

108TH CONGRESS  
1ST SESSION

# S. 608

To provide for personnel preparation, enhanced support and training for beginning special educators, and professional development of special educators, general educators, and early intervention personnel.

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## IN THE SENATE OF THE UNITED STATES

MARCH 12, 2003

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

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## A BILL

To provide for personnel preparation, enhanced support and training for beginning special educators, and professional development of special educators, general educators, and early intervention personnel.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Personnel Excellence  
5 for Students with Disabilities Act”.

1 **SEC. 2. STATE PERSONNEL AND PROFESSIONAL DEVELOP-**  
2 **MENT GRANTS.**

3 Subpart 1 of part D (20 U.S.C. 1451 et seq.) is  
4 amended to read as follows:

5 **“Subpart 1—State Personnel and Professional**  
6 **Development Grants**

7 **“SEC. 651. FINDINGS; PURPOSE; DEFINITION.**

8 “(a) FINDINGS.—Congress finds the following:

9 “(1) The right of all children with disabilities to  
10 a free and appropriate public education requires  
11 States to adopt a comprehensive strategy to address  
12 teacher shortages and ensure adequate numbers of  
13 teachers to serve children with disabilities.

14 “(2) In order to ensure that the persons re-  
15 sponsible for the education of children with disabil-  
16 ities possess the skills and knowledge necessary to  
17 address such children’s educational and related  
18 needs, States must promote comprehensive programs  
19 of professional development.

20 “(3) The dissemination of research-based  
21 knowledge about successful teaching practices and  
22 models to teachers and other personnel serving chil-  
23 dren with disabilities can result in improved out-  
24 comes for children with disabilities.

25 “(b) PURPOSE.—The purpose of this subpart is to  
26 assist State educational agencies and local educational

1 agencies, and their partners referred to in section 652,  
 2 in providing support for, and improving their systems of,  
 3 personnel preparation and professional development to im-  
 4 prove results for children with disabilities.

5 “(c) DEFINITION OF POSTSECONDARY OPPORTUNI-  
 6 TIES.—In this subpart, the term ‘postsecondary opportu-  
 7 nities’ includes the transition from school to postsecondary  
 8 education, adult services, or work.

9 **“SEC. 652. ELIGIBILITY AND COLLABORATION PROCESS IN**  
 10 **GRANTS TO STATES.**

11 “(a) ELIGIBLE APPLICANTS; DURATION OF ASSIST-  
 12 ANCE.—A State educational agency may apply for a grant  
 13 under this subpart for a grant period of 4 years.

14 “(b) PARTNERSHIPS AND CONSULTATIONS.—In  
 15 order to be considered for a grant under this subpart, a  
 16 State educational agency shall—

17 “(1) establish a formal partnership with local  
 18 educational agencies, the lead State agency for part  
 19 C, the State agency responsible for child care, the  
 20 State vocational rehabilitation agency, the State  
 21 agency for higher education, representatives of  
 22 State-approved special education personnel prepara-  
 23 tion programs in institutions of higher education  
 24 within the State, parent training and information  
 25 centers or community parent resource centers, and

1 other State agencies involved in, or concerned with,  
2 the education of children with disabilities; and

3 “(2) consult with other public agencies, persons,  
4 and organizations with relevant expertise in, and  
5 concerned with, the education of children with dis-  
6 abilities, including—

7 “(A) parents of children with disabilities  
8 and parents of nondisabled children;

9 “(B) general and special education teach-  
10 ers, paraprofessionals, related services per-  
11 sonnel, and early intervention personnel;

12 “(C) the State advisory panel established  
13 under part B;

14 “(D) the State interagency coordinating  
15 council established under part C;

16 “(E) community-based and other nonprofit  
17 organizations representing individuals with dis-  
18 abilities; and

19 “(F) other providers of professional devel-  
20 opment and personnel preparation for personnel  
21 that work with infants, toddlers, preschoolers,  
22 and children with disabilities, and nonprofit or-  
23 ganizations whose primary purpose is education  
24 research and development, when appropriate.

1 **“SEC. 653. STATE APPLICATIONS.**

2 “(a) IN GENERAL.—A State educational agency that  
3 desires to receive a grant under this subpart shall submit  
4 to the Secretary an application at such time, in such man-  
5 ner, and including such information as the Secretary may  
6 require.

7 “(b) PARTNERSHIP AGREEMENT.—Each application  
8 submitted pursuant to this section shall specify the nature  
9 and extent of the partnership among the State educational  
10 agency and other partners (as described in section  
11 652(b)), including the respective roles of each member of  
12 the partnership, and shall describe how grant funds allo-  
13 cated to the State under section 655 will be used in under-  
14 taking the improvement strategies described under sub-  
15 section (c)(3).

16 “(c) PERSONNEL AND PROFESSIONAL DEVELOP-  
17 MENT PLAN.—

18 “(1) IN GENERAL.—Each application submitted  
19 pursuant to this section shall include a personnel  
20 and professional development plan that is—

21 “(A) based on the needs assessment de-  
22 scribed in paragraph (2);

23 “(B) developed by the State educational  
24 agency in collaboration with the partners de-  
25 scribed under section 652(b)(1);

1           “(C) designed to enable the State to meet  
2           the standards described in section 612(a)(15)  
3           and implement the comprehensive system of  
4           personnel development under section  
5           612(a)(14); and

6           “(D) coordinated with other State profes-  
7           sional development plans for educators and per-  
8           sonnel working with children in early childhood  
9           education programs.

10          “(2) NEEDS ASSESSMENT.—Each personnel  
11          and professional development plan shall include an  
12          assessment of State and local needs that identifies  
13          critical aspects and areas in need of improvement re-  
14          lated to the preparation, ongoing training, and pro-  
15          fessional development of personnel that serve in-  
16          fants, toddlers, preschoolers, and children with dis-  
17          abilities within the State. Such assessment shall be  
18          based on an analysis of—

19                 “(A) current and anticipated personnel va-  
20                 cancies and shortages in local educational agen-  
21                 cies and local early intervention agencies or pro-  
22                 viders throughout the State, including the num-  
23                 ber of individuals currently serving children  
24                 with disabilities that—

1           “(i) are not highly qualified, con-  
2           sistent with section 612(a)(15);

3           “(ii) are individuals with temporary,  
4           provisional, or emergency certification; or

5           “(iii) are individuals teaching with an  
6           alternative certification;

7           “(B) the extent and amount of certification  
8           or retraining necessary to eliminate the vacan-  
9           cies and shortages described in subparagraph  
10          (A);

11          “(C) current preservice and inservice train-  
12          ing and preparation programs and activities  
13          available and accessible in the State to per-  
14          sonnel that serve infants, toddlers, preschoolers,  
15          and children with disabilities, including—

16               “(i) the number of degree, certifi-  
17               cation, and licensure programs that are  
18               preparing general and special education  
19               teachers and personnel to serve children  
20               with high-incidence and low-incidence dis-  
21               abilities;

22               “(ii) the number of noncertification  
23               programs designed to train and prepare  
24               personnel to serve infants, toddlers, pre-  
25               schoolers, and children with disabilities, in-

1 cluding the number of programs designed  
2 to provide training in early intervention  
3 and transitional services; and

4 “(iii) the number of programs or ac-  
5 tivities designed to provide the knowledge  
6 and skills necessary to ensure the success-  
7 ful transition of students with disabilities  
8 into postsecondary opportunities; and

9 “(D) information, reasonably available to  
10 the State, on the scope and effectiveness of cur-  
11 rent training and preparation programs and ac-  
12 tivities available in the State to personnel that  
13 serve children with disabilities, including—

14 “(i) access of general education teach-  
15 ers to preservice and inservice training in  
16 early intervention and special education,  
17 including training related to the diverse  
18 learning and developmental needs of chil-  
19 dren with disabilities;

20 “(ii) rates of attrition of special edu-  
21 cation teachers and early intervention per-  
22 sonnel throughout the State and a descrip-  
23 tion of factors that contribute to such at-  
24 trition;

1           “(iii) data and major findings of the  
2           Secretary’s most recent reviews of State  
3           compliance, as such reviews relate to meet-  
4           ing the standards described in section  
5           612(a)(15) and implementing a com-  
6           prehensive system of personnel develop-  
7           ment described under sections 612(a)(14)  
8           and 635(a)(8); and

9           “(iv) data regarding disproportionality  
10          required under section 618.

11          “(3) IMPROVEMENT STRATEGIES.—Each per-  
12          sonnel and professional development plan shall de-  
13          scribe strategies necessary to address the prepara-  
14          tion and professional development areas in need of  
15          improvement, based on the needs assessment con-  
16          ducted under paragraph (2), that include—

17                 “(A) how the State will respond to the  
18                 needs for preservice and inservice preparation  
19                 of personnel who work with infants, toddlers,  
20                 preschoolers, and children with disabilities, in-  
21                 cluding strategies to—

22                         “(i) prepare all general and special  
23                         education personnel (including both profes-  
24                         sional and paraprofessional personnel who

1 provide special education, general edu-  
2 cation, or related services)—

3 “(I) with the knowledge and  
4 skills needed to meet the needs of,  
5 and improve results for, children with  
6 disabilities;

7 “(II) to utilize classroom-based  
8 techniques to identify students who  
9 may be eligible for special education  
10 services or other services prior to  
11 making referrals for special education  
12 services;

13 “(III) to help students with dis-  
14 abilities meet State academic stand-  
15 ards;

16 “(IV) to work as part of a col-  
17 laborative team, especially training re-  
18 lated to all aspects of planning, de-  
19 sign, and effective implementation of  
20 an IEP; and

21 “(V) to utilize effective parental  
22 involvement practices needed to work  
23 with and involve parents of children  
24 with disabilities in their child’s edu-  
25 cation;

1           “(ii) prepare professionals, including  
2 professionals in preschool settings, and  
3 paraprofessionals in the area of early inter-  
4 vention with the knowledge and skills need-  
5 ed to meet the needs of infants, toddlers,  
6 and preschoolers with disabilities;

7           “(iii) develop the knowledge and skills  
8 and enhance the ability of teachers and  
9 other personnel responsible for providing  
10 transition services to improve such services  
11 and postsecondary opportunities for chil-  
12 dren with disabilities;

13           “(iv) enhance the ability of principals  
14 to provide instructional leadership on, and  
15 teachers and other school staff to use,  
16 strategies, such as positive behavioral  
17 interventions, to address the behavior of  
18 children with disabilities that impedes the  
19 learning of children with disabilities and  
20 others; and

21           “(v) ensure that school personnel who  
22 work with students with significant health,  
23 mobility, or behavior needs receive train-  
24 ing, as appropriate, prior to serving such  
25 students;

1           “(B) how the State will collaborate with  
2 institutions of higher education and other enti-  
3 ties that (on both a preservice and an inservice  
4 basis) prepare personnel who work with chil-  
5 dren with disabilities to develop such entities’  
6 capacity to support quality professional develop-  
7 ment programs that meet State and local needs;

8           “(C) how the State will identify model cer-  
9 tification programs that may be used to create  
10 and improve certification requirements for per-  
11 sonnel working with infants, toddlers, pre-  
12 schoolers, and children with disabilities;

13           “(D) how the State will provide technical  
14 assistance to local educational agencies, schools,  
15 and early intervention providers to improve the  
16 quality of training and professional development  
17 available to meet the needs of personnel that  
18 serve children with disabilities;

19           “(E) how the State will work in collabora-  
20 tion with other States, especially neighboring  
21 States, when possible, to—

22                   “(i) address the lack of uniformity  
23 and reciprocity in the credentialing of  
24 teachers and other personnel;

1           “(ii) support or develop programs to  
2           prepare personnel for which there is not  
3           sufficient demand within a single State to  
4           justify support or development of such a  
5           program of preparation; and

6           “(iii) develop, as appropriate, common  
7           certification criteria;

8           “(F) how the State will acquire and dis-  
9           seminate, to teachers, administrators, related  
10          services personnel, other service providers, and  
11          school board members, significant knowledge  
12          derived from educational research and other  
13          sources, and how the State will adopt promising  
14          practices, materials, and technology;

15          “(G) how the State will recruit and retain  
16          qualified personnel in geographic areas of great-  
17          est need, including personnel with disabilities  
18          and personnel from groups that are underrep-  
19          resented in the fields of regular education, spe-  
20          cial education, related services, and early inter-  
21          vention;

22          “(H) how the State will create collabo-  
23          rative training models and provide for the joint  
24          training of parents and special education, re-  
25          lated services, and general education personnel

1 in providing quality services and programs, and  
2 family involvement and support;

3 “(I) how the State will address systemic  
4 problems associated with meeting the standards  
5 described in section 612(a)(15) and imple-  
6 menting the comprehensive system of personnel  
7 development under section 612(a)(14), as iden-  
8 tified in Federal compliance reviews, including  
9 shortages of qualified personnel; and

10 “(J) how the State will address the find-  
11 ings from the data required to be gathered  
12 under section 618 and the steps the State will  
13 take to ensure that poor and minority children  
14 are not taught at higher rates than other chil-  
15 dren by inexperienced, unqualified, or out-of-  
16 field teachers, including the measures that the  
17 State educational agency will use to evaluate  
18 and publicly report the progress of the State  
19 educational agency with respect to such steps.

20 “(4) COORDINATION AND INTEGRATION.—Each  
21 application submitted pursuant to this section  
22 shall—

23 “(A) include assurances that—

24 “(i) the personnel and professional de-  
25 velopment plan is integrated, to the max-

1 imum extent possible, with State plans and  
2 activities carried out under other Federal  
3 and State laws that address personnel re-  
4 cruitment, retention, and training, includ-  
5 ing plans carried out under titles I and II  
6 of the Elementary and Secondary Edu-  
7 cation Act of 1965, the Rehabilitation Act  
8 of 1973, the Higher Education Act of  
9 1965, and the Child Care and Develop-  
10 ment Block Grant Act of 1990, as appro-  
11 priate;

12 “(ii) the personnel and professional  
13 development plan is integrated and based,  
14 to the maximum extent possible, on re-  
15 search and activities supported by grants  
16 under sections 672 and 673 and conducted  
17 by institutions of higher education  
18 throughout the State; and

19 “(iii) the improvement strategies de-  
20 scribed in paragraph (3) will be coordi-  
21 nated with activities undertaken by public  
22 and private institutions of higher edu-  
23 cation, as well as with public and private  
24 sector resources, when appropriate; and

1           “(B) contain a description of the amount  
2           and nature of funds from any other sources, in-  
3           cluding part B funds retained for use at the  
4           State level for personnel and professional devel-  
5           opment purposes under sections 611(f) and  
6           619(d), and part C funds used in accordance  
7           with section 638, that will be committed to the  
8           systemic-change activities under this section.

9           “(5) OTHER INFORMATION.—A State edu-  
10          cational agency shall submit to the Secretary, at  
11          such time and in such manner as the Secretary may  
12          require, such additional information regarding the  
13          preparation and professional development of per-  
14          sonnel that serve children with disabilities in the  
15          personnel and professional development plan.

16 **“SEC. 654. STATE USE OF FUNDS.**

17          “(a) IN GENERAL.—A State educational agency that  
18          receives a grant under this subpart shall—

19                 “(1) expend funds not reserved under para-  
20                 graph (2) to carry out improvement strategies con-  
21                 tained in the personnel and professional development  
22                 plan under section 653(c)(3); and

23                 “(2) in the case of a State educational agency  
24                 serving a State that the Secretary determines has  
25                 not met the standards in section 612(a)(15) or im-

1       plemented the comprehensive system of personnel  
2       development under section 612(a)(14), reserve not  
3       less than 35 percent of funds made available  
4       through the grant to award subgrants to local edu-  
5       cational agencies as described in section 657.

6       “(b) **CONTRACTS AND SUBCONTRACTS.**—Consistent  
7       with the partnership agreement described under section  
8       652(b), a State educational agency shall award contracts  
9       or subgrants to local educational agencies and institutions  
10      of higher education with State-approved special education  
11      personnel preparation programs, and may award contracts  
12      or subgrants to the lead State agency for part C, or other  
13      nonprofit entities, as appropriate, to carry out such State  
14      educational agency’s personnel and professional develop-  
15      ment plan under this subpart.

16      “(c) **SUPPLEMENT, NOT SUPPLANT.**—Funds re-  
17      ceived by a State educational agency under this subpart  
18      shall be used to supplement, and not supplant, non-Fed-  
19      eral funds that would otherwise be used for activities au-  
20      thorized under this subpart.

21      **“SEC. 655. STATE ALLOTMENTS.**

22      “(a) **IN GENERAL.**—The Secretary shall make a  
23      grant to each State educational agency whose application  
24      the Secretary has approved under section 653. Each grant

1 shall consist of the allotment determined for a State under  
2 subsection (b).

3 “(b) DETERMINATION OF ALLOTMENTS.—

4 “(1) RESERVATION OF FUNDS.—From the total  
5 amount appropriated under section 658 for a fiscal  
6 year, the Secretary shall reserve—

7 “(A) one-half of 1 percent for allotments  
8 for the United States Virgin Islands, Guam,  
9 American Samoa, the Commonwealth of the  
10 Northern Mariana Islands, the Republic of  
11 Palau, the freely associated States of the Mar-  
12 shall Islands, and the Federated States of Mi-  
13 cronesia, to be distributed among those areas  
14 on the basis of their relative need, as deter-  
15 mined by the Secretary, in accordance with the  
16 purpose of this subpart; and

17 “(B) one-half of 1 percent for the Sec-  
18 retary of the Interior for programs under this  
19 subpart in schools operated or funded by the  
20 Bureau of Indian Affairs.

21 “(2) STATE ALLOTMENTS.—

22 “(A) MINIMUM ALLOTMENT.—From the  
23 funds appropriated under section 658, and not  
24 reserved under paragraph (1), the Secretary  
25 shall allot to each of the 50 States, the District

1 of Columbia, and the Commonwealth of Puerto  
2 Rico an amount for each fiscal year that is not  
3 less than \$500,000.

4 “(B) ALLOTMENT OF REMAINING  
5 FUNDS.—For any fiscal year for which the  
6 funds appropriated under section 658, and not  
7 reserved under paragraph (1), exceed the total  
8 amount required to make allotments under sub-  
9 paragraph (A), the Secretary shall distribute to  
10 each of the States described in subparagraph  
11 (A), the remaining excess funds after consid-  
12 ering—

13 “(i) the amount of the excess funds  
14 available for distribution;

15 “(ii) the relative population of the  
16 States; and

17 “(iii) the scope and quality of activi-  
18 ties proposed by the States.

19 “(3) FUNDS TO REMAIN AVAILABLE.—Allot-  
20 ments made to States under this section shall re-  
21 main available until expended.

22 “(4) REALLOTMENT.—If any State does not  
23 apply for an allotment under this subsection for any  
24 fiscal year, the Secretary shall reallocate the amount of

1 the allotment to the remaining States in accordance  
2 with this subsection.

3 **“SEC. 656. EVALUATIONS.**

4 “(a) IN GENERAL.—Each State educational agency  
5 that receives a grant under this subpart shall submit an  
6 evaluation to the Secretary at such time as the Secretary  
7 may require, but not more frequently than annually.

8 “(b) EVALUATION COMPONENTS.—Each evaluation  
9 submitted to the Secretary shall include—

10 “(1) the data contained in the needs assessment  
11 described in section 653(c)(2);

12 “(2) a description of the progress made by the  
13 State in implementing each of the strategies de-  
14 scribed in section 653(c)(3);

15 “(3) an assessment, conducted on a regular  
16 basis, of the extent to which the personnel and pro-  
17 fessional development plan has been effective in ena-  
18 bling States to meet the standards described in sec-  
19 tion 612(a)(15) and implement the comprehensive  
20 system of personnel development under section  
21 612(a)(14); and

22 “(4) such other information as the Secretary  
23 may require.

1       “(c) REPORT.—The Secretary shall submit to Con-  
 2 gress a report on the evaluations received under this sec-  
 3 tion.

4       **“SEC. 657. SUBGRANT AWARDS TO LOCAL EDUCATIONAL**  
 5                                   **AGENCIES.**

6       “(a) IN GENERAL.—From funds made available  
 7 under section 654(a)(2), a State educational agency shall  
 8 award a subgrant to eligible local educational agencies to  
 9 enable the eligible local educational agencies to recruit and  
 10 retain special education teachers, paraprofessionals, and  
 11 related services providers, to ensure that such agency  
 12 meets the requirements in the policy adopted by the State  
 13 in section 612(a)(15).

14       “(b) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—

15               “(1) IN GENERAL.—A local educational agency  
 16 shall be eligible to receive a subgrant under this sec-  
 17 tion if the local educational agency—

18                       “(A)(i) has failed to meet, or is in danger  
 19 of failing to meet, the standards described in  
 20 section 612(a)(15);

21                       “(ii) serves a high number or percentage of  
 22 low-income students; and

23                       “(iii) has a demonstrated need to prepare  
 24 and train new or existing personnel to meet the  
 25 needs of children with disabilities; and

1           “(B) collects and uses data to determine  
2 local needs for professional development, hiring,  
3 and retention of personnel, as identified by the  
4 local educational agency and school staff—

5           “(i) with the involvement of teachers,  
6 other personnel, and parents; and

7           “(ii) after taking into account the ac-  
8 tivities that need to be conducted—

9           “(I) to give general and special  
10 education teachers, paraprofessionals,  
11 and related services personnel the  
12 means, including subject matter  
13 knowledge and teaching skills, to im-  
14 prove results and outcomes for stu-  
15 dents with disabilities; and

16           “(II) to give principals the in-  
17 structional leadership skills to help  
18 teachers and related services per-  
19 sonnel provide students with the op-  
20 portunity described in subclause (I).

21           “(2) CONSORTIUM.—The term ‘eligible local  
22 educational agency’ may include a consortium of  
23 such agencies.

24           “(c) APPLICATION.—

1           “(1) IN GENERAL.—An eligible local edu-  
2           cational agency that desires to receive a subgrant  
3           under this section shall submit an application to the  
4           State educational agency at such time, in such man-  
5           ner, and containing such information as the State  
6           educational agency may reasonably require.

7           “(2) CONTENTS.—Each application submitted  
8           under this subsection shall include—

9                   “(A) a description of the activities to be  
10                  carried out by the local educational agency and  
11                  how such activities will support the local edu-  
12                  cational agency’s efforts to provide professional  
13                  development and to recruit and retain highly  
14                  qualified teachers; and

15                   “(B) a description of the needs described  
16                  in subsection (b)(1)(B).

17           “(d) GRANTS AWARDED.—State educational agencies  
18           shall award grants under this section on the basis of the  
19           quality of the applications submitted, except that State  
20           educational agencies shall give priority to eligible local  
21           educational agencies with the greatest need.

22           “(e) USE OF FUNDS.—

23                   “(1) IN GENERAL.—An eligible local edu-  
24                  cational agency that receives a subgrant under this  
25                  section shall use the funds made available through

1 the subgrant to carry out 1 or more of the following  
2 activities:

3 “(A) Providing high quality professional  
4 development for special education teachers.

5 “(B) Providing high quality professional  
6 development to personnel who serve infants,  
7 toddlers, and preschoolers with disabilities.

8 “(C) Providing high quality professional  
9 development for principals, including training in  
10 areas such as behavioral supports in the school  
11 and classroom, paperwork reduction, and pro-  
12 moting improved collaboration between special  
13 education and general education teachers.

14 “(D) Mentoring programs.

15 “(E) Team teaching.

16 “(F) Case load reduction.

17 “(G) Paperwork reduction.

18 “(H) Financial incentives, as long as those  
19 incentives are linked to participation in activi-  
20 ties that have proven effective in recruiting and  
21 retaining teachers and are developed in con-  
22 sultation with the personnel of the eligible local  
23 educational agency.

1           “(I) Hiring and training high quality para-  
2           professionals and providing other high quality  
3           instructional support.

4           “(J) Partnering with institutions of higher  
5           education for the training and retraining of  
6           teachers and to carry out any other activities  
7           under this paragraph.

8           “(2) EFFECTIVE PROGRAMS.—Funds under this  
9           section shall be used only for those activities that  
10          are linked to participation in activities that have  
11          proven effective in retaining teachers.

12          “(f) MATCHING REQUIREMENT.—Each eligible local  
13          educational agency awarded a subgrant under this section  
14          shall contribute matching funds, in an amount equal to  
15          not less than 25 percent of the subgrant award, toward  
16          carrying out the activities assisted under this section.

17          **“SEC. 658. AUTHORIZATION OF APPROPRIATIONS.**

18          ““There are authorized to be appropriated to carry out  
19          this subpart \$250,000,000 for fiscal year 2004 and such  
20          sums as may be necessary for each succeeding fiscal  
21          year.”.

1 **SEC. 3. ENHANCED SUPPORT AND TRAINING FOR BEGIN-**  
 2 **NING SPECIAL EDUCATORS AND GENERAL**  
 3 **EDUCATORS.**

4 Chapter 1 of subpart 2 of part D of the Individuals  
 5 with Disabilities Education Act (20 U.S.C. 1471 et seq.)  
 6 is amended by inserting after section 674 the following:

7 **“SEC. 675. ENHANCED SUPPORT AND TRAINING FOR BEGIN-**  
 8 **NING SPECIAL EDUCATORS.**

9 “(a) DEFINITIONS.—In this section:

10 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
 11 tity’ means a partnership between 1 or more institu-  
 12 tions of higher education with a State-approved spe-  
 13 cial education personnel program, and 1 or more  
 14 local educational agencies.

15 “(2) PROFESSIONAL DEVELOPMENT PARTNER-  
 16 SHIP.—

17 “(A) IN GENERAL.—The term ‘professional  
 18 development partnership’ means a partnership  
 19 between an eligible entity and an elementary  
 20 school or secondary school that is based on a  
 21 mutual commitment to improve teaching and  
 22 learning.

23 “(B) ADDITIONAL ENTITIES.—A profes-  
 24 sional development partnership may include—

25 “(i) a State educational agency;

26 “(ii) a teaching organization;

1                   “(iii) a professional association of  
2                   principals; or

3                   “(iv) a nonprofit organization whose  
4                   primary purpose is—

5                                 “(I) education research and de-  
6                                 velopment; or

7                                 “(II) training special education  
8                                 and early intervention personnel.

9                   “(b) AUTHORIZATION OF PROGRAM.—

10                                 “(1) IN GENERAL.—From amounts appro-  
11                                 priated under subsection (g) for a fiscal year, the  
12                                 Secretary shall award grants to, or enter into con-  
13                                 tracts or cooperative agreements with, eligible enti-  
14                                 ties to enable such entities to establish professional  
15                                 development partnerships to improve the education  
16                                 of children with disabilities by—

17   “(A) ensuring a strong and steady supply  
18   of new highly qualified teachers of children with  
19   disabilities;

20   “(B) helping address challenges in the  
21   local educational agency to recruiting highly  
22   qualified teachers and retaining such teachers;  
23   and

24   “(C) providing for an exchange of knowl-  
25   edge and skills among special education teach-

1           ers, including furthering the development and  
2           professional growth of veteran special education  
3           teachers.

4           “(2) COMPETITIVE BASIS.—Each grant, con-  
5           tract, or cooperative agreement under this section  
6           shall be awarded or entered into on a competitive  
7           basis.

8           “(3) DURATION.—Each grant, contract, or co-  
9           operative agreement under this section shall be  
10          awarded or entered into for a period of not less than  
11          3 and not more than 5 years.

12          “(4) PRIORITY.—In awarding grants or enter-  
13          ing into contracts or cooperative agreements under  
14          this section, the Secretary shall give priority to eligi-  
15          ble entities that—

16                 “(A) serve high numbers or percentages of  
17                 low-income students; and

18                 “(B) serve schools that have failed to make  
19                 adequate yearly progress toward enabling chil-  
20                 dren with disabilities to meet academic achieve-  
21                 ment standards.

22          “(c) APPLICATIONS.—An eligible entity desiring a  
23          grant, contract, or cooperative agreement under this sec-  
24          tion shall submit an application to the Secretary at such  
25          time, in such manner, and accompanied by such informa-

1 tion as the Secretary may require. Each such application  
2 shall—

3 “(1) describe—

4 “(A) the proposed activities of the profes-  
5 sional development partnership and how the ac-  
6 tivities will be developed in consultation with  
7 teachers;

8 “(B) how the proposed activities will pre-  
9 pare teachers to implement research-based, de-  
10 monstrably successful, and replicable instruc-  
11 tional practices that improve outcomes for chil-  
12 dren with disabilities;

13 “(C) how the eligible entity will ensure the  
14 participation of elementary schools or secondary  
15 schools as partners in the professional develop-  
16 ment partnership, and how the research and  
17 knowledge generated by the professional devel-  
18 opment partnership will be disseminated and  
19 implemented in the elementary schools or sec-  
20 ondary schools that are served by the local edu-  
21 cational agency and are not partners in the pro-  
22 fessional development partnership;

23 “(D) how the process for developing a new  
24 preservice education program or restructuring

1 an existing program will improve teacher prepara-  
2 tion at the institution of higher education;

3 “(E) how the proposed activities will in-  
4 clude the participation of schools, colleges, or  
5 other departments within the institution of  
6 higher education to ensure the integration of  
7 pedagogy and content in teacher preparation;

8 “(F) how the proposed activities will in-  
9 crease the numbers of qualified personnel, in-  
10 cluding paraprofessionals, administrators, and  
11 related services personnel, that receive certifi-  
12 cation and serve children with disabilities in ele-  
13 mentary schools or secondary schools;

14 “(G) how the proposed activities will re-  
15 cruit diverse prospective special education  
16 teachers;

17 “(H) how the eligible entity will collaborate  
18 with the State educational agency to ensure  
19 that proposed activities will be coordinated with  
20 activities established by the State to improve  
21 systems for personnel preparation and profes-  
22 sional development pursuant to subpart 1;

23 “(I) how the grant funds will be divided  
24 among the members of the professional develop-  
25 ment partnership and the responsibilities each

1 partner has agreed to undertake in the use of  
2 the grant funds and other related funds; and

3 “(J) how the eligible entity will gather in-  
4 formation in order to assess the impact of the  
5 activities assisted under this section on teachers  
6 and the students served under this section; and

7 “(2) identify the lead fiscal agent of the profes-  
8 sional development partnership responsible for the  
9 receipt and disbursement of funds under this sec-  
10 tion.

11 “(d) AUTHORIZED ACTIVITIES.—Each eligible entity  
12 receiving a grant or entering into a contract or cooperative  
13 agreement under this section shall use the grant funds to  
14 establish a professional development partnership that—

15 “(1) develops a preservice teacher education  
16 program, or enhances and restructures an existing  
17 program, to prepare special education teachers, at  
18 colleges or departments of education within the in-  
19 stitution of higher education, by incorporating an  
20 additional 5th year clinical learning opportunity,  
21 field experience, or supervised practicum into a pro-  
22 gram of preparation and coursework for special edu-  
23 cation teachers, that includes—

24 “(A) developing new curricula and  
25 coursework for the preparation of prospective

1 special education teachers, including prepara-  
2 tion to teach in core academic subjects;

3 “(B) support for new faculty positions to  
4 provide, coordinate, and oversee instruction of  
5 the clinical learning opportunity, field experi-  
6 ence, or supervised practicum;

7 “(C) new, ongoing performance-based re-  
8 view procedures to assist and support the learn-  
9 ing of prospective special education teachers;

10 “(D) providing assistance to students for  
11 stipends and costs associated with tuition and  
12 fees for continued or enhanced enrollment in a  
13 preparation program for special education  
14 teachers; and

15 “(E) supporting activities that increase the  
16 placement of highly qualified teachers in ele-  
17 mentary schools and secondary schools; or

18 “(2) creates or supports professional develop-  
19 ment schools that—

20 “(A) provide high quality induction oppor-  
21 tunities with ongoing support for beginning spe-  
22 cial education teachers;

23 “(B) provide mentoring, of prospective and  
24 beginning special education teachers by veteran  
25 special education teachers, in instructional

1 skills, classroom management skills, and strate-  
2 gies to effectively assess student progress and  
3 achievement;

4 “(C) provide high quality inservice profes-  
5 sional development to veteran special education  
6 teachers through the ongoing exchange of infor-  
7 mation and instructional strategies among pro-  
8 spective special education teachers and faculty  
9 of the institution of higher education;

10 “(D) prepare special education teachers  
11 to—

12 “(i) work collaboratively with general  
13 education teachers and related services  
14 personnel; and

15 “(ii) involve parents in the education  
16 of such parents’ children; and

17 “(E) provide preparation time for faculty  
18 in the professional development school, and  
19 other faculty of the institution of higher edu-  
20 cation, to design and implement curriculum,  
21 classroom experiences, and ongoing professional  
22 development opportunities for prospective and  
23 beginning special education teachers.

24 “(e) SUPPLEMENT, NOT SUPPLANT.—Funds appro-  
25 priated under this section shall be used to supplement and

1 not supplant other Federal, State, and local public funds  
2 available for the professional development or preservice  
3 preparation of special education teachers.

4 “(f) EVALUATION.—

5 “(1) IN GENERAL.—The Secretary shall con-  
6 duct biennial, independent, national evaluations of  
7 the activities assisted under this part not later than  
8 3 years after the date of enactment of the Personnel  
9 Excellence for Students with Disabilities Act. The  
10 evaluation shall include information on the impact of  
11 the activities assisted under this section on outcomes  
12 for children with disabilities.

13 “(2) REPORT.—The Secretary shall report to  
14 Congress on the results of the evaluation.

15 “(3) DISSEMINATION.—The Secretary shall  
16 widely disseminate effective practices identified  
17 through the evaluation.

18 “(g) AUTHORIZATION OF APPROPRIATIONS.—There  
19 are authorized to be appropriated to carry out this section  
20 \$20,000,000 for fiscal year 2004, and such sums as may  
21 be necessary for each succeeding fiscal year.

22 **“SEC. 676. TRAINING TO SUPPORT GENERAL EDUCATORS.**

23 “(a) DEFINITIONS.—In this section:

24 “(1) ELIGIBLE ENTITIES.—The term ‘eligible  
25 entity’ means a partnership that—

1 “(A) shall include—

2 “(i) 1 or more local educational agen-  
3 cies; and

4 “(ii) 1 or more State-approved special  
5 education personnel preparation programs;  
6 and

7 “(B) may include a State educational  
8 agency, a teaching organization, a professional  
9 association of principals, an educational non-  
10 profit organization, or another group or institu-  
11 tion that has expertise in special education and  
12 is responsive to the needs of teachers.

13 “(2) GENERAL EDUCATOR.—The term ‘general  
14 educator’ includes a teacher, a principal, a school su-  
15 perintendent, or school faculty, such as a school  
16 counselor.

17 “(3) POSTSECONDARY OPPORTUNITIES.—The  
18 term ‘postsecondary opportunities’ includes the tran-  
19 sition from school to postsecondary education, adult  
20 services, or work.

21 “(b) AUTHORIZATION OF PROGRAM.—

22 “(1) ASSISTANCE AUTHORIZED.—The Secretary  
23 may award grants to, or enter into contracts or co-  
24 operative agreements with, eligible entities to enable  
25 the eligible entities to provide professional develop-

1       ment, leadership training, and collaborative opportu-  
2       nities to general educators to ensure that general  
3       educators have the skills and knowledge to meet the  
4       needs of, and improve results for, children with dis-  
5       abilities.

6               “(2) COMPETITIVE AWARDS.—The Secretary  
7       shall award grants, contracts, and cooperative agree-  
8       ments under this section on a competitive basis.

9               “(c) DURATION.—The Secretary shall award grants,  
10       contracts, and cooperative agreements under this section  
11       for a period of not less than 3 and not more than 5 years.

12              “(d) APPLICATION.—An eligible entity desiring a  
13       grant, contract, or cooperative agreement under this sec-  
14       tion shall submit an application to the Secretary at such  
15       time, in such manner, and accompanied by such informa-  
16       tion as the Secretary may require. Each such application  
17       shall—

18              “(1) describe—

19                      “(A) the proposed activities to be assisted  
20                      by the eligible entity;

21                      “(B) how the eligible entity will implement  
22                      research-based, demonstrably successful, and  
23                      replicable instructional practices that improve  
24                      outcomes for children with disabilities;

1           “(C) how the eligible entity will implement  
2 training and collaborative opportunities on a  
3 schoolwide basis in schools within the local edu-  
4 cational agency;

5           “(D) the eligible entity’s strategy to pro-  
6 vide general educators with—

7                 “(i) professional development focused  
8 on addressing the needs of children with  
9 disabilities in their classrooms; and

10                “(ii) training and opportunities to col-  
11 laborate with special education teachers  
12 and related services personnel to better  
13 serve students’ needs;

14           “(E) the eligible entity’s strategy to pro-  
15 vide principals, superintendents, and other ad-  
16 ministrators with instructional leadership skills;

17           “(F) how the eligible entity will provide  
18 training to general educators to enable the gen-  
19 eral educators to work with parents and involve  
20 parents in their child’s education;

21           “(G) how the eligible entity will collaborate  
22 with the State educational agency to ensure  
23 that proposed activities will be coordinated with  
24 activities established by the State to improve

1 systems for personnel preparation and profes-  
2 sional development pursuant to subpart 1;

3 “(H) how the grant funds will be effec-  
4 tively coordinated with all Federal, State, and  
5 local personnel preparation and professional de-  
6 velopment funds and activities;

7 “(I) how the eligible entity will assess the  
8 impact of the activities conducted and how the  
9 knowledge and effective practices generated by  
10 the eligible entity will be widely disseminated;

11 “(J) how the grant funds will be divided  
12 among the members of the partnership and the  
13 responsibilities each partner has agreed to un-  
14 dertake in the use of the grant funds and other  
15 related funds; and

16 “(2) identify the lead fiscal agent for the eligi-  
17 ble entity.

18 “(e) AUTHORIZED ACTIVITIES.—Funds provided  
19 under this section may be used for the following activities:

20 “(1) To provide high quality professional devel-  
21 opment to general educators that develops the  
22 knowledge and skills, and enhances the ability, of  
23 general educators to—

24 “(A) utilize classroom-based techniques to  
25 identify students who may be eligible for special

1 education services, and deliver instruction in a  
2 way that meets the individualized needs of chil-  
3 dren with disabilities through appropriate sup-  
4 ports, accommodations, and curriculum modi-  
5 fications;

6 “(B) work collaboratively with special edu-  
7 cation teachers and related services personnel;

8 “(C) implement strategies, such as positive  
9 behavioral interventions, to address the behav-  
10 ior of children with disabilities that impedes the  
11 learning of such children and others;

12 “(D) prepare children with disabilities to  
13 participate in statewide assessments (with and  
14 without accommodations) and alternative as-  
15 sessment, as appropriate, and achieve high  
16 marks;

17 “(E) develop effective practices for ensur-  
18 ing that all children with disabilities are a part  
19 of all accountability systems under the Elemen-  
20 tary and Secondary Education Act of 1965;

21 “(F) provide transition services to improve  
22 such services and postsecondary opportunities  
23 for children with disabilities;

24 “(G) work with and involve parents of chil-  
25 dren with disabilities in their child’s education;

1           “(H) understand how to effectively con-  
2           struct IEPs, participate in IEP meetings and  
3           implement IEPs;

4           “(I) use universally designed technology  
5           and assistive technology devices and services to  
6           enhance learning by children with disabilities  
7           and to communicate with parents; and

8           “(J) in the case of principals and super-  
9           intendents, be instructional leaders and promote  
10          improved collaboration between general edu-  
11          cators, special education teachers, and related  
12          services personnel.

13          “(2) Provide release and planning time for the  
14          activities described in this section.

15          “(f) SUPPLEMENT NOT SUPPLANT.—Funds provided  
16          under this section shall be used to supplement, not sup-  
17          plant, other Federal, State, and local funds available for  
18          training to support general educators.

19          “(g) EVALUATIONS.—

20                 “(1) IN GENERAL.—The Secretary shall con-  
21                 duct biennial, independent, national evaluations of  
22                 the activities assisted under this section not later  
23                 than 3 years after the date of enactment of the Per-  
24                 sonnel Excellence for Students with Disabilities Act.

25                 The evaluations shall include information on the im-

1       pact of the activities assisted under this section on  
2       outcomes for children with disabilities.

3               “(2) REPORT.—The Secretary shall prepare  
4       and submit to Congress a report on the evaluations.

5               “(3) DISSEMINATION.—The Secretary shall  
6       provide for the wide dissemination of effective mod-  
7       els and practices identified in the evaluations.

8               “(h) AUTHORIZATION.—There are authorized to be  
9       appropriated to carry out this section \$20,000,000 for fis-  
10      cal year 2004 and such sums as may be necessary for each  
11      succeeding fiscal year.”.

12   **SEC. 4. PERSONNEL PREPARATION TO IMPROVE SERVICES**  
13                           **AND RESULTS FOR CHILDREN WITH DISABIL-**  
14                           **ITIES.**

15       Section 673 of the Individuals with Disabilities Edu-  
16      cation Act (20 U.S.C. 1473) is amended—

17               (1) in subsection (a)(1), by inserting before the  
18      semicolon “, consistent with subpart 1”;

19               (2) in subsection (b)—

20                       (A) in paragraph (2)—

21                               (i) by amending subparagraph (C) to  
22      read as follows:

23                               “(C) Preparing personnel in the innovative  
24      uses and application of technology, including  
25      implementation of universally designed tech-

1 nologies and assistive technology devices and  
2 assistive technology services, to enhance learn-  
3 ing by children with disabilities through early  
4 intervention, educational, and transitional serv-  
5 ices, and to communicate with parents to im-  
6 prove home and school communication.”;

7 (ii) by redesignating subparagraphs  
8 (E) and (F) as subparagraphs (F) and  
9 (G), respectively;

10 (iii) by inserting after subparagraph  
11 (D) the following:

12 “(E) Preparing personnel to work in high  
13 need elementary schools and secondary schools,  
14 including urban schools, rural schools, and  
15 schools operated by an entity described in sec-  
16 tion 7113(d)(1)(A)(ii) of the Elementary and  
17 Secondary Education Act of 1965, and schools  
18 that serve high numbers or percentages of lim-  
19 ited English proficient children.”; and

20 (iv) by adding at the end the fol-  
21 lowing:

22 “(H) Providing continuous personnel prep-  
23 aration, training, and professional development  
24 for beginning special education teachers that is

1 designed to provide support and ensure reten-  
2 tion of such teachers.

3 “(I) Preparing personnel on effective pa-  
4 rental involvement practices to enable the per-  
5 sonnel to work with parents and involve parents  
6 in the education of such parents’ children.”;  
7 and

8 (B) by amending paragraph (4) to read as  
9 follows:

10 “(4) SELECTION OF RECIPIENTS.—In selecting  
11 recipients under this subsection, the Secretary may  
12 give preference to applications that include 1 or  
13 more of the following:

14 “(A) A proposal to prepare personnel in  
15 more than 1 low-incidence disability, such as  
16 deafness and blindness.

17 “(B) A demonstration of effective  
18 partnering with local educational agencies that  
19 ensures recruitment and subsequent retention  
20 of highly qualified personnel to serve children  
21 with disabilities.

22 “(C) A proposal to address the personnel  
23 and professional development needs in the  
24 State, as identified in subpart 1.”;

25 (3) in subsection (d)(2)—

1 (A) in subparagraph (C)—

2 (i) in clause (i), by striking “and”  
3 after the semicolon;

4 (ii) in clause (ii), by striking the pe-  
5 riod and inserting “; and”; and

6 (iii) by adding at the end the fol-  
7 lowing:

8 “(iii) to implement strategies to re-  
9 duce significant disproportionality de-  
10 scribed in section 618.”;

11 (B) in subparagraph (E), by inserting be-  
12 fore the period “, including model teaching  
13 practices to assist such persons to work effec-  
14 tively with parents and involve parents in the  
15 education of such parents’ children”; and

16 (C) by adding at the end the following:

17 “(L) Developing strategies to improve per-  
18 sonnel training, recruitment, and retention of  
19 special education teachers in special education  
20 in high need elementary schools and secondary  
21 schools, including urban schools, rural schools,  
22 and schools operated by an entity described in  
23 section 7113(d)(1)(A)(ii) of the Elementary and  
24 Secondary Education Act of 1965, and schools

1           that serve high numbers of limited English pro-  
2           ficient children.”;

3           (4) in subsection (e)(1), by inserting “emotional  
4           or behavioral disorders,” after “impairment,”;

5           (5) in subsection (h)—

6                 (A) in paragraph (1)—

7                         (i) by striking “2 years” and inserting  
8                         “1 year”; and

9                         (ii) by striking “OBLIGATION.—” and  
10                         all that follows through “Each application”  
11                         and inserting “OBLIGATION.—Each appli-  
12                         cation”; and

13                 (B) by striking paragraph (2);

14           (6) by striking subsection (i) and inserting the  
15           following:

16           “(i) SCHOLARSHIPS.—

17                 “(1) IN GENERAL.—The Secretary may include  
18                 funds for scholarships, with necessary stipends and  
19                 allowances, in awards under subsections (b), (c), (d),  
20                 and (e).

21                 “(2) DETERMINATION OF AMOUNTS.—The Sec-  
22                 retary may permit a grant recipient to determine the  
23                 amount of funds available for scholarships, necessary  
24                 stipends, and allowances, that is consistent with

1 such recipient's grant award and the purposes of  
2 such grant.”;

3 (7) by redesignating subsection (j) as sub-  
4 section (k);

5 (8) by inserting after subsection (i) the fol-  
6 lowing:

7 “(j) DEVELOPMENT OF NEW PROGRAMS OR RE-  
8 STRUCTURING OF EXISTING PROGRAMS.—In making  
9 awards under subsections (b), (c), (d), and (e), the Sec-  
10 retary may support programs that use award funds to de-  
11 velop new, or enhance and restructure existing, personnel  
12 preparation programs.”; and

13 (9) in subsection (k) (as redesignated by para-  
14 graph (7))—

15 (A) by inserting “\$250,000,000 for fiscal  
16 year 2004 and” after “this section”; and

17 (B) by striking “of the fiscal years 1998  
18 through 2002” and inserting “succeeding fiscal  
19 year”.

○