and reducing the incidence of crimes or con-
5 flicts motivated by bullying, hate, prejudice, intoler-
6 ance, or sexual harassment and abuse;

7 “(I) programs for youth who are out of the edu-
8 cation mainstream, including school dropouts, stu-
9 dents who have been suspended or expelled from
10 their regular education program, and runaway or
11 homeless children and youth;

12 “(J) programs implemented in conjunction with
13 other Federal agencies that support local educational
14 agencies and communities in developing and imple-
15 menting comprehensive programs that create safe,
16 disciplined, and drug-free learning environments and
17 promote healthy childhood development;

18 “(K) services and activities that reduce the
19 need for suspension and expulsion in maintaining
20 classroom order and discipline;

21 “(L) services and activities to prevent and re-
22 duce truancy;

23 “(M) programs to provide counseling services to
24 troubled youth, including support for the recruit-

1 ment and hiring of counselors and the operation of
2 telephone help lines; and

3 “(N) other activities that meet emerging or
4 unmet national needs consistent with the purposes of
5 this title.

6 “(c) LIFELONG PHYSICAL ACTIVITY PROGRAMS.—

7 (1) The Secretary may carry out the programs described
8 in subsection (a)(2) directly, or through grants, contracts,
9 or cooperative agreements with public and private agen-
10 cies, organizations, and individuals, or through agree-
11 ments with other Federal agencies, and shall coordinate
12 with the Centers for Disease Control and Prevention, the
13 President’s Council on Physical Fitness, and other Fed-
14 eral agencies, as appropriate.

15 “(2) Programs under this subsection may include,
16 but are not limited to—

17 “(A) the conduct of demonstrations of school-
18 based programs that promote lifelong physical activ-
19 ity, with a particular emphasis on physical education
20 programs that are part of coordinated school health
21 programs, that promote healthy, drug-free lifestyles;

22 “(B) training, technical assistance, and other
23 activities to encourage States and local educational
24 agencies to implement sound school-based programs

7 “(d) PEER REVIEW.—The Secretary shall use a peer
8 review process in reviewing applications for funds under
9 this section.

12 “PROJECT SERV

21 “(2) The Secretary may carry out Project SERV di-
22 rectly, or through grants, contracts, or cooperative agree-
23 ments with public and private organizations, agencies, and
24 individuals, or through agreements with other Federal
25 agencies.

1 “(b) AUTHORIZED ACTIVITIES.—(1) Project SERV
2 may provide—

3 “(A) assistance to school personnel in assessing
4 a crisis situation, including—

5 “(i) assessing the resources available to the
6 local educational agency and community to re-
7 spond to the situation; and

8 “(ii) developing a response plan to coordi-
9 nate services provided at the Federal, State,
10 and local level;

11 “(B) mental health crisis counseling to students
12 and their families, teachers, and others in need of
13 such services;

14 “(C) increased school security;

15 “(D) training and technical assistance for State
16 and local educational agencies, State and local men-
17 tal health agencies, State and local law enforcement
18 agencies, and communities to enhance their capacity
19 to develop and implement crisis intervention plans;

20 “(E) services and activities designed to identify
21 and disseminate the best practices of school- and
22 community-related plans for responding to crises;
23 and

24 “(F) other needed services and activities that
25 are consistent with the purposes of this part.

1 “(2) The Secretary, in consultation with the Attorney
2 General, the Secretary of Health and Human Services,
3 and the Director of the Federal Emergency Management
4 Agency—

5 “(A) shall establish such criteria and applica-
6 tion requirements as may be needed to select which
7 local educational agencies are assisted under this
8 part; and

9 “(B) may establish such reporting requirements
10 as may be needed to collect uniform data and other
11 information from all local educational agencies as-
12 sisted under this part.

13 “(c) COORDINATING COMMITTEE.—(1) There shall
14 be established a Federal coordinating committee on school
15 crises comprised of the Secretary, the Attorney General,
16 the Secretary of Health and Human Services, the Director
17 of the Federal Emergency Management Agency, the Di-
18 rector of the Office of National Drug Control Policy, and
19 such other members as the Secretary shall determine. The
20 Secretary shall serve as chair of the Committee.

21 “(2) The Committee shall coordinate the Federal re-
22 sponses to crises that occur in schools or directly affect
23 the learning environment in schools.

1 “PART D—RELATED PROVISIONS

2 “GUN-FREE SCHOOLS ACT

3 “SEC. 4411. (a) SHORT TITLE.—This section may be
4 cited as the ‘Gun-Free Schools Act’.

5 “(b) REQUIREMENTS.—(1) Each State receiving
6 Federal funds under the Elementary and Secondary Edu-
7 cation Act of 1965 shall have in effect a State law requir-
8 ing local educational agencies to expel from school, for a
9 period of not less than one year, a student who is deter-
10 mined to have possessed a firearm at school under the ju-
11 risdiction of a local educational agency in that State, ex-
12 cept that such State law shall allow the chief admin-
13 istering officer of that local educational agency to modify
14 the expulsion requirement for a student on a case-by-case
15 basis.

16 “(2) For the purpose of this section, the term ‘fire-
17 arm’ has the same meaning given that term in section 921
18 of title 18, United States Code (which includes bombs).

19 “(c) SPECIAL RULE.—This section shall be construed
20 in a manner consistent with the Individuals with Disabil-
21 ities Education Act.

22 “(d) REPORT TO STATE.—Each local educational
23 agency requesting assistance from the State educational
24 agency under this Act shall provide to the State in its
25 application—

1 “(1) an assurance that such local educational
2 agency is in compliance with the State law required
3 by subsection (b);

4 “(2) a description of the circumstances sur-
5 rounding any expulsions imposed under the State
6 law required by subsection (b), including—

7 “(A) the name of the school concerned;

8 “(B) the number of students expelled from
9 such school (disaggregated by gender, race, eth-
10 nicity, and educational level); and

11 “(C) the type of weapons concerned; and

12 “(3) the number of—

13 “(A) students referred to the criminal jus-
14 tice or juvenile justice system as required in
15 section 4412(a)(1); and

16 “(B) instances in which the chief admin-
17 istering officer of a local educational agency
18 modified the expulsion requirement described in
19 subsection (b)(1) on a case-by-case basis.

20 “(e) REPORTING.—Each State shall report the infor-
21 mation described in subsection (d) to the Secretary on an
22 annual basis.

23 “LOCAL POLICIES

24 “SEC. 4412. (a) REQUIRED POLICIES.—No funds
25 shall be made available under the Elementary and Sec-

1 ondary Education Act of 1965 to any local educational
2 agency unless that agency has a policy ensuring—

3 “(1) that any student who possesses a firearm
4 at school served by such agency is referred to the
5 criminal justice or juvenile justice system;

6 “(2) that a student described in paragraph (1)
7 is referred to a mental health professional for as-
8 sessment as to whether he or she poses an imminent
9 threat of harm to himself, herself, or others and
10 needs appropriate mental health services before re-
11 admission to school; and

12 “(3) that a student under paragraph (1) who
13 has been determined by a mental health professional
14 to pose an imminent threat of harm to himself, her-
15 self, or others receive, in addition to appropriate
16 services under section 11206(9) of this Act, appro-
17 priate mental health services before being permitted
18 to return to school.

19 “(b) SPECIAL RULE.—This section shall be construed
20 in a manner consistent with the Individuals with Disabil-
21 ities Education Act.

22 “(c) DEFINITIONS.—For the purposes of this section,
23 the terms ‘firearm’ and ‘school’ have the same meaning
24 given those terms in section 921(a) of title 18, United
25 States Code.

1 “MATERIALS

2 “SEC. 4413. (a) ‘WRONG AND HARMFUL MES-
3 SAGE’.—Drug prevention programs supported under this
4 title shall convey a clear and consistent message that the
5 illegal use of alcohol and other drugs is wrong and harm-
6 ful.

7 “(b) CURRICULUM.—The Secretary shall not pre-
8 scribe the use of particular curricula for programs under
9 this title, but may evaluate and disseminate information
10 about the effectiveness of such curricula and programs.

11 “PROHIBITED USES OF FUNDS

12 “SEC. 4414. No funds under this title may be used
13 for—

14 “(1) construction (except for minor remodeling
15 needed to accomplish the purposes of this part); and

16 “(2) medical services or drug treatment or re-
17 habilitation, except for pupil services or referral to
18 treatment for students who are victims of, or wit-
19 nesses to, crime or who use alcohol, tobacco, or
20 drugs.”

21 “DRUG-FREE, ALCOHOL-FREE, AND TOBACCO-FREE

22 SCHOOLS

23 “SEC. 4415. (a) REQUIRED POLICY.—Each State
24 educational agency and local educational agency that re-
25 ceives funds under this title shall have a policy that pro-
26 hibits the possession or use of tobacco, and the illegal pos-

1 session or use of drugs and alcohol, in any form, at any
2 time, and by any person, in school buildings, on school
3 grounds, or at any school-sponsored event.

4 “(b) ASSURANCE.—Each local educational agency re-
5 questing assistance under this title from the State edu-
6 cational agency shall include in its application an assur-
7 ance that it is in compliance with the requirements of this
8 section.

9 “(c) STATE REPORTING.—Each State educational
10 agency shall report to the Secretary on an annual basis
11 if any local educational agency is not in compliance with
12 the requirements of subsection (a).

13 “PROHIBITION ON SUPPLANTING

14 “SEC. 4416. Funds under this title shall be used to
15 increase the level of State, local, and other non-Federal
16 funds that would, in the absence of funds under this title,
17 be made available for programs and activities authorized
18 under this title, and in no case to supplant such State,
19 local, and other non-Federal funds.

20 “DEFINITIONS OF TERMS

21 “SEC. 4417. As used in this title—

22 “(1) the term ‘drug and violence prevention’
23 means—

24 “(A) with respect to drugs, prevention,
25 early intervention, rehabilitation, referral, or
26 education related to the illegal use of alcohol

1 and the use of controlled, illegal, addictive, or
2 harmful substances, including inhalants and an-
3 abolic steroids;

4 “(B) prevention, early intervention, smok-
5 ing cessation activities, or education related to
6 the use of tobacco by children and youth eligible
7 for services under this title; and

8 “(C) with respect to violence, the pro-
9 motion of school safety, such that students and
10 school personnel are free from violent and dis-
11 ruptive acts, including sexual harassment and
12 abuse and victimization associated with preju-
13 dice and intolerance, on school premises, going
14 to and from school, and at school-sponsored ac-
15 tivities, through the creation and maintenance
16 of a school environment that is free of weapons
17 and fosters individual responsibility and respect
18 for the rights of others;

19 “(2) the terms ‘drug treatment’ and ‘drug reha-
20 bilitation’ include activities to assist regular users of
21 drugs to become drug-free, but do not include alter-
22 native education programs for students expelled
23 from school, student assistance programs, or pro-
24 grams to help students who have been expelled to re-

1 enter and succeed in their regular education pro-
 2 gram;

3 “(3) the term ‘hate crime’ means a crime de-
 4 scribed in section 1(b) of the Hate Crime Statistics
 5 Act of 1990; and

6 “(4) the term ‘medical services’ includes, but is
 7 not limited to, the diagnosis and treatment of dis-
 8 ease, illness, or injury, but does not include assess-
 9 ments by mental health professionals to determine
 10 whether a student poses an imminent threat of harm
 11 to himself or others.”.

12 TITLE V—PROMOTING EQUITY, EXCELLENCE,
 13 AND PUBLIC SCHOOL CHOICE

14 RENAMING THE TITLE

15 SEC. 501. The heading for Title V of the ESEA is
 16 amended to read as follows: “TITLE V—PROMOTING
 17 EQUITY, EXCELLENCE, AND PUBLIC SCHOOL
 18 CHOICE”.

19 AMENDMENTS TO THE MAGNET SCHOOLS ASSISTANCE
 20 PROGRAM

21 SEC. 502. (a) FINDINGS.—Section 5101 of the ESEA
 22 is amended to read as follows:

23 “FINDINGS

24 “SEC. 5101. The Congress finds as follows:

1 “(1) Magnet schools are a significant part of
2 our Nation’s effort to achieve voluntary desegrega-
3 tion in our Nation’s schools.

4 “(2) It is in the national interest to desegregate
5 and diversify those schools in our Nation that are
6 racially, economically, linguistically, or ethnically
7 segregated. Such segregation exists between minority
8 and non-minority students as well as among stu-
9 dents of different minority groups.

10 “(3) Desegregation can help increase rates of
11 high school graduation and college attendance, and
12 can promote better occupational prospects for stu-
13 dents who have attended integrated schools.

14 “(4) Desegregation can provide students with
15 valuable experience that prepares them to function
16 in a diverse society and can help break down long-
17 standing patterns of racial isolation in adult social
18 relationships.

19 “(5) Despite ongoing desegregation efforts in
20 the Nation—

21 “(A) almost one-third of our elementary
22 and secondary schools continue to be schools
23 with 50 percent or more minority students;

24 “(B) more than two-thirds of minority stu-
25 dents attend schools with 50 percent or more

1 minority students, and almost half of minority
2 students attend schools with 75 percent or more
3 minority students;

4 “(C) almost one-third of non-minority stu-
5 dents attend schools with less than 10 percent
6 minority students;

7 “(D) almost one-quarter of African-Amer-
8 ican students attend schools with 90 percent or
9 more African-American students; and

10 “(E) almost one-third of Hispanic students
11 attend schools with 75 percent or more His-
12 panic students.

13 “(6) Local educational agencies” use of magnet
14 schools has increased dramatically since the enact-
15 ment of the Magnet Schools Assistance program,
16 thus increasing public school options for the approxi-
17 mately two million students nationwide now attend-
18 ing such schools, of which more than 65 percent of
19 the students are minority.

20 “(7) Magnet schools offer a wide range of dis-
21 tinctive programs that have served as models for
22 school improvement efforts.

23 “(8) In administering the Magnet Schools As-
24 sistance program, the Federal Government has
25 learned that—

1 “(A) where magnet programs are imple-
2 mented for only a portion of a school’s student
3 body, special efforts must be made to discour-
4 age the isolation of—

5 “(i) magnet school students from
6 other students in the school; and

7 “(ii) students by racial characteristics;

8 “(B) local educational agencies can maxi-
9 mize their effectiveness in achieving the pur-
10 poses of the Magnet Schools Assistance pro-
11 gram if they have more flexibility in the admin-
12 istration of the program in order to serve stu-
13 dents attending a school who are not enrolled in
14 the magnet program;

15 “(C) local educational agencies must be
16 creative in designing magnet schools for stu-
17 dents at all academic levels, so that those
18 schools do not serve only the highest-achieving
19 students;

20 “(D) consistent with desegregation guide-
21 lines, local educational agencies must seek to
22 enable participation in magnet school programs
23 by students who reside in the neighborhoods
24 where the programs operate;

1 “(E) in order to ensure that magnet
2 schools are sustained after Federal funding
3 ends, the Federal Government must assist
4 school districts to improve their capacity to con-
5 tinue operating magnet schools at a high level
6 of performance; and

7 “(F) magnet schools and interdistrict mag-
8 net programs have provided poor and minority
9 students opportunities to succeed academically
10 and continue with college or productive employ-
11 ment.

12 “(9) It is in the best interest of the Federal
13 Government to—

14 “(A) continue Federal support of school
15 districts implementing court-ordered desegrega-
16 tion plans and school districts seeking to foster
17 meaningful interaction among students of dif-
18 ferent racial and ethnic backgrounds, beginning
19 at the earliest stage of their education;

20 “(B) help ensure that all students have eq-
21 uitable access to high-quality education that will
22 prepare them to function well in a culturally di-
23 verse, technologically oriented, and highly com-
24 petitive global community; and

1 “(C) help maximize the ability of local edu-
2 cational agencies to plan, develop, implement
3 and continue effective and innovative magnet
4 schools that contribute to State and local sys-
5 temic reform.”.

6 (b) PURPOSE.—Section 5102(3) of the ESEA is
7 amended to read as follows:

8 “(3) the development and design of innovative
9 educational methods and practices that promote di-
10 versity and increase choices in public elementary and
11 secondary schools and educational programs; and”.

12 (c) APPLICATION REQUIREMENTS.—Section
13 5106(b)(1)(D) of the ESEA is amended by—

14 (1) striking out “under this Act, the Goals
15 2000: Educate America Act,” and inserting in lieu
16 thereof “under this Act,”; and

17 (2) striking out “section 14306” and inserting
18 in lieu thereof “section 14307”.

19 (d) PRIORITY.—Section 5107 of the ESEA is amend-
20 ed by—

21 (1) striking out paragraphs (1) and (5);

22 (2) redesignating paragraphs (2), (3), and (4)
23 as paragraphs (1), (2), and (3), respectively; and

24 (3) adding a new paragraph (4) to read as fol-
25 lows:

1 “(4) propose activities, which may include pro-
2 fessional development, that will build local capacity
3 to operate the magnet program once Federal assist-
4 ance has ended.”.

5 (e) USES OF FUNDS.—Section 5108(a) of the ESEA
6 is amended—

7 (1) by amending paragraph (3) to read as fol-
8 lows:

9 “(3) for the payment, or subsidization of the
10 compensation, of—

11 “(A) elementary and secondary school
12 teachers who are certified or licensed by the
13 State; and

14 “(B) instructional staff who have—

15 “(i) expertise and professional skills
16 necessary for the conduct of programs in
17 magnet schools; or

18 “(ii) demonstrate knowledge, experi-
19 ence, or skills in the relevant field of exper-
20 tise, such as expertise in the performing
21 arts, the medical sciences, or the field of
22 law;”;

23 (2) in paragraph (4), by striking out the period
24 and inserting in lieu thereof a semicolon and “and”;
25 and

7 (f) REPEAL.—Section 5111 of the ESEA is repealed.

10 (1) redesignated as section 5111; and

13 “EVALUATION, TECHNICAL ASSISTANCE, AND

15 “SEC. 5111. The Secretary may reserve not more
16 than five percent of the funds appropriated under section
17 5112(a) for any fiscal year—

“(A) how, and the extent to which, magnet
school programs lead to high educational qual-
ity and improvement;

24 “(B) the extent to which magnet school
25 programs enhance student access to high-quality
26 education;

1 “(C) the extent to which magnet school
2 programs lead to the elimination, reduction, or
3 prevention of minority group isolation in ele-
4 mentary and secondary schools with substantial
5 proportions of minority students;

6 “(D) the extent to which magnet school
7 programs differ from other school programs in
8 terms of organizational characteristics and re-
9 source allocations; and

10 “(E) the extent to which magnet school
11 programs continue once grant assistance under
12 this part ends;

13 “(2) to provide technical assistance to appli-
14 cants and grantees; and

15 “(3) to collect and disseminate information on
16 successful magnet school programs.”.

17 (h) AUTHORIZATION OF APPROPRIATIONS.—(1) Sec-
18 tion 5113(a) of the ESEA is amended to read as follows:

19 “(a) AUTHORIZATION.—For the purpose of carrying
20 out this part, there are authorized to be appropriated such
21 sums as may be necessary for fiscal year 2001 and for
22 each of the four succeeding fiscal years.”.

23 (2) Section 5113 of the ESEA, as amended by para-
24 graph (1), is redesignated as section 5112.

1 AMENDMENTS TO AND REDESIGNATION OF THE WOMEN'S
2 EDUCATIONAL EQUITY PROGRAM

3 SEC. 503. (a) AMENDMENTS TO THE WOMEN'S EDU-
4 CATIONAL EQUITY PROGRAM.—(1) Section 5201 of the
5 ESEA is amended—

6 (A) in subsection (a), by striking out “of
7 1994”; and

8 (B) in subsection (b)(3)—

9 (i) in paragraph (B), by striking out “do
10 not” and inserting in lieu thereof “continue not
11 to”; and

12 (ii) by amending paragraph (C) to read as
13 follows:

14 “(C) girls lose confidence in their mathe-
15 matics and science ability as they move through
16 adolescence, girls do not take as many upper-
17 level mathematics and science courses as boys,
18 and girls are dramatically underrepresented in
19 higher-level computer science courses;”.

20 (2) Section 5204 of the ESEA is amended—

21 (A) by striking out “section 5203(b)(1)” each
22 place it appears and inserting in lieu thereof “sec-
23 tion 5403(b)(2)(A)” in each such place;

1 (B) in paragraph (2), by striking out “the Na-
2 tional Education Goals” and inserting in lieu thereof
3 “America’s Education Goals”;

4 (C) by striking out paragraph (4); and

5 (D) by redesignating paragraphs (5) through
6 (7) as paragraphs (4) through (6), respectively.

7 (3) Section 5205(a)(1) of the ESEA is amended by
8 striking out “section 5203(b)” and inserting in lieu there-
9 of “section 5403(b)”.

10 (4) Section 5206 of the ESEA is repealed.

11 (5) Section 5207 of the ESEA is amended—

12 (A) by striking out subsection (a); and

13 (B) in subsection (b), by striking out the sub-
14 section designation and heading.

15 (6) Section 5208 is amended to read as follows:

16 “AUTHORIZATION OF APPROPRIATIONS

17 “SEC. 5208. For the purpose of carrying out this
18 part, there are authorized to be appropriated such sums
19 as may be necessary for fiscal year 2001 and for each of
20 the four succeeding fiscal years.”.

21 (b) REDESIGNATION.—(1) Part B of title V of the
22 ESEA is redesignated as part D.

23 (2) Sections 5201, 5202, 5203, 5204, 5205, 5207,
24 and 5208 of the ESEA are redesignated as sections 5401,
25 5402, 5403, 5404, 5405, 5406, and 5407, respectively.

1 REPEAL OF THE ASSISTANCE TO ADDRESS SCHOOL
2 DROPOUT PROBLEMS PROGRAM

3 SEC. 504. Part C of title V of the ESEA is repealed.

4 REDESIGNATION OF THE PUBLIC CHARTER SCHOOLS
5 PROGRAM

6 SEC. 505. (a) REDESIGNATION.—(1) Part C of title
7 X of the ESEA is redesignated as part B of title V of
8 the ESEA.

9 (2) The heading for Part B of Title V of the ESEA,
10 as redesignated by paragraph (1), is amended to read as
11 follows:

12 “PART B—PUBLIC CHARTER SCHOOLS”.

13 (3) Sections 10301 through 10311 of the ESEA are
14 redesignated as sections 5201 through 5211 of title V of
15 the ESEA, respectively.

16 (b) CONFORMING AMENDMENTS.—(1) Section 5202
17 of the ESEA, as redesignated by subsection (a)(3), is
18 amended—

19 (A) in subsection (a), by striking out “section
20 10303” and inserting in lieu thereof “section 5203”;

21 (B) in subsection (b), by—

22 (i) striking out “section 10303” and in-
23 serting in lieu thereof “section 5203”; and

24 (ii) striking out “section 10303(c)” and in-
25 serting in lieu thereof “section 5203(c)”;

1 (C) in subsection (c)(2)(C), by striking out
2 “section 10304(f)(6)(B)” and inserting in lieu there-
3 of “section 5204(f)(6)(B)”; and

4 (D) in subsection (e)(1), by striking out “sec-
5 tion 10311” each place it appears and inserting in
6 lieu thereof “section 5211”.

7 (2) Section 5203 of the ESEA, as redesignated by
8 subsection (a)(3), is amended—

9 (A) in subsection (b)(3)(L), by striking out
10 “section 10302(c)(2)(C)” and inserting in lieu there-
11 of “section 5202(c)(2)(C)”;

12 (B) in subsection (c), by striking out “section
13 10302(e)(1) or 10302(b)” and inserting in lieu
14 thereof “section 5202(b)”; and

15 (C) in subsection (d)(2)(B), by striking out
16 “section 10304(e)” and inserting in lieu thereof
17 “section 5204(e)”.

18 (3) Section 5204 of the ESEA, as redesignated by
19 subsection (a)(3), is amended—

20 (A) in subsection (a)—

21 (i) in the matter before paragraph (1), by
22 striking out “section 10303(b)” and inserting
23 in lieu thereof “section 5203(b)”; and

1 (ii) in paragraph (7), by striking out “sec-
 2 tion 10302(c)(2)(C)” and inserting in lieu
 3 thereof “section 5202(c)(2)(C)”;

4 (B) in subsection (b)(7), by striking out “sec-
 5 tion 10302(c)(2)(C)” and inserting in lieu thereof
 6 “section 5202(c)(2)(C)”; and

7 (C) in subsection (e), by striking out “section
 8 10310(1)” and inserting in lieu thereof “section
 9 5210(1)”.

10 OPTIONS: OPPORTUNITIES TO IMPROVE OUR NATION’S

11 SCHOOLS

12 SEC. 506. Title V of the ESEA is further amended
 13 by adding a new part C to read as follows:

14 “PART C—OPTIONS: OPPORTUNITIES TO IMPROVE OUR
 15 NATION’S SCHOOLS

16 “FINDINGS; PURPOSE

17 “SEC. 5301. (a) FINDINGS.—The Congress finds
 18 that—

19 “(1) a wide variety of educational opportunities
 20 and options in the public school system is needed to
 21 help all children achieve to high standards;

22 “(2) high-quality public school choice programs
 23 that are genuinely open and accessible to all stu-
 24 dents (including poor, minority, limited English pro-
 25 ficient, and disabled students) broaden educational
 26 opportunities and promote excellence in education;

1 “(3) current research shows that—

2 “(A) students learn in different ways, ben-
3 efitting from different teaching methods and in-
4 structional settings; and

5 “(B) family involvement in a child’s edu-
6 cation (such as helping choose what courses to
7 take) is a key factor supporting student
8 achievement;

9 “(4) public school systems have begun to de-
10 velop a variety of innovative programs that offer ex-
11 panded choices to parents and students; and

12 “(5) the Federal Government should support
13 and expand efforts to give students and parents the
14 high-quality public school choices they seek, to help
15 eliminate barriers to effective public school choice,
16 and to disseminate the lessons learned from high-
17 quality choice programs so that all public schools
18 can benefit from these efforts.

19 “(b) PURPOSE.—It is the purpose of this part to
20 identify and support innovative approaches to high-quality
21 public school choice by providing financial assistance for
22 the demonstration, development, implementation, and
23 evaluation of, and dissemination of information about,
24 public school choice projects that stimulate educational in-

novation for all public schools and contribute to standards-based school reform efforts.

“GRANTS

“SEC. 5302. (a) IN GENERAL.—From funds appropriated under section 5305(a) and not reserved under section 5305(b), the Secretary is authorized to make grants to State and local educational agencies to support programs that promote innovative approaches to high-quality public school choice.

“(b) DURATION.—Grants under this part shall not exceed three years.

“USES OF FUNDS

“SEC. 5303. (a) USES OF FUNDS.—(1) Funds under this part may be used to demonstrate, develop, implement, evaluate, and disseminate information on innovative approaches to broaden public school choice, including the design and development of new public school choice options, the development of new strategies for overcoming barriers to effective public school choice, and the design and development of public school choice systems that promote high standards for all students and the continuous improvement of all public schools.

“(2) Examples of such approaches at the school, district, and State levels are—

“(A) inter-district approaches to public school choice, including approaches that increase equal ac-

1 cess to high-quality educational programs and diver-
2 sity in schools;

3 “(B) public elementary and secondary programs
4 that involve partnerships with institutions of higher
5 education and that are located on the campuses of
6 those institutions;

7 “(C) programs that allow students in public
8 secondary schools to enroll in postsecondary courses
9 and to receive both secondary and postsecondary
10 academic credit;

11 “(D) worksite satellite schools, in which State
12 or local educational agencies form partnerships with
13 public or private employers, to create public schools
14 at parents’ places of employment; and

15 “(E) approaches to school desegregation that
16 provide students and parents choice through strate-
17 gies other than magnet schools.

18 “(b) LIMITATIONS.—Funds under this part shall—

19 “(1) supplement, and not supplant, non-Federal
20 funds expended for existing programs;

21 “(2) not be used for transportation; and

22 “(3) not be used to fund projects that are spe-
23 cifically authorized under part A or B of this title.

24 “GRANT APPLICATION; PRIORITIES

25 “SEC. 5304. (a) APPLICATION REQUIRED.—A State
26 or local educational agency desiring to receive a grant

1 under this part shall submit an application to the Sec-
2 retary, in such form and containing such information, as
3 the Secretary may require.

4 “(b) APPLICATION CONTENTS.—Each application
5 shall include—

6 “(1) a description of the program for which
7 funds are sought and the goals for such program;

8 “(2) a description of how the program funded
9 under this part will be coordinated with, and will
10 complement and enhance, programs under other re-
11 lated Federal and non-federal projects;

12 “(3) if the program includes partners, the name
13 of each partner and a description of its responsibil-
14 ities;

15 “(4) a description of the policies and procedures
16 the applicant will use to ensure—

17 “(A) its accountability for results, includ-
18 ing its goals and performance indicators; and

19 “(B) that the program is open and acces-
20 sible to, and will promote high academic stand-
21 ards for, all students.

22 “(c) PRIORITIES.—(1) The Secretary shall give a pri-
23 ority to applications for projects that would serve high-
24 poverty local educational agencies.

1 “(2) The Secretary is authorized to give a priority
2 to applications demonstrating that the applicant will carry
3 out its project in partnership with one or more public and
4 private agencies, organizations, and institutions, including
5 institutions of higher education and public and private em-
6 ployers.

7 “AUTHORIZATION OF APPROPRIATIONS

8 “SEC. 5305. (a) AUTHORIZATION OF APPROPRIA-
9 TION.—For the purpose of carrying out this part, there
10 are authorized to be appropriated such sums as may be
11 necessary for fiscal year 2001 and for each of the four
12 succeeding fiscal years.

13 “(b) RESERVATION FOR EVALUATION, TECHNICAL
14 ASSISTANCE, AND DISSEMINATION.—From the amount
15 appropriated under subsection (a) for any fiscal year, the
16 Secretary may reserve not more than five percent to carry
17 out evaluations under subsection (c), to provide technical
18 assistance, and to disseminate information.

19 “(c) EVALUATIONS.—The Secretary may use funds
20 reserved under subsection (b) to carry out one or more
21 evaluations of programs assisted under this part, which
22 shall, at a minimum, address—

23 “(1) how, and the extent to which, the pro-
24 grams supported with funds under this part promote
25 educational equity and excellence; and

1 “(2) the extent to which public schools of choice
2 supported with funds under this part are—

3 “(A) held accountable to the public;

4 “(B) effective in improving public edu-
5 cation; and

6 “(C) open and accessible to all students.”.

7 **TITLE VI—CLASS-SIZE REDUCTION**

8 **CLASS-SIZE REDUCTION**

9 SEC. 601. Title VI of the ESEA is amended to read
10 as follows:

11 **“FINDINGS**

12 **“SEC. 6001. The Congress finds as follows:**

13 “(1) Rigorous research has shown that students
14 attending small classes than students in larger class-
15 es, and that these achievement gains persist through
16 at least the 8th grade.

17 “(2) The benefits of smaller classes are greatest
18 for lower-achieving, minority, poor, and inner-city
19 children. One study found that urban fourth-graders
20 in smaller-than-average classes were three-quarters
21 of a school year ahead of their counterparts in larg-
22 er-than-average classes.

23 “(3) Teachers in small classes can provide stu-
24 dents with more individualized attention, spend more
25 time on instruction and less on other tasks, and
26 cover more material effectively, and are better able

1 to work with parents to further their children’s edu-
2 cation.

3 “(4) Smaller classes allow teachers to identify
4 and work sooner with students who have learning
5 disabilities, thereby potentially reducing those stu-
6 dents’ need for special education services in the later
7 grades.

8 “(5) The National Research Council report,
9 ‘Preventing Reading Difficulties in Young Children’,
10 recommends reducing class sizes, accompanied by
11 high-quality professional development for teachers,
12 as a strategy for improving student achievement in
13 reading.

14 “(6) Efforts to improve educational outcomes
15 by reducing class sizes in the early grades are likely
16 to be successful only if well-qualified teachers are
17 hired to fill additional classroom positions and if
18 teachers receive intensive, on-going professional de-
19 velopment.

20 “(7) Several States and school districts have
21 begun a serious effort to reduce class sizes in the
22 early elementary grades, but these actions may be
23 impeded by financial limitations or difficulties in hir-
24 ing highly qualified teachers.

1 “(8) The Federal Government can assist in this
2 effort by providing funding for class-size reductions
3 in grades one through three, and by helping to en-
4 sure that both new and current teachers who are
5 moving into smaller classrooms are well prepared.

6 “PURPOSE

7 “SEC. 6002. The purpose of this title is to help States
8 and local educational agencies recruit, train, and hire
9 100,000 additional teachers in order to—

10 “(1) reduce class sizes nationally, in grades 1 through
11 3, to an average of 18 students per regular classroom; and

12 “(2) improve teaching in the early grades so
13 that all students can learn to read independently
14 and well by the end of the third grade.

15 “AUTHORIZATION OF APPROPRIATIONS

16 “SEC. 6003. For the purpose of carrying out this
17 title, there are authorized to be appropriated such sums
18 as may be necessary for each of the fiscal years 2001
19 through 2005.

20 “ALLOCATIONS TO STATES

21 “SEC. 6004. (a) RESERVATION FOR THE OUTLYING
22 AREAS AND THE BUREAU OF INDIAN AFFAIRS.—Of the
23 amount appropriated under section 6003 for any fiscal
24 year, the Secretary shall reserve a total of not more than
25 1 percent to make payments, on the basis of their respec-
26 tive needs, to—

9 “(b) ALLOCATIONS TO STATES.—(1) After reserving
10 funds under subsection (a), the Secretary shall allocate to
11 each State the percentage of the remaining amount that
12 is the greater of the percentage it received for the pre-
13 ceding fiscal year of the total amount allocated to the
14 States under section 1122 of this Act or section 2202(b)
15 of this Act, as it was in effect before enactment of the
16 Educational Excellence for All Children Act of 1999, or
17 under section 2121 of this Act, as the case may be.

20 “(3) If any State chooses not to participate in the
21 program under this Act, or fails to submit an approvable
22 application, the Secretary shall reallocate its allocation to
23 the remaining States, in accordance with paragraph (1).

25 “SEC. 6005. (a) APPLICATION REQUIRED.—The
26 State educational agency of each State desiring to receive

1 a grant under this title shall submit an application to the
2 Secretary at such time, in such form, and containing such
3 information as the Secretary may require.

4 “(b) CONTENTS.—Each application shall include—

5 “(1) the State’s goals for using funds under
6 this title to reduce average class sizes in regular
7 classrooms in grades 1 through 3, including a de-
8 scription of current class sizes in those grades in the
9 local educational agencies of the State;

10 “(2) a description of the State educational
11 agency’s plan for allocating program funds within
12 the State;

13 “(3) a description of how the State will use
14 other funds, including other Federal funds, to re-
15 duce class sizes and improve teacher quality and
16 reading achievement within the State; and

17 “(4) an assurance that the State educational
18 agency will submit such reports and information as
19 the Secretary may reasonably require.

20 “(c) APPROVAL OF APPLICATIONS.—The Secretary
21 shall approve a State’s application if it meets the require-
22 ments of this section and holds reasonable promise of
23 achieving the purposes of this Act.

24 “WITHIN-STATE ALLOCATIONS

25 “SEC. 6006. (a) ALLOCATIONS TO LOCAL EDU-
26 CATIONAL AGENCIES.—Each State that receives funds

1 under this title for any fiscal year may reserve not more
2 than 1 percent of those funds for the cost of administering
3 this title, and shall distribute all remaining funds to local
4 educational agencies, of which—

5 “(1)(A) 80 percent shall be allocated to local
6 educational agencies in proportion to the relative
7 numbers of children, aged 5 through 17, who reside
8 in the school districts served by those agencies and
9 who are from families with incomes below the pov-
10 erty line (as defined by the Office of Management
11 and Budget and revised annually in accordance with
12 section 673(2) of the Community Services Block
13 Grant Act (42 U.S.C. 9902)) applicable to a family
14 of the size involved for the most recent fiscal year
15 for which satisfactory data are available; except that

16 “(B) a State may adjust the data described in
17 subparagraph (A), or use alternative child-poverty
18 data, if it demonstrates to the Secretary’s satisfac-
19 tion that such adjusted or alternative data more ac-
20 curately reflect the incidence of children living in
21 poverty in local educational agencies in the State;
22 and

23 “(2) 20 percent shall be allocated in accordance
24 with the relative enrollments of children, aged 5
25 through 17, in public and private nonprofit elemen-

1 tary and secondary schools within the boundaries of
2 those agencies.

3 “(b) REALLOCATION.—If any local educational agen-
4 cy chooses not to participate in the program under this
5 title, or fails to submit an approvable application, the
6 State educational agency shall reallocate its allocation to
7 the remaining local educational agencies, in accordance
8 with subsection (a).

9 “LOCAL APPLICATIONS

10 “SEC. 6007. Each local educational agency that wish-
11 es to receive a subgrant under section 6006 shall submit
12 an application to the State educational agency that con-
13 tains a description of its program to reduce class size by
14 hiring additional highly qualified teachers.

15 “USES OF FUNDS

16 “SEC. 6008. (a) ADMINISTRATIVE EXPENSES.—Each
17 local educational agency receiving a subgrant under sec-
18 tion 6006 may use not more than 3 percent of the
19 subgrant funds for any fiscal year for the costs of admin-
20 istering this title.

21 “(b) TEACHER TESTING AND PROFESSIONAL DE-
22 VELOPMENT.—Each local educational agency may use not
23 more than a total of 15 percent of the funds it receives
24 under this title for any fiscal year to—

25 “(1) assess new teachers for their competency
26 in content knowledge and teaching skills;

1 “(2) assist new teachers to take any tests re-
2 quired to meet State certification requirements; and

3 “(3) provide professional development to teach-
4 ers (including teachers of children with disabilities
5 and teachers of children with limited English pro-
6 ficiency), which it shall coordinate with activities
7 carried out under titles II and VII of this Act, title
8 II of the Higher Education Act of 1965, and the In-
9 dividuals with Disabilities Education Act, if it is
10 participating in programs funded under those stat-
11 utes.

12 “(c) RECRUITING, HIRING, AND TRAINING TEACH-
13 ERS.—Each local educational agency shall use any funds
14 not expended under subsection (a) or (b) to recruit, hire,
15 and train certified teachers (which may include teachers
16 certified through State and local alternative routes), for
17 the purpose of reducing class size to 18, which may in-
18 clude hiring special education teachers to team-teach with
19 regular classroom teachers.

20 “(d) LIMITATION.—No local educational agency may
21 use funds made available under this title to increase the
22 salary of, or to provide benefits (other than participation
23 in professional development and enrichment programs) to,
24 any teacher who is, or has been, employed by the agency.

1 “(e) ADDITIONAL USES.—A local educational agency
2 that has already reduced class size in grades 1 through
3 3 to 18 or fewer children may use funds received under
4 this title to—

5 “(1) make further class-size reductions in
6 grades 1 through 3;

7 “(2) reduce class size in kindergarten or other
8 grades; or

9 “(3) carry out activities to improve teacher
10 quality, including professional development.

11 “(f) SMALL LEAS.—Notwithstanding any other pro-
12 vision of this section (except for subsection (d)), a local
13 educational agency that receives a subgrant under this
14 section in an amount less than the starting salary for a
15 new teacher in that agency may use the subgrant funds—

16 “(1) to form a consortium with one or more
17 other local educational agencies for the purpose of
18 reducing class size;

19 “(2) to help pay the salary of a full or part-
20 time teacher hired to reduce class size; or

21 “(3) for professional development related to
22 teaching in smaller classes, if the amount of the
23 subgrant is less than \$10,000.

24 “COST-SHARING REQUIREMENT

25 “SEC. 6009. (a) FEDERAL SHARE.—(1) The Federal
26 share of the cost of activities carried out under this title

1 may be up to 100 percent in local educational agencies
2 with child-poverty levels greater than 50 percent, but shall
3 be no more than 65 percent in local educational agencies
4 with child-poverty rates of less than 50 percent.

5 “(2) In determining the child-poverty rates and Fed-
6 eral share of individual local educational agencies under
7 paragraph (1), each State shall use the most recent census
8 data that the Secretary finds satisfactory.

9 “(b) LOCAL SHARE.—A local educational agency
10 shall provide the non-Federal share of a project under this
11 Act through cash expenditures from non-Federal sources,
12 except that if an agency has allocated funds under section
13 1113(c) of this Act to one or more schoolwide programs
14 under section 1114, it may use those funds for the non-
15 Federal share of activities under this program that benefit
16 those schoolwide programs, to the extent consistent with
17 section 1120A(c) and notwithstanding section
18 1114(a)(3)(B).

19 “NONSUPPLANTING

20 “SEC. 6010. A local educational agency shall use
21 funds it receives under this title to supplement the level
22 of funds that, in the absence of funds under this title,
23 would be spent for the combination of—

24 “(1) teachers in regular classrooms in schools
25 receiving assistance under this title;

1 “(2) assessing new teachers in their competency
 2 in content knowledge and teaching skills, and to as-
 3 sist new teachers to take any tests required to meet
 4 State certification standards; and
 5 “(3) professional development for teachers.

6 “ANNUAL STATE REPORTS

7 “SEC. 6011. Each State receiving funds under this
 8 title shall submit to the Secretary an annual report on
 9 its activities under this title, in such form and containing
 10 such information as the Secretary may reasonably require.

11 “PARTICIPATION OF PRIVATE SCHOOL TEACHERS

12 “SEC. 6012. (a) IN GENERAL.—Each local edu-
 13 cational agency receiving funds under this title shall, in
 14 accordance with sections 11803 through 11806, provide
 15 for the equitable participation of private school teachers
 16 in the professional development activities the agency and
 17 its schools carry out with those funds.

18 “(b) LIMITATION.—Sections 11803 through 11806
 19 do not apply to other activities under this title.

20 “DEFINITION

21 “SEC. 6013. As used in this title, the term ‘State’
 22 means each of the 50 States, the District of Columbia,
 23 and Puerto Rico.”.

24 TITLE VII—BILINGUAL EDUCATION ACT

25 FINDINGS, POLICY, AND PURPOSE

26 SEC. 701. Section 7102 of the Act is amended—

1 (1) by amending subsection (a) to read as fol-
2 lows:

3 “(a) FINDINGS.—The Congress finds that—

4 “(1) as the Nations of the world become in-
5 creasingly interdependent and as international com-
6 munication becomes a daily occurrence in govern-
7 ment, business, commerce, and family life, multi-
8 lingual skills constitute an important national re-
9 source that deserves protection and development;

10 “(2) the presence of language-minority Ameri-
11 cans is related to Federal immigration policies;

12 “(3) language-minority Americans speak vir-
13 tually all languages, including many that are indige-
14 nous to the United States;

15 “(4) many language-minority Americans are
16 limited in their English proficiency, and many have
17 limited education and income;

18 “(5) there are large, and growing, numbers of
19 children and youth of limited English proficiency,
20 many of whom have a cultural heritage that differs
21 from that of their English proficient peers;

22 “(6) limited English proficient students and
23 their families are increasingly moving into school
24 districts that do not have appropriate services in
25 place to serve them;

1 “(7) limited English proficient students arrive
2 at their schools at various age levels and often with
3 little or no prior formal schooling;

4 “(8) limited English proficient children and
5 youth face a number of challenges in receiving an
6 education that will enable them to participate fully
7 in American society, including—

8 “(A) segregated education programs;

9 “(B) disproportionate and improper place-
10 ment in special education and other special pro-
11 grams, due to the use of inappropriate evalua-
12 tion procedures;

13 “(C) disproportionate attendance in high-
14 poverty schools, as demonstrated by the fact
15 that, in 1994, 75 percent of limited English
16 proficient students attended schools in which at
17 least half of all students were eligible for free
18 or reduced-price meals;

19 “(D) the limited English proficiency of
20 their parents, which hinders parents’ ability to
21 participate fully in the education of their chil-
22 dren; and

23 “(E) a shortage of teachers and other staff
24 who are professionally trained and qualified to
25 serve such children and youth;

1 “(9) school districts and schools find it chal-
2 lenging to include limited English proficient students
3 in their reform efforts;

4 “(10) a 1999 National Center for Education
5 Statistics survey found that teachers are less likely
6 to participate in professional development designed
7 to address the needs of limited English proficient
8 students than to take part in any other kind of pro-
9 fessional development activity;

10 “(11) institutions of higher education can assist
11 in preparing teachers, administrators, and other
12 school personnel to understand and build upon the
13 educational strengths and needs of language-minor-
14 ity and culturally diverse student enrollments;

15 “(12) high-quality bilingual education programs
16 enable children and youth to learn English and meet
17 high academic standards;

18 “(13) a 1998 National Research Council report,
19 Preventing Reading Difficulties in Young Children,
20 found that limited English proficient students should
21 be taught to read first in their native language and
22 that, if such an approach is not possible due to lack
23 of materials and resources, limited English proficient
24 students should attain some fluency in oral English

1 before they receive formal reading instruction in
2 English;

3 “(14) the use of a child’s or youth’s native lan-
4 guage and culture in classroom instruction can—

5 “(A) promote self-esteem and contribute to
6 academic achievement and learning English by
7 limited English proficient children and youth;

8 “(B) benefit children and youth who are
9 proficient in English and also participate in
10 such programs; and

11 “(C) develop our Nation’s national lan-
12 guage resources, thus promoting our Nation’s
13 competitiveness in the global economy;

14 “(15) research, evaluation, and data collection
15 capabilities in the field of bilingual education need to
16 be strengthened so that educators and other staff
17 can better identify and promote programs, program
18 implementation strategies, and instructional prac-
19 tices that result in effective education of limited
20 English proficient children;

21 “(16) parent and community participation in
22 bilingual education programs contributes to program
23 effectiveness;

24 “(17) educational technology has the potential
25 for improving the education of language-minority

1 and limited English proficient students and their
2 families, and the Federal Government should foster
3 development of that technology;

4 “(18) the Federal Government, as reflected in
5 title VI of the Civil Rights Act of 1964 and section
6 204(f) of the Equal Education Opportunities Act of
7 1974, has a special and continuing obligation to en-
8 sure that States and local school districts take ap-
9 propriate action to provide equal educational oppor-
10 tunities to children and youth of limited English
11 proficiency;

12 “(19) the Federal Government also, as exempli-
13 fied by programs authorized under this title, has a
14 special and continuing obligation to assist States
15 and local school districts to develop the capacity to
16 provide programs of instruction that offer limited
17 English proficient children and youth an equal edu-
18 cational opportunity; and

19 “(20) Native Americans and Native American
20 languages (as such terms are defined in section 103
21 of the Native American Languages Act), including
22 native residents of the outlying areas, have a unique
23 status under Federal law that requires special poli-
24 cies within the broad purposes of this Act.”;

1 (2) by amending subsection (b) to read as fol-
2 lows:

3 “(b) POLICY.—The Congress declares it to be the pol-
4 icy of the United States—

5 “(1) in order to ensure equal educational oppor-
6 tunity for all children and youth and to promote
7 educational excellence, that the Federal Government
8 should assist State and local educational agencies,
9 institutions of higher education, and community-
10 based organizations to build their capacity to estab-
11 lish, implement, and sustain programs of instruction
12 for children and youth of limited English proficiency;
13 and

14 “(2) in order to ensure that school districts are
15 providing effective instruction to limited English
16 proficient students that enable students to achieve to
17 challenging State standards and are providing pro-
18 grams under subtitle 1 of part A of this title that
19 are consistent with the requirements under section
20 1111(b)(2)(F)(v) of title I of this Act, that—

21 “(A) those students should be included in
22 State assessments of academic performance;

23 “(B) those students should be assessed, to
24 the extent practicable, in the language and form
25 most likely to yield accurate and reliable infor-

1 mation on what those students know, and can
2 do, in subjects other than English, including
3 using tests written in Spanish for Spanish-
4 speaking students with limited English pro-
5 ficiency, if those tests are more likely than tests
6 written in English to yield accurate and reliable
7 information on what those students know, and
8 can do, in subjects other than English; and

9 “(C) those students who have been in
10 United States schools (not including Puerto
11 Rico) for three consecutive years or more
12 should be tested in reading and language arts
13 using tests written in English.”; and

14 (3) in subsection (c)—

15 (A) in the matter before paragraph (1), by
16 striking out “to educate limited English pro-
17 ficient children and youth to” and inserting in
18 lieu thereof “to help ensure that limited English
19 proficient students master English and”; and

20 (B) by amending paragraph (1) to read as
21 follows:

22 “(1) promoting systemic improvement and re-
23 form of, and developing accountability systems for,
24 educational programs serving students with limited
25 English proficiency.”.

1 AUTHORIZATION OF APPROPRIATIONS FOR PART A

2 SEC. 702. Section 7103(a) of the ESEA is amended
3 to read as follows:

4 “(a) IN GENERAL.—For the purpose of carrying out
5 this part, there are authorized to be appropriated such
6 sums as may be necessary for each of fiscal years 2001
7 through 2005.”.

8 PROGRAM DEVELOPMENT AND ENHANCEMENT GRANTS

9 SEC. 703. Section 7113 of the ESEA is amended—

10 (1) by amending the section heading to read as
11 follows: “PROGRAM DEVELOPMENT AND ENHANCE-
12 MENT GRANTS”;

13 (2) by amending subsection (a) to read as fol-
14 lows:

15 “(a) PURPOSE.—The purpose of this section is to
16 provide grants to eligible entities to carry out innovative
17 instructional programs for limited English proficient stu-
18 dents.”;

19 (3) in subsection (b)—

20 (A) in paragraph (1)(B), by striking out
21 “two” and inserting in lieu thereof “three”; and

22 (B) by amending paragraph (2) to read as
23 follows:

24 “(2) AUTHORIZED ACTIVITIES.—(A) Grants
25 under this section shall be used for—

1 “(i) developing and implementing com-
2 prehensive, preschool, elementary, or secondary
3 education programs for children and youth with
4 limited English proficiency, that are aligned
5 with standards-based State and local school re-
6 form efforts and coordinated with other rel-
7 evant programs and services to meet the full
8 range of educational needs of such children and
9 youth;

10 “(ii) providing high-quality professional de-
11 velopment to classroom teachers, administra-
12 tors, and other school or community-based or-
13 ganization personnel to improve the instruction
14 and assessment of limited English proficient
15 students; and

16 “(iii) annually assessing the English pro-
17 ficiency of all limited English proficient stu-
18 dents served by the program.

19 “(B) Grants under this section may be used
20 for—

21 “(i) implementing programs to upgrade the
22 reading and other academic skills of limited
23 English proficient students;

24 “(ii) developing accountability systems to
25 track the academic progress of limited English

1 proficient and formerly limited English pro-
2 ficient students;

3 “(iii) implementing family education pro-
4 grams and parent outreach and training activi-
5 ties designed to assist parents to become active
6 participants in the education of their children;

7 “(iv) improving the instructional program
8 for limited English proficient students by iden-
9 tifying, acquiring, and applying effective cur-
10 riculum, instructional materials, assessments,
11 and educational technology aligned with State
12 and local standards;

13 “(v) providing tutorials and academic or
14 career counseling for children and youth who
15 are limited English proficient; and

16 “(vi) such other activities, consistent with
17 the purposes of this part, as the Secretary may
18 approve.”; and

19 (4) by adding at the end thereof the following
20 new subsection:

21 “(d) PRIORITY.—The Secretary is authorized to give
22 priority to applicants that have a total district enrollment
23 that is less than 10,000 students and have limited or no
24 experience in serving limited English proficient students.”.

25 COMPREHENSIVE SCHOOL GRANTS

26 SEC. 704. Section 7114 of the ESEA is amended—

1 (1) by amending subsection (a) to read as fol-
2 lows:

3 “(a) PURPOSE.—The purpose of this section is to im-
4 plement school-wide education programs, in coordination
5 with title I, for children and youth with limited English
6 proficiency—

7 “(1) to assist such children and youth to learn
8 English and achieve to challenging State content
9 and performance standards; and

10 “(2) to improve, reform, and upgrade relevant
11 programs and operations, in schools with significant
12 concentrations of such students or that serve signifi-
13 cant numbers of such students.”;

14 (2) by amending subsection (b)(2) to read as
15 follows:

16 “(2) PROGRAM IMPROVEMENT PLAN.—(A) The
17 Secretary, before making a continuation award for
18 the fourth year of a program under this section,
19 shall determine if the program is making continuous
20 and substantial progress in assisting children and
21 youth with limited English proficiency to learn
22 English and achieve to challenging State content
23 and performance standards. The Secretary shall
24 base the determination on—

1 “(i) the indicators established under sec-
2 tion 7118(d) and the data and information col-
3 lected under section 7118; and

4 “(ii) such other data and information as
5 the Secretary may require.

6 “(B)(i) If the Secretary determines that a re-
7 cipient requesting a fourth-year continuation award
8 under this section is not making continuous and
9 substantial progress under subparagraph (A), the re-
10 cipient shall promptly develop and submit to the
11 Secretary a program improvement plan for its pro-
12 gram.

13 “(ii) The Secretary shall approve a program im-
14 provement plan under clause (i) only if he or she de-
15 termines that it holds reasonable promise of enabling
16 students with limited English proficiency partici-
17 pating in the program to learn English and achieve
18 to challenging State content and performance stand-
19 ards.

20 “(iii) If the Secretary determines that the re-
21 cipient is not making substantial progress in imple-
22 menting the program improvement plan under clause
23 (i), the Secretary shall deny a continuation award.”;

24 (3) by amending paragraphs (3) and (4) to
25 read as follows:

1 “(3) AUTHORIZED ACTIVITIES.—(A) Grants
2 under this section shall be used to improve the edu-
3 cation of limited English proficient students and
4 their families by—

5 “(i) coordinating the program with district
6 policies and practices, as well as other relevant
7 programs and services, and aligning the pro-
8 gram with school reform efforts to meet the full
9 range of educational needs of limited English
10 proficient students;

11 “(ii) providing training to all, or virtually
12 all, school personnel and participating commu-
13 nity-based organization personnel to improve
14 the instruction and assessment of limited
15 English proficient students;

16 “(iii) developing or improving account-
17 ability systems to track the academic progress
18 of limited English proficient and formerly lim-
19 ited English proficient students; and

20 “(iv) annually assessing the English pro-
21 ficiency of all limited English proficient stu-
22 dents served by the program.

23 “(B) Grants under this section may also be
24 used for—

1 “(i) implementing programs to upgrade the
2 reading and other academic skills of limited
3 English proficient students;

4 “(ii) developing and using educational
5 technology, including interactive technology, to
6 improve learning, assessments, and account-
7 ability;

8 “(iii) implementing and adapting research-
9 based models for meeting the needs of limited
10 English proficient students;

11 “(iv) developing and implementing pro-
12 grams to meet the needs of limited English pro-
13 ficient students with disabilities;

14 “(v) implementing family education pro-
15 grams and parent outreach and training activi-
16 ties designed to assist parents to become active
17 participants in the education of their children;

18 “(vi) improving the instructional program
19 for limited English proficient students by iden-
20 tifying, acquiring, and upgrading curriculum,
21 instructional materials, educational software
22 and assessment procedures;

23 “(vii) providing tutorials and academic or
24 career counseling for children and youth of lim-
25 ited English proficiency;

1 “(viii) developing and implementing pro-
2 grams to help all students become proficient in
3 more than one language; and

4 “(ix) carrying out such other activities,
5 consistent with the purposes of this part, as the
6 Secretary may approve.

7 “(4) SPECIAL RULES.—A grant recipient—

8 “(A) before carrying out a program as-
9 sisted under this section, shall plan, train per-
10 sonnel, develop curriculum, and acquire or de-
11 velop materials, but shall not use funds under
12 this section for planning purposes for more
13 than 90 days; and

14 “(B) shall not carry out a program under
15 this section in more than two schools for each
16 grant it receives under this section.”.

17 SYSTEMWIDE IMPROVEMENT GRANTS

18 SEC. 705. Section 7115 of the ESEA is amended—

19 (1) in subsection (a), by striking out “bilingual
20 education programs or special alternative instruction
21 programs to” and inserting in lieu thereof “instruc-
22 tional programs for children and youth with limited
23 English proficiency”;

24 (2) by amending subsection (b)(2) to read as
25 follows:

1 “(2) PROGRAM IMPROVEMENT PLAN.—(A) The
2 Secretary, before making a continuation award for
3 the fourth year of a program under this section,
4 shall determine if the program is making continuous
5 and substantial progress in assisting children and
6 youth with limited English proficiency to learn
7 English and achieve to challenging State content
8 and performance standards. The Secretary shall
9 base the determination on—

10 “(i) the indicators established under sec-
11 tion 7118(d) and the data and information col-
12 lected under section 7118; and

13 “(ii) such other data and information as
14 the Secretary may require.

15 “(B)(i) If the Secretary determines that a re-
16 cipient requesting a fourth-year continuation award
17 under this section is not making continuous and
18 substantial progress under subparagraph (A), the re-
19 cipient shall promptly develop and submit to the
20 Secretary a program improvement plan for its pro-
21 gram.

22 “(ii) The Secretary shall approve a program im-
23 provement plan under clause (i) only if he or she de-
24 termines that it holds reasonable promise of enabling
25 students with limited English proficiency partici-

1 pating in the program to learn English and achieve
2 to challenging State content and performance stand-
3 ards.

4 “(iii) If the Secretary determines that the re-
5 cipient is not making substantial progress in imple-
6 menting the program improvement plan under clause
7 (i), the Secretary shall deny a continuation award.”;

8 (3) by amending paragraph (4) to read as fol-
9 lows:

10 “(4) AUTHORIZED ACTIVITIES.—(A) Grants
11 under this section shall be used for—

12 “(i) aligning programs for limited English
13 proficient students in the district with school,
14 district, and State reform efforts and coordi-
15 nating the program with other relevant pro-
16 grams, such as title I, and services to meet the
17 full range of educational needs of limited
18 English proficient students throughout the dis-
19 trict;

20 “(ii) providing high-quality professional de-
21 velopment that is aligned with high standards
22 to classroom teachers, administrators, and
23 other school or community-based organization
24 personnel to improve the instruction and assess-
25 ment of limited English proficient students;

1 “(iii) developing and implementing a plan,
2 coordinated with programs under title II of
3 Higher Education Act of 1965 where applica-
4 ble, to recruit teachers trained to serve limited
5 English proficient students;

6 “(iv) annually assessing the English pro-
7 ficiency of all limited English proficient stu-
8 dents served by the program; and

9 “(v) developing or improving accountability
10 systems that are consistent with the State’s ac-
11 countability system to measure limited English
12 proficient students’ academic progress in a valid
13 and reliable manner.

14 “(B) Grants under this section may also be
15 used for—

16 “(i) developing and implementing pro-
17 grams to help all students become proficient in
18 more than one language;

19 “(ii) developing content and performance
20 standards for learning English as a second lan-
21 guage, as well as for learning other languages;

22 “(iii) developing assessments tied to State
23 performance standards;

24 “(iv) developing performance standards for
25 students with limited English proficiency that

1 are aligned with challenging State content
2 standards;

3 “(v) redesigning programs for limited
4 English proficient students to meet the needs of
5 changing population of such students;

6 “(vi) coordinating assessments with State
7 accountability systems;

8 “(vii) implementing policies and procedures
9 to ensure that limited English proficient stu-
10 dents have access to all district programs, such
11 as gifted and talented, vocational education,
12 and special education programs; and

13 “(viii) integrating technology into all as-
14 pects of educating limited English proficient
15 students, including data management systems
16 and the delivery of instructional services to lim-
17 ited English proficient students.”.

18 APPLICATIONS FOR AWARDS UNDER SUBPART 1

19 SEC. 706. Section 7116 of the ESEA is amended—

20 (1) in subsection (b)—

21 (A) in paragraph (1), by striking out
22 “such application” and inserting in lieu thereof
23 “its written comments on the application”; and

24 (B) by amending paragraph (2)(B) to read
25 as follows:

1 “(B) For purposes of this subpart, such
2 comments shall address—

3 “(i) how the grant activities will fur-
4 ther the academic achievement and English
5 proficiency of limited English proficient
6 students served under a grant received
7 under this subpart; and

8 “(ii) how the grant application is con-
9 sistent with the State plan, especially with
10 regard to State assessments, required
11 under section 1111.”;

12 (2) by amending subsection (f) to read as fol-
13 lows:

14 “(f) REQUIRED DOCUMENTATION.—Such application
15 shall include documentation that—

16 “(1) the applicant has the qualified personnel
17 required to develop, administer, and implement the
18 proposed program; and

19 “(2) the leadership of each participating school
20 has been involved in the development and planning
21 of the program in the school.”;

22 (3) in subsection (g)(1)—

23 (A) by amending subparagraph (A) to read
24 as follows:

1 “(A) A description of the need for the pro-
2 posed program, including data on the number
3 of children and youth of limited English pro-
4 ficiency in the schools or school districts to be
5 served and the characteristics of such children
6 and youth, including—

7 “(i) the native languages of the stu-
8 dents to be served;

9 “(ii) student proficiency in English
10 and the native language;

11 “(iii) current achievement data of the
12 limited English proficient students to be
13 served by the program (and in comparison
14 to their English proficient peers) in—

15 “(I) reading or language arts (in
16 English and in the native language, if
17 applicable); and

18 “(II) mathematics;

19 “(iv) reclassification rates for limited
20 English proficient students in the district;

21 “(v) the previous schooling experi-
22 ences of participating students;

23 “(vi) the professional development
24 needs of the instructional personnel who
25 will provide services for limited English

1 proficient students, including the need for
2 certified teachers; and

3 “(vii) how the grant would supple-
4 ment the basic services provided to limited
5 English proficient students.”;

6 (B) in subparagraph (B)—

7 (i) by amending clause (ii) to read as
8 follows:

9 “(ii) is coordinated with other pro-
10 grams under this Act, and other Acts as
11 appropriate, such as the Individuals with
12 Disabilities Education Act and the Carl D.
13 Perkins Vocational and Technical Edu-
14 cation Act, in accordance with section
15 11505;”;

16 (ii) by redesignating clauses (ii)
17 through (v) as clauses (iii) through (vi), re-
18 spectively; and

19 (iii) by inserting a new clause (ii) to
20 read as follows:

21 “(ii) will supplement the basic services
22 the applicant provides to limited English
23 proficient students;”;

24 (C) by amending subparagraph (E) to read
25 as follows:

1 “(E) An assurance that the applicant will
2 employ teachers in the proposed program who
3 individually, or in combination, are proficient
4 in—

5 “(i) English, including written, as well
6 as oral, communication skills; and

7 “(ii) the native language of the major-
8 ity of students they teach, if instruction in
9 the program is also in the native lan-
10 guage.”; and

11 (4) in subsection (i)—

12 (A) by amending paragraphs (1) and (2)
13 to read as follows:

14 “(1) PRIORITY.—The Secretary is authorized to
15 give priority to applicants that—

16 “(A) experience a dramatic increase in the
17 number of limited English proficient students
18 enrolled;

19 “(B) demonstrate that they have a proven
20 record of success in helping children and youth
21 with limited English proficiency learn English
22 and achieve to high academic standards; or

23 “(C) propose programs that provide for the
24 development of bilingual proficiency both in

1 English and another language for all partici-
 2 pating students.

3 “(2) LIMITATION.—Grants for programs under
 4 this subpart that do not use the students’ native lan-
 5 guage shall not exceed 25 percent of the funds pro-
 6 vided for any type of grant under that section, or of
 7 the total funds provided under this subpart, for any
 8 fiscal year.”; and

9 (B) in paragraph (3), by striking out “spe-
 10 cial alternative instructional programs” and in-
 11 serting in lieu thereof “programs that do not
 12 use the students’ native language”.

13 EVALUATIONS UNDER SUBPART 1

14 SEC. 707. Section 7123 of the ESEA is amended—

15 (1) in subsection (a), by striking out “every two
 16 years” and inserting in lieu thereof “every year”;

17 (2) by amending subsection (c) to read as fol-
 18 lows:

19 “(c) EVALUATION COMPONENTS.—(1) In preparing
 20 evaluation reports, the recipient shall—

21 “(A) use the data provided in the application as
 22 baseline data against which to report academic
 23 achievement and gains in English proficiency for
 24 students in the program;

25 “(B) report on the validity and reliability of all
 26 instruments used to measure student progress; and

1 “(C) enable results to be disaggregated by rel-
2 evant factors, such as a student’s grade, gender, and
3 language group, and whether the student has a dis-
4 ability.

5 “(2) Evaluations shall include—

6 “(A) data on the project’s progress in achieving
7 its objectives;

8 “(B) data showing the extent to which all stu-
9 dents served by the program are achieving to the
10 State’s student performance standards, including—

11 “(i) data comparing limited English pro-
12 ficient children and youth with English pro-
13 ficient students with regard to grade retention
14 and academic achievement in reading and lan-
15 guage arts, in English and in the native lan-
16 guage if the project develops native language
17 proficiency, and in math;

18 “(ii) gains in English proficiency, including
19 speaking, comprehension, reading, and writing,
20 as developmentally appropriate, and such gains
21 in native language proficiency if the project de-
22 velops native language proficiency; and

23 “(iii) reclassification rates (including aver-
24 age duration in a program) for limited English
25 proficient students by grade, and data on the

1 academic achievement of redesignated students
2 for two years after redesignation;

3 “(C) program implementation indicators that
4 address each of the program’s objectives and compo-
5 nents, including the extent to which professional de-
6 velopment activities have resulted in improved class-
7 room practices and improved student achievement;

8 “(D) a description of how the activities funded
9 under the grant are coordinated and integrated with
10 the overall school program and other Federal, State,
11 or local programs serving limited English proficient
12 children and youth; and

13 “(E) such other information as the Secretary
14 may require.”; and

15 (3) by adding a new subsection (d) to read as
16 follows:

17 “(d) PERFORMANCE MEASURES.—The Secretary
18 shall establish performance indicators to determine if pro-
19 grams under sections 7113 and 7114 are making contin-
20 uous and substantial progress, and may establish perform-
21 ance indicators to determine if programs under section
22 7112 are making continuous and substantial progress, to-
23 ward assisting children and youth with limited English
24 proficiency to learn English and achieve to challenging
25 State content and performance standards.”.

1 RESEARCH

2 SEC. 708. Section 7132 of the ESEA is amended—

3 (1) in subsection (a), by—

4 (A) inserting the paragraph designation
5 “(1)” before “The Secretary shall”;6 (B) striking out “through the Office of
7 Educational Research and Improvement in co-
8 ordination and collaboration with the Office of
9 Bilingual Education and Minority Language Af-
10 fairs”; and11 (C) adding a paragraph (2) to read as fol-
12 lows:

13 “(2) Such research may include—

14 “(A) collecting data needed for compliance
15 with the Government Performance and Results
16 Act;17 “(B) improving data collection procedures
18 and the infrastructure for data collection on
19 limited English proficient students, for pur-
20 poses of improving instruction and account-
21 ability;22 “(C) developing research-based models for
23 serving limited English proficient students of
24 diverse language backgrounds and in diverse
25 educational settings;

1 “(D) identifying technology-based ap-
2 proaches that show effectiveness in helping lim-
3 ited English proficient students reach chal-
4 lenging State standards; and

5 “(E) other research, demonstration, and
6 data collection activities consistent with the
7 purpose of this title.”;

8 (2) in subsection (b)—

9 (A) in paragraph (1), by inserting “and “
10 at the end thereof;

11 (B) by striking out paragraphs (2) and
12 (3); and

13 (C) by redesignating paragraph (4) as
14 paragraph (2);

15 (3) in subsection (c)—

16 (A) in paragraph (1), by—

17 (i) striking out “(1) IN GENERAL.”;

18 and

19 (ii) by striking out “under subpart 1
20 or 2” and inserting in lieu thereof “under
21 subpart 1, section 7124, or subpart 3”;

22 and

23 (B) striking out paragraph (2); and

24 (4) by striking out subsection (e).

1 ACADEMIC EXCELLENCE AWARDS

2 SEC. 709. Section 7133 of the ESEA is amended to
3 read as follows:

4 “ACADEMIC EXCELLENCE AWARDS

5 “SEC. 7133. (a) AUTHORITY.—The Secretary is au-
6 thorized to make grants to State educational agencies to
7 assist them in recognizing local educational agencies and
8 other public and non-profit entities whose programs
9 have—

10 “(1) demonstrated significant progress in as-
11 sisting limited English proficient students to learn
12 English within three years; and

13 “(2) demonstrated significant progress in as-
14 sisting limited English proficient students to meet,
15 within three years, the same challenging State con-
16 tent standards expected of all children and youth.

17 “(b) APPLICATIONS.—A State educational agency de-
18 siring a grant under this section shall include an applica-
19 tion for such grant in its application required under sec-
20 tion 7124(e).”.

21 STATE GRANT PROGRAM

22 SEC. 710. Section 7134(c) of the ESEA is amended
23 to read as follows:

24 “(c) USES OF FUNDS.—A State educational agency
25 shall use funds awarded under this section to—

1 “(1) assist local educational agencies in the
2 State with program design, capacity building, assess-
3 ment of student performance, program evaluation,
4 and development of data collection and account-
5 ability systems for limited English proficient stu-
6 dents that are aligned with State reform efforts; and

7 “(2) collect data on limited English proficient
8 populations in the State and the educational pro-
9 grams and services available to such populations.”.

10 NATIONAL CLEARINGHOUSE ON THE EDUCATION OF
11 CHILDREN AND YOUTH WITH LIMITED ENGLISH
12 PROFICIENCY

13 SEC. 711. Section 7135 of the ESEA is amended to
14 read as follows:

15 “NATIONAL CLEARINGHOUSE ON THE EDUCATION OF
16 CHILDREN AND YOUTH WITH LIMITED ENGLISH
17 PROFICIENCY

18 “SEC. 7135. The Secretary shall establish and sup-
19 port the operation of a National Clearinghouse on the
20 Education of Children and Youth with Limited English
21 Proficiency, which shall collect, analyze, synthesize, and
22 disseminate information about programs related to the
23 education of children and youth with limited English pro-
24 ficiency and coordinate its activities with Federal data and
25 information clearinghouses and dissemination networks
26 and systems.”.

1 INSTRUCTIONAL MATERIALS DEVELOPMENT

2 SEC. 712. Section 7136 of the ESEA is amended to
3 read as follows:

4 “INSTRUCTIONAL MATERIALS DEVELOPMENT

5 “SEC. 7136. (a) AUTHORITY.—The Secretary may
6 award grants for the development, publication, and dis-
7 semination of high-quality instructional materials—

8 “(1) in Native American and Native Hawaiian
9 languages;

10 “(2) in the language of Native Pacific Islanders
11 and other natives of the outlying areas for whom in-
12 structional materials are not readily available;

13 “(3) in other low-incidence languages in the
14 United States and for which instructional materials
15 are not readily available; and

16 “(4) on standards and assessments, and in-
17 structional programs related to the education of chil-
18 dren and youth with limited English proficiency, for
19 dissemination to parents of such children and youth.

20 “(b) PRIORITIES.—The Secretary shall give priority
21 to applications that provide for—

22 “(1) developing instructional materials in lan-
23 guages indigenous to the United States or the out-
24 lying areas; and

25 “(2) developing and evaluating instructional
26 materials, including technology-based application,

1 that reflect challenging State and local content
2 standards, in collaboration with activities assisted
3 under subpart 1 and section 7124.”.

4 PURPOSE OF SUBPART 3

5 SEC. 713. Section 7141 of the ESEA is amended to
6 read as follows:

7 “PURPOSE

8 “SEC. 7141. The purpose of this subpart is to assist
9 in preparing educators to improve educational services for
10 children and youth with limited English proficiency by
11 supporting professional development programs for such
12 educators.”.

13 TRAINING FOR ALL TEACHERS PROGRAM

14 SEC. 714. Section 7142 of the ESEA is amended—
15 (1) by amending subsection (a) to read as fol-
16 lows:

17 “(a) PURPOSE.—The purpose of this section is to as-
18 sist eligible applicants under subsection (b)(1) to develop
19 and provide ongoing professional development to teachers
20 and other educational personnel with a baccalaureate de-
21 gree to improve their provision of services to limited
22 English proficient students or to become certified as a bi-
23 lingual or English as a second language teacher.”;

24 (2) in subsection (b)—

25 (A) by amending paragraph (1) to read as
26 follows:

1 “(1) AUTHORITY.—The Secretary is authorized
2 to award grants under this section to local edu-
3 cational agencies or to one or more local educational
4 agencies in consortium with one or more State edu-
5 cational agencies, institutions of higher education, or
6 nonprofit organizations.”; and

7 (B) in paragraph (2), by striking out
8 “five” and inserting in lieu thereof “three”; and

9 (3) by amending subsection (c) to read as fol-
10 lows:

11 “(c) ACTIVITIES.—(1) Funds under this section shall
12 be used to conduct high-quality, long-term professional de-
13 velopment activities.

14 “(2) Funds under this section may be used to—

15 “(A) design and implement induction programs
16 for new teachers, including mentoring and coaching
17 by trained teachers, team teaching with experienced
18 teachers, time for observation of, and consultation
19 with, experienced teachers, and additional time for
20 course preparation;

21 “(B) implement school-based collaborative ef-
22 forts among teachers to improve instruction in read-
23 ing and other core academic areas for students with
24 limited English proficiency, including programs that

1 facilitate teacher observation and analyses of fellow
2 teachers' classroom practice;

3 “(C) support long-term collaboration among
4 teachers and outside experts to improve instruction
5 of limited English proficient students;

6 “(D) coordinate project activities with other
7 programs such as those under the Head Start Act
8 and titles I and II of the Act;

9 “(E) implement programs that support effective
10 teacher use of education technologies to improve in-
11 struction and assessment;

12 “(F) establish and maintain local professional
13 networks;

14 “(G) develop curricular materials and assess-
15 ments for teachers that are aligned with State and
16 local standards and the needs of the limited English
17 proficient students to be served;

18 “(H) develop education technology to enhance
19 professional development; and

20 “(I) such other activities as are consistent with
21 the purpose of this section.”.

22 BILINGUAL EDUCATION TEACHERS AND PERSONNEL

23 GRANTS

24 SEC. 715. Section 7143 of the ESEA is amended—

25 (1) by amending subsection (a) to read as fol-
26 lows:

1 “(a) PURPOSE.—The purpose of this section is to
2 support preservice professional development to improve
3 the preparation of prospective teachers who are preparing
4 to teach children and youth of limited English pro-
5 ficiency.”;

6 (2) by amending subsection (c) to read as fol-
7 lows:

8 “(c) AUTHORITY.—(1) The Secretary is authorized to
9 make grants to institutions of higher education for
10 preservice professional development in order to improve
11 preparation for prospective teachers who are preparing to
12 teach children and youth of limited English proficiency.

13 “(2) Each grant under this section shall be awarded
14 for a period of not more than five years.

15 “(3) A recipient of a grant under this section shall
16 coordinate its grant program activities with other pro-
17 grams under this Act and other Acts as appropriate.”; and

18 (3) by adding a new subsection (d) to read as
19 follow:

20 “(d) ACTIVITIES.—(1) Funds under this section shall
21 be used to—

22 “(A) put in place a course of study that pre-
23 pares teachers to serve limited English proficient
24 students;

1 “(B) integrate course content relating to meet-
2 ing the needs of limited English proficient students
3 into all programs for prospective teachers;

4 “(C) assign tenured faculty to train teachers to
5 serve limited English proficient students;

6 “(D) incorporate State content and perform-
7 ance standards into the institution’s coursework; and

8 “(E) expand clinical experiences for partici-
9 pants.

10 “(2) Funds under this section may be used to—

11 “(A) support partnerships with local edu-
12 cational agencies that include placing participants in
13 intensive internships in local educational agencies
14 that serve large numbers of limited English pro-
15 ficient students;

16 “(B) restructure higher education course con-
17 tent, including improving coursework and clinical ex-
18 periences for all prospective teachers regarding the
19 needs of limited English proficient students and
20 preparation for teacher certification tests;

21 “(C) assist other institutions of higher edu-
22 cation to improve the quality of professional develop-
23 ment programs for limited English proficient stu-
24 dents;

1 “(D) expand recruitment of students who will
2 be trained to serve limited English proficient stu-
3 dents;

4 “(E) improve the skills and knowledge of fac-
5 ulty related to the needs of limited English pro-
6 ficient students;

7 “(F) coordinate project activities with activities
8 under title II of the Higher Education Act of 1965;
9 and

10 “(G) use technology to enhance professional de-
11 velopment.”.

12 BILINGUAL EDUCATION CAREER LADDER PROGRAM

13 SEC. 716. Section 7144 of the ESEA is amended—

14 (1) by amending subsection (a) to read as fol-
15 lows:

16 “(a) PURPOSE.—The purpose of this section is to as-
17 sist eligible consortia to develop and implement high-qual-
18 ity bilingual education career ladder programs.”;

19 (2) by amending subsection (b)(1) to read as
20 follows:

21 “(a) IN GENERAL.—(1)(A) The Secretary is author-
22 ized to award grants to consortia of one or more institu-
23 tions of higher education and one or more State edu-
24 cational agencies or local educational agencies to develop
25 and implement bilingual education career ladder pro-
26 grams.

1 “(B) For purposes of this section, a “bilingual edu-
2 cation career ladder program” means a program that—

3 “(i) is designed to provide high-quality, pre-bac-
4 calaureate coursework and teacher training to edu-
5 cational personnel who do not have a baccalaureate
6 degree; and

7 “(ii) leads to timely receipt of a baccalaureate
8 degree and certification or licensure of program par-
9 ticipants as bilingual education teachers or other
10 educational personnel who serve limited English pro-
11 ficient students.

12 “(C) Recipients of grants under this section shall—

13 “(i) coordinate with programs under title II of
14 the Higher Education Act of 1965, and other rel-
15 evant programs, for the recruitment and retention of
16 bilingual students in postsecondary programs to
17 train them to become bilingual educators; and

18 “(ii) make use of all existing sources of student
19 financial aid before using grant funds to pay tuition
20 and stipends for participating students.”;

21 (3) in subsection (c)—

22 (A) in paragraph (1)—

23 (i) by striking out “consortium”; and

24 (ii) at the end thereof, by inserting

25 “and” after the semicolon;

1 (B) in paragraph (2), by striking out
 2 “teachers; and” and inserting in lieu thereof
 3 “teachers.”; and

4 (C) by striking out paragraph (3); and
 5 (4) by amending subsection (d) to read as
 6 follows:

7 “(d) SPECIAL CONSIDERATION.—The Secretary shall
 8 give special consideration to applications under this sec-
 9 tion that provide training in English as a second language,
 10 including developing proficiency in the instructional use
 11 of English and, as appropriate, a second language in class-
 12 room contexts.”.

13 GRADUATE FELLOWSHIPS IN BILINGUAL EDUCATION
 14 PROGRAM

15 SEC. 717. Section 7145(a) of the ESEA is
 16 amended—

17 (1) in paragraph (1), by striking out “masters,
 18 doctoral, and post-doctoral” and inserting in lieu
 19 thereof “masters and doctoral”;

20 (2) by striking out paragraph (2); and

21 (3) by redesignating paragraph (3) as para-
 22 graph (2).

23 APPLICATIONS FOR AWARDS UNDER SUBPART 3

24 SEC. 718. Section 7146 of the ESEA is amended—

1 (1) in subsection (a)(4), by inserting “and ap-
 2 plicants for grants under section 7145” after “Bu-
 3 reau of Indian Affairs”; and

4 (2) in subsection (b)—

5 (A) in paragraph (1)—

6 (i) by striking out “of such applica-
 7 tion copy” and inserting in lieu thereof
 8 “an application under sections 7132, 7133,
 9 or 7134”; and

10 (ii) by inserting “the written review
 11 of” after “and transmit”; and

12 (B) in paragraph (2), by striking out “this
 13 subpart” and inserting in lieu thereof “sections
 14 7132, 7133, and 7134”.

15 EVALUATIONS UNDER SUBPART 3

16 SEC. 719. Section 7149 of the ESEA is amended to
 17 read as follows:

18 “PROGRAM EVALUATIONS

19 “SEC. 7149. Each recipient of funds under this sub-
 20 part shall provide the Secretary with an evaluation of its
 21 program every year. Such evaluations shall include—

22 “(1) the number of participants served, the
 23 number of participants who have completed program
 24 requirements, and the number of participants who
 25 have taken positions in an instructional setting with
 26 limited English proficient students;

8 SEC. 720. Subpart 4 of part A of title VII of the
9 ESEA is amended to read as follows:

“TRANSITION

12 “SEC. 7161. Notwithstanding any other provision of
13 law, a recipient of a grant under subpart 1 of part A of
14 this title that is in its third or fourth year of that grant
15 on the day preceding the date of enactment of Educational
16 Excellence for All Children Act of 1999 shall be eligible
17 to receive continuation funding under the terms and condi-
18 tions of the original grant.”.

PROGRAM

21 SEC. 721. Section 7301(a) of the ESEA is
22 amended—

23 (1) in paragraph (3), by striking out “and” at
24 the end thereof;

25 (2) by redesignating paragraph (4) as para-
26 graph (5); and

1 (3) by adding at the end thereof the following
2 new paragraph:

3 “(4) an increasing number of immigrant chil-
4 dren are entering United States’ schools with inter-
5 rupted or little previous schooling; and”.

6 STATE ADMINISTRATIVE COSTS

7 SEC. 722. Section 7302 of the ESEA is amended by
8 inserting a comma and “or 2 percent if the State edu-
9 cational agency distributes funds received under this part
10 to local educational agencies on a competitive basis,” after
11 “1.5 percent of the amount”.

12 COMPETITIVE STATE GRANTS TO LOCAL EDUCATIONAL
13 AGENCIES

14 SEC. 723. Section 7304(e)(1) of the ESEA is amend-
15 ed, in the matter before subparagraph (A), by striking out
16 “if the amount appropriated to carry out this part exceeds
17 \$50,000,000 for a fiscal year, a State educational agency
18 may reserve not more than 20 percent” and inserting in
19 lieu thereof “a State educational agency may reserve any
20 portion”.

21 AUTHORIZATION OF APPROPRIATIONS FOR PART C

22 SEC. 724. Section 7309 of the ESEA is amended to
23 read as follows:

24 “AUTHORIZATION OF APPROPRIATIONS

25 “SEC. 7309. For the purpose of carrying out this
26 part, there are authorized to be appropriated such sums

1 as may be necessary for each of fiscal years 2001 through
2 2005.”

3 DEFINITIONS

4 SEC. 725. Section 7501 of the ESEA is amended by
5 striking out paragraph (15) and inserting in lieu thereof
6 a new paragraph to read as follows:

7 “(15) RECLASSIFICATION RATE.—The term re-
8 classification rate means the annual percentage of
9 limited English proficient students who have met the
10 State criteria for no longer being considered limited
11 English proficient.”.

12 REGULATIONS, PARENTAL NOTIFICATION, AND USE OF
13 PARAPROFESSIONALS

14 SEC. 726. Section 7502 of the ESEA is amended
15 by—

16 (1) amending the section heading to read as fol-
17 lows:

18 “REGULATIONS, PARENTAL NOTIFICATION, AND USE OF
19 PARAPROFESSIONALS”;

20 (2) in subsection (b)—

21 (A) in paragraph (1)—

22 (i) in the matter before subparagraph
23 (A), by striking out “youth participating
24 in” and inserting in lieu thereof “youth
25 who will participate in”; and

26 (ii) in subparagraph (C)—

1 (I) in the matter before clause
2 (i), by striking out “goals of the bilin-
3 gual education or special alternative
4 instructional program” and inserting
5 in lieu thereof “goals of the program
6 related to the education of children
7 and youth with limited English pro-
8 ficiency”; and

9 (II) in clause (i), by striking out
10 “results of the bilingual educational
11 program and of the instructional al-
12 ternatives” and inserting in lieu there-
13 of “results of the instructional pro-
14 grams related to the education of chil-
15 dren and youth with limited English
16 proficiency”; and

17 (B) in paragraph (2)—

18 (i) by amending the paragraph head-
19 ing to read “OPTION TO WITHDRAW.”; and

20 (ii) by amending subparagraph (A) to
21 read as follows:

22 “(A) A recipient of funds under subpart 1
23 of part A shall also provide a written notice to
24 parents of children who will participate in the
25 programs under that subpart, in a form and

1 language understandable to the parents, that
2 informs them that they may withdraw their
3 child from the program at any time.”; and

4 (3) adding a new subsection (c) to read as
5 follows:

6 “(c) USE OF PARAPROFESSIONALS.—The provisions
7 of section 1119(c) of this Act shall apply to all new staff
8 hired to provide academic instruction in programs sup-
9 ported under subpart 1 of part A of this title on or after
10 the date of enactment of the Educational Excellence for
11 All Children Act of 1999.”.

12 TERMINOLOGY

13 SEC. 727. (a) PART A.—Subparts 1 and 2 of part
14 A of title VII of the ESEA are amended by striking out
15 “bilingual education or special alternative instruction pro-
16 grams” and “bilingual education or special alternative in-
17 structional programs” each place they appear and insert-
18 ing in lieu thereof “instructional programs”.

19 (b) PART E.—Section 7501(6) of the ESEA is
20 amended by striking out “a bilingual education and special
21 alternative instructional program” and inserting in lieu
22 thereof “an instructional program”.

23 REPEALS

24 SEC. 728. (a) REPEALS IN PART A.—Sections 7112,
25 7117, 7119, 7120, 7121, and 7147 of the ESEA are re-
26 pealed.

1 (b) REPEAL OF PART B.—Part B of title VII of the
2 ESEA is repealed.

3 REDESIGNATIONS AND CONFORMING AMENDMENTS

4 SEC. 729. (a) PART REDESIGNATIONS.—Parts C, D,
5 and E of title VII of the ESEA are redesignated as parts
6 B, C, and D, respectively.

7 (b) SECTION REDESIGNATIONS.—Sections 7113,
8 7114, 7115, 7116, 7118, 7122, 7123, 7124, 7131, 7132,
9 7133, 7134, 7135, 7136, 7141, 7142, 7143, 7144, 7145,
10 7146, 7148, 7149, 7150, 7161, 7301, 7302, 7303, 7304,
11 7305, 7306, 7307, 7308, 7309, 7401, 7402, 7403, 7404,
12 7405, 7501, and 7502 of the ESEA are redesignated as
13 sections 7112, 7113, 7114, 7115, 7116, 7117, 7118,
14 7119, 7121, 7122, 7123, 7124, 7125, 7126, 7131, 7132,
15 7133, 7134, 7135, 7136, 7137, 7138, 7139, 7141, 7201,
16 7202, 7203, 7204, 7205, 7206, 7207, 7208, 7209, 7301,
17 7302, 7303, 7304, 7305, 7401, and 7402 of the ESEA,
18 respectively.

19 (c) CONFORMING AMENDMENTS.—(1) Section 7111
20 of the ESEA is amended by striking out “7114, and
21 7115” and inserting in lieu thereof “and 7114”.

22 (2) Section 7112(b)(1)(A) of the ESEA, as redesign-
23 nated by subsection (b), is amended by striking out “sec-
24 tion 7116” and inserting in lieu thereof “section 7115”.

1 (3) Section 7113(b)(1)(A) of the ESEA, as redesign-
2 nated by subsection (b), is amended by striking out “sec-
3 tion 7116” and inserting in lieu thereof “section 7115”.

4 (4) Section 7114(b)(1)(A) of the ESEA, as redesign-
5 nated by subsection (b), is amended by striking out “sec-
6 tion 7116” and inserting in lieu thereof “section 7115”.

7 (5) Section 7115(g) of the ESEA, as redesignated by
8 subsection (b), is amended—

9 (A) in paragraph (1)(B)(ii), by striking out
10 “section 14306” and inserting in lieu thereof “sec-
11 tion 11505”; and

12 (B) in paragraph (2), by striking out “section
13 7114 or 7115” and inserting in lieu thereof “section
14 7113 or 7114”.

15 (6) Section 7135(a)(3) of the ESEA, as redesignated
16 by subsection (b), is amended by striking out “section
17 7149” and inserting in lieu thereof “section 7138”.

18 (7) Section 7202 of the ESEA, as redesignated by
19 subsection (b), is amended by striking out “section 7304”
20 and inserting in lieu thereof “section 7204”.

21 (8) Section 7204 of the ESEA, as redesignated by
22 subsection (b), is amended—

23 (A) in subsection (a), by striking out “section
24 7301(b)” and inserting in lieu thereof “section
25 7201(b)”;

and

1 (B) in subsection (e)(2), by striking out “sec-
2 tion 7307” and inserting in lieu thereof “section
3 7207”.

4 (9) Section 7205(a) of the ESEA, as redesignated by
5 subsection (b), is amended—

6 (A) in paragraph (2), by striking out “sections
7 7301 and 7307” and inserting in lieu thereof “sec-
8 tions 7201 and 7207”;

9 (B) in paragraph (4), by—

10 (i) striking out “section 7304(e)” and in-
11 serting in lieu thereof “sections 7204(e)”; and

12 (ii) striking out “section 7304(b)(1)” and
13 inserting in lieu thereof “section 7204(b)(1)”;
14 and

15 (C) in paragraph (8), by striking out “section
16 7304” and inserting in lieu thereof “section 7204”.

17 (10) Section 7206 of the ESEA, as redesignated by
18 subsection (b), is amended—

19 (A) in subsection (a)—

20 (i) by striking out “section 7305” and in-
21 serting in lieu thereof “section 7205”; and

22 (ii) by striking out “section 7305” and in-
23 serting in lieu thereof “section 7205”; and

1 (B) in subsection (b), by striking out “section
 2 7305(a)(7)” and inserting in lieu thereof “section
 3 7205(a)(7)”.

4 (11) Section 7208 of the ESEA, as redesignated by
 5 subsection (b), is amended by striking out “section
 6 14701” and inserting in lieu thereof “section 11911”.

7 (12) Section 7305(d)(2) of the ESEA, as redesign-
 8 nated by subsection (b), is amended by striking out “sec-
 9 tion 7134” and inserting in lieu thereof “section 7124”.

10 TITLE VIII B IMPACT AID

11 PURPOSE

12 SEC. 801. Section 8001 of the ESEA is amended to
 13 read as follows:

14 “PURPOSE

15 “SEC. 8001. The purpose of this title is to provide
 16 assistance to certain local educational agencies that are
 17 financially burdened as a result of activities of the Federal
 18 Government carried out in their jurisdictions, in order to
 19 help those agencies provide educational services to their
 20 children, including federally connected children, so that
 21 they can meet challenging State standards.”.

22 PAYMENTS RELATING TO FEDERAL ACQUISITION OF REAL

23 PROPERTY

24 SEC. 802. (a) ELIGIBILITY.—Section 8002(a) of the
 25 ESEA is amended—

1 (1) in the matter preceding paragraph (1), by
2 striking out “for a fiscal year ending prior to Octo-
3 ber 1, 1999” and inserting in lieu thereof “for any
4 fiscal year”; and

5 (2) in paragraph (1)—

6 (A) in subparagraph (B), by striking out
7 “and” at the end thereof;

8 (B) in subparagraph (C), by striking out
9 “value of” and all that follows through the end
10 thereof and inserting in lieu thereof “value of
11 all real property in the local educational agency
12 (similarly determined as of the time or times
13 when the Federal property was so acquired);
14 and”;

15 (C) by adding at the end thereof a new
16 subparagraph (D) to read as follows:

17 “(D) has a current aggregate assessed
18 value, determined under subsection (b)(3), that
19 is at least 10 percent of the total current as-
20 sessed value of all real property in the local
21 educational agency; and”.

22 (b) REPEAL OF SPECIAL-INTEREST PROVISIONS.—

23 Section 8002 of the ESEA is further amended by—

24 (1) striking out subsections (d), (e), (f), (g), (i),
25 (j), and (k); and

1 (2) redesignating subsection (h) as subsection
2 (d).

3 (c) **HOLD-HARMLESS AMOUNTS.**—Subsection (d) of
4 section 8002 of the ESEA, as redesignated by subsection
5 (b)(2), is amended to read as follows:

6 “(d) **HOLD-HARMLESS AMOUNTS.**—Notwithstanding
7 any other provision of this section, the Secretary shall
8 make the following minimum payments for the following
9 fiscal years under this section to each local educational
10 agency that was eligible for, and received, a payment
11 under this section for fiscal year 1999 but that, as a result
12 of subsection (a)(1)(D), is no longer eligible for a payment
13 under this section:

14 “(1) For fiscal year 2001, 75 percent of the
15 amount it received for fiscal year 1999.

16 “(2) For fiscal year 2002, 50 percent of the
17 amount it received for fiscal year 1999.

18 “(3) For fiscal year 2003, 25 percent of the
19 amount it received for fiscal year 1999.”.

20 (d) **TECHNICAL AMENDMENTS.**—Section 8002(b)(1)
21 of the ESEA is amended—

22 (1) in subparagraph (B), by striking out “sec-
23 tion 8014(a)” and inserting in lieu thereof “section
24 8014(a)(1)”; and

1 (2) in subparagraph (C), by striking out “sec-
 2 tion 8003(b)(1)(C)” and inserting in lieu thereof
 3 “section 8003(b)(1)(B)”.

4 PAYMENTS FOR ELIGIBLE FEDERALLY CONNECTED

5 CHILDREN

6 SEC. 803. (a) COMPUTATION OF PAYMENTS.—Sec-
 7 tion 8003(a) of the ESEA is amended—

8 (1) in paragraph (1)—

9 (A) in subparagraph (B), by inserting “or”
 10 after the semicolon at the end thereof;

11 (B) in subparagraph (C), by striking out
 12 the semicolon at the end thereof and inserting
 13 in lieu thereof a period; and

14 (C) by striking out subparagraphs (D)
 15 through (G);

16 (2) in paragraph (2), by striking out subpara-
 17 graphs (C) through (E); and

18 (3) by striking out paragraphs (3) and (4).

19 (b) BASIC SUPPORT PAYMENTS.—Section 8003(b) of
 20 the ESEA is amended—

21 (1) in paragraph (1)—

22 (A) in subparagraph (A)—

23 (i) by striking out “section 8014(b)”
 24 and inserting in lieu thereof “section
 25 8014(a)(2)”;

26 (ii) by striking out “eligible”;

1 (B) by striking out subparagraph (B);

2 (C) by redesignating subparagraph (C) as
3 subparagraph (B);

4 (D) in subparagraph (B), as so
5 redesignated—

6 (i) by striking out “greater” and in-
7 serting in lieu thereof “greatest”;

8 (ii) by striking out clauses (i) and (ii);

9 (iii) by redesignating clauses (iii) and
10 (iv) as clauses (i) and (ii);

11 (iv) in clause (i), as so redesignated,
12 by striking out “or” at the end thereof;

13 (v) in clause (ii), as so redesignated,
14 by striking out the period at the end there-
15 of and inserting a semicolon and “or”; and

16 (vi) by adding a new clause (iii) to
17 read as follows:

18 “(iii) the average per-pupil expendi-
19 ture of all of the States, multiplied by the
20 local contribution percentage for the
21 State.”; and

22 (E) by adding at the end thereof a new
23 subparagraph (C) to read as follows:

24 “(C)(i) In determining the items described
25 in clauses (i) through (iii) of subparagraph (B),

1 the Secretary shall use data for the third year
2 preceding the fiscal year for which the calcula-
3 tion of maximum payment amounts under that
4 subparagraph is being made, except as provided
5 in clauses (ii) and (iii) of this subparagraph.

6 “(ii) If the State does not provide all nec-
7 essary data for the item described in clause (i)
8 of subparagraph (B) by September 30 of the
9 fiscal year preceding the year for which the
10 payments are made, the Secretary shall use the
11 greater of the items described in clauses (ii)
12 and (iii) of that subparagraph.

13 “(iii) If satisfactory data from the third
14 preceding fiscal year are not available for any
15 of the items described in clauses (i) through
16 (iii) of subparagraph (B), the Secretary shall
17 use data from the most recent fiscal year for
18 which data that are satisfactory to the Sec-
19 retary are available.”;

20 (2) in paragraph (2)—

21 (A) in subparagraph (A), by striking out
22 “section 8014(b) and inserting in lieu thereof
23 “section 8014(a)(2)”;

24 (B) in subparagraph (B)—

1 (i) by striking out clauses (ii) and
2 (iii);

3 (ii) in clause (i)—

4 (I) by striking out the clause des-
5 ignation “(i)”; and

6 (II) by redesignating subclauses
7 (I) and (II) as clauses (i) and (ii), re-
8 spectively;

9 (iii) by striking out “paragraph
10 (1)(C)” and inserting in lieu thereof
11 “paragraph (1)(B)”;

12 (iv) in clause (i), as redesignated by
13 clause (ii)(II), by inserting “one-half of”
14 before “the percentage”; and

15 (v) by amending clause (ii), as redес-
16 ignated by clause (ii)(II), to read as fol-
17 lows:

18 “(ii) 50 percent.”; and

19 (C) by amending subparagraph (C) to read
20 as follows:

21 “(C) RATABLE DISTRIBUTIONS.—For each
22 fiscal year described in subparagraph (A), the
23 Secretary shall—

1 “(i) make payments as a ratable dis-
 2 tribution based on the computation made
 3 under subparagraph (B); and

4 “(ii) ratably increase those payments
 5 when the amount available exceeds the
 6 total of the amounts determined under
 7 subparagraph (B), except that no local
 8 educational agency shall receive a payment
 9 under this paragraph that exceeds the
 10 maximum payment for which it is eligible
 11 under paragraph (1)(B).”; and

12 (3) by striking out paragraph (3).

13 (c) TECHNICAL AMENDMENT.—Section 8003(c)(1) of
 14 the ESEA is amended by striking out “paragraph (2)”
 15 and inserting in lieu thereof “subsection (b)(1)(C), para-
 16 graph (2) of this subsection, and”.

17 (d) CHILDREN WITH DISABILITIES.—Section
 18 8003(d) of the ESEA is amended—

19 (1) in paragraph (1)—

20 (A) by striking out “section 8014(c)” and
 21 inserting in lieu thereof “section 8014(a)(3)”;

22 (B) by striking out “determined” and all
 23 that follows through the subparagraph designa-
 24 tion “(A)” and inserting in lieu thereof “deter-
 25 mined by”; and

1 (C) by striking out “factor of 1.0” and all
2 that follows through the period at the end
3 thereof and inserting in lieu thereof “factor of
4 1.0.”; and

5 (2) in paragraph (2), by striking out “a free
6 appropriate public education” and inserting in lieu
7 thereof “services”.

8 (e) HOLD-HARMLESS AMOUNTS.—Section 8003 of
9 the ESEA is further amended by striking out subsection
10 (e).

11 (f) HEAVILY IMPACTED LEAS.—Section 8003(f) of
12 the ESEA is amended—

13 (1) in paragraph (1), by striking out “section
14 8014(b)” and inserting in lieu thereof “section
15 8014(a)(2)”;

16 (2) by amending paragraphs (2) through (4) to
17 read as follows:

18 “(2) ELIGIBILITY.—A local educational agency
19 is eligible to receive additional assistance under this
20 subsection only if the Secretary determines that—

21 “(A)(i)(I) federally connected children de-
22 scribed in subsection (a)(1) constitute at least
23 40 percent of the agency’s average daily attend-
24 ance; and

1 “(II) it has a tax rate for general-fund
2 purposes that is at least 100 percent of the av-
3 erage tax rate for those purposes of comparable
4 local educational agencies in the State; or

5 “(ii) its boundaries are the same as those
6 of a military installation;

7 “(B) it is exercising due diligence to obtain
8 State and other financial assistance; and

9 “(C) the agency’s eligibility under State
10 law for State aid with respect to the free public
11 education of children described in subsection
12 (a)(1), and the amount of that aid, are deter-
13 mined on a basis no less favorable to it than the
14 basis used in determining the eligibility of local
15 educational agencies for State aid, and the
16 amount of that aid, with respect to the free
17 public education of other children in the State.

18 “(3) MAXIMUM PAYMENTS.—The Secretary
19 shall determine the maximum amount that a local
20 educational agency may receive under this sub-
21 section as follows:

22 “(A) PER-PUPIL COST FACTOR.—The local
23 educational agency shall choose either—

1 “(i) the average per-pupil expenditure
2 of the State in which the agency is located;
3 or

4 “(ii) the average per-pupil expenditure
5 of at least 10 generally comparable local
6 educational agencies in the State.

7 “(B) TOTAL COST FACTOR.—The Sec-
8 retary shall multiply the amount chosen by the
9 agency under subparagraph (A) by the average
10 daily attendance in the agency’s schools of chil-
11 dren described in subsection (a)(1).

12 “(C) UNMET NEED.—The Secretary
13 shall—

14 “(i) multiply—

15 “(I) the amount of funds avail-
16 able to the agency for current expend-
17 itures (determined in accordance with
18 subparagraph (D)); by

19 “(II) the percentage of the agen-
20 cy’s average daily attendance com-
21 prised of children described in sub-
22 section (a)(1);

23 “(ii) subtract the amount determined
24 under clause (i) from the amount deter-
25 mined under subparagraph (B); and

1 “(iii) subtract the amount of any pay-
2 ments to the agency for that fiscal year
3 under subsections (b) and (d) of this sec-
4 tion.

5 “(D) AMOUNT AVAILABLE FOR CURRENT
6 EXPENDITURES.—In determining the amount of
7 funds available in any fiscal year to a local edu-
8 cational agency for current expenditures (as de-
9 fined in section 8013(4)) under subparagraph
10 (C)(i)(I), the Secretary shall also include, with
11 respect to the local educational agency’s open-
12 ing cash balance for that fiscal year, the portion
13 of that balance that is the greater of—

14 “(i) the amount that exceeds the max-
15 imum amount of funds for current expend-
16 itures that the agency was allowed by
17 State law to carry over from the prior fis-
18 cal year, if State restrictions on those
19 amounts were applied uniformly to all local
20 educational agencies in the State; or

21 “(ii) the amount that exceeds 30 per-
22 cent of the agency’s operating costs for the
23 prior fiscal year.

24 “(4) DATA.—In determining a local educational
25 agency’s eligibility for, and the amount of, any pay-

1 ment under this subsection for any fiscal year, the
2 Secretary shall use—

3 “(A) student, revenue, expenditure, tax,
4 and other necessary data from the second pre-
5 ceding fiscal year, if the agency (or the State
6 educational agency) provides the Secretary
7 those data within 60 days of being requested in
8 writing to do so; and

9 “(B) if any of those data are not provided
10 by that deadline, such data from the most re-
11 cent preceding fiscal year for which data that
12 are satisfactory to the Secretary are available.”.

13 (g) CHILDREN WITH SEVERE DISABILITIES.—Sec-
14 tion 8003 of the ESEA is further amended by striking
15 out subsection (g).

16 (h) OTHER FEDERAL FUNDS.—Section 8003(h) of
17 the ESEA is amended to read as follows:

18 “(h) OTHER FEDERAL FUNDS.—Notwithstanding
19 any other provision of law, a local educational agency may
20 not receive a payment under this section for children
21 claimed in its application if Federal funds (other than
22 funds under this title) provide a substantial portion of the
23 educational program for those children.”.

24 (i) MAINTENANCE OF EFFORT.—Section 8003 of the
25 ESEA is further amended by striking out subsection (i).

1 POLICIES AND PROCEDURES RELATING TO CHILDREN
2 RESIDING ON INDIAN LANDS

3 SEC. 804. Section 8004 of the ESEA is amended—

4 (1) by amending the heading to read “INDIAN
5 COMMUNITY PARTICIPATION.”;

6 (2) by amending subsection (a) to read as fol-
7 lows:

8 “(a) IN GENERAL.—(1) Any local educational agency
9 that claims children residing on Indian lands for the pur-
10 pose of receiving funds under section 8003 shall ensure
11 that those children participate in programs and activities
12 supported by those funds on an equal basis with all other
13 children.

14 “(2)(A) Any local educational agency described in
15 paragraph (1) shall ensure that the parents of Indian chil-
16 dren and Indian tribes are afforded an opportunity to
17 present their views and make recommendations on the
18 unique educational needs of those children and how those
19 children may realize the benefits of the educational pro-
20 grams and activities of the local educational agency, in-
21 cluding the benefits of programs and activities assisted
22 under this Act.

23 “(B)(i) A local educational agency that receives a
24 grant under subpart 1 of part A of title IX of this Act
25 shall comply with subparagraph (A) through activities

1 planned and carried out by the parent committee estab-
2 lished under that subpart.

3 “(ii) A local educational agency that does not receive
4 such a grant may form an Indian parent committee to
5 implement subparagraph (A).

6 “(iii) Subject to clause (i), a local educational agency
7 may meet the requirements of subparagraph (A) by car-
8 rying out the parental-involvement requirements of section
9 1118 of this Act for all children it claims who reside on
10 Indian lands.

11 “(C) A local educational agency that provides services
12 under part A of title I of this Act for any children residing
13 on Indian lands that it claims for the purpose of receiving
14 funds under section 8003 shall ensure that it complies
15 with section 1118 with respect to those children and their
16 parents.

17 “(3) A local educational agency may use funds pro-
18 vided under section 8003 (other than under section
19 8003(d)), for activities designed to increase tribal and pa-
20 rental involvement in the education of Indian children, in-
21 cluding, but not limited to, parent education, professional
22 development related to the unique educational needs of In-
23 dian children, and implementing model educational pro-
24 grams that are proven to be effective for Indian children.”;

1 (3) by amending subsection (b) to read as fol-
2 lows:

3 “(b) RECORDS.—Each local educational agency de-
4 scribed in subsection (a) shall maintain records dem-
5 onstrating its compliance with that subsection.”;

6 (4) by striking out subsection (c);

7 (5) by redesignating subsections (d) through (f)
8 as subsections (c) through (e), respectively; and

9 (6) by amending subsection (c), as so redesign-
10 nated, to read as follows:

11 “(c) TECHNICAL ASSISTANCE AND ENFORCE-
12 MENT.—The Secretary shall—

13 “(1) provide technical assistance, as the Sec-
14 retary finds necessary, to local educational agencies,
15 parents, and Indian tribes to enable them to carry
16 out this section;

17 “(2) recommend activities for local educational
18 agencies to carry out using funds provided under
19 section 8003 to increase tribal and parental involve-
20 ment; and

21 “(3) enforce this section through such action
22 (which may include the withholding of funds) as the
23 Secretary finds appropriate, after affording the
24 agency, parents, and affected Indian tribes an op-
25 portunity to present their views.”.

1 APPLICATIONS FOR PAYMENTS UNDER SECTIONS 8002
2 AND 8003

3 SEC. 805. Section 8005 of the ESEA is amended—

4 (1) in subsection (b)(2), by striking out “chil-
5 dren residing on Indian lands” and inserting in lieu
6 thereof “Indian community participation”; and

7 (2) in subsection (d)—

8 (A) in paragraph (2), by striking out “ex-
9 cept that, notwithstanding section 8003(e),”
10 and inserting in lieu thereof “except that”; and

11 (B) by striking out paragraph (4).

12 PAYMENTS FOR SUDDEN AND SUBSTANTIAL INCREASES
13 IN ATTENDANCE OF MILITARY DEPENDENTS

14 SEC. 806. Section 8006 of the ESEA is repealed.

15 CONSTRUCTION

16 SEC. 807. Section 8007 of the ESEA is amended to
17 read as follows:

18 “CONSTRUCTION

19 “SEC. 8007. (a) PAYMENTS AUTHORIZED.—From
20 the amount appropriated for each fiscal year under section
21 8014(a)(4), the Secretary shall make a payment, to assist
22 in the construction of school facilities, to each local edu-
23 cational agency—

24 “(1) that receives a basic payment under sec-
25 tion 8003(b);

1 “(2) in which the number of children described
2 in section 8003(a)(1)(C) is at least 50 percent of the
3 number of children who were in average daily at-
4 tendance in the agency’s schools; and

5 “(3) that meets the requirements of this sec-
6 tion.

7 “(b) APPLICATION.—Each local educational agency
8 that wishes to receive a payment under this section shall
9 submit an application to the Secretary at such time, in
10 such manner, and containing such information as the Sec-
11 retary may require, including—

12 “(1) a description of the agency’s assessment of
13 its school-construction needs and the results of that
14 assessment; and

15 “(2) the agency’s plan for the use of the funds
16 for which it is applying.

17 “(c) AMOUNT OF PAYMENTS.—The amount of a local
18 educational agency’s payment under this section shall bear
19 the same ratio to the amount available for all such pay-
20 ments as the number of children described in section
21 8003(a)(1)(C) for that agency bears to the total number
22 of those children for all agencies eligible for such a pay-
23 ment.

24 “(d) FEDERAL SHARE.—(1) The Federal share of a
25 project under this section may not exceed 50 percent.

10 “(e) USE OF FUNDS.—A local educational agency
11 shall use funds received under this section only for—

“(1) construction, as defined in section
8013(3); and

14 “(2) minimum initial equipment necessary for
15 the operation of a new or renovated school facility.”.

SEC. 808. Section 8008(a) of the ESEA is amended
by striking out “section 8014(f)” and inserting in lieu
thereof “section 8014(a)(5)”.

21 STATE AID

23 (1) in subsection (a)(1), by striking out “or
24 under” and all that follows through “of 1994”);

25 (2) by amending subsection (b)(1) to read as
26 follows:

1 “(1) IN GENERAL.—A State may reduce State
2 aid to a local educational agency that receives a pay-
3 ment under section 8002 or section 8003(b) (except
4 the amount calculated in excess of 1.0 under section
5 8003(a)(2)(B)) for any fiscal year only if the Sec-
6 retary determines, and certifies under subsection
7 (c)(3)(A), that—

8 “(A) the State has in effect a program of
9 State aid that equalizes expenditures for free
10 public education among local educational agen-
11 cies in the State; and

12 “(B) the average per-pupil expenditure in
13 the State is at least 80 percent of the average
14 such expenditure in the 50 States and the Dis-
15 trict of Columbia.”; and

16 (3) in subsection (d)—

17 (A) in paragraph (1)—

18 (i) by striking out “or under” and all
19 that follows through “of 1994”); and

20 (ii) in subparagraph (B), by striking
21 out “or under” and all that follows
22 through “of 1994”); and

23 (B) in paragraph (2), by striking out “or
24 under” and all that follows through “of 1994”).

1 FEDERAL ADMINISTRATION

2 SEC. 810. Section 8010 of the ESEA is amended by
3 striking out subsection (c).

4 ADMINISTRATIVE HEARINGS AND JUDICIAL REVIEW

5 SEC. 811. Section 8011(a) of the ESEA is amended
6 by striking out “or under” and all that follows through
7 “of 1994)” and inserting in lieu thereof “or under its
8 predecessor authorities”.

9 FORGIVENESS OF OVERPAYMENTS

10 SEC. 812. Section 8012 of the ESEA is amended by
11 striking out “under the” and all that follows through “of
12 1994)” and inserting in lieu thereof “under its prede-
13 cessor authorities”.

14 DEFINITIONS

15 SEC. 813. Section 8013 of the ESEA is amended—

16 (1) in paragraph (4), by striking out “and title
17 VI”;

18 (2) in paragraph (5)—

19 (A) in subparagraph (A)—

20 (i) by striking out “subparagraphs
21 (B) through (F)” and inserting in lieu
22 thereof “subparagraphs (B) through (D)”;

23 (ii) in clause (ii)(V), by striking out
24 “as described in paragraph (10)” and in-
25 serting in lieu thereof “as described in
26 clause (iii)”;

1 (iii) by amending clause (iii) to read
2 as follows:

3 “(iii)(I) part of a low-income housing
4 project assisted under the United States
5 Housing Act of 1937; or

6 “(II) affordable housing assisted
7 under the Native American Housing As-
8 sistance and Self-Determination Act of
9 1996; or”; and

10 (B) by striking out subparagraphs (B) and
11 (F) and redesignating subparagraphs (C)
12 through (E) as subparagraphs (B) through (D),
13 respectively;

14 (3) in paragraph (7), by striking out “or
15 (5)(F)”;

16 (4) in paragraph (8)(B), by striking out “all
17 States” and inserting in lieu thereof “the 50 States
18 and the District of Columbia”;

19 (5) in paragraph (9)(B)(i), by striking out “or
20 the Act” and all that follows through “of 1994)”
21 and inserting in lieu thereof “(or under its prede-
22 cessor authority)”;

23 (6) by striking out paragraphs (10) and (11);
24 and

1 (7) by redesignating paragraph (12) as para-
2 graph (10).

3 AUTHORIZATION OF APPROPRIATIONS

4 SEC. 814. Section 8014 of the ESEA is amended to
5 read as follows:

6 “AUTHORIZATION OF APPROPRIATIONS

7 “SEC. 8014. (a) There are authorized to be appro-
8 priated such sums as may be necessary for fiscal year
9 2001 and for each of the four succeeding fiscal years to
10 carry out each of the following provisions of this title:

11 “(1) Section 8002, payments for Federal acqui-
12 sition of real property.

13 “(2) Section 8003(b), basic payments; and sec-
14 tion 8003(f), payments for heavily impacted local
15 educational agencies.

16 “(3) Section 8003(d), payments for children
17 with disabilities.

18 “(4) Section 8007, construction.

19 “(5) Section 8008, facilities maintenance.

20 “(b) Funds appropriated to carry out sections 8007
21 and 8008 shall be available to the Secretary until ex-
22 pended.”.

1 TITLE IX—INDIAN, NATIVE HAWAIIAN, AND
2 ALASKA NATIVE EDUCATION

3 PART A—INDIAN EDUCATION

4 FINDINGS AND PURPOSE

5 SEC. 901. Sections 9101(1)(C), 9102(a), and
6 9102(b)(1) of the ESEA are each amended by striking
7 out “special” and inserting in lieu thereof “unique”.

8 GRANTS TO LOCAL EDUCATIONAL AGENCIES

9 SEC. 902. Section 9112(b)(2) of the ESEA is amend-
10 ed by inserting a comma and “except that any such tribe
11 is not subject to section 9114(c)(4) (parent committee),
12 section 9117(c) (maintenance of effort), or section 9118
13 (State review of applications)” before the period at the
14 end thereof.

15 AMOUNT OF GRANTS

16 SEC. 903. Section 9113 of the ESEA is amended—

17 (1) in subsection (b)(2), by striking out “Act”
18 and inserting in lieu thereof “subpart”; and

19 (2) by amending subsection (d) to read as fol-
20 lows:

21 “(d) SCHOOLS OPERATED OR SUPPORTED BY THE
22 BUREAU OF INDIAN AFFAIRS.—(1) In addition to the
23 grants awarded under subsection (a), and subject to sub-
24 section (e), the Secretary shall allocate to the Secretary
25 of the Interior an amount equal to the product of—

“(ii) an Indian tribe, or an organization controlled or sanctioned by an Indian tribal government, for the children of that tribe under a contract with, or grant from, the Department of the Interior under the Indian Self-Determination Act or the Tribally Controlled Schools Act of 1988; and

12 “(i) the average per-pupil expenditure of
13 the State in which the school is located; or

14 “(ii) 80 percent of the average per-pupil
15 expenditure in the United States.

16 “(2) Any school described in paragraph (1) that wish-
17 es to receive an allocation under this subpart shall submit
18 an application in accordance with section 9114, and shall
19 otherwise be treated as a local educational agency for the
20 purpose of this subpart, except that it shall not be subject
21 to section 9114(c)(4) (parent committee), section 9117(c)
22 (maintenance of effort), or section 9118 (State review of
23 applications).”.

25 SEC. 904. Section 9114 of the ESEA is amended—

1 (1) in subsection (b)(2), by amending subpara-
2 graph (A) to read as follows:

3 “(A) is consistent with State and local
4 plans under other provisions of this Act; and”;

5 (2) by amending subsection (c)(3)(A) to read as
6 follows:

7 “(A) is based on a comprehensive local as-
8 sessment and prioritization of the unique edu-
9 cational and culturally related academic needs
10 of the American Indian and Alaska Native stu-
11 dents to whom the local educational agency is
12 providing an education;” and

13 (3) in paragraph (4)—

14 (A) by amending subparagraph (B) to read
15 as follows:

16 “(B) a majority of whose members are
17 parents of Indian children;” and

18 (B) in subparagraph (D)(ii), by striking
19 out “will not diminish” and inserting in lieu
20 thereof “will enhance”.

21 AUTHORIZED SERVICES AND ACTIVITIES

22 SEC. 905. Section 9115(b) of the ESEA is
23 amended—

24 (1) in paragraph (5), by striking out “Applied
25 Technology Education Act” and inserting in lieu
26 thereof “Technical Education Act of 1998”;

1 (2) in paragraph (6), by striking out “and” at
2 the end thereof;

3 (3) in paragraph (7), by striking out the period
4 at the end thereof and inserting in lieu thereof a
5 semicolon and “and”; and

6 (4) by adding at the end thereof paragraphs (8)
7 through (11) to read as follows:

8 “(8) activities that promote the incorporation of
9 culturally responsive teaching and learning strategies
10 into the educational program of the local educational
11 agency;

12 “(9) activities that incorporate American
13 Indian- and Alaska Native-specific curriculum con-
14 tent, consistent with State standards, into the cur-
15 riculum used by the local educational agency;

16 “(10) activities to promote coordination and
17 collaboration between tribal, Federal, and State pub-
18 lic schools in areas that will improve American In-
19 dian and Alaska Native student achievement; and

20 “(11) activities that addresses the special needs
21 of American Indian and Alaska Native students who
22 are gifted and talented.”.

23 STUDENT ELIGIBILITY FORMS

24 SEC. 906. Section 9116 of the ESEA is amended—

25 (1) in subsection (f)—

1 (A) in the second sentence of paragraph

2 (1)(A), by inserting “the” before “size”; and

3 (B) in paragraph (3), by striking out “sub-

4 section (d)” and inserting in lieu thereof “sub-

5 section (a)”;

6 (2) by amending subsection (g) to read as fol-

7 lows:

8 “(g) TRIBAL GRANT AND CONTRACT SCHOOLS.—

9 Notwithstanding any other provision of this section, the

10 Secretary, in awarding funds under this subpart to a tribal

11 school that receives a grant or contract from the Bureau

12 of Indian Affairs, shall use only one of the following, as

13 selected by the school:

14 “(1) A count of the number of students in those

15 schools certified by the Bureau.

16 “(2) A count of the number of students for

17 whom the school has eligibility forms that comply

18 with this section.”; and

19 (3) by adding at the end thereof a new sub-

20 section (h) to read as follows:

21 “(h) TIMING OF CHILD COUNTS.—For purposes of

22 determining the number of children to be counted in calcu-

23 lating the amount of a local educational agency’s grant

24 under this subpart (other than in the case described in

25 subsection (g)(1)), the local educational agency shall—

11 PAYMENTS

15 STATE EDUCATIONAL AGENCY REVIEW

18 “STATE EDUCATIONAL AGENCY REVIEW

HR 1960 IH

1 IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR
2 INDIAN CHILDREN

3 SEC. 909. Section 9121(d)(2) of the ESEA is
4 amended—

5 (1) in subparagraph (A), by striking out “sub-
6 section” and inserting in lieu thereof “section”; and

7 (2) in subparagraph (B)—

8 (A) by inserting a comma and “other than
9 an application for a dissemination grant under
10 paragraph (1)(D),” after “subparagraph (A)”; and

11 (B) in clause (ii), by striking out “and” at
12 the end thereof;

13 (C) by redesignating clause (iii) as clause
14 (v); and

15 (D) by inserting new clauses (iii) and (iv)
16 to read as follows:

17 “(iii) information demonstrating that
18 the proposed program is either a research-
19 based program or such a program that has
20 been modified to be culturally appropriate
21 for the students who will be served;

22 “(iv) a description of how the appli-
23 cant will incorporate the proposed services
24 into the ongoing school program once the
25 grant period is over; and”.

PROFESSIONAL DEVELOPMENT

SEC. 910. Section 9122 of the ESEA is amended—

(1) in subsection (e)—

(A) by striking out paragraph (2); and

(B) by striking out the subsection designation “(e)” and all that follows through “Each” and inserting in lieu thereof “(e) APPLICATION.—Each”;

(2) in subsection (h)(1), by inserting “preservice” after “receives”; and

(3) by adding at the end thereof a new subsection (i) to read as follows:

“(i) IN-SERVICE TRAINING FOR TEACHERS OF INDIAN CHILDREN.—

“(1) GRANTS AUTHORIZED.—In addition to the grants authorized by subsection (c), the Secretary may make grants to either of the following, in order to provide high-quality in-service training to teachers in local educational agencies with substantial numbers of Indian children enrolled in their schools:

“(A) A consortium of a tribal college and an institution of higher education that awards a degree in education.

“(B) A consortium of a tribal college or an institution of higher education that awards a

1 degree in education, or both, and one or more
2 elementary or secondary schools operated by an
3 Indian tribe or funded by the Bureau of Indian
4 Affairs, local educational agencies serving In-
5 dian children, or tribal educational agencies.

6 “(2) USE OF FUNDS.—(A) A consortium that
7 receives a grant under paragraph (1) shall use the
8 grant funds only to provide high-quality in-service
9 training to teachers, including teachers who are not
10 Indian, in local educational agencies with substantial
11 numbers of Indian children enrolled in their schools,
12 in order to better meet the unique educational needs
13 of those children.

14 “(B) The training described in subparagraph
15 (A) shall include such activities as preparing teach-
16 ers to use the best available research-based practices
17 and learning strategies, and to make the most effec-
18 tive use of curriculum and materials, that respond to
19 the unique needs of Indian children in their class-
20 rooms.

21 “(3) SPECIAL RULE.—Subsection (d) of this
22 section shall not apply to grants made under this
23 subsection.

24 “(4) PREFERENCE FOR INDIAN APPLICANTS.—
25 In applying section 9153 to this subsection, the Sec-

1 retary shall give a preference to any consortium that
2 includes one or more of the entities described in that
3 section.”.

4 REPEAL OF AUTHORITIES

5 SEC. 911. Part A of title IX of the ESEA is further
6 amended—

7 (1) by striking out sections 9123, 9124, and
8 9125;

9 (2) by striking out subpart 3; and

10 (3) by redesignating subparts 4, 5, and 6 as
11 subparts 3, 4, and 5, respectively.

12 FEDERAL ADMINISTRATION

13 SEC. 912. (a) PEER REVIEW.—Section 9152 of the
14 ESEA is amended by striking out “subpart 2, 3, or 4”
15 and inserting in lieu thereof “subpart 2 or 3”.

16 (b) PREFERENCE FOR INDIAN APPLICANTS.—Section
17 9153 of the ESEA is amended by striking out “subpart
18 2, 3, or 4” and inserting in lieu thereof “subpart 2 or
19 3”.

20 (c) MINIMUM GRANT CRITERIA.—Section 9154 of the
21 ESEA is amended by striking out “subpart 2 or 3” and
22 inserting in lieu thereof “subpart 2”.

23 AUTHORIZATION OF APPROPRIATIONS

24 SEC. 913. Section 9162 of the ESEA is amended to
25 read as follows:

1 “AUTHORIZATION OF APPROPRIATIONS

2 “SEC. 9162. (a) SUBPART 1.—For the purpose of
3 carrying out subpart 1 of this part, there are authorized
4 to be appropriated such sums as may be necessary for
5 each of the fiscal years 2001 through 2005.

6 “(b) SUBPARTS 2 AND 3.—For the purpose of car-
7 rying out subparts 2 and 3 of this part, there are author-
8 ized to be appropriated such sums as may be necessary
9 for each of the fiscal years 2001 through 2005.”.

10 PART B—NATIVE HAWAIIAN EDUCATION

11 NATIVE HAWAIIAN EDUCATION

12 SEC. 921. Part B of title IX of the ESEA is
13 amended—

14 (1) by amending the heading thereof to read as
15 follows: “PART B—NATIVE HAWAIIAN EDUCATION”;

16 (2) in section 9202(17), by inserting after the
17 first sentence the following: “Subsequent reports by
18 the Kamahameha School Bishop Estate and other
19 organizations have generally confirmed those find-
20 ings.”;

21 (3) in section 9203(2), by striking out “on Na-
22 tive Hawaiian education,” and everything that fol-
23 lows through the end thereof and inserting in lieu
24 thereof “on Native Hawaiian education;”;

1 (4) by repealing sections 9204 through 9210
2 and inserting in lieu thereof a new section 9204 to
3 read as follows:

4 “PROGRAM AUTHORIZED

5 “SEC. 9204. (a) GENERAL AUTHORITY.—

6 “(1) PROGRAM AUTHORIZED.—The Secretary is
7 authorized to make grants to, or enter into contracts
8 with, Native Hawaiian educational organizations;
9 Native Hawaiian community-based organizations;
10 public and private nonprofit organizations, agencies,
11 or institutions with experience in developing or oper-
12 ating Native Hawaiian programs or programs of in-
13 struction in the Native Hawaiian language; and con-
14 sortia of such organizations, agencies, or institutions
15 to carry out programs that meet the purposes of this
16 part.

17 “(2) PERMISSIBLE ACTIVITIES.—Programs
18 under this part may include—

19 “(A) the operation of one or more councils
20 to coordinate the provision of educational and
21 related services and programs available to Na-
22 tive Hawaiians;

23 “(B) the operation of family-based edu-
24 cation centers that provide such services as—

25 “(i) programs for parents and their
26 infants from prenatal through age three;

1 “(ii) preschool programs; and

2 “(iii) research on, development of, and
3 assessment of family-based, early child-
4 hood, and preschool programs for Native
5 Hawaiians;

6 “(C) activities to enable Native Hawaiians
7 to enter and complete programs of postsec-
8 ondary education, including—

9 “(i) full or partial scholarships for un-
10 dergraduate or graduate study that are
11 awarded to students based on their aca-
12 demic promise and financial need, with a
13 priority, at the graduate level, given to
14 professions in which Native Hawaiians are
15 underrepresented;

16 “(ii) counseling and support services
17 for students receiving scholarship assist-
18 ance;

19 “(iii) counseling and guidance for Na-
20 tive Hawaiian secondary students who have
21 the potential to receive scholarships; and

22 “(iv) faculty development activities de-
23 signed to promote the matriculation of Na-
24 tive Hawaiian students;

1 “(D) activities that address the special
2 needs of Native Hawaiian students who are
3 gifted and talented, including—

4 “(i) educational, psychological, and
5 developmental activities designed to assist
6 in the educational progress of those stu-
7 dents; and

8 “(ii) activities that involve the parents
9 of those students in a manner designed to
10 assist in the students’ educational
11 progress;

12 “(E) activities to meet the special needs of
13 Native Hawaiian students with disabilities,
14 including—

15 “(i) the identification of such stu-
16 dents, and of their needs;

17 “(ii) the provision of support services
18 to the families of those students; and

19 “(iii) other activities consistent with
20 the requirements of the Individuals with
21 Disabilities Education Act.

22 “(F) the development of academic and vo-
23 cational curricula to address the needs of Na-
24 tive Hawaiian children and adults, including
25 curriculum materials in the Hawaiian language

1 and mathematics and science curricula that in-
2 corporate Native Hawaiian tradition and cul-
3 ture;

4 “(G) professional development activities for
5 educators, including—

6 “(i) the development of programs to
7 prepare prospective teachers to address the
8 unique needs of Native Hawaiian students
9 within the context of Native Hawaiian cul-
10 ture, language, and traditions;

11 “(ii) in-service programs to improve
12 the ability of teachers who teach in schools
13 with concentrations of Native Hawaiian
14 students to meet those students’ unique
15 needs; and

16 “(iii) recruiting and preparing Native
17 Hawaiians, and other individuals who live
18 in communities with a high concentration
19 of Native Hawaiians, to become teachers;

20 “(H) the operation of community-based
21 learning centers that address the needs of na-
22 tive Hawaiian families and communities
23 through the coordination of public and private
24 programs and services, including—

25 “(i) preschool programs;

1 “(ii) after-school programs; and

2 “(iii) vocational and adult education
3 programs;

4 “(I) research and data-collection activities
5 to determine the educational status and needs
6 of Native Hawaiian children and adults;

7 “(J) other research and evaluation activi-
8 ties related to programs under this part; and

9 “(K) other activities, consistent with the
10 purposes of this part, to meet the educational
11 needs of Native Hawaiian children and adults.

12 “(3) PRIORITIES.—In awarding grants or con-
13 tracts to carry out activities described in paragraphs
14 (2)(F) and (2)(G), the Secretary shall give priority
15 to projects that—

16 “(A) focus on the needs of at-risk youth;
17 and

18 “(B) use the Hawaiian language in in-
19 struction.

20 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated such sums as may be
22 necessary for each of the fiscal years 2001 through 2005
23 to carry out this part.”;

24 (5) in section 9211, by amending subsection (b)
25 to read as follows:

1 “(b) SPECIAL RULE.—Each applicant for a grant or
 2 contract under this part shall submit its application for
 3 comment to each local educational agency serving students
 4 who will participate in the project and include those com-
 5 ments, if any, with its application to the Secretary.”;

6 (6) in section 9212, by—

7 (A) striking out paragraphs (3) and (5);

8 and

9 (B) redesignating paragraphs (4) and (6)
 10 as paragraphs (3) and (4), respectively; and

11 (7) by redesignating section 9211 and section
 12 9212 as section 9205 and section 9206, respectively.

13 PART C—ALASKA NATIVE EDUCATION

14 ALASKA NATIVE EDUCATION

15 SEC. 931. Part C of title IX of the ESEA is
 16 amended—

17 (1) by repealing sections 9304 through 9306
 18 and inserting in lieu thereof a new section 9304 to
 19 read as follows:

20 “PROGRAM AUTHORIZED

21 “SEC. 9304. (a) GENERAL AUTHORITY.—

22 “(1) PROGRAM AUTHORIZED.—The Secretary is
 23 authorized to make grants to, or enter into contracts
 24 with, Alaska Native organizations, educational enti-
 25 ties with experience in developing or operating Alas-
 26 ka Native programs or programs of instruction con-

1 ducted in Alaska Native languages, and consortia of
2 such organizations and entities to carry out pro-
3 grams that meet the purpose of this part.

4 “(2) PERMISSIBLE ACTIVITIES.—Programs
5 under this part may include—

6 “(A) the development and implementation
7 of plans, methods, and strategies to improve the
8 education of Alaska Natives;

9 “(B) the development of curricula and edu-
10 cational programs that address the educational
11 needs of Alaska Native students, including—

12 “(i) curriculum materials that reflect
13 the cultural diversity or the contributions
14 of Alaska Natives;

15 “(ii) instructional programs that make
16 use of Native Alaskan languages; and

17 “(iii) networks that introduce success-
18 ful programs, materials, and techniques to
19 urban and rural schools;

20 “(C) professional development activities for
21 educators, including—

22 “(i) programs to prepare teachers to
23 address the cultural diversity and unique
24 needs of Alaska Native students;

1 “(ii) in-service programs to improve
2 the ability of teachers to meet the unique
3 needs of Alaska Native students; and

4 “(iii) recruiting and preparing teach-
5 ers who are Alaska Natives, reside in com-
6 munities with high concentrations of Alas-
7 ka Native students, or are likely to succeed
8 as teachers in isolated, rural communities
9 and engage in cross-cultural instruction;

10 “(D) the development and operation of
11 home instruction programs for Alaska Native
12 preschool children, the purpose of which is to
13 ensure the active involvement of parents in
14 their children’s education from the earliest
15 ages;

16 “(E) the development and operation of stu-
17 dent enrichment programs in science and math-
18 ematics that—

19 “(i) are designed to prepare Alaska
20 Native students from rural areas, who are
21 preparing to enter high school, to excel in
22 science and math; and

23 “(ii) provide appropriate support serv-
24 ices to the families of such students that

1 are needed to enable such students to ben-
2 efit from the program;

3 “(F) research and data-collection activities
4 to determine the educational status and needs
5 of Alaska Native children and adults;

6 “(G) other research and evaluation activi-
7 ties related to programs under this part; and

8 “(H) other activities, consistent with the
9 purposes of this part, to meet the educational
10 needs of Alaska Native children and adults.

11 “(3) HOME INSTRUCTION PROGRAMS.—Home
12 instruction programs for Alaska Native preschool
13 children under paragraph (2)(D) may include—

14 “(A) programs for parents and their in-
15 fants, from prenatal through age three;

16 “(B) preschool programs; and

17 “(C) training, education, and support for
18 parents in such areas as reading readiness, ob-
19 servation, storytelling, and critical thinking.

20 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated such sums as may be
22 necessary for each of the fiscal years 2001 through 2005
23 to carry out this part.”;

24 (2) in section 9307—

1 (A) by amending subsection (b) to read as
 2 follows:

3 “(b) APPLICATIONS.—State and local educational
 4 agencies may apply for an award under this part only as
 5 part of a consortium involving an Alaska Native organiza-
 6 tion. This consortium may include other eligible appli-
 7 cants.”;

8 (B) by amending subsection (d) to read as
 9 follows:

10 “(d) LOCAL EDUCATIONAL AGENCY COORDINA-
 11 TION.—Each applicant for an award under this part shall
 12 inform each local educational agency serving students who
 13 would participate in the project about its application.”;

14 and

15 (C) by striking out subsection (e); and

16 (3) by redesignating section 9307 and section
 17 9308 as section 9305 and section 9306, respectively.

18 TITLE X—PROGRAMS OF NATIONAL

19 SIGNIFICANCE

20 FUND FOR THE IMPROVEMENT OF EDUCATION

21 SEC. 1001. Part A of title X of the ESEA is
 22 amended—

23 (1) in section 10101—

24 (A) in subsection (a)—

1 (i) by striking out “National Edu-
2 cation Goals” and inserting in lieu thereof
3 “America’s Education Goals”; and

4 (ii) by inserting “elementary and sec-
5 ondary” immediately after “improve the
6 quality of”;

7 (B) by amending subsection (b) to read as fol-
8 lows:

9 “(b) USE OF FUNDS.—Funds under this section may
10 be used for—

11 “(1) development, evaluation, and other activi-
12 ties that are designed to—

13 “(A) improve the quality of elementary and
14 secondary education;

15 “(B) assist all students to meet chal-
16 lenging State standards; and

17 “(C) contribute to the achievement of
18 America’s Education goals;

19 “(2) the development, implementation, and
20 evaluation of programs that are designed to foster
21 student community service, encourage responsible
22 citizenship and improve academic learning, and give
23 students the opportunity to apply what they learn in
24 the classroom to meet actual community needs;

1 “(3) the identification and recognition of exem-
2 plary schools and programs, such as Blue Ribbon
3 Schools;

4 “(4) activities to study and implement strate-
5 gies for creating smaller learning communities;

6 “(5) programs under section 10102 and section
7 10103;

8 “(6) activities to promote family involvement in
9 education; and

10 “(7) other programs and projects that meet the
11 purposes of this section.”;

12 (C) by amending subsection (c) to read as
13 follows:

14 “(c) AWARDS.—(1) The Secretary may—

15 “(A) make awards under this section on the
16 basis of competitions announced by the Secretary;
17 and

18 “(B) support meritorious unsolicited proposals.

19 “(2) An applicant for an award under this section,
20 shall—

21 “(A) establish clear goals and objectives for its
22 project under this part; and

23 “(B) describe the activities it will carry out in
24 order to meet the goals and objectives of its project.

1 “(3) A recipient of an award under this section shall
2 evaluate the effectiveness of its project’s activities in
3 achieving the goals and objectives stated in its application.

4 “(4) A recipient of an award under this section shall
5 report to the Secretary such information as may be re-
6 quired, including evidence of its progress towards meeting
7 the goals and objectives of its project, in order to deter-
8 mine the effectiveness of its project under this section.

9 “(5) The Secretary may—

10 “(A) require recipients of awards under this
11 section to provide matching funds from non-Federal
12 sources; and

13 “(B) limit competitions to particular types of
14 entities, such as State or local educational agencies.

15 “(6) The Secretary shall use a peer review process
16 in reviewing applications for assistance under this section
17 and may use funds appropriated under subsection (d) for
18 the cost of such peer review.”; and

19 (D) by amending subsection (d) to read as
20 follows:

21 “(d) AUTHORIZATION OF APPROPRIATIONS.—For the
22 purposes of carrying out this section, there are authorized
23 to be appropriated such sums as may be necessary for fis-
24 cal year 2001 and each of the four succeeding fiscal
25 years.”;

1 (E) by redesignating subsection (d), as
2 amended by subparagraph D, as subsection (e)
3 and inserting a new subsection (d) to read as
4 follows:

5 “(d) EVALUATION AND PROGRAM DEVELOPMENT.—

6 (1) Each recipient of a grant under this section shall sub-
7 mit to the Secretary a comprehensive evaluation of the ef-
8 fects of its program assisted under this part, including its
9 impact on students, teachers, administrators, parents and
10 others—

11 “(A) at the mid-point of the program; and

12 “(B) not later than one year after completion of
13 the program.

14 “(2) Evaluations under this subsection shall focus on
15 the effectiveness of the program in achieving its goals and
16 objectives.”;

17 (2) by repealing section 10102;

18 (3) by amending section 10103 to read as fol-
19 lows:

20 “STATE AND LOCAL CHARACTER EDUCATION PROGRAM

21 “SEC. 10103. (a) PROGRAM AUTHORIZED.—(1) The
22 Secretary may make grants to State educational agencies,
23 local educational agencies, or consortia of such educational
24 agencies for the design and implementation of character
25 education programs.

1 “(2) Each grant under this section shall be awarded
2 for a period not to exceed five years, of which the recipient
3 shall use not more than one year for planning and pro-
4 gram design.

5 “(b) APPLICATIONS.—(1) Each applicant desiring a
6 grant under this section shall submit an application to the
7 Secretary at such time and in such manner as the Sec-
8 retary may require.

9 “(2) Each application under this section shall
10 include—

11 “(A) a description of any partnerships and
12 other collaborative efforts between the applicant and
13 other educational agencies;

14 “(B) a description of the program’s goals and
15 objectives;

16 “(C) a description of the activities the applicant
17 will carry out, and how these activities are designed
18 to meet the program’s goals and objectives under
19 subparagraph (B), including—

20 “(i) how parents, students, and other
21 members of the community, including members
22 of private and nonprofit organizations, will be
23 involved in the design and implementation of
24 the program;

1 “(ii) the curriculum and instructional prac-
2 tices that will be used or developed; and

3 “(iii) the methods of teacher training and
4 parent education that will be used or developed;

5 “(D) a description of how the program will be
6 linked to other efforts to improve educational out-
7 comes, including—

8 “(i) broader educational reforms that are
9 being instituted by the applicant or its partners;
10 and

11 “(ii) applicable State and local standards
12 for student performance;

13 “(E) a description of how the applicant will
14 evaluate the progress of its program in meeting the
15 goals and objectives under subparagraph (B), includ-
16 ing the performance indicators that will be used to
17 measure progress; and

18 “(F) such other information as the Secretary
19 may require.

20 “(c) DIVERSITY OF PROJECTS.—The Secretary shall
21 make awards under this section that, to the extent prac-
22 ticable, support programs that serve different geographic
23 areas of the Nation, including urban, suburban, and rural
24 areas.”;

6 “SEC. 10103. (a) PROGRAM AUTHORIZED.—The Sec-
7 retary is authorized to make grants, or enter into con-
8 tracts or cooperative agreements with, State educational
9 agencies, local educational agencies, institutions of higher
10 education, tribal organizations, and other public or private
11 agencies or organizations to carry out research, develop-
12 ment, dissemination, technical assistance, and evaluation
13 activities that support or inform character education pro-
14 grams under section 10102.

“ (1) to conduct research and development ac-
tivities that focus on such matters as—

21 “(B) materials and curricula that can be
22 used by programs in character education;

25 “(D) the development of outcome measures
26 for character education programs;

1 “(2) to provide technical assistance to the agen-
2 cies receiving awards under section 10102, particu-
3 larly on matters of program evaluation;

4 “(3) to conduct a national evaluation of pro-
5 grams under section 10102; and

6 “(4) to compile and disseminate, through var-
7 ious approaches, such as a national clearinghouse—

8 “(A) information on model character edu-
9 cation programs;

10 “(B) character education materials and
11 curricula;

12 “(C) research findings in the area of char-
13 acter education and character development; and

14 “(D) any other information that will be
15 useful to character education program partici-
16 pants and other educators and administrators,
17 nationwide.”; and

18 (5) by repealing section 10104, section 10105,
19 section 10106, and section 10107.

20 GIFTED AND TALENTED CHILDREN

21 SEC. 1002. Part B of title X of the ESEA is
22 amended—

23 (1) in section 10201, by striking out “of 1994”;

24 (2) in section 10204(c), by adding at the end
25 thereof a new paragraph (3) to read as follows:

1 “(3) DISSEMINATION.—The National Center
2 shall focus the dissemination of the results of its ac-
3 tivities under subsection (b)(7) to schools with high
4 percentages of economically disadvantaged stu-
5 dents.”;

6 (3) by amending section 10206(b) to read as
7 follows:

8 “(b) REVIEW AND DISSEMINATION.—The
9 Secretary—

10 “(1) shall use a peer review process in review-
11 ing applications under this part;

12 “(2) shall ensure that the information on the
13 activities and results of programs and projects fund-
14 ed under this part is disseminated to appropriate
15 State and local agencies and other appropriate orga-
16 nizations, including private nonprofit organizations;
17 and

18 “(3) may evaluate the effectiveness of programs
19 under this part in accordance with section 11801 of
20 this Act.”; and

21 (4) by amending section 10207 to read as fol-
22 lows:

23 “AUTHORIZATION OF APPROPRIATIONS

24 “SEC. 10207.—For the purpose of carrying out this
25 part, there are authorized to be appropriated such sums

1 as may be necessary for fiscal year 2001 and each of the
2 four succeeding fiscal years.”.

3 INTERNATIONAL EDUCATION PROGRAM

4 SEC. 1003. Title VI of Goals 2000: Educate America
5 Act (P.L. 103–227) is amended—

6 (1) in section 601(c)(6) to read as follows:

7 “(6) DEFINITIONS.—For the purposes of this
8 subsection, the term ‘eligible country’ means a Cen-
9 tral European country, an Eastern European coun-
10 try, Lithuania, Latvia, Estonia, Georgia, the Repub-
11 lic of Ireland, the province of Northern Ireland in
12 the United Kingdom of Great Britain, the Common-
13 wealth of Independent States, any country that for-
14 merly was a republic of the Soviet Union whose po-
15 litical independence is recognized by the United
16 States, and any other emerging democracy in a de-
17 veloping country. For the purpose of this definition,
18 the term ‘developing country’ shall have the same
19 meaning given it in the Education of the Deaf Act.”;

20 (2) by amending section 601(d) to read as fol-
21 lows:

22 “(d) AUTHORIZATION OF APPROPRIATIONS.—For the
23 purposes of carrying out this part, there are authorized
24 to be appropriated such sums as may be necessary for fis-
25 cal year 2001 and each of the four succeeding fiscal
26 years.”; and

1 (3) by redesignating such title and section as
2 part C of title X of the ESEA and section 10301,
3 respectively.

4 ARTS IN EDUCATION

5 SEC. 1004. Part D of title X of the ESEA is
6 amended—

7 (1) by striking out the heading and designation
8 of subpart 1;

9 (2) in section 10401—

10 (A) in subsection (d)—

11 (i) by redesignating paragraphs (9)
12 and (10) as paragraphs (10) and (11), re-
13 spectively; and

14 (ii) by inserting immediately after
15 paragraph (8) the following new para-
16 graph:

17 “(9) supporting model arts and cultural pro-
18 grams for at-risk children and youth, particularly
19 programs that use arts and culture to promote stu-
20 dents’ academic progress;”; and

21 (B) by amending subsection (f) to read as
22 follows:

23 “(f) AUTHORIZATION OF APPROPRIATIONS.—For the
24 purpose of carrying out this part, there are authorized to
25 be appropriated such sums as may be necessary for fiscal

1 year 2001 and each of the four succeeding fiscal years.”;

2 and

3 (3) by repealing subpart 2.

4 INEXPENSIVE BOOK DISTRIBUTION PROGRAM

5 SEC. 1005. Section 10501(e) of the ESEA is amend-
6 ed by striking out “\$10,300,000 for fiscal year 1995 and
7 such sums as may be necessary” and inserting in lieu
8 thereof “such sums as may be necessary for fiscal year
9 2001 and”.

10 CIVIC EDUCATION

11 SEC. 1006. Part F of title X of the Elementary and
12 Secondary Education Act of 1965 is amended—

13 (1) by repealing section 10602;

14 (2) by amending section 10603 to read as fol-
15 lows:

16 “AUTHORIZATION OF APPROPRIATIONS

17 “SEC. 10603. For the purpose of carrying out this
18 part, there are authorized to be appropriated such sums
19 as may be necessary for fiscal year 2001 and each of the
20 four succeeding fiscal years.”; and

21 (3) by redesignating section 10603, as amended
22 by paragraph (2), as section 10602.

23 ALLEN J. ELLENDER FELLOWSHIP PROGRAM

24 SEC. 1007. Part G of title X of the Elementary and
25 Secondary Education Act of 1965 is repealed.

1 21ST CENTURY COMMUNITY LEARNING CENTERS

2 SEC. 1008. Part I of title X of the ESEA is
3 amended—

4 (1) in section 10902(2), by striking out “should
5 collaborate” and inserting in lieu thereof “must col-
6 laborate”;

7 (2) in section 10903—

8 (A) by amending subsection (a) to read as
9 follows:

10 “(a) GRANTS BY THE SECRETARY.—(1) The Sec-
11 retary is authorized, in accordance with paragraph (2), to
12 award grants to community-based organizations and local
13 educational agencies, on behalf of public elementary or
14 secondary schools in inner-cities, small cities, and rural
15 areas, that serve communities with a substantial need for
16 expanded learning opportunities because—

17 “(A) they have a high proportion of low-achiev-
18 ing students;

19 “(B) they lack resources to establish or expand
20 after-school centers that benefit the educational,
21 health, social service, cultural, and recreational
22 needs of the community; or

23 “(C) they have other needs consistent with the
24 purposes of this part.

1 “(2) The Secretary may reserve up to 10 percent of
2 the funds appropriated to carry out this part for any fiscal
3 year to make grants to community-based organizations to
4 carry out projects, consistent with the purposes of this
5 part and with subsection (c).”;

6 (B) by amending subsection (b) to read as fol-
7 lows:

8 “(b) EQUITABLE DISTRIBUTION.—In awarding
9 grants under this part, the Secretary shall ensure an equi-
10 table distribution of assistance among the States and
11 among urban and rural areas of the United States.”; and

12 (C) in subsection (c), by striking out “3 years”
13 and inserting in lieu thereof “5 years”;

14 (3) in section 10904—

15 (A) in subsection (a)—

16 (i) in the matter preceding paragraph
17 (1), by striking out “an elementary or sec-
18 ondary school or consortium” and inserting
19 in lieu thereof “a local educational agency,
20 on behalf of one or more elementary or
21 secondary schools, or a community-based
22 organization”;

23 (ii) in paragraph (1), by striking out
24 “the school or consortium” and inserting
25 in lieu thereof “the applicant”;

1 (iii) in paragraph (2), by striking out
2 “and” at the end thereof;

3 (iv) in paragraph (3)—

4 (I) in subparagraph (C),

5 (aa) by inserting “schools,”
6 immediately after “undertaken
7 by”; and

8 (bb) by inserting a comma
9 and “in order to promote com-
10 munity involvement in the plan-
11 ning and implementation of serv-
12 ices provided under this part”
13 immediately after “appropriate
14 organizations”;

15 (II) in subparagraph (D), by
16 striking out “the school or consor-
17 tium” and inserting in lieu thereof
18 “the applicant”; and

19 (III) in subparagraph (E), by—

20 (aa) striking out “the school
21 or consortium” and inserting in
22 lieu thereof “the applicant”; and

23 (bb) striking out the period
24 at the end thereof and inserting
25 in lieu thereof a semi-colon; and

1 (v) by adding, at the end thereof, the
2 following new paragraphs (4), (5), and (6):

3 “(4) information demonstrating that the appli-
4 cant will provide at least 50 percent of the cost of
5 the project from other sources, which may include
6 other Federal funds and may be provided in cash or
7 in-kind, fairly evaluated;

8 “(5) an assurance that the applicant will, in
9 each year of the project, expend, from non-Federal
10 sources, at least as much for the services under this
11 part as it expended for the preceding year; and

12 “(6) information demonstrating how the appli-
13 cant will continue the project after completion of the
14 grant.”;

15 (B) by amending subsection (b) to read as
16 follows:

17 “(b) PRIORITY.—The Secretary shall give priority to
18 applications that describe projects that—

19 “(1) offer a broad selection of services that ad-
20 dress the needs of the community; and

21 “(2) offer significant, expanded learning oppor-
22 tunities for children and youth in the community.”;
23 and

1 (C) by further amending section 10904 by
2 adding at the end thereof a new subsection (c),
3 to read as follows:

4 “(c) SPECIAL RULE.—An application submitted by a
5 community-based organization shall contain evidence that
6 affected local educational agencies concur with the pro-
7 posed project.”;

8 (4) in section 10905, by striking out “may be
9 used to plan, implement, or expand community
10 learning centers which include not less than four”
11 and inserting in lieu thereof “shall be used to estab-
12 lish or expand community learning centers that pro-
13 vide activities that offer significant expanded learn-
14 ing opportunities, such as before and after school,
15 for children and youth in the community, and that
16 may also include any”;

17 (5) by amending section 10906 to read as fol-
18 lows:

19 “SEC. 10906. (a) COMMUNITY LEARNING CENTER.—
20 For the purpose of this part, the term ‘community learn-
21 ing center’ means an entity that—

22 “(1) provides expanded learning opportunities,
23 and may also provide services that address health,
24 social service, cultural, and recreational needs of the
25 community; and

1 “(2) is operated in conjunction with local gov-
2 ernmental agencies, businesses, vocational education
3 programs, institutions of higher education, commu-
4 nity colleges, and cultural, recreational, and other
5 community and human service entities.

6 “(b) SPECIAL RULE.—In the case of a community
7 learning center operated by a local educational agency, the
8 center shall be located within a public elementary or sec-
9 ondary school building.”;

10 (6) by amending section 10907 to read as fol-
11 lows:

12 “AUTHORIZATION OF APPROPRIATIONS

13 “SEC. 10907. For the purposes of carrying out this
14 part, there are authorized to be appropriated such sums
15 as may be necessary for fiscal year 2001 and each of the
16 four succeeding fiscal years.”;

17 (7) by adding at the end thereof the following
18 new section 10908:

19 “CONTINUATION AWARDS

20 “SEC. 10908. The Secretary may use funds under
21 this part to make continuation awards for projects that
22 were funded with fiscal year 1999 and 2000 funds, under
23 the terms and conditions that applied to the original
24 awards for those projects.”; and

25 (8) by redesignating—

26 (A) part I as part G; and

1 (B) sections 10901 through 10908, as
2 amended by this section, as sections 10701
3 through 10708, respectively.

4 URBAN AND RURAL EDUCATION ASSISTANCE

5 SEC. 1009. Part J of title X of the Elementary and
6 Secondary Education Act of 1965 is repealed.

7 HIGH SCHOOL REFORM

8 SEC. 1010. Title X of the ESEA is further amended
9 by inserting after part G, as redesignated by section
10 1008(8)(A), a new part H to read as follows:

11 “PART H—HIGH SCHOOL REFORM

12 “FINDINGS AND PURPOSES

13 “SEC. 10801. (a) FINDINGS.—The Congress finds as
14 follows:

15 “(1) All high school students must obtain the
16 academic foundations needed for further education
17 and training, and to succeed in an economy that is
18 increasingly characterized by global competition,
19 evolving technologies, and high demands for a
20 skilled, literate, and adaptable workforce.

21 “(2) To be effective, high schools must not only
22 prepare students academically, they must also en-
23 sure that students are connecting with adults and
24 are receiving the necessary supports to continue
25 their personal and interpersonal growth during this
26 critical transition stage.

1 “(3) Effective high schools are places where
2 students feel safe, the school is free of drugs, and
3 the classrooms are disciplined environments where
4 all students can learn. High schools are increasingly
5 larger places where students feel increasingly discon-
6 nected from adults and often from their peers, par-
7 ticularly in urban and suburban areas. Research
8 shows that when students feel connected to school
9 and to their parents, they are less likely than other
10 adolescents to suffer from emotional distress, have
11 suicidal thoughts and behaviors, use violence, and
12 smoke cigarettes, drink alcohol, or smoke marijuana.

13 “(4) Research and national data collections in-
14 dicate that many high schools do not succeed in
15 meeting both the academic and developmental needs
16 of students. For example—

17 “(A) more than 20 percent of Americans,
18 ages 25 through 29, do not have a regular high
19 school diploma;

20 “(B) on the most recent international as-
21 sessment of mathematics and science knowl-
22 edge, the Third International Mathematics and
23 Science Study (TIMSS), American 12th-graders
24 outperformed students from only two of the 21
25 other participating Nations. A comparison of

1 these assessment results with 4th-grade and
2 8th-grade TIMSS scores indicates that Amer-
3 ican students lose ground during the high
4 school years;

5 “(C) recent results from National Assess-
6 ment of Educational Progress reading assess-
7 ments for 12th-graders indicate improvement in
8 the performance of higher-achieving students,
9 but no improvement in the scores for the low-
10 est-achieving students;

11 “(D) the problems facing high schools are
12 particularly prevalent in schools that enroll con-
13 centrations of minority students and students
14 from low-income families; and

15 “(E) relatively few high schools are under-
16 taking serious, standards-based educational re-
17 forms. For instance, most of the initiatives car-
18 ried out through the Comprehensive School Re-
19 form Demonstrations program have been at the
20 elementary level.

21 “(5) Because of changes made by the Improv-
22 ing America’s Schools Act of 1994, high schools now
23 receive significantly more title I funding than was
24 the case before, and the number of high schools op-
25 erating title I schoolwide programs has increased.

1 However, evaluations indicate that title I, by itself,
2 has not yet resulted in significant reforms in high
3 schools. High schools now have the opportunity to
4 use title I funds to leverage Federal, State, and local
5 funds to implement education reforms.

6 “(6) High school reforms can be effective. For
7 example, schools participating in the Southern Re-
8 gional Education Board ‘High Schools that Work’
9 program, a whole-school, research-based reform ini-
10 tiative, have shown significant improvement in read-
11 ing and mathematics scores. The Johns Hopkins
12 University Talent Development model has dem-
13 onstrated promising results at its initial implementa-
14 tion site. The schools implementing locally based re-
15 forms and participating in the Department of Edu-
16 cation’s ‘New American High Schools’ initiative have
17 generally achieved improved outcomes in graduation,
18 attendance, and achievement.

19 “(7) A variety of approaches to high school re-
20 form, geared to local conditions and needs, can be
21 effective. These approaches include ‘schools within
22 schools’ and other innovations that create smaller
23 learning environments and involve adults more fully
24 in the lives of students, ‘career academies’ and other
25 approaches that structure learning around careers,

1 partnerships that pair schools with businesses or in-
2 stitutions of higher education, and reforms that re-
3 organize the school day. In addition, most successful
4 reforms include a strong focus on the professional
5 development of participating educators and provision
6 of in-depth academic, career, and college counseling.

7 “(b) PURPOSES.—The purposes of this part are to—

8 “(1) support the planning and implementation
9 of educational reforms in high schools, particularly
10 in urban and rural high schools that educate con-
11 centrations of students from low-income families, in
12 order to—

13 “(A) meet the needs of students at risk of
14 failing to achieve to challenging standards, by
15 strengthening curriculum and instruction, offer-
16 ing extended learning opportunities, and pro-
17 viding professional development opportunities to
18 school staff; and

19 “(B) improve title I schoolwide programs
20 in high schools;

21 “(2) support the further development of edu-
22 cational reforms, designed specifically for high
23 schools, that—

24 “(A) help students meet challenging State
25 standards; and

1 “(B) increase connections between stu-
2 dents and adults and provide safe learning envi-
3 ronments;

4 “(3) create positive incentives for serious
5 change in high schools, by offering rewards to par-
6 ticipating schools that achieve significant improve-
7 ments in student achievement;

8 “(4) increase the national knowledge base on
9 effective high school reforms by identifying the most
10 effective approaches and disseminating information
11 on those approaches so that they can be adopted na-
12 tionally; and

13 “(5) support the implementation of reforms in
14 at least 5,000 American high schools by the year
15 2007.

16 “GRANTS TO LOCAL EDUCATIONAL AGENCIES

17 “SEC. 10802. (a) GRANTS AUTHORIZED.—The Sec-
18 retary may make grants to local educational agencies, on
19 a competitive basis, for activities, consistent with this part,
20 carried out in their high schools.

21 “(b) DURATION.—Each grant under this section shall
22 be for a period of up to three years.

23 “(c) LIMITATION.—The Secretary shall not provide
24 assistance under this part to any high school under more
25 than one grant.

1 “APPLICATIONS

2 “SEC. 10803. (a) APPLICATIONS REQUIRED.—A
3 local educational agency that desires to receive a grant
4 under this part shall submit an application at such time,
5 in such manner, and containing such information as the
6 Secretary may determine.

7 “(b) CONTENTS.—Each such application shall, for
8 each high school for which assistance is sought—

9 “(1) identify the school and describe its need
10 for assistance under this part;

11 “(2) include—

12 “(A) a preliminary plan for grades above
13 8th grade in the school that describes the edu-
14 cational reforms that will take place, as well as
15 the specific activities to be carried out with
16 grant funds; and

17 “(B) an assurance that the local edu-
18 cational agency will have a final plan for those
19 reforms and activities within six months of re-
20 ceiving a grant under this part; and

21 “(3) demonstrate that a substantial percentage
22 of administrators, teachers, and students at the
23 school, as well as parents of students and other
24 members of the community, were (and will be) in-
25 volved in developing and carrying out that plan.

1 “SELECTION OF GRANTEES

2 “SEC. 10804. (a) IN GENERAL.—The Secretary shall
3 select grantees, using a peer-review process, on the basis
4 of—

5 “(1) the relative need of each high school for
6 which assistance is sought, considering such factors
7 as the percentage of students who are from low-in-
8 come families, student achievement data, dropout
9 rates, and attendance rates; and

10 “(2) the quality of applications, including the
11 likelihood that the proposed reforms will succeed.

12 “(b) APPLICATIONS FOR MORE THAN ONE HIGH
13 SCHOOL.—In case of a meritorious application that re-
14 quests assistance for more than one high school, the Sec-
15 retary may approve the application for any number of
16 those schools.

17 “(c) SPECIAL RULES.—In approving applications
18 under this section, the Secretary shall—

19 “(1) to the extent possible, award a majority of
20 grants under this part to assist high schools that
21 participate in programs under part A of title I of
22 this Act or serve high-poverty school attendance
23 areas; and

6 “SEC. 10805. (a) PRINCIPLES.—Each grantee under
7 this part shall ensure that the reforms it carries out under
8 this part are designed so that that each assisted high
9 school—

“(2) provides all students in the school with challenging coursework, aligned with State content and performance standards, through such strategies as the use of technology to enhance academic instruction and the establishment or expansion of international baccalaureate programs or advanced placement programs;

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1 “(4) enables students to receive an education
2 that is continuous and integrated, through such
3 strategies as partnerships with middle schools and
4 institutions of higher education;

5 “(5) helps students achieve their educational
6 and career goals, through such strategies as inte-
7 grated academic and vocational instruction that con-
8 nects students with career opportunities; and

9 “(6) functions as a center for the community,
10 through such strategies as increasing the involve-
11 ment of parents, employers, and others in the com-
12 munity.

13 “(b) REQUIRED COMPONENTS.—In order to institu-
14 tionalize the principles described in subsection (a), each
15 grantee under this part shall use funds that are provided
16 on behalf of a high school to implement (and, if necessary,
17 to use not more than six months to complete the planning
18 and development of) research-based educational reform
19 strategies throughout the entire school that—

20 “(1) in the case of a school with a schoolwide
21 program under part A of title I, build on and im-
22 prove the schoolwide reform program;

23 “(2) address the needs of students who are at
24 risk of failing to be promoted to the next grade or
25 to graduate, including—

1 “(A) covering material that students need
2 to master in order to pass State-mandated exit
3 exams; and

4 “(B) strengthening curriculum, instruc-
5 tion, and assessments and by offering extended
6 learning opportunities such as after-school,
7 weekend, and summer programs;

8 “(3) are implemented at the school level, but in-
9 clude strong support and assistance from the local
10 educational agency, as documented in its application;

11 “(4) make full and effective use of the re-
12 sources that the school receives under other Federal
13 programs;

14 “(5) make use of outside experts in high-school
15 reform, unless the local educational agency dem-
16 onstrates in its application, to the Secretary’s satis-
17 faction, that the school’s reform strategy can be im-
18 plemented effectively without outside assistance;

19 “(6) include professional development of school
20 staff, including development of the skills needed to
21 use student achievement and other outcome data to
22 refine and improve the educational reform strategy;
23 and

1 “(7) provide for collecting data on, and evalu-
2 ating, the reforms and for reporting to the Secretary
3 on the results of those evaluations.

4 “PRIVATE SCHOOLS

5 “SEC. 10806. (a) PROFESSIONAL DEVELOPMENT.—
6 Each grantee under section 10804 shall, in accordance
7 with sections 11803 through 11806, provide for the equi-
8 table participation of private school personnel in the pro-
9 fessional development activities it carries out with grant
10 funds.

11 “(b) INFORMATION.—If a grantee uses grant funds
12 to develop curricular materials, it shall make information
13 about those materials available to private schools at their
14 request.

15 “ADDITIONAL ACTIVITIES

16 “SEC. 10807. From the amount available to carry out
17 this part for any fiscal year under section 10809, the Sec-
18 retary shall reserve the amount he finds appropriate to
19 carry out one or more of the following:

20 “(1) INCENTIVE AWARDS.—(A)(i) The Sec-
21 retary shall select a random sample of schools from
22 each of the first two years’ cohorts of grantees,
23 along with a similarly selected control group of com-
24 parable schools, to participate in an incentive-based
25 experiment, under which the Secretary makes incen-
26 tive payments to teachers and administrators in the

1 grantee schools if, after three years of program par-
2 ticipation, their students demonstrate significant
3 gains in student educational outcomes compared to
4 the gains made in the schools in the control group.

5 “(ii) If those significant gains continue, the
6 Secretary may make further incentive payments to
7 those teachers and administrators for up to two ad-
8 ditional years.

9 “(B) The Secretary shall base determinations of
10 student educational outcomes on multiple measures,
11 including scores on State assessments.

12 “(C) The maximum amount of an incentive
13 award under this paragraph is \$3,000 per teacher
14 and administrator per year, which may be used by
15 those individuals for any purpose.

16 “(2) RECOGNITION, DISSEMINATION, NET-
17 WORKS, AND PEER REVIEW.—The Secretary may—

18 “(A) recognize high schools and high
19 school reforms that show outstanding results;

20 “(B) disseminate information on those
21 schools and reforms;

22 “(C) carry out other activities to encourage
23 the spread and adoption of successful high
24 school reform strategies;

1 “(D) facilitate the creation of networks
2 among participating schools and local edu-
3 cational agencies, which may include schools
4 and local educational agencies interested in
5 meeting the purpose of this part; and

6 “(E) pay the costs of the peer review of
7 applications under this part.

8 “(3) EVALUATION.—The Secretary may reserve
9 funds, consistent with section 11911, to evaluate ac-
10 tivities carried out under this part.

11 “DEFINITION

12 “SEC. 10808. For the purpose of this part, the term
13 ‘high school’ means any school that serves students in
14 12th grade.

15 “AUTHORIZATION OF APPROPRIATIONS

16 “SEC. 10809. For the purpose of carrying out this
17 part, there are authorized to be appropriated such sums
18 as may be necessary for fiscal year 2001 and each of the
19 four succeeding fiscal years.”.

20 FOREIGN LANGUAGE ASSISTANCE PROGRAM

21 SEC. 1011. Title X of the ESEA is further amended
22 by inserting after part H, as added by section 1010, a
23 new part I to read as follows:

1 “PART I—FOREIGN LANGUAGE ASSISTANCE PROGRAM

2 “FINDINGS; PURPOSE

3 “SEC. 10901. (a) FINDINGS.—The Congress finds
4 that:

5 “(1) Increased fluency in languages other than
6 English is necessary if the United States is to com-
7 pete effectively in a global economy.

8 “(2) Four out of five new jobs in the United
9 States are created from foreign trade.

10 “(3) The optimum time to begin learning a sec-
11 ond language is in elementary school, when children
12 have the greatest ability to learn and excel in foreign
13 languages.

14 “(4) Foreign language study can increase chil-
15 dren’s capacity for critical and creative thinking,
16 and children who study a second language show
17 greater cognitive development in such areas as men-
18 tal flexibility, creativity, tolerance, and higher-order
19 thinking skills.

20 “(5) Children who have studied a foreign lan-
21 guage in elementary school score higher on stand-
22 ardized tests of reading, language arts, and mathe-
23 matics than children who have not studied a foreign
24 language.

1 “(6) The United States lags behind other devel-
2 oped countries in offering foreign language study to
3 elementary and secondary school students.

4 “(7) While research suggests that students
5 more easily acquire foreign languages when instruc-
6 tion begins in the early grades, fewer than one-third
7 of elementary schools in the United States offer for-
8 eign language instruction.

9 “(8) Of those elementary schools that do offer
10 foreign language instruction, most offer only an in-
11 troductory exposure to the foreign language.

12 “(9) Few elementary school foreign language
13 programs are coordinated with secondary school for-
14 eign language programs to promote transitions that
15 build on student knowledge of the foreign language.

16 “(10) Foreign language teachers have a con-
17 tinuing need for professional development that pro-
18 vides opportunities to improve their language com-
19 petence and their teaching skills in the language
20 they teach. This need is particularly important for
21 elementary school teachers, most of whom have no
22 specialized training or certification to teach lan-
23 guages at that level.

24 “(11) The next generation of advanced com-
25 puters and telecommunications technology has a tre-

1 mendous potential for improving access to foreign
2 language instruction and the quality of that instruc-
3 tion at the elementary level.

4 “(12) It is a national goal that 25 percent of
5 all public elementary schools offer high-quality, com-
6 prehensive foreign language programs by 2005, and
7 that 50 percent offer such programs by 2010. Such
8 programs should be designed to achieve language
9 proficiency, aligned with State foreign language
10 standards, and available to all students (including
11 students with limited English proficiency and stu-
12 dents with disabilities), and should ensure effective
13 coordination between elementary and secondary
14 school foreign language instruction.

15 “(b) PURPOSE.—It is the purpose of this part to ex-
16 pand, improve the quality of, and enhance foreign lan-
17 guage programs at the elementary school level, including
18 programs that recruit and train qualified elementary
19 school foreign language teachers, by supporting—

20 “(1) State efforts to encourage and support
21 such programs;

22 “(2) local implementation of innovative pro-
23 grams that meet local needs; and

1 “(B) would demonstrate approaches that can be
2 disseminated to, and duplicated by, other local edu-
3 cational agencies;

4 “(C) would include performance measurements
5 and assessment systems that measure students’ pro-
6 ficiency in a foreign language; and

7 “(D) would use a curriculum that is aligned
8 with State standards, if the State has such stand-
9 ards.

10 “(b) AUTHORIZED ACTIVITIES.—(1) Grants to State
11 educational agencies under this section shall be used to
12 support programs that promote the implementation of
13 high-quality foreign language programs in the elementary
14 schools of the State, which may include—

15 “(A) developing foreign language standards and
16 assessments that are aligned with those standards;

17 “(B) supporting the efforts of institutions of
18 higher education within the State to develop pro-
19 grams to prepare the elementary school foreign lan-
20 guage teachers needed in schools within the State
21 and to recruit candidates to prepare for, and as-
22 sume, such teaching positions;

23 “(C) developing new certification requirements
24 for elementary school foreign language teachers, in-

1 including requirements that allow for alternative
2 routes to certification;

3 “(D) providing technical assistance to local edu-
4 cational agencies in the State in developing, imple-
5 menting, or improving elementary school foreign lan-
6 guage programs, including assistance to ensure ef-
7 fective coordination with, and transition of students
8 among, elementary, middle, and secondary schools;

9 “(E) disseminating information on promising or
10 effective practices in elementary school foreign lan-
11 guage instruction and supporting educator networks
12 that help improve that instruction;

13 “(F) stimulating the development and dissemi-
14 nation of information on instructional programs that
15 use educational technologies and technology applica-
16 tions (including such technologies and applications
17 as multimedia software, web-based resources, digital
18 television, and virtual reality and wireless tech-
19 nologies) to deliver instruction or professional devel-
20 opment, or to assess students’ foreign language pro-
21 ficiency; and

22 “(G) collecting data on and evaluating the ele-
23 mentary school foreign language programs in the
24 State and activities carried out with the grant.

1 “(2) Grants to local educational agencies under this
2 section shall be used for activities to develop and imple-
3 ment high-quality, standards-based elementary school for-
4 eign language programs, which may include—

5 “(A) curriculum development and implementa-
6 tion;

7 “(B) professional development for teachers and
8 other staff;

9 “(C) partnerships with institutions of higher
10 education to provide for the preparation of the
11 teachers needed to implement programs under this
12 section;

13 “(D) efforts to coordinate elementary school
14 foreign language instruction with secondary-level for-
15 eign language instruction, and to provide students
16 with a smooth transition from elementary to sec-
17 ondary programs;

18 “(E) implementation of instructional ap-
19 proaches that make use of advanced educational
20 technologies; and

21 “(F) collection of data on, and evaluation of,
22 the activities carried out under the grant, including
23 assessment, at regular intervals, of participating stu-
24 dents’ proficiency in the foreign language studied.

1 “(3) SPECIAL RULE.—Efforts under paragraph
2 (2)(D) may include support for the expansion of secondary
3 school instruction, so long as that instruction is part of
4 an articulated elementary-through-secondary school for-
5 eign language program that is designed to result in stu-
6 dent fluency in a foreign language.

7 “(c) APPLICATIONS.—(1) Any State educational
8 agency or local educational agency desiring to receive a
9 grant under this section shall submit an application to the
10 Secretary at such time, in such form, and containing such
11 information and assurances, as the Secretary may require.

12 “(2) Each application shall include descriptions of—

13 “(A) the goals that the applicant intends to ac-
14 comply through the project, including—

15 “(i) for applications submitted by State
16 educational agencies, the goal of ensuring the
17 availability of qualified elementary school for-
18 eign language teachers throughout the State;
19 and

20 “(ii) for applications submitted by local
21 educational agencies, the goal of enabling all
22 participating students to become proficient in a
23 foreign language;

24 “(B) the activities to be carried out through the
25 project; and

1 “(C) how the applicant will determine the ex-
2 tent to which its project meets its goals.

3 “(d) PRIORITIES.—In awarding grants under this
4 section, the Secretary may establish one or more priorities
5 consistent with the purpose of this part, including prior-
6 ities for projects carried out by local educational agencies
7 that—

8 “(1) provide immersion programs in which in-
9 struction is in the foreign language for a major por-
10 tion of the day; or

11 “(2) promote the sequential study of a foreign
12 language for students, beginning in elementary
13 schools.

14 “(e) REPORTS.—(1) A State educational agency or
15 local educational agency that receives a grant under this
16 section shall submit to the Secretary an annual report that
17 provides information on the project’s progress in reaching
18 its goals.

19 “(2) A local educational agency that receives a grant
20 under this section shall include in its report under para-
21 graph (1), information on students’ gains in compre-
22 hending, speaking, reading, and writing a foreign lan-
23 guage, and shall compare such educational outcomes to
24 the State’s foreign language standards, if such State
25 standards exist.

1 “(f) FEDERAL SHARE.—(1) The Federal share for
2 each fiscal year of a program under this section shall be
3 not more than 50 percent.

4 “(2) The Secretary may waive the requirement of
5 paragraph (1) for any local educational agency that the
6 Secretary determines does not have adequate resources to
7 pay the non-Federal share of the cost of the activities as-
8 sisted under this section.

9 “(g) AUTHORIZATION OF APPROPRIATIONS.—(1) For
10 the purpose of carrying out this section, there are author-
11 ized to be appropriated such sums as may be necessary
12 for fiscal year 2001 and for each of the four succeeding
13 fiscal years.

14 “(2) For any fiscal year, the Secretary may reserve
15 up to five percent of the amount appropriated under para-
16 graph (1) to—

17 “(A) conduct independent evaluations of the ac-
18 tivities assisted under this section;

19 “(B) provide technical assistance to recipients
20 of awards under this section; and

21 “(C) disseminate findings and methodologies
22 from evaluations required by, or funded under, this
23 section and other information obtained from such
24 programs.”.

1 NATIONAL WRITING PROJECT

2 SEC. 1012. Part K of title X of the ESEA is
3 amended—

4 (1) in section 10991—

5 (A) in paragraph (15)—

6 (i) by striking “154 regional sites”
7 and inserting in lieu thereof “157 regional
8 sites”; and

9 (ii) by striking “45 States” and in-
10 serting in lieu thereof “46 States”;

11 (B) in paragraph (17) by adding “and” at
12 the end thereof;

13 (C) in paragraph (18) by striking out at
14 the end thereof the semicolon and “and” and
15 inserting in lieu thereof a period; and

16 (D) by striking out paragraph (19);

17 (2) in section 10992—

18 (A) by striking out subsection (e);

19 (B) by amending subsection (g) to read as
20 follows:

21 “(g) EVALUATION.—The Secretary may conduct an
22 independent evaluation, by grant or contract, of the pro-
23 gram administered pursuant to this part.”; and

24 (C) by amending subsection (i) to read as
25 follows:

1 “(i) AUTHORIZATION OF APPROPRIATIONS.—For the
 2 purposes of carrying out this part, there are authorized
 3 to be appropriated such sums as may be necessary for fis-
 4 cal year 2001 and each of the four succeeding fiscal
 5 years.”; and

6 (3) by redesignating—

7 (A) part K, as amended by this section, as
 8 part J; and

9 (B) section 10991 and section 10992 as
 10 section 10951 and section 10952, respectively.

11 TITLE XI—GENERAL PROVISIONS,
 12 DEFINITIONS AND ACCOUNTABILITY

13 DEFINITIONS

14 SEC. 1101. Part A of title XIV of the ESEA is
 15 amended—

16 (1) in section 14101—

17 (A) in paragraphs (5), (6), (7), and (8), by
 18 striking out “section 14302” and inserting in
 19 lieu thereof “section 11502”;

20 (B) by amending paragraph (10) to read
 21 as follows:

22 “(10) COVERED PROGRAM.—The term ‘covered
 23 program’ means each of the programs authorized
 24 by—

25 “(A) part A of title I,

1 “(B) part C of title I;

2 “(C) part A of title II;

3 “(D) subpart 1 of part D of title III;

4 “(E) part A of title IV (other than section
5 4115);

6 “(F) the Comprehensive School Reform
7 Demonstration Program; and

8 “(G) title VI.”;

9 (C) in paragraph (11)(B), by striking out
10 “and title VI”;

11 (D) in paragraph (24), by striking out
12 “section 602(a)(17)” and inserting in lieu
13 thereof “section 602(22)”;

14 (E) by redesignating paragraphs (15)
15 through (29) as paragraphs (16) through (30),
16 respectively; and

17 (F) by inserting after paragraph (14) a
18 new paragraph (15) to read as follows:

19 “(15) FAMILY LITERARY SERVICES.—The term
20 ‘family literacy services’ means services provided to
21 eligible participants on a voluntary basis that are of
22 sufficient intensity, both in hours and duration, to
23 make sustainable changes in a family, and that inte-
24 grate all of the following activities:

1 “(A) Interactive literacy activities between
2 parents and their children.

3 “(B) Training for parents on how to be the
4 primary teachers for their children and full
5 partners in the education of their children.

6 “(C) Parent literacy training that leads to
7 economic self-sufficiency.

8 “(D) An age-appropriate education to pre-
9 pare children for success in school and life ex-
10 periences.”; and

11 (2) in section 14102, by striking out “Parts B,
12 C, D, E, and F” and inserting in lieu thereof “Parts
13 D, E, F, and G”.

14 ADMINISTRATIVE FUNDS

15 SEC. 1102. Part B of title XIV of the ESEA is
16 amended—

17 (1) in section 14201—

18 (A) by amending subsection (a)(2) to read
19 as follows:

20 “(2) APPLICABILITY.—This section applies to—

21 “(A) programs under title I and those pro-
22 grams described in subparagraphs (C), (D), and
23 (E) of section 11101(10);

24 “(B) the Comprehensive School Reform
25 Demonstration Program;

26 “(C) title VI;

1 “(D) the Carl D. Perkins Vocational and
2 Technical Education Act of 1998; and

3 “(E) such other programs as the Secretary
4 may designate.”;

5 (B) by amending subsection (b)(2) to read
6 as follows:

7 “(2) ADDITIONAL USES.—A State educational
8 agency may also use the funds available under this
9 section for administrative activities designed to en-
10 hance the effective and coordinated use of funds
11 under the programs included in the consolidation
12 under subsection (a), such as—

13 “(A) State-level activities designed to carry
14 out this title, including part B;

15 “(B) the coordination of those programs
16 with other Federal and non-Federal programs;

17 “(C) the establishment and operation of
18 peer-review mechanisms under this Act;

19 “(D) collaborative activities with other
20 State educational agencies to improve adminis-
21 tration under this Act;

22 “(E) the dissemination of information re-
23 garding model programs and practices;

24 “(F) technical assistance under the pro-
25 grams specified in subsection (a)(2);

1 “(G) training personnel engaged in audit
2 and other monitoring activities; and

3 “(H) implementation of the Cooperative
4 Audit Resolution and Oversight Initiative.”; and

5 (C) by striking out subsection (f);
6 (2) in section 14203—

7 (A) in subsection (b), by striking out “Im-
8 proving America’s Schools Act of 1994” and in-
9 serting in lieu thereof “Educational Excellence
10 for All Children Act of 1999”; and

11 (B) in subsection (d), by striking out “the
12 uses described in section 14201(b)(2)” and in-
13 serting in lieu thereof “for uses, at the school
14 district and school levels, comparable to those
15 described in section 11401(b)(2)”;

16 (3) by repealing section 14204;

17 (4) in section 14205(a)(2)(B)(i), by striking out
18 “National Education Goals” and inserting in lieu
19 thereof “America’s Education Goals”; and

20 (5) in section 14206—

21 (A) by amending the section heading to
22 read: “MOST EFFECTIVE USE OF PROGRAM
23 FUNDS.”;

24 (B) by amending subsection (a) to read as
25 follows:

1 “(a) MOST EFFECTIVE USE.—With the approval of
 2 its State educational agency, a local educational agency
 3 that determines for any fiscal year that funds under a cov-
 4 ered program (other than part A of title I) would be more
 5 effective in helping all its students achieve the State’s
 6 challenging standards if used under another covered pro-
 7 gram, may use those funds, not to exceed five percent of
 8 the local educational agency’s total allotment for that fis-
 9 cal year, to carry out programs and activities under that
 10 other covered program.”; and

11 (C) in subsection (b), by striking out “title
 12 XI of this Act” and inserting in lieu thereof
 13 “part I of this title”.

14 COORDINATION OF PROGRAMS

15 SEC. 1103. Part C of title XIV of the Act is
 16 amended—

17 (1) in the heading thereof, by striking out “AND
 18 APPLICATIONS”;

19 (2) by amending section 14302 to read as fol-
 20 lows:

21 “OPTIONAL CONSOLIDATED STATE PLANS

22 “SEC. 14302. (a) GENERAL.—

23 (1) PURPOSE AND AUTHORITY.—In order to
 24 promote continuing, standards-based education re-
 25 form, encourage the integration and coordination of
 26 resources, and simplify application requirements and

1 reduce burden for State educational agencies under
2 this Act, the Secretary, in accordance with sub-
3 section (b), shall establish procedures and criteria
4 under which a State educational agency may submit
5 a consolidated State plan meeting the requirements
6 of this section for any or all of—

7 “(A) the covered programs in which the
8 State participates; and

9 “(B) the additional programs described in
10 paragraph (2).

11 “(2) ADDITIONAL PROGRAMS.—A State edu-
12 cational agency may also include in its consolidated
13 State plan—

14 “(A) the Even Start program under part B
15 of title I;

16 “(B) the State Agency Programs for Chil-
17 dren and Youth Who Are Neglected or Delin-
18 quent under part D of title I;

19 “(C) programs under part A of title II of
20 the Carl D. Perkins Vocational and Technical
21 Education Act of 1998; and

22 “(D) such other programs as the Secretary
23 may designate.

24 “(3) STATE DEVELOPMENT AND SUBMISSION.—

25 (A) A State educational agency desiring to receive a

1 grant under two or more of the programs to which
2 this section applies may submit a consolidated State
3 plan for those programs that satisfies the procedures
4 and criteria established under this section.

5 “(B) A State educational agency that submits
6 a consolidated State plan shall not be required to
7 submit separate State plans or applications for the
8 programs included in the consolidated State plan.

9 “(C) A State educational agency that submits a
10 consolidated State plan shall comply with all the re-
11 quirements applicable to the programs in the con-
12 solidated State plan as if it had submitted separate
13 State plans.

14 “(4) CONSOLIDATED STATE PLANS.—A State
15 educational agency that desires to receive funds
16 under a program to which this section applies for
17 the fiscal year 2001 and the succeeding four fiscal
18 years shall submit to the Secretary a new consoli-
19 dated plan that meets the requirements of this sec-
20 tion within the time specified by the Secretary.

21 “(b) PLAN CONTENTS.—

22 “(1) COLLABORATIVE PROCESS.—(A) In estab-
23 lishing criteria and procedures under this section,
24 the Secretary shall collaborate with State edu-
25 cational agencies and, as appropriate, with other

1 State agencies, local educational agencies, public and
2 private nonprofit agencies, organizations, and insti-
3 tutions, private schools, and representatives of par-
4 ents, students, and teachers.

5 “(B)(i) Through the collaborative process de-
6 scribed in paragraph (1), the Secretary shall estab-
7 lish, for each program under the Act to which this
8 section applies, the descriptions and information
9 that must be included in a consolidated State plan.

10 “(ii) In carrying out clause (i), the Secretary
11 shall ensure that a consolidated State plan contains,
12 for each program included in the plan, the descrip-
13 tions and information needed to ensure proper and
14 effective administration of that program in accord-
15 ance with its purposes.

16 “(2) INTEGRATION AND COORDINATION OF RE-
17 SOURCES.—In its consolidated plan under this sec-
18 tion, a State educational agency shall describe
19 how—

20 “(A) funds under the programs included in
21 the plan will be integrated to best serve the stu-
22 dents and teachers intended to benefit from
23 those programs; and

1 “(B) those programs will be coordinated at
2 the State, school district, and school levels
3 with—

4 “(i) other covered programs not in-
5 cluded in the plan; and

6 “(ii) related programs, such as pro-
7 grams under the Reading Excellence Act
8 under part E of title I, the 21st Century
9 Community Learning Centers program and
10 the High School Reform program under
11 parts G and H of title X, respectively, and
12 the Teacher Quality Enhancement Pro-
13 grams, and the Gaining Early Awareness
14 and Readiness for Undergraduate Pro-
15 grams under title II and chapter 2 of sub-
16 part 2 of part A of title IV, of the Higher
17 Education Act of 1965, respectively.

18 “(c) INDICATORS.—In order to evaluate its perform-
19 ance under its consolidated State plan, a State educational
20 agency shall include in its plan—

21 “(1) any information required by the Secretary
22 under section 11912 regarding performance indica-
23 tors, benchmarks, and targets; and

1 “(2) any other indicators or measures the State
2 determines are appropriate for evaluating its per-
3 formance under its consolidated State plan.

4 “(d) MONITORING AND DATA INTEGRITY.—A State
5 educational agency shall include in its consolidated State
6 plan a description of the strategies it will use to meet the
7 requirements of section 11503(a)(4) and (5).

8 “(e) PEER REVIEW AND SECRETARIAL APPROVAL.—
9 (1) The Secretary shall—

10 “(A) establish a peer-review process to assist in
11 the review, and provide recommendations for the re-
12 vision, of consolidated State plans under this section;
13 and

14 “(B) to the extent practicable, appoint individ-
15 uals to the peer-review process who—

16 “(i) are knowledgeable about the pro-
17 grams, and the populations they serve, included
18 in the plans;

19 “(ii) are representative of State edu-
20 cational agencies, local educational agencies,
21 teachers, and parents of students served under
22 those programs; and

23 “(iii) have expertise on educational stand-
24 ards, assessments, and accountability.

1 “(2)(A) Following such peer review, the Secretary
2 shall approve a consolidated State plan if the Secretary
3 determines that the plan meets the requirements of this
4 section.

5 “(B) The Secretary may accompany such approval
6 with one or more conditions that the State educational
7 agency shall meet.

8 “(3) If the Secretary determines that the plan does
9 not meet the requirements of this section, the Secretary
10 shall notify the State of that determination and the rea-
11 sons for it.

12 “(4) The Secretary shall not finally disapprove a con-
13 solidated State plan before—

14 “(A) offering the State an opportunity to revise
15 its plan;

16 “(B) providing technical assistance to assist the
17 State to meet the requirements; and

18 “(C) providing a hearing.

19 “(f) REVISION AND AMENDMENT.—A State edu-
20 cational agency shall periodically review its consolidated
21 State plan to ensure that it accurately reflects its strate-
22 gies and activities under the programs covered by the plan.
23 If the State educational agency makes significant changes
24 to its strategies and activities, it shall submit an amend-

1 ment to its plan to the Secretary for approval in accord-
2 ance with this section.”;

3 (3) in section 14303(a)—

4 (A) in the matter before paragraph (1)—

5 (i) by striking out “or consolidated
6 State application”; and

7 (ii) by striking out “section 14302”
8 and inserting in lieu thereof “section
9 11502”;

10 (B) by redesignating paragraphs (4), (5),
11 (6), and (7) as paragraphs (6), (7), (8), and
12 (9), respectively; and

13 (C) by inserting after paragraph (3) the
14 following new paragraphs:

15 “(4) the State will monitor performance by
16 local educational agencies to ensure compliance with
17 the requirements of this Act and—

18 “(A) maintain proper documentation of
19 monitoring activities;

20 “(B) provide technical assistance when ap-
21 propriate and undertake enforcement activities
22 when needed; and

23 “(C) systematically analyze the results of
24 audits and other monitoring activities to iden-

1 tify trends in funding and to develop strategies
2 to correct problems;

3 “(5) the data used by the State to measure its
4 performance (and that of its local educational agen-
5 cies) under this Act are complete, reliable, and accu-
6 rate, or, if not, that the State will take such steps
7 as are necessary to make those data complete, reli-
8 able, and accurate.”;

9 (4) by repealing section 14304;

10 (5) by amending section 14305 to read as fol-
11 lows:

12 “CONSOLIDATED LOCAL PLANS

13 “SEC. 14305. (a) GENERAL AUTHORITY.—A local
14 educational agency receiving funds under more than one
15 covered program may submit plans to the State edu-
16 cational agency under such programs on a consolidated
17 basis.

18 “(b) CONSOLIDATED PLANS.—A State educational
19 agency that has an approved consolidated State plan
20 under section 11502 may require local educational agen-
21 cies that receive funds under more than one program in-
22 cluded in the consolidated State plan to submit consoli-
23 dated local plans for such programs.

24 “(c) COLLABORATION.—A State educational agency
25 shall collaborate with local educational agencies in the

1 State in establishing criteria and procedures for the sub-
2 mission of the consolidated local plans under this section.

3 “(d) CONTENTS.—For each program under this Act
4 that may be included in a plan under this section, the Sec-
5 retary may designate the descriptions and information
6 that must be included in a local consolidated plan, to en-
7 sure that each such program is administered in a proper
8 and effective manner in accordance with its purposes.”;

9 (6) in section 14306, by striking out “section
10 14304” and inserting in lieu thereof “section
11 11504”;

12 (7) by repealing section 14307; and

13 (8) by adding at the end thereof a new section
14 to read as follows:

15 “CONSOLIDATED REPORTING

16 “SEC. 14307. In order to encourage integration and
17 coordination of resources, simplify reporting requirements,
18 and reduce reporting burden, the Secretary shall establish
19 procedures and criteria under which a State educational
20 agency must submit a consolidated State annual perform-
21 ance report. Such a report shall contain information about
22 the programs included in the report, including the State’s
23 performance under those programs, and other matters, as
24 the Secretary determines, such as information regarding
25 monitoring activities under part I and section
26 11503(a)(4). Such a report shall take the place of indi-

1 vidual annual performance reports for the programs sub-
2 ject to it.”.

3 WAIVERS

4 SEC. 1104. Part D of title XIV of the Act is
5 amended—

6 (1) in section 14401(a), by inserting a comma
7 and “the Carl D. Perkins Vocational and Technical
8 Education Act of 1998, or subtitle B of title VII of
9 the Stewart B. McKinney Homeless Assistance Act”
10 immediately after “requirement of this Act”;

11 (2) in section 14401(b), by amending para-
12 graph (1) to read as follows:

13 “(1) IN GENERAL.—A State educational agen-
14 cy, local educational agency, or Indian tribe that de-
15 sires a waiver shall submit an application to the Sec-
16 retary at such time, in such manner, and containing
17 such information as the Secretary may reasonably
18 require. Each such application shall—

19 “(A) identify each Federal program af-
20 fected and the statutory or regulatory require-
21 ment requested to be waived;

22 “(B) describe the purpose and expected re-
23 sults of waiving each such requirement;

24 “(C) describe for each school year specific,
25 measurable, educational goals for the State edu-
26 cational agency and for each local educational

1 agency, Indian tribe, or school that would be af-
2 fected by the waiver; and

3 “(D) explain why the waiver would assist
4 the State educational agency and each affected
5 local educational agency, Indian tribe, or school
6 in reaching those goals.”;

7 (3) in section 14401(c)—

8 (A) in paragraph (8) by—

9 (i) striking out “part C of title X”
10 and inserting in lieu thereof “part B of
11 title V”; and

12 (ii) by striking out “or” at the end
13 thereof;

14 (B) in paragraph (9)—

15 (i) by striking out “section 14502”
16 and “section 14507” and inserting in lieu
17 thereof “section 11702” and “section
18 11707”, respectively; and

19 (ii) at the end thereof, by striking out
20 the period and inserting in lieu thereof a
21 semi-colon and “and”; and

22 (C) by adding at the end thereof a new
23 paragraph to read as follows:

24 “(10) health and safety.”; and

25 (4) in section 14401(e)(4), by—

1 (A) striking out “fiscal year 1997” and in-
 2 serting in lieu thereof “fiscal year 2001”; and

3 (B) striking out “the Committee on Edu-
 4 cation and Labor of the House of Representa-
 5 tives and the Committee on Labor and Human
 6 Resources of the Senate” and inserting in lieu
 7 thereof “the Committee on Education and the
 8 Workforce of the House of Representatives and
 9 the Committee on Health, Education, Labor
 10 and Pensions of the Senate”.

11 UNIFORM PROVISIONS

12 SEC. 1105. Part E of title XIV of the Act is
 13 amended—

14 (1) in section 14501(a), by inserting “(except
 15 part C of title I)” immediately after “covered pro-
 16 gram”;

17 (2) in section 14503—

18 (A) in subsection (a)(1), by inserting “that
 19 address their needs” immediately before the pe-
 20 riod;

21 (B) by amending subsection (b)(1) to read
 22 as follows:

23 “(1) IN GENERAL.—This section applies to pro-
 24 grams under—

25 “(A) part C of title I;

26 “(B) part E of title I;

1 “(C) subpart 2 of part A of title II;

2 “(D) title III;

3 “(E) part A of title IV, other than section

4 4115; and

5 “(F) part A of title VII.”; and

6 (C) in subsection (c)—

7 (i) in paragraph (1)—

8 (I) in subparagraph (C), by strik-

9 ing out “and” at the end thereof;

10 (II) in subparagraph (D), by

11 striking out the period and inserting a

12 semi-colon; and

13 (III) by adding at the end thereof

14 the following new subparagraphs:

15 “(E) to the extent applicable, the amount

16 of funds received by such agency that are at-

17 tributable to private school children; and

18 “(F) how and when such agency will make

19 decisions about the delivery of services to these

20 children.”; and

21 (ii) by amending paragraph (2) to

22 read as follows:

23 “(2) TIMING.—Such consultation shall include

24 meetings of agency and private school officials, shall

25 occur before the local educational agency makes any

1 decision that affects the opportunities of eligible pri-
2 vate school children, teachers, or other educational
3 personnel to participate in programs under this Act,
4 and shall continue throughout the implementation
5 and assessment of activities under this section.”;

6 (3) in section 14504, by striking out “section
7 14503” and “sections 14503, 14505, and 14506”
8 and inserting in lieu thereof “section 11703” and
9 “sections 11703, 11705, and 11706”, respectively;

10 (4) in section 14506—

11 (A) in subsection (a)(1)(A), by striking out
12 “section 14504” and inserting in lieu thereof
13 “section 11704”;

14 (B) in subsection (b), by striking out “sec-
15 tion 14503” and inserting in lieu thereof “sec-
16 tion 11703”; and

17 (C) in subsection (d), by striking out “Im-
18 proving America’s Schools Act of 1994” and in-
19 serting in lieu thereof “Educational Excellence
20 for All Children Act of 1999”; and

21 (5) by repealing section 14513 and section
22 14514.

23 REPEAL

24 SEC. 1106. Part F of title XIV of the Act is repealed.

1 EVALUATION AND INDICATORS

2 SEC. 1107. Part G of title XIV of the Act is
3 amended—

4 (1) by amending the heading thereof to read as
5 follows:

6 “EVALUATION AND INDICATORS”;

7 (2) in section 14701—

8 (A) in subsection (a)—

9 (i) in paragraph (1)—

10 (I) by redesignating subpara-
11 graphs (B) and (C) as subparagraphs
12 (C) and (D), respectively;

13 (II) by inserting the following
14 new subparagraph (B):

15 “(B) conduct evaluations that carry out
16 the purposes of the Government Performance
17 and Results Act of 1993 with respect to pro-
18 grams under this Act;”;

19 (III) in subparagraph (C), as re-
20 designated by clause (i), by striking
21 out “and” at the end thereof;

22 (IV) in subparagraph (D), as re-
23 designated by clause (i), by striking
24 out the period and inserting in lieu
25 thereof a semi-colon and “and”; and

1 (V) by adding at the end thereof
2 the following new subparagraph (E):

3 “(E) to work in partnership with the
4 States to develop information relating to pro-
5 gram performance that can be used to help
6 achieve continuous program improvement at the
7 State, school district, and school levels.”;

8 (B) by striking out subsections (b) and (c);
9 and

10 (C) by inserting after subsection (a) the
11 following new subsections:

12 “(b) NATIONAL EVALUATION.—The Secretary shall
13 use funds reserved under subsection (a) to conduct inde-
14 pendent studies of programs under this Act and the effec-
15 tiveness of those programs in achieving their purposes, to
16 determine whether those programs (or the administration
17 of those programs) are—

18 “(1) contributing to improved student academic
19 performance;

20 “(2) supporting the development of challenging
21 standards and aligned assessments that guide other
22 elements of school reform, including teacher certifi-
23 cation, curriculum frameworks, instruction, and pro-
24 fessional development;

1 “(3) assisting efforts in schools and classrooms
2 to improve teaching and the climate for learning,
3 particularly in high-poverty schools, including efforts
4 related to technology, professional development,
5 school violence and drug prevention, and public
6 school choice;

7 “(4) promoting flexibility with accountability;

8 “(5) supporting efforts to strengthen family
9 and community involvement in education;

10 “(6) targeting their resources effectively;

11 “(7) contributing to reform efforts and contin-
12 uous improvement; and

13 “(8) achieving other goals consistent with the
14 purposes of this Act.

15 “(c) INDEPENDENT PANEL.—The Secretary shall es-
16 tablish an independent panel to review studies under sub-
17 section (b) to advise the Secretary on their progress, and
18 to comment, if the panel chooses, on the final report de-
19 scribed in subsection (d).

20 “(d) REPORTS.—The Secretary shall submit an in-
21 terim report on the evaluation described in subsection (b)
22 within three years of enactment of the Educational Excel-
23 lence for All Children Act of 1999 and a final report with-
24 in four years of its enactment to the Committee on Edu-
25 cation and the Workforce of the House of Representatives

1 and to the Committee on Health, Education, Labor and
2 Pensions of the Senate.

3 “(e) PARTNERSHIPS TO STRENGTHEN PERFORM-
4 ANCE INFORMATION FOR IMPROVEMENT.—The Secretary
5 may provide technical assistance to recipients of assistance
6 under this Act in order to strengthen the collection and
7 assessment of information relating to program perform-
8 ance and quality assurance at the State and local levels.
9 Such technical assistance shall be designed to promote the
10 development, measurement, use, and reporting of data on
11 valid, reliable, timely, and consistent performance indica-
12 tors, within and across programs, and may include one-
13 time grants, from funds reserved under subsection (a), to
14 recipients to develop their data systems with the goal of
15 helping recipients make continuous program improve-
16 ment.”; and

17 (3) by adding at the end thereof the following
18 new section:

19 “PERFORMANCE MEASURES

20 “SEC. 14702. (a) IN GENERAL.—The Secretary is
21 authorized to establish performance indicators, bench-
22 marks, and targets for each program under this Act and
23 subtitle B of title VII of the Stewart B. McKinney Home-
24 less Assistance Act, to assist in measuring program per-
25 formance. Indicators, benchmarks, and targets under this
26 section shall be consistent with the Government Perform-

1 ance and Results Act of 1993 (and strategic plans adopted
2 by the Secretary under that Act) and section 11501.

3 “(b) COLLABORATION.—The Secretary shall collabo-
4 rate with State educational agencies, local educational
5 agencies, and other recipients under this Act in estab-
6 lishing performance indicators, benchmarks, and targets
7 under this section.

8 “(c) PLANS AND APPLICATIONS.—The Secretary may
9 require any applicant for funds under this Act or subtitle
10 B of title VII of the Stewart B. McKinney Homeless As-
11 sistance Act to—

12 “(1) include in its plan or application informa-
13 tion relating to how it will use performance indica-
14 tors, benchmarks, and targets under this section to
15 improve its program performance; and

16 “(2) report data relating to such performance
17 indicators, benchmarks, and targets to the Sec-
18 retary.”.

19 COORDINATED SERVICES

20 SEC. 1108. (a) REPEALS AND REDESIGNATIONS.—
21 The ESEA is further amended by—

22 (1) repealing sections 11003 and 11007; and

23 (2) redesignating—

24 (A) title XI of the ESEA as part I of title
25 XI of the ESEA; and

1 (B) sections 11001, 11002, 11004, 11005,
2 and 11006 as sections 11901, 11902, 11903,
3 11904, and 11905, respectively.

4 (b) MISCELLANEOUS.—Part I of title XI of the
5 ESEA, as redesignated by subsection (a)(2), is
6 amended—

7 (1) by amending section 11903, as redesignated
8 by subsection (a)(2)(B), to read as follows:

9 “PROJECT DEVELOPMENT AND IMPLEMENTATION

10 “SEC. 11903. (a) APPLICATIONS.—Each eligible enti-
11 ty desiring to use funds made available under section
12 11405(b) shall submit an application to the appropriate
13 State educational agency at such time, in such manner,
14 and accompanied by such information as that agency may
15 reasonably require.

16 “(b) PROJECT ACTIVITIES.—An eligible entity that
17 wishes to conduct a coordinated services project shall—

18 “(1) maintain on file—

19 “(i) the results of its assessment of the
20 economic, social, and health barriers to edu-
21 cational achievement experienced by children
22 and families, including foster children and their
23 foster families, in the community, and of the
24 local, State, Federal, and privately funded serv-
25 ices available to meet those needs;

1 “(ii) a description of the entities operating
2 the coordinated services project;

3 “(iii) a description of its coordinated serv-
4 ices project, the objectives of that project,
5 where the project will be located, the commu-
6 nity-wide partnership that will link public and
7 private agencies providing services to children
8 and their families, the staff that will be used
9 to carry out the project, and how the project
10 will meet the requirements in this part; and

11 “(iv) an annual budget that indicates the
12 sources and amounts of funds under this Act
13 that will be used for the project, consistent with
14 section 11405(b), and the purposes, by budget
15 category, for which those funds will be used;

16 “(2) evaluate annually the success of the co-
17 ordinated services project under this section in meet-
18 ing its goals and objectives;

19 “(3) train teachers and appropriate personnel
20 on the purposes, activities, and services of the co-
21 ordinated services project, and how children and
22 families may obtain those activities and services; and

23 “(4) ensure that the coordinated services
24 project addresses the health and welfare needs of
25 migratory families.

1 “(c) SPECIAL RULE.—A State educational agency
2 need not require eligible entities to submit an application
3 under subsection (a) in order to permit them to carry out
4 coordinated services projects under this section.”;

5 (2) in section 11904(a)—

6 (A) in paragraph (1), by striking out “sec-
7 tion 14206(b)” and “section 11004(b)(1)” and
8 inserting in lieu thereof “section 11405(b) for
9 a coordinated services project” and “section
10 11903(b)(1)(i)”, respectively; and

11 (B) in paragraph (2), by striking out “sec-
12 tion 14206(b)” and inserting in lieu thereof
13 “section 11405(b)”; and

14 (3) in section 11905—

15 (A) by striking out “Secretary” each place
16 it appears and inserting in lieu thereof “State
17 educational agency”; and

18 (B) by striking out “section 14206(b)”
19 and inserting in lieu thereof “section
20 11405(b)”.

21 REDESIGNATIONS

22 SEC. 1109. Title XIV of the ESEA is further
23 amended—

24 (1) by redesignating such title as title XI;

1 (2) by redesignating sections 14101, 14102,
2 and 14103 as sections 11101, 11102, and 11103,
3 respectively;

4 (3) by redesignating—

5 (A) part B as part D; and

6 (B) sections 14201, 14202, 14203, 14205,
7 and 14206 as sections 11401, 11402, 11403,
8 11404, and 11405, respectively;

9 (4) by redesignating—

10 (A) part C as part E; and

11 (B) sections 14301, 14302, 14303, 14305,
12 14306, and 14307 as sections 11501, 11502,
13 11503, 11504, 11505, and 11506, respectively;

14 (5) by redesignating—

15 (A) part D as part F; and

16 (B) section 14401 as section 11601;

17 (6) by redesignating—

18 (A) part E as part H; and

19 (B) sections 14501, 14502, 14503, 14504,
20 14505, 14506, 14507, 14508, 14509, 14510,
21 14511, and 14512 as sections 11801, 11802,
22 11803, 11804, 11805, 11806, 11807, 11808,
23 11809, 11810, 11811, and 11812, respectively;

24 (7) by redesignating—

25 (A) part G as part J; and

1 (B) sections 14701 and 14702 as sections
2 11911 and 11912, respectively; and
3 (8) by redesignating—
4 (A) part H as part K and
5 (B) sections 14801 and 14802 as sections
6 11921 and 11922, respectively.

7 ED-FLEX PARTNERSHIPS

8 SEC. 1110. (a) IN GENERAL.—The Education Flexi-
9 bility Partnership Act of 1999 (P.L. 106–25) is
10 amended—

11 (1) by striking out everything before section 1;

12 (2) in section 1, by—

13 (A) striking out “Act” and inserting in
14 lieu thereof “part”; and

15 (B) striking out “of 1999”;

16 (3) in section (2), by—

17 (A) striking out paragraph (5);

18 (B) redesignating paragraphs (6) and (7)
19 as paragraphs (5) and (6), respectively; and

20 (C) in paragraph (5), as redesignated by
21 subparagraph (B), by—

22 (i) striking out “Expansion of waiver
23 authority will allow for the waiver of” and
24 inserting “States should be allowed to
25 waive”; and

1 (ii) striking out the comma after “af-
 2 fected programs” and everything that fol-
 3 lows through “and maintaining” and in-
 4 serting “and maintaining”;

5 (4) by amending section 3 to read as follows:

6 “DEFINITIONS

7 “SEC. 3. As used in this part, the terms ‘eligible
 8 school attendance area’ and ‘school attendance area’ have
 9 the meanings given those terms in section 1113(a)(2) of
 10 this Act.”;

11 (5) in section 4—

12 (A) in subsection (a)—

13 (i) in paragraph (2)—

14 (I) in the matter before subpara-
 15 graph (A), by inserting a comma after
 16 “section”;

17 (II) by amending subparagraph
 18 (A) to read as follows:

19 “(A) has an approved educational account-
 20 ability plan under section 11208 of this Act and
 21 is making satisfactory progress, as determined
 22 by the Secretary, in implementing its policies
 23 under sections 11204 and 11205 of this Act;”;
 24 and

25 (III) by amending subparagraph
 26 (B) to read as follows:

1 “(B) has developed and implemented chal-
2 lenging State content standards, challenging
3 State student performance standards, and
4 aligned assessments described in section
5 1111(b) of this Act; and”;

6 (ii) in paragraph (3)(B)—

7 (I) in the matter before clause
8 (i), by striking out “such application”
9 and inserting “it”; and

10 (II) in clause (iv)(I), by striking
11 out “have the ability to” and inserting
12 “can”;

13 (iii) in paragraph (4)(A)—

14 (I) in the matter before clause
15 (i), by inserting a comma immediately
16 after “paragraph (1)(A)” and imme-
17 diately after “regulatory require-
18 ment”, the second time that phrase
19 appears, respectively; and

20 (II) in clause (iv), by striking out
21 “why” and inserting “how”;

22 (iv) in paragraph (5)—

23 (I) in subparagraph (B)(ii), by
24 striking out “each such State” and in-
25 serting in lieu thereof “it”; and

1 (II) in subparagraph (C), by
2 striking out “2 years after the date of
3 the enactment of this Act” and insert-
4 ing “May 1, 2001”;

5 (v) in paragraph (6), by amending
6 subparagraph (A) to read as follows:

7 “(A) IN GENERAL.—The Secretary shall
8 not approve the application of a State edu-
9 cational agency under paragraph (3) for a pe-
10 riod exceeding 5 years, except that the Sec-
11 retary may, in accordance with subparagraph
12 (C), extend that period if the Secretary deter-
13 mines that—

14 “(i) the State educational agency’s
15 authority to grant waivers has been effec-
16 tive in enabling that State or affected local
17 educational agencies or schools to carry
18 out their State or local reform plans and
19 to continue to meet the accountability re-
20 quirement described in paragraph (2)(B);
21 and

22 “(ii) the State has made significant
23 statewide gains in student achievement and
24 in closing the achievement gap between
25 low- and high-performing students.”; and

1 (vi) in paragraph (7), by striking out
2 “1999” and inserting “2000”;

3 (B) by amending subsection (b) to read as
4 follows:

5 “(b) INCLUDED PROGRAMS.—The statutory and reg-
6 ulatory requirements referred to in subsection (a)(1)(A)
7 are any requirements for programs carried out under the
8 following provisions:

9 “(1) Title I of this Act (other than subsection
10 (a) and (c) of section 1116).

11 “(2) Part A of title II of this Act.

12 “(3) Subpart 1 of part D of title III of this Act.

13 “(4) Part A of title IV of this Act.

14 “(5) Title VI of this Act.

15 “(6) Part B of title VII of this Act.

16 “(7) The Carl D. Perkins Vocational and Tech-
17 nical Education Act of 1998.

18 “(8) Subtitle B of title VII of the Stewart B.
19 McKinney Homeless Assistance Act.”;

20 (C) in subsection (c)—

21 (i) in subparagraph (G), by striking
22 out “such Act” and inserting “this Act”;

23 (ii) by redesignating subparagraphs
24 (H) and (I) as subparagraphs (I) and (J),
25 respectively; and

1 (iii) by inserting a new subparagraph
2 (H) to read as follows:

3 “(H) the eligibility of a school for a
4 schoolwide program under section 1114 of this
5 Act, except that a State educational agency
6 may grant a waiver to allow a local educational
7 agency to conduct a schoolwide program in a
8 school that serves an attendance area in which
9 not less than 40 percent of the children are
10 from low-income families or in which not less
11 than 40 percent of the children enrolled are
12 from such families;”;

13 (D) in subsection (d)—

14 (i) in paragraph (1), by striking out
15 “the waiver authority” and inserting “that
16 waiver authority”; and

17 (ii) in paragraph (4), by—

18 (I) striking out “date of the en-
19 actment of this Act” and inserting
20 “effective date of this part”; and

21 (II) striking out “subpart 2 of
22 part A of title III of the Elementary
23 and Secondary Education Act of 1965
24 (other than section 3136 of such

1 Act)” and inserting “subpart 1 of
2 part D of title III of this Act”; and

3 (E) at the end thereof, by adding a new
4 subsection (f) to read as follows:

5 “(f) TRANSITION.—Waivers granted under applicable
6 ED-Flex authority prior to the effective date of this part
7 shall remain in effect in accordance with the terms and
8 conditions that applied to those waivers when they were
9 granted. Waivers granted on or after the effective date of
10 this part shall be subject to the provisions of this part.”;

11 (6) by striking out “the Elementary and Sec-
12 ondary Education Act of 1965” each place it ap-
13 pears and inserting “this Act”; and

14 (7) by repealing sections 5 and 6.

15 (b) REDESIGNATIONS.—Title XI of the ESEA is fur-
16 ther amended—

17 (1) by redesignating the Education Flexibility
18 Partnership Act, as amended by subsection (a), as
19 part G of title XI; and

20 (2) by redesignating sections 1, 2, 3, and 4 as
21 sections 11701, 11702, 11703, and 11704, respec-
22 tively.

23 ACCOUNTABILITY

24 SEC. 1111. Title XI of the ESEA, as redesignated
25 by section 1109, is further amended by inserting a new
26 part B to read as follows:

4 “SEC. 11201. This part may be cited as the “Edu-
5 cation Accountability Act of 1999”.

7 “SEC. 11202. It is the purpose of this part to improve
8 academic achievement for all children, assist in meeting
9 America’s Education Goals under section 3 of this Act,
10 promote the incorporation of challenging State academic
11 content and student performance standards into classroom
12 practice, enhance the accountability of State and local offi-
13 cials for student progress, and improve the effectiveness
14 of programs under this Act and the educational opportuni-
15 ties of the students that they serve.

17 “SEC. 11203. Consistent with section 1111(b)(3)(B)
18 of this Act, a State that receives assistance under this Act
19 shall develop and implement a statewide system for hold-
20 ing its local educational agencies and schools accountable
21 for student performance that includes—

25 “(2) intervening in those agencies and schools
26 to improve teaching and learning; and

1 “(3) implementing corrective actions, if those
2 interventions are not effective.

3 “STUDENT PROGRESS AND PROMOTION POLICY

4 “SEC. 11204. (a) IN GENERAL.—(1) A State that re-
5 ceives assistance under this Act shall, at the time it sub-
6 mits its accountability plan under section 11208, have in
7 effect a State policy that is designed to—

8 “(A) ensure that students progress through
9 school on a timely basis, having mastered the chal-
10 lenging material needed for them to reach high
11 standards of performance; and

12 “(B) end the practices of social promotion and
13 retention.

14 “(2) As used in this part, the term—

15 “(A) ‘social promotion’ means the unsound edu-
16 cational practice of promoting students who have not
17 demonstrated mastery of challenging State academic
18 standards without affording those students con-
19 tinuing intensive and comprehensive interventions by
20 educational authorities to enable them to master
21 such standards; and

22 “(B) ‘retention’ means the unsound educational
23 practice of requiring students who have not dem-
24 onstrated mastery of challenging academic standards
25 to repeat a grade or part of a grade rather than
26 placing such students in age-appropriate settings

1 and affording them continuing intensive and com-
2 prehensive interventions by educational authorities
3 to enable them to master such standards.

4 “(b) POLICY.—In order to ensure that students will
5 progress through school and graduate having mastered the
6 challenging material needed for them to meet high stand-
7 ards of performance, a State policy under subsection (a)
8 shall—

9 “(1) require—

10 “(A) its local educational agencies to im-
11 plement continuing, intensive and comprehen-
12 sive educational interventions as may be nec-
13 essary to ensure that all students can meet the
14 challenging academic performance standards re-
15 quired under section 1111(b)(1)(A) of this Act;
16 and

17 “(B) whatever steps are necessary by
18 States, local educational agencies, parents and
19 students to ensure that all students will meet
20 the challenging academic performance stand-
21 ards required under section 1111(b)(1)(A) at
22 three key transition points as determined by the
23 state, consistent with section 1111(b)(2)(D) so
24 that students will progress through school and
25 graduate having mastered the challenging mate-

1 rial needed for them to meet high standards of
2 performance.

3 “(2) require the State educational agency to de-
4 termine, through the collection of appropriate data,
5 whether local educational agencies and schools are
6 ending the practices of social promotion and reten-
7 tion;

8 “(3) require its local educational agencies to
9 provide to all students educational opportunities in
10 classrooms with qualified teachers who use proven
11 instructional practices that are aligned with the
12 State’s challenging standards and who are supported
13 by high-quality professional development;

14 “(4) require its local educational agencies to
15 use effective, research-based prevention and early
16 intervention strategies to identify and support stu-
17 dents who need additional help to meet those pro-
18 motion standards;

19 “(5) provide, with respect to students who have
20 not demonstrated mastery of challenging State aca-
21 demic standards on a timely basis—

22 “(A) for continuing, intensive, and age-ap-
23 propriate interventions, including extended in-
24 struction and learning time, such as after-

1 school and summer programs that are designed
2 to help students master such material;

3 “(B) for other specific interventions, with
4 appropriate instructional strategies, to enable
5 students with limited English proficiency and
6 students with disabilities to master such mate-
7 rial;

8 “(C) for the identification of the knowledge
9 and skills in particular subject areas that stu-
10 dents have not mastered, in order to facilitate
11 remediation in those areas;

12 “(D) for the development, by schools, of
13 plans to provide individualized attention to stu-
14 dents who have not mastered such material;

15 “(E) for full communication between the
16 school and parents, including a description and
17 analysis of the students’ performance, how it
18 will be improved, and how parents will be in-
19 volved in the process; and

20 “(F) in cases in which significant numbers
21 of students have failed to master such material,
22 for a State review of whether corrective action
23 under section 1116 of this Act with respect to
24 the school or local educational agency is needed;

1 “(6) require its local educational agencies to
2 disseminate widely their policies under this sub-
3 section in language and in a format that is concise
4 and that parents can understand; and

5 “(7) ensure that any assessments used by a
6 State, local educational agency, or school for the
7 purpose of implementing a policy under this
8 subsection—

9 “(A) are aligned with the State’s chal-
10 lenging content and performance standards and
11 provide coherent information about student
12 progress towards attainment of those stand-
13 ards;

14 “(B) include multiple measures, including
15 teacher evaluations, no one of which may be as-
16 signed determinative weight in making adverse
17 decisions about individual students;

18 “(C) offer multiple opportunities for stu-
19 dents to demonstrate that they meet the stand-
20 ards;

21 “(D) are valid and reliable for the pur-
22 poses for which they are used and must fairly
23 and accurately measure what students have
24 been taught;

1 “(E) provide reasonable adaptations and
2 accommodations for students with disabilities
3 and students with limited English proficiency;

4 “(F) provide that students with limited
5 English proficiency are assessed, to the greatest
6 extent practicable, in the language and form
7 most likely to yield accurate and reliable infor-
8 mation about what those students know and
9 can do; and

10 “(G) provide that Spanish-speaking stu-
11 dents with limited English proficiency are as-
12 sessed using tests written in Spanish, if Span-
13 ish-language assessments are more likely than
14 English-language tests to yield accurate and re-
15 liable information on what those students know
16 and can do.

17 “(c) PLAN CONTENT.—A State shall include in its
18 accountability plan under section 11208 a detailed de-
19 scription of—

20 “(1) its policy under subsection (b), in accord-
21 ance with paragraph (2);

22 “(2) the strategies and steps (including
23 timelines and performance indicators) that the State
24 will take to ensure that its policy is fully imple-

1 mented no later than four years from the date of
2 the approval of its accountability plan; and

3 “(3) the steps that the State will take to ensure
4 that the policy is disseminated to all local edu-
5 cational agencies and schools in the State and to the
6 general public.

7 “ENSURING TEACHER QUALITY

8 “SEC. 11205. (a) IN GENERAL.—A State that re-
9 ceives assistance under this Act shall, at the time it sub-
10 mits its accountability plan under section 11208, have in
11 effect a policy that—

12 “(1) is designed to ensure that there are quali-
13 fied teachers in every classroom in the State; and

14 “(2) meets the requirements of this section.

15 “(b) POLICY.—A policy to ensure teacher quality
16 under this section shall include the strategies that the
17 State will carry out to ensure that, within four years from
18 the date of the approval of its accountability plan—

19 “(1) not less than 95 percent of the teachers in
20 public schools in the State are certified or—

21 “(A) have a baccalaureate degree and are
22 enrolled in a program, such as an alternative
23 certification program, leading to full certifi-
24 cation in their field within three years; or

1 “(B) have full certification in another
2 State and are establishing certification where
3 they are teaching;

4 “(2) not less than 95 percent of the teachers in
5 public secondary schools in the State have academic
6 training or demonstrated competence in the subject
7 area in which they teach;

8 “(3) there is no disproportionate concentration
9 in particular school districts of teachers who are not
10 described in paragraphs (1) or (2); and

11 “(4) its certification process for new teachers
12 includes an assessment of content knowledge and
13 teaching skills that is aligned with State standards.

14 “(c) PLAN CONTENT.—(1) A State shall include in
15 its accountability plan under section 11208 the perform-
16 ance indicators by which it will annually measure its
17 progress in—

18 “(A) decreasing the percentage of teachers in
19 the State teaching without full licenses or creden-
20 tials; and

21 “(B) increasing the percentage of secondary
22 school classes in core academic subject areas taught
23 by teachers who—

1 “(i) have a postsecondary-level academic
2 major or minor in the subject area they teach
3 or a related field; or

4 “(ii) otherwise demonstrate a high level of
5 competence through rigorous tests in their aca-
6 demic subject.

7 “(2) In its accountability plan under section 11208,
8 a State shall assure that, in carrying out this policy, it
9 will not decrease the rigor or quality of its teacher certifi-
10 cation standards.

11 “SOUND DISCIPLINE POLICY

12 “SEC. 11206. (a) IN GENERAL.—A State that re-
13 ceives assistance under this Act shall, at the time it sub-
14 mits its accountability plan under section 11208, have in
15 effect a policy that requires its local educational agencies
16 and schools to have in place and implement sound and
17 equitable discipline policies, in order to ensure a safe, or-
18 derly, and drug-free learning environment in every school.

19 “(b) POLICY.—A State discipline policy under this
20 section shall require local educational agencies and schools
21 to have in place and implement disciplinary policies that—

22 “(1) focus on prevention and are coordinated
23 with prevention strategies and programs under title
24 IV of this Act;

25 “(2) apply to all students and are enforced con-
26 sistently and equitably;

1 “(3) are clear and understandable;

2 “(4) are developed with the participation of
3 school staff, students, and parents;

4 “(5) are broadly disseminated;

5 “(6) ensure that due process is provided;

6 “(7) are consistent with applicable Federal,
7 State and local laws, including the Individuals With
8 Disabilities Education Act;

9 “(8) ensure that teachers are adequately
10 trained to manage their classrooms effectively; and

11 “(9) in case of students who are suspended or
12 expelled from school, provide for appropriate super-
13 vision, counseling, and educational services that will
14 help those students continue to meet the State’s
15 challenging standards.

16 “(c) PLAN CONTENT.—A State shall include in its
17 accountability plan under section 11208 an assurance that
18 it has in effect a policy that meets the requirements of
19 this section.

20 “EDUCATION REPORT CARDS

21 “SEC. 11207. (a) IN GENERAL.—(1) A State that re-
22 ceives assistance under this Act shall, at the time it sub-
23 mits its accountability plan under section 11208, have in
24 effect a policy that requires the development and dissemi-
25 nation of annual report cards, regarding the status of edu-
26 cation and educational progress in the State and in its

1 local educational agencies and schools, that meet the re-
2 quirements of this section.

3 “(2) Report cards under this section shall—

4 “(A) be concise;

5 “(B) be disseminated in a format and manner
6 that parents can understand; and

7 “(C) focus on educational results.

8 “(b) CONTENT OF STATE-LEVEL REPORT CARD.—

9 (1) The State shall, at a minimum, include in the annual
10 State-level report card information regarding—

11 “(A) student performance on statewide assess-
12 ments, set forth on an aggregated basis, in both
13 reading (or language arts) and mathematics, as well
14 as any other subject area for which the State re-
15 quires assessments;

16 “(B) attendance and graduation rates in the
17 public schools of the State;

18 “(C) average class size in each of the school
19 districts in the State;

20 “(D) school safety, including the incidence of
21 school violence and drug and alcohol abuse and the
22 number of instances in which a student has pos-
23 sessed a firearm at school, subject to the Gun-Free
24 Schools Act; and

1 “(E) the professional qualifications of teachers
2 in the State, including the number of teachers teach-
3 ing with emergency credentials and the number of
4 teachers teaching out of their field of expertise.

5 “(2) Student achievement data in the report card
6 shall contain statistically sound, disaggregated results for
7 the following categories:

8 “(A) Gender.

9 “(B) Racial and ethnic group.

10 “(C) Migrant status.

11 “(D) Students with disabilities, as compared to
12 students who are not disabled.

13 “(E) Economically disadvantaged students, as
14 compared to students who are not economically dis-
15 advantaged.

16 “(F) Students with limited English proficiency,
17 as compared to students who are proficient in
18 English.

19 “(3) A State may include in such report cards any
20 other information it determines appropriate to reflect
21 school quality and student achievement, such as informa-
22 tion on—

23 “(A) longitudinal achievement scores from the
24 National Assessment of Educational Progress or
25 State assessments;

1 “(B) parent involvement, as determined by such
2 measures as the extent of parental participation in
3 school parental involvement activities;

4 “(C) participation in extended learning time
5 programs, such as after-school and summer pro-
6 grams; and

7 “(D) the performance of students in meeting
8 physical education goals.

9 “(c) CONTENT OF LOCAL EDUCATIONAL AGENCY
10 AND SCHOOL REPORT CARDS.—(1) The State shall en-
11 sure that each local educational agency and each school
12 in the State includes in its annual report card, at a
13 minimum—

14 “(A) the information described in subsections
15 (b)(1) and (b)(2); and

16 “(B)(i) in the case of a local educational
17 agency—

18 “(I) the number of schools identified as
19 low-performing schools, such as schools identi-
20 fied as in need of improvement under section
21 1116(c)(1) of this Act; and

22 “(II) information that shows how students
23 in its schools performed on statewide assess-
24 ments compared to students in the rest of the

1 State (including such comparisons over time, if
2 the information is available); or

3 “(ii) in the case of a school—

4 “(I) whether it has been identified as a
5 low-performing school; and

6 “(II) information that shows how its stu-
7 dents performed on statewide assessments com-
8 pared to students in the rest of the local edu-
9 cational agency and the State (including such
10 comparisons over time, if the information is
11 available).

12 “(2) Local educational agencies and schools may in-
13 clude in their annual report cards the information de-
14 scribed in subsection (b)(3) and any other appropriate in-
15 formation.

16 “(d) DISSEMINATION AND ACCESSIBILITY OF RE-
17 PORT CARDS.—(1) State-level report cards under sub-
18 section (b) shall be posted on the Internet, disseminated
19 to all schools and local educational agencies in the State,
20 and made broadly available to the public.

21 “(2) Local educational agency report cards under
22 subsection (c) shall be disseminated to all schools in the
23 school district and to all parents of students attending
24 these schools, and made broadly available to the public,
25 through such means as posting on the Internet.

1 “(3) School report cards under subsection (c) shall
2 be disseminated to all parents of students attending that
3 school and be made broadly available to the public,
4 through such means as posting on the Internet.

5 “(e) PLAN CONTENT.—A State shall include in its
6 accountability plan under section 11208 an assurance that
7 it has in effect a policy that meets the requirements of
8 this section.

9 “EDUCATION ACCOUNTABILITY PLANS

10 “SEC. 11208. (a) IN GENERAL.—Each State that re-
11 ceives assistance under this Act on or after July 1, 2000,
12 shall have on file with the Secretary an approved account-
13 ability plan that meets the requirements of this section.

14 “(b) CONTENT.—An accountability plan under sub-
15 section (a) shall include—

16 “(1) a description of the State’s system under
17 section 11203;

18 “(2) a description of the steps the State will
19 take to ensure that all local educational agencies
20 have the capacity needed to ensure compliance with
21 this part;

22 “(3) the information or assurances called for by
23 sections 11204(c), 11205(c), 11206(c), and
24 11207(e);

1 “(4) information indicating that the Governor
2 and the State educational agency concur with the
3 plan; and

4 “(5) any other information that the Secretary
5 may reasonably require to ensure the proper and ef-
6 fective administration of this part.

7 “(c) REPORTS.—(1) A State shall report annually to
8 the Secretary, in such form and containing such informa-
9 tion as the Secretary may require, on its progress in car-
10 rying out the requirements of this part, and shall include
11 such report in its consolidated State performance report
12 under section 11506.

13 “(2) In reporting on its progress in implementing its
14 student progress and social promotion policy under section
15 11204, a State shall assess the effect of its policy, and
16 its implementation, in improving academic achievement
17 for all children and otherwise carrying out the purpose
18 specified in section 11202.

19 “(d) RELATIONSHIP TO CONSOLIDATED PLAN.—(1)
20 If a State submits a consolidated State plan under section
21 11502, it shall include in that plan its accountability plan
22 under this section.

23 “(2) If a State does not submit a consolidated State
24 plan, it shall submit a separate accountability plan under
25 this section to receive assistance under this Act.

1 “(e) APPROVAL.—(1)(A) The Secretary shall approve
2 an accountability plan under this section if the Secretary
3 determines that it complies substantially with the require-
4 ments of this part.

5 “(B) The Secretary may accompany the approval of
6 a plan with conditions that are consistent with the purpose
7 of this part.

8 “(2) In reviewing accountability plans under this
9 part, the Secretary shall employ the peer-review proce-
10 dures under section 11502(e).

11 “(3) If a State does not submit a consolidated State
12 plan under section 11502, the Secretary shall, in consid-
13 ering that State’s separate accountability plan under this
14 section, employ such procedures, comparable to those set
15 forth in section 11502(e), as the Secretary may determine.

16 “AUTHORITY OF SECRETARY TO ENSURE
17 ACCOUNTABILITY

18 “SEC. 11209. (a) REMEDIES FOR SUBSTANTIAL
19 FAILURE.—If the Secretary determines that a State has
20 failed substantially to carry out a requirement of this part
21 or a provision in its approved accountability plan under
22 section 11208, or that its performance has failed substan-
23 tially to meet a performance indicator in such plan, the
24 Secretary shall take, consistent with applicable due proc-
25 ess procedures, one or more of the following steps to en-
26 sure that the purpose of this part is carried out promptly:

1 “(1) Providing, or arranging for the provision
2 of, technical assistance to the State educational
3 agency in question.

4 “(2) Requiring a plan for corrective action.

5 “(3) Suspending or terminating authority to
6 grant waivers under applicable ED-Flex authority.

7 “(4) Suspending or terminating eligibility to
8 participate in competitive programs under this Act.

9 “(5) Withholding, in whole or in part, State ad-
10 ministrative funds available under this Act.

11 “(6) Withholding, in whole or in part, program
12 funds available to such State under the Act.

13 “(7) Imposing one or more conditions upon the
14 Secretary’s approval of a State plan or application
15 under this Act.

16 “(8) Taking other action authorized under part
17 D of the General Education Provisions Act, such as
18 a cease-and-desist order or compliance agreement.

19 “(9) Taking any other appropriate account-
20 ability step that is consistent with this Act, including
21 referral to the Department of Justice for enforce-
22 ment.

23 “(b) EFFECTIVE ENFORCEMENT.—If remedial steps
24 taken by the Secretary under subsection (a) fail to correct
25 the State’s non-compliance, the Secretary shall take one

1 or more additional steps under subsection (a) to bring the
2 State into compliance.

3 “RECOGNITION AND REWARDS

4 “SEC. 11210. (a) IN GENERAL.—If the Secretary de-
5 termines that a State has demonstrated significant, state-
6 wide achievement gains in core subjects, as measured by
7 the National Assessment of Educational Progress for
8 three consecutive years, is closing the achievement gap be-
9 tween low- and high-performing students, and has in place
10 strategies for continuous improvement, including improve-
11 ment in reducing the practices of social promotion and re-
12 tention, the Secretary shall, in light of all the cir-
13 cumstances, including the size of those gains, recognize
14 and reward the State, as described under subsection (b).

15 “(b) REWARDS.—The Secretary shall establish,
16 through regulation, a system for recognizing and reward-
17 ing States described under subsection (a). Such rewards
18 may include—

19 “(1) conferring priority in competitive programs
20 under this Act;

21 “(2) increased flexibility in administering pro-
22 grams under this Act, consistent with maintaining
23 accountability; and

24 “(3) supplementary grants or administrative
25 funds to carry out the purposes of this Act.

1 “(c) AUTHORIZATION.—There are authorized to be
 2 appropriated for fiscal year 2001 and each of the four suc-
 3 ceeding fiscal years, such sums as may be necessary to
 4 carry out subsection (b)(3).

5 “BEST PRACTICES AND MODELS

6 “SEC. 11211. In implementing this part, the Sec-
 7 retary shall, after consulting with State and local edu-
 8 cational agencies and other agencies, institutions, and or-
 9 ganizations with experience or information relevant to the
 10 purpose of this part, disseminate information about best
 11 practices, models, and other forms of technical assistance.

12 “CONSTRUCTION

13 “SEC. 11212. Nothing in this part shall be construed
 14 as affecting home schooling or the application of the civil
 15 rights laws or the Individuals with Disabilities Education
 16 Act.”.

17 AMERICA’S EDUCATION GOALS PANEL

18 SEC. 1112. Title XI of the ESEA, as redesignated
 19 by section 1109, is further amended by adding a new part
 20 C to read as follows:

21 “PART C—AMERICA’S EDUCATION GOALS PANEL

22 “PURPOSE

23 “SEC. 11301. It is the purpose of this part to estab-
 24 lish a bipartisan mechanism for—

25 “(1) building a national consensus for edu-
 26 cation improvement; and

1 “(2) reporting on progress toward achieving
2 America’s Education Goals.

3 “AMERICA’S EDUCATION GOALS PANEL

4 “SEC. 11302. (a) ESTABLISHMENT.—There is estab-
5 lished an America’s Education Goals Panel (hereinafter
6 in this part referred to as the ‘Goals Panel’) to advise the
7 President, the Secretary, and the Congress.

8 “(b) COMPOSITION.—The Goals Panel shall be com-
9 posed of 18 members (hereinafter in this part referred to
10 as ‘members’), including—

11 “(1) 2 members appointed by the President;

12 “(2) 8 members who are Governors, 3 of whom
13 shall be from the same political party as the Presi-
14 dent and 5 of whom shall not be from the same po-
15 litical party as the President, appointed by the
16 Chairperson and Vice Chairperson of the National
17 Governors’ Association, with the Chairperson and
18 Vice Chairperson each appointing representatives of
19 such Chairperson’s or Vice Chairperson’s respective
20 political party, in consultation with each other;

21 “(3) 4 Members of the Congress, of whom—

22 “(A) 1 member shall be appointed by the
23 Majority Leader of the Senate from among the
24 Members of the Senate;

1 “(B) 1 member shall be appointed by the
2 Minority Leader of the Senate from among the
3 Members of the Senate;

4 “(C) 1 member shall be appointed by the
5 Majority Leader of the House of Representa-
6 tives from among the Members of the House of
7 Representatives; and

8 “(D) 1 member shall be appointed by the
9 Minority Leader of the House of Representa-
10 tives from among the Members of the House of
11 Representatives; and

12 “(4) 4 members of State legislatures appointed
13 by the President of the National Conference of State
14 Legislatures, of whom 2 shall be of the same polit-
15 ical party as the President of the United States.

16 “(c) SPECIAL APPOINTMENT RULES.—

17 (1) IN GENERAL.—The members appointed pur-
18 suant to subsection (b)(2) shall be appointed as fol-
19 lows:

20 “(A) If the Chairperson of the National
21 Governors” Association is from the same polit-
22 ical party as the President, the Chairperson
23 shall appoint 3 individuals and the Vice Chair-
24 person of such association shall appoint 5 indi-
25 viduals.

1 “(B) If the Chairperson of the National
2 Governors” Association is not from the same
3 political party as the President, the Chairperson
4 shall appoint 5 individuals and the Vice Chair-
5 person of such association shall appoint 3 indi-
6 viduals.

7 “(3) REPRESENTATION.—To the extent fea-
8 sible, the membership of the Goals Panel shall be
9 geographically representative and reflect the racial,
10 ethnic, and gender diversity of the United States.

11 “(d) TERMS. The terms of service of members shall
12 be as follows:

13 “(1) PRESIDENTIAL APPOINTEES.—Members
14 appointed under subsection (b)(1) of this section
15 shall serve at the pleasure of the President.

16 “(2) GOVERNORS.—Members appointed under
17 paragraph (2) of subsection (b) of this section shall
18 serve for 2-year terms, except that the initial ap-
19 pointments under such paragraph shall be made to
20 ensure staggered terms with one-half of such mem-
21 bers’ terms concluding every 2 years.

22 “(3) CONGRESSIONAL APPOINTEES AND STATE
23 LEGISLATORS.—Members appointed under para-
24 graphs (3) and (4) of subsection (b) shall serve for
25 2-year terms.

1 “(e) VACANCIES.—A vacancy on the Goals Panel
2 shall not affect its powers, but shall be filled in the same
3 manner as the original appointment.

4 “(f) TRAVEL.—Each member may be allowed travel
5 expenses, including per diem in lieu of subsistence, as au-
6 thorized by section 5703 of title 5 of the United States
7 Code for each day the member is engaged in the perform-
8 ance of duties for the Goals Panel away from the home
9 or regular place of business of the member.

10 “(g) CHAIRPERSON.—

11 (1) IN GENERAL. Subject to paragraph (3), the
12 members shall select a Chairperson from among
13 themselves.

14 “(2) TERM.—The Chairperson of the Goals
15 Panel shall serve a 1-year term.

16 “(3) POLITICAL AFFILIATION. The duties of the
17 Chairperson shall alternate between political parties.

18 “(h) CONFLICT OF INTEREST. A member of the Goals
19 Panel who is an elected official of a State that has devel-
20 oped content or student performance standards may not
21 participate in Goals Panel consideration of that State’s
22 standards.

23 “(i) EX OFFICIO MEMBER.—If the President has not
24 appointed the Secretary as 1 of the 2 members the Presi-
25 dent appoints pursuant to subsection (b)(1), then the Sec-

1 retary shall serve as a nonvoting ex officio member of the
2 Goals Panel.

3 “DUTIES

4 “SEC. 11303. (a) IN GENERAL.—The Goals Panel
5 shall—“(1) report to the President, the Secretary, and the
6 Congress regarding the progress the Nation and the
7 States are making toward achieving America’s Education
8 Goals established under section 2 of this Act, including
9 issuing an annual report;

10 “(2) report on promising or effective actions being
11 taken at the national, State, and local levels, and in the
12 public and private sectors, to achieve America’s Education
13 Goals; and

14 “(3) help build a nationwide, bipartisan consensus for
15 the reforms necessary to achieve America’s Education
16 Goals.

17 “(b) REPORT.—

18 (1) IN GENERAL. The Goals Panel shall annu-
19 ally prepare and submit to the President, the Sec-
20 retary, the appropriate committees of Congress, and
21 the Governor of each State a report that shall—

22 “(A) report on the progress of the United
23 States toward achieving America’s Education
24 Goals; and

25 “(B) identify actions that should be taken
26 by Federal, State, and local governments to en-

1 hance progress toward achieving America's
2 Education Goals and to provide all students
3 with a fair opportunity to learn.

4 “(2) FORM; DATA.—Reports under this sub-
5 section shall be presented in a form, and include
6 data, that is understandable to parents and the gen-
7 eral public.

8 “POWERS OF THE GOALS PANEL

9 “SEC. 11304. (a) HEARINGS.—

10 “(1) IN GENERAL.—The Goals Panel shall, for
11 the purpose of carrying out this part, conduct such
12 hearings, sit and act at such times and places, take
13 such testimony, and receive such evidence, as the
14 Goals Panel considers appropriate.

15 “(2) REPRESENTATION.—In carrying out this
16 part, the Goals Panel shall conduct hearings to re-
17 ceive reports, views, and analyses of a broad spec-
18 trum of experts and the public on the establishment
19 of voluntary national content standards, voluntary
20 national student performance standards, and State
21 assessments.

22 “(b) INFORMATION.—The Goals Panel may secure di-
23 rectly from any department or agency of the United States
24 information necessary to enable the Goals Panel to carry
25 out this part. Upon request of the Chairperson of the
26 Goals Panel, the head of a department or agency shall

1 furnish such information to the Goals Panel to the extent
2 permitted by law.

3 “(c) POSTAL SERVICES.—The Goals Panel may use
4 the United States mail in the same manner, and under
5 the same conditions, as other departments and agencies
6 of the United States.

7 “(d) USE OF FACILITIES.—The Goals Panel may,
8 with or without reimbursement, and with the consent of
9 any agency or instrumentality of the United States, or of
10 any State or political subdivision thereof, use the research,
11 equipment, services, and facilities of such agency, instru-
12 mentality, State, or political subdivision, as the case may
13 be.

14 “(e) ADMINISTRATIVE ARRANGEMENTS AND SUP-
15 PORT.—

16 “(1) IN GENERAL.—The Secretary shall provide
17 to the Goals Panel, on a reimbursable basis, such
18 administrative support services as the Goals Panel
19 may request.

20 “(2) CONTRACTS AND OTHER ARRANGE-
21 MENTS.—The Secretary, to the extent appropriate,
22 and on a reimbursable basis, shall make contracts
23 and other arrangements that are requested by the
24 Goals Panel to help it compile and analyze data or

1 carry out other functions necessary to the perform-
2 ance of its responsibilities.

3 “(f) GIFTS.—The Goals Panel may accept, admin-
4 ister, and utilize gifts or donations of services, money, or
5 property, whether real or personal, tangible or intangible.

6 “ADMINISTRATIVE PROVISIONS

7 “SEC. 11305. (a) MEETINGS.—The Goals Panel shall
8 meet on a regular basis, as necessary, at the call of the
9 Chairperson of the Goals Panel or a majority of its mem-
10 bers.

11 “(b) QUORUM.—A majority of the members shall con-
12 stitute a quorum for the transaction of business.

13 “(c) VOTING AND FINAL DECISIONS.—

14 “(1) VOTING.—No individual may vote, or exer-
15 cise any of the powers of a member, by proxy.

16 “(2) FINAL DECISIONS.—(A) In making final
17 decisions of the Goals Panel with respect to the ex-
18 ercise of its duties and powers, the Goals Panel shall
19 operate on the principle of consensus among the
20 members of the Goals Panel.

21 “(B) Except as otherwise provided in this part,
22 if a vote of the membership of the Goals Panel is re-
23 quired to reach a final decision with respect to the
24 exercise of its duties and powers, then such final de-
25 cision shall be made by a three-fourths vote of the

1 members of the Goals Panel who are present and
2 voting.

3 “(d) PUBLIC ACCESS.—The Goals Panel shall ensure
4 public access to its proceedings (other than proceedings,
5 or portions of proceedings, relating to internal personnel
6 and management matters) and make available to the pub-
7 lic, at reasonable cost, transcripts of such proceedings.

8 “DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS

9 “SEC. 11306. (a) DIRECTOR.—The Chairperson of
10 the Goals Panel, without regard to the provisions of title
11 5 of the United States Code relating to the appointment
12 and compensation of officers or employees of the United
13 States, shall appoint a Director to be paid at a rate not
14 to exceed the rate of basic pay payable for level V of the
15 Executive Schedule.

16 “(b) APPOINTMENT AND PAY OF EMPLOYEES.—

17 “(1) IN GENERAL.—(A) The Director may ap-
18 point not more than 4 additional employees to serve
19 as staff to the Goals Panel without regard to the
20 provisions of title 5 of the United States Code gov-
21 erning appointments in the competitive service.

22 “(B) The employees appointed under subpara-
23 graph (A) may be paid without regard to the provi-
24 sions of chapter 51 and subchapter III of chapter 53
25 of that title relating to classification and General
26 Schedule pay rates, but shall not be paid a rate that

1 exceeds the maximum rate of basic pay payable for
2 GS-15 of the General Schedule.

3 “(2) ADDITIONAL EMPLOYEES.—The Director
4 may appoint additional employees to serve as staff
5 to the Goals Panel in accordance with title 5 of the
6 United States Code.

7 “(c) FEDERAL EMPLOYEES.—Any individual ap-
8 pointed to serve as the Director of, or as staff to, the
9 Goals Panel on or after March 31, 1994, is an ‘employee’
10 within the definition of section 2105 of title 5, United
11 States Code.

12 “(d) EXPERTS AND CONSULTANTS.—The Goals
13 Panel may procure temporary and intermittent services of
14 experts and consultants under section 3109(b) of title 5
15 of the United States Code.

16 “(e) STAFF OF FEDERAL AGENCIES.—Upon the re-
17 quest of the Goals Panel, the head of any department or
18 agency of the United States may detail any of the per-
19 sonnel of such agency to the Goals Panel to assist the
20 Goals Panel in its duties under this part.

21 “AUTHORIZATION OF APPROPRIATIONS

22 “SEC. 11307. For purposes of carrying out this part,
23 there are authorized to be appropriated such sums as may
24 be necessary for fiscal year 2001 and for each of the four
25 succeeding fiscal years.”.

REPEAL

SEC. 1113. Title XII of the ESEA is repealed.

TITLE XII—AMENDMENTS TO OTHER LAWS;

REPEALS

PART A—AMENDMENTS TO OTHER LAWS

AMENDMENTS TO THE STEWART B.

MC KINNEY HOMELESS ASSISTANCE ACT

SEC. 1201. (a) POLICY.—Section 721(3) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11421 et seq.; hereinafter referred to in this section as “the Act”) is amended by striking out “should not be” and inserting in lieu thereof “is not”.

(b) GRANTS TO STATES FOR STATE AND LOCAL ACTIVITIES.—Section 722 of the Act is amended—

(1) in subsection (c)—

(A) in paragraph (2)(A)—

(i) by inserting “and” before “the Commonwealth of”; and

(ii) by striking out “and Palau (until the effective date of the Compact of Free Association with the Government of Palau),”; and

(B) in paragraph (3)—

(i) by inserting “and” before “the Commonwealth of”; and

1 (ii) by striking out “, or Palau”;

2 (2) in subsection (e), by adding at the end
3 thereof the following new paragraph:

4 “(3) PROHIBITION ON SEGREGATING HOMELESS
5 STUDENTS.—In providing a free, appropriate public
6 education to a homeless child or youth, no State re-
7 ceiving funds under this subtitle shall segregate such
8 child or youth, either in a separate school, or in a
9 separate program within a school, based on such
10 child or youth’s status as homeless, except in accord-
11 ance with section 723(a)(2)(B)(ii).”;

12 (3) in subsection (f)—

13 (A) by striking out paragraph (1);

14 (B) by amending paragraph (4) to read as
15 follows:

16 “(4) collect and transmit to the Secretary, at
17 such time and in such manner as the Secretary may
18 require, such information as the Secretary deems
19 necessary to assess the educational needs of home-
20 less children and youth within the State;”;

21 (C) by amending paragraph (6) to read as
22 follows:

23 “(6) in order to improve the provision of com-
24 prehensive education and related services to home-

1 less children and youth and their families, coordinate
2 and collaborate with—

3 “(A) educators, including child develop-
4 ment and preschool program personnel;

5 “(B) providers of services to homeless and
6 runaway children and youth and homeless fami-
7 lies (including domestic violence agencies, shel-
8 ter operators, transitional housing facilities,
9 runaway and homeless youth centers, and tran-
10 sitional living programs for homeless youth);

11 “(C) local educational agency liaisons for
12 homeless children and youth; and

13 “(D) community organizations and groups
14 representing homeless children and youth and
15 their families.”; and

16 (D) by redesignating paragraphs (2)
17 through (6) as paragraphs (1) through (5), re-
18 spectively; and

19 (4) in subsection (g)—

20 (A) by amending paragraph (1)(H) to read
21 as follows:

22 “(H) contain assurances that—

23 “(i) State and local educational agen-
24 cies will adopt policies and practices to en-
25 sure that homeless children and youth are

1 not segregated on the basis of their status
2 as homeless or stigmatized; and

3 “(ii) local educational agencies in
4 which homeless children and youth reside
5 or attend school will—

6 “(I) post public notice of the edu-
7 cational rights of such children and
8 youth where such children and youth
9 receive services under this Act (such
10 as family shelters, and soup kitchens);
11 and

12 “(II) designate an appropriate
13 staff person, who may also be a coor-
14 dinator for other Federal programs,
15 as a liaison for homeless children and
16 youth.”;

17 (B) by amending paragraph (3)(B) to read
18 as follows:

19 “(B) In determining the best interest of
20 the child or youth under subparagraph (A), the
21 local educational agency shall—

22 “(i) to the extent feasible, keep a
23 homeless child or youth in his or her school
24 of origin, except when doing so is contrary

1 to the wishes of his or her parent or
2 guardian; and

3 “(ii) provide a written explanation to
4 the homeless child or youth’s parent or
5 guardian when the local educational agency
6 sends such child or youth to a school other
7 than the school of origin or a school re-
8 quested by the parent or guardian.”;

9 (C) by amending paragraph (6) to read as
10 follows:

11 “(6) COORDINATION.—(A) Each local edu-
12 cational agency serving homeless children and youth
13 that receives assistance under this subtitle shall co-
14 ordinate the provision of services under this part
15 with local services agencies and other agencies or
16 programs providing services to homeless children
17 and youth and their families, including services and
18 programs funded under the Runaway and Homeless
19 Youth Act.

20 “(B) Where applicable, each State and local
21 educational agency that receives assistance under
22 this subtitle shall coordinate with State and local
23 housing agencies responsible for developing the com-
24 prehensive housing affordability strategy described
25 in section 105 of the Cranston-Gonzales National

1 Affordable Housing Act to minimize educational dis-
2 ruption for children and youth who become home-
3 less.

4 “(C) The coordination required in subpara-
5 graphs (A) and (B) shall be designed to—

6 “(i) ensure that homeless children and
7 youth have access to available education and re-
8 lated support services; and

9 “(ii) raise the awareness of school per-
10 sonnel and service providers of the effects of
11 short-term stays in a shelter and other chal-
12 lenges associated with homeless children and
13 youth.”;

14 (D) in paragraph (7)(A)—

15 (i) in the matter before clause (i), by
16 striking out “local educational agency that
17 receives assistance under this subtitle shall
18 designate a homelessness liaison to ensure
19 that” and inserting in lieu thereof “local li-
20 aison for homeless children and youth, des-
21 ignated pursuant to subsection
22 (g)(1)(H)(ii)(II), shall ensure that”;

23 (ii) by amending clause (i) to read as
24 follows:

1 “(i) homeless children and youth en-
2 roll in, and have a full and equal oppor-
3 tunity to succeed in, schools of that agen-
4 cy;”;

5 (iii) in clause (ii), by striking out the
6 period at the end thereof and inserting in
7 lieu thereof a semicolon and “and”;

8 (iv) by adding a new clause (iii) to
9 read as follows:

10 “(iii) the parents or guardians of
11 homeless children and youth are informed
12 of the education and related opportunities
13 available to their children and are provided
14 with meaningful opportunities to partici-
15 pate in the education of their children.”;
16 and

17 (v) by adding a new subparagraph (C)
18 to read as follows:

19 “(C) Local educational agency liaisons for
20 homeless children and youth shall, as a part of
21 their duties, coordinate and collaborate with
22 State coordinators and community and school
23 personnel responsible for the provision of edu-
24 cation and related services to homeless children
25 and youth.”; and

1 (E) by striking out paragraph (9).

2 (c) LOCAL EDUCATIONAL AGENCY GRANTS.—Section
3 723 of the Act is amended—

4 (1) by amending subsection (a)(2) to read as
5 follows:

6 “(2) SERVICES.—(A) Services under paragraph
7 (1)—

8 “(i) may be provided through programs on
9 school grounds or at other facilities;

10 “(ii) shall, to the maximum extent prac-
11 ticable, be provided through existing programs
12 and mechanisms that integrate homeless indi-
13 viduals with non-homeless individuals; and

14 “(iii) shall be designed to expand or im-
15 prove services provided as part of a school’s
16 regular academic program, but not replace that
17 program.

18 “(B) Where services under paragraph (1) are
19 provided on school grounds, schools—

20 “(i) may use funds under this Act to pro-
21 vide the same services to other children and
22 youth who are determined by the local edu-
23 cational agency to be at risk of failing in, or
24 dropping out of, schools, subject to the require-

1 ments of clause (ii) as applied to such other
2 children and youth; and

3 “(ii) shall not provide services in settings
4 within a school that segregate homeless children
5 and youths from other children and youths, ex-
6 cept as is necessary for short periods of time—

7 “(I) because of health and safety
8 emergencies; or

9 “(II) to provide temporary, special,
10 supplementary services to meet the unique
11 needs of homeless children and youth.”;
12 and

13 (2) in subsection (b)—

14 (A) by redesignating paragraphs (1)
15 through (4) as paragraphs (2) through (5), re-
16 spectively; and

17 (B) by adding a new paragraph (1) to read
18 as follows:

19 “(1) an assessment of the educational and re-
20 lated needs of homeless children and youth in their
21 district (which may be undertaken as a part of needs
22 assessments for other disadvantaged groups);”; and

23 (3) in subsection (c)—

24 (A) by amending paragraph (1) to read as
25 follows:

1 “(1) IN GENERAL.—The State educational
2 agency shall, in accordance with the requirements of
3 this subtitle and from amounts made available to it
4 under section 726, make competitive subgrants to
5 local educational agencies that submit applications
6 under subsection (b). Such subgrants shall be
7 awarded on the basis of the need of such agencies
8 for assistance under this subtitle and the quality of
9 the applications submitted.”;

10 (B) by redesignating paragraph (3) as
11 paragraph (4); and

12 (C) by inserting immediately after para-
13 graph (2) the following new paragraph:

14 “(3) QUALITY.—In determining the quality of
15 applications under paragraph (1), the State edu-
16 cational agency shall consider—

17 “(A) the applicant’s needs assessment
18 under subsection (b)(1) and the likelihood that
19 the program presented in the application will
20 meet those needs;

21 “(B) the types, intensity, and coordination
22 of the services to be provided under the pro-
23 gram;

24 “(C) the involvement of parents or guard-
25 ians;

1 “(D) the extent to which homeless children
2 and youth will be integrated within the regular
3 education program;

4 “(E) the quality of the applicant’s evalua-
5 tion plan for the program;

6 “(F) the extent to which services provided
7 under this subtitle will be coordinated with
8 other available services; and

9 “(G) such other measures as the State
10 educational agency deems indicative of a high-
11 quality program.”.

12 (d) COLLECTION AND DISSEMINATION OF INFORMA-
13 TION; REPORT.—Section 724 of the Act is amended—

14 (1) by striking out subsection (f); and

15 (2) adding at the end thereof the following new
16 subsections:

17 “(f) INFORMATION.—(1) From funds appropriated
18 under section 726, the Secretary shall, either directly or
19 through grants, contracts, or cooperative agreements, pe-
20 riodically collect and disseminate data and information on:

21 “(A) the number and location of homeless chil-
22 dren and youth;

23 “(B) the education and related services such
24 children and youth receive;

1 “(C) the extent to which such needs are being
2 met; and

3 “(D) such other data and information as the
4 Secretary deems necessary and relevant to carry out
5 this subtitle.

6 “(2) The Secretary shall coordinate such collection
7 and dissemination with the other agencies and entities
8 that receive assistance and administer programs under
9 this subtitle.

10 “(g) REPORT.—Not later than four years after the
11 date of the enactment of the Educational Excellence for
12 All Children Act of 1999, the Secretary shall prepare and
13 submit to the President and appropriate committees of the
14 House of Representatives and the Senate a report on the
15 status of education of homeless youth and children, which
16 may include information on—

17 “(1) the education of homeless children and
18 youth; and

19 “(2) the actions of the Department and the ef-
20 fectiveness of the programs supported under this
21 subtitle.”.

22 (e) Section 726 of the Act is amended to read:

23 “AUTHORIZATION OF APPROPRIATIONS

24 “SEC. 726. For the purpose of carrying out this sub-
25 title, there are authorized to be appropriated such sums

1 as may be necessary for each of the fiscal years 2001
2 through 2005.”.

3 AMENDMENTS TO OTHER LAWS

4 SEC. 1202. (a) PERKINS ACT.—Section 116(a) of the
5 Carl D. Perkins Vocational and Technical Education Act
6 of 1998 (20 U.S.C. 2326(a)) is amended by striking out
7 paragraph (5).

8 (b) HIGHER EDUCATION ACT OF 1965.—Section
9 317(b)(1) of the Higher Education Act of 1965 (20
10 U.S.C. 1059d(b)(10)) is amended by striking out “9308”
11 and inserting in lieu thereof “9306”.

12 (c) PRO-CHILDREN ACT OF 1994.—The Pro-Chil-
13 dren Act of 1994 (20 U.S.C. 6081 et seq.) is amended—

14 (1) in section 1042(2)—

15 (A) by striking out “education”; and

16 (B) in subparagraph (A)(i), by striking out
17 “or the Secretary of Education”; and

18 (2) in section 1043—

19 (A) in subsection (a), by striking out “kin-
20 dergarten, elementary, or secondary education
21 or”; and

22 (B) in subsection (c)—

23 (i) in paragraph (1)—

24 (I) in the heading thereof, by
25 striking out “KINDERGARTEN, ELE-

1 MENTARY, OR SECONDARY EDU-
2 CATION OR”; and

3 (II) by striking out kindergarten,
4 elementary, or secondary education
5 or”; and

6 (ii) in paragraph (3), by striking out
7 “kindergarten, elementary, or secondary
8 education or”.

9 PART B—REPEALS

10 REPEALS

11 SEC. 1211. (a) Title XIII of the ESEA is repealed.

12 (b) The Goals 2000: Educate America Act (Public
13 Law 103–227) is amended—

14 (1) by repealing titles I, II, III, IV, VII, and
15 VIII; and

16 (2) in title X, by repealing part B.

17 (b) The Educational Research, Development, Dis-
18 semination, and Improvement Act of 1994 (title IX of
19 Public Law 103–227) is amended by repealing parts F,
20 G, and H.

21 (c) Title III of the Education for Economic Security
22 Act (20 U.S.C 3901 et seq.) is repealed.

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