

110TH CONGRESS  
1ST SESSION

# S. 2157

To amend the Elementary and Secondary Education Act of 1965 to establish pilot programs in expanded school attendance.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 4, 2007

Mr. SANDERS 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 amend the Elementary and Secondary Education Act of 1965 to establish pilot programs in expanded school attendance.

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 “Expanded Education  
5 Act”.

6 **SEC. 2. EXPANDED SCHOOL ATTENDANCE PROGRAMS.**

7 Title I of the Elementary and Secondary Education  
8 Act of 1965 (20 U.S.C. 6301 et seq.) is amended—

9 (1) by redesignating part I as part J; and

1           (2) by inserting after section 1830 the fol-  
2           lowing:

3           **“PART I—EXPANDED EDUCATION**

4           **“SEC. 1851. DEFINITIONS.**

5           “In this part:

6           “(1) EXPANDED.—The term ‘expanded’, when  
7           used in reference to a school day, week, or year,  
8           means supplementing the school day, week, or year,  
9           with additional hours as well as with extended learn-  
10          ing and activities beyond the specific subjects cov-  
11          ered in the school curricula, although some or all of  
12          those subjects may be included as well.

13          “(2) EXPANDED DAY.—The term ‘expanded  
14          day’ means a school day that extends the number of  
15          school hours per school day in a way that increases  
16          the total number of school hours for the school year  
17          by not less than 30 percent, compared to such total  
18          number for the preceding school year.

19          “(3) EXPANDED WEEK.—The term ‘expanded  
20          week’ means a 6-day school week that includes a  
21          Saturday school session of not less than 3½ hours.

22          “(4) EXPANDED YEAR.—The term ‘expanded  
23          year’ means a school year of not less than 180  
24          school days that is extended by a summer, non-re-  
25          medial school session of—

1           “(A) not less than 4 weeks; or

2           “(B) in the case of a summer institute de-  
3           scribed in section 1854(e)(3), not less than 1  
4           week.

5           “(5) LARGE STATE.—The term ‘large State’  
6           means each State that, when ranked with all States  
7           of the United States by population according to the  
8           most recent decennial census of the Bureau of the  
9           Census, is in the top 50th percentile.

10          “(6) LOW-INCOME STUDENT.—The term ‘low-  
11          income student’ means a student who is eligible to  
12          receive a free or reduced-price lunch under the Rich-  
13          ard B. Russell School Lunch Act.

14          “(7) SCHOOL DAY.—The term ‘school day’  
15          means a day in which all students attend school for  
16          not less than 6½ hours, except for children with dis-  
17          abilities whose individualized education programs  
18          under section 614 of the Individuals with Disabilities  
19          Education Act specify a shorter school day.

20          “(8) SMALL STATE.—The term ‘small State’  
21          means each State that, when ranked with all States  
22          of the United States by population according to the  
23          most recent decennial census of the Bureau of the  
24          Census, is in the bottom 50th percentile.

1 **“SEC. 1852. EXPANDED DAY PILOT PROGRAM.**

2 “(a) PROGRAM AUTHORIZED.—From amounts ap-  
3 propriated under subsection (f), the Secretary shall—

4 “(1) reserve not more than 2 percent to enable  
5 the Secretary to enter into contracts or award  
6 grants with qualified organizations, as determined  
7 by the Secretary, to enable the organizations to pro-  
8 vide training, technical assistance, and capacity  
9 building with respect to expanded day pilot pro-  
10 grams described in subsection (e); and

11 “(2) use the amounts that remain after reserv-  
12 ing funds under paragraph (1) to award grants,  
13 through allotments under subsection (c), to State  
14 educational agencies to enable the State educational  
15 agencies to carry out expanded day pilot programs  
16 described in subsection (e) in participating schools in  
17 the State.

18 “(b) APPLICATION.—A State educational agency de-  
19 siring a grant under this section shall submit to the Sec-  
20 retary an application at such time, in such manner, and  
21 containing such information as the Secretary may require.

22 “(c) ALLOTMENTS.—The Secretary shall allot—

23 “(1) the funds made available under subsection  
24 (f)(1) for a fiscal year in equal amounts among  
25 small States; and

1           “(2) the funds made available under subsection  
2 (f)(2) for a fiscal year in equal amounts among large  
3 States.

4           “(d) SELECTION OF PARTICIPATING SCHOOLS.—

5           “(1) NUMBER OF PARTICIPATING SCHOOLS.—

6           “(A) SMALL STATES.—Each small State  
7 receiving a grant under this section shall use  
8 the grant funds to establish expanded day pilot  
9 programs in not less than 20 schools in the  
10 State.

11           “(B) LARGE STATES.—Each large State  
12 receiving a grant under this section shall use  
13 the grant funds to establish expanded day pilot  
14 programs in not less than 50 schools in the  
15 State.

16           “(2) ELIGIBILITY REQUIREMENTS.—In order to  
17 participate in a program under this section, an ele-  
18 mentary school or secondary school in a State  
19 shall—

20           “(A) have a student population of which  
21 not less than 50 percent are low-income stu-  
22 dents;

23           “(B) be identified by the local educational  
24 agency as suitable for participation in the pro-  
25 gram; and

1           “(C) submit a pilot program proposal pre-  
2           pared by the local educational agency involved  
3           to the State educational agency at such time, in  
4           such manner, and containing such information  
5           as the State educational agency may reasonably  
6           require.

7           “(3) SELECTION BASIS.—From the schools in a  
8           State that have submitted proposals under para-  
9           graph (2)(C), a State educational agency receiving a  
10          grant under this section shall select the highest  
11          ranking schools to participate, based on the fol-  
12          lowing weighted criteria:

13                 “(A) 50 percent of a school’s ranking shall  
14                 be based on the percentage of low-income stu-  
15                 dents at the school.

16                 “(B) 30 percent of a school’s ranking shall  
17                 be based on the proposal submitted to the State  
18                 educational agency describing the program that  
19                 will be implemented in the school, taking into  
20                 account the program’s design, implementation  
21                 plan, administrative staffing, and budget.

22                 “(C) 20 percent of a school’s ranking shall  
23                 be based on the capacity of the school, as deter-  
24                 mined by a review conducted by the State edu-

1           cational agency, to implement the program de-  
2           scribed in the school’s proposal.

3           “(4) DISTRIBUTION OF FUNDS AMONG  
4           SCHOOLS.—

5                   “(A) IN GENERAL.—A State educational  
6           agency receiving a grant under this section  
7           shall provide each participating school with a  
8           share of the grant funds under this section that  
9           is not less than the amount described in sub-  
10          paragraph (B).

11                   “(B) MINIMUM SHARE.—The minimum  
12          share of grant funds under this section that a  
13          school participating in a program under this  
14          section shall receive for a fiscal year is 75 per-  
15          cent of the amount obtained by dividing the  
16          total amount of the grant funds provided to the  
17          State under this section for such year by the  
18          number of schools in the State participating in  
19          the program.

20           “(e) EXPANDED DAY PILOT PROGRAM REQUIRE-  
21          MENTS.—Each expanded day pilot program assisted under  
22          this section shall meet the following requirements:

23                   “(1) CONTENTS OF PROGRAM.—The program  
24          shall—

1           “(A) include academic work that will en-  
2           sure that participating students increase the  
3           students’ proficiency in reading and language  
4           arts, and mathematics;

5           “(B) advance student learning in new  
6           areas or new directions, so that the program is  
7           not wholly remedial; and

8           “(C) include sufficient recreational activi-  
9           ties, social activities, or extra-curricular cultural  
10          activities (such as music, theater, or art) to  
11          make each expanded day program a positive ex-  
12          perience for the students who participate.

13          “(2) STUDENT PARTICIPATION.—

14               “(A) FULL GRADE PARTICIPATION.—The  
15               program shall be provided to not less than 1 en-  
16               tire grade level in a participating school and, if  
17               funds are sufficient, may include additional  
18               grade levels.

19               “(B) REQUIRED STUDENT PARTICIPA-  
20               TION.—Students in each grade level included in  
21               the program shall be required to attend the  
22               school for the extended day, unless the stu-  
23               dent’s individualized education program under  
24               section 614 of the Individuals with Disabilities  
25               Education Act requires otherwise.



1       “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated to carry out this section  
3 \$350,000,000 for fiscal year 2008 and such sums as may  
4 be necessary for each succeeding fiscal year, of which—

5               “(1) 30 percent shall be available for grants to  
6 small States; and

7               “(2) 70 percent shall be available for grants to  
8 large States.

9 **“SEC. 1853. EXPANDED WEEK PILOT PROGRAM.**

10       “(a) PROGRAM AUTHORIZED.—From amounts au-  
11 thorized under subsection (f), the Secretary shall award  
12 grants, through allotments under subsection (c), to State  
13 educational agencies to enable the State educational agen-  
14 cies to carry out expanded week pilot programs described  
15 in subsection (e) in participating schools in the State.

16       “(b) APPLICATION.—A State educational agency de-  
17 siring a grant under this section shall submit to the Sec-  
18 retary an application at such time, in such manner, and  
19 containing such information as the Secretary may require.

20       “(c) ALLOTMENTS.—The Secretary shall allot—

21               “(1) the funds made available under subsection  
22 (f)(1) for a fiscal year in equal amounts among  
23 small States; and

1           “(2) the funds made available under subsection  
2 (f)(2) for a fiscal year in equal amounts among large  
3 States.

4           “(d) SELECTION OF PARTICIPATING SCHOOLS.—

5           “(1) NUMBER OF PARTICIPATING SCHOOLS.—

6           “(A) SMALL STATES.—Each small State  
7 receiving a grant under this section shall use  
8 grant funds to establish expanded week pilot  
9 programs in not less than 20 schools in the  
10 State.

11           “(B) LARGE STATES.—Each large State  
12 receiving a grant under this section shall use  
13 grant funds to establish expanded week pilot  
14 programs in not less than 50 schools in the  
15 State.

16           “(2) PROPOSAL.—In order to participate in a  
17 program under this section, an elementary school or  
18 secondary school in a State shall—

19           “(A) have a student population of which  
20 not less than 50 percent are low-income stu-  
21 dents;

22           “(B) be identified by the local educational  
23 agency as suitable for participation in the pro-  
24 gram; and

1           “(C) submit a pilot program proposal pre-  
2           pared by the local educational agency involved  
3           to the State educational agency at such time, in  
4           such manner, and containing such information  
5           as the State educational agency may reasonably  
6           require.

7           “(3) SELECTION BASIS.—A State educational  
8           agency shall select the highest ranking schools to  
9           participate in this program, based on the following  
10          weighted criteria:

11                  “(A) 50 percent of a school’s ranking shall  
12                  be based on a high percentage of low-income  
13                  students at the school.

14                  “(B) 30 percent of a school’s ranking shall  
15                  be based on the proposal submitted to the State  
16                  educational agency describing the program that  
17                  will be implemented in the school, taking into  
18                  account the program’s design, implementation  
19                  plan, administrative staffing, and budget.

20                  “(C) 20 percent of a school’s ranking shall  
21                  be based on the capacity of the school, as deter-  
22                  mined by a review conducted by the State edu-  
23                  cational agency, to implement the program de-  
24                  scribed in the school’s proposal.

1           “(4) DISTRIBUTION OF FUNDS AMONG  
2 SCHOOLS.—

3           “(A) IN GENERAL.—A State educational  
4 agency receiving a grant under this section  
5 shall provide each participating school with a  
6 share of the grant funds under this section that  
7 is not less than the amount described in sub-  
8 paragraph (B).

9           “(B) MINIMUM SHARE.—The minimum  
10 share of grant funds under this section that a  
11 school participating in a program under this  
12 section shall receive for a fiscal year is 75 per-  
13 cent of the amount obtained by dividing the  
14 total amount of the grant funds provided to the  
15 State under this section for such year by the  
16 number of schools in the State participating in  
17 the program.

18       “(e) EXPANDED WEEK PROGRAM REQUIREMENTS.—  
19 Each expanded week program assisted under this section  
20 shall meet the following requirements:

21           “(1) CONTENTS OF PROGRAM.—The program  
22 shall—

23           “(A) include academic work that will en-  
24 sure that participating students increase the

1 students' proficiency in reading and language  
2 arts, and mathematics;

3 “(B) advance student learning in new  
4 areas or new directions, so that not less than  
5 30 percent of the curricular content of the pro-  
6 gram is non-remedial; and

7 “(C) include sufficient recreational activi-  
8 ties, social activities, or extra-curricular cultural  
9 activities (such as music, theater, or art) to  
10 make each expanded week program a positive  
11 experience for the students who participate.

12 “(2) STUDENT PARTICIPATION.—

13 “(A) FULL GRADE PARTICIPATION.—The  
14 program shall be provided to not less than 1 en-  
15 tire grade level in the participating school and,  
16 if funds are sufficient, may include additional  
17 grade levels.

18 “(B) REQUIRED STUDENT PARTICIPA-  
19 TION.—Each student in each grade level in-  
20 cluded in the program shall be required to at-  
21 tend the school for the extended week, unless—

22 “(i) the student receives a waiver  
23 under subparagraph (C); or

24 “(ii) the student's individualized edu-  
25 cation program under section 614 of the

1           Individuals with Disabilities Education Act  
2           requires otherwise.

3           “(C) WAIVER.—The parents of a student  
4           required to participate in the expanded week  
5           program under this section may petition the  
6           school for a waiver from participation in the  
7           program if such participation is a hardship for  
8           the family. A waiver shall be granted if the par-  
9           ticipating school and the local educational agen-  
10          cy approve the waiver.

11          “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
12          are authorized to be appropriated to carry out this section  
13          \$350,000,000 for fiscal year 2008 and such sums as may  
14          be necessary for each succeeding fiscal year, of which—

15                 “(1) 30 percent shall be available for grants to  
16                 small States; and

17                 “(2) 70 percent shall be available for grants to  
18                 large States.

19          **“SEC. 1854. EXPANDED YEAR PILOT PROGRAM.**

20                 “(a) PROGRAM AUTHORIZED.—From amounts ap-  
21                 propriated under subsection (f), the Secretary shall award  
22                 grants, through allotments under subsection (c), to State  
23                 educational agencies to enable the State educational agen-  
24                 cies to carry out expanded year pilot programs described  
25                 in subsection (d) in participating schools in the State.

1       “(b) APPLICATION.—A State educational agency de-  
 2 siring a grant under this section shall submit to the Sec-  
 3 retary an application at such time, in such manner, and  
 4 containing such information as the Secretary may require.

5       “(c) ALLOTMENTS.—The Secretary shall allot—

6               “(1) the funds made available under subsection  
 7 (f)(1) for a fiscal year in equal amounts among  
 8 small States; and

9               “(2) the funds made available under subsection  
 10 (f)(2) for a fiscal year in equal amounts among large  
 11 States.

12       “(d) EXPANDED YEAR PROGRAM REQUIREMENTS.—  
 13 Each expanded year program assisted under this section  
 14 shall meet the following requirements:

15               “(1) PROGRAM CONTENTS.—The program  
 16 shall—

17                       “(A) advance student learning in new  
 18 areas or new directions, or increase students’  
 19 expertise and extend students’ proficiency;

20                       “(B) emphasize non-remedial work—

21                               “(i) by including new material;

22                               “(ii) through process-oriented learn-  
 23 ing; and

24                               “(iii) through the activities described  
 25 in subparagraph (C); and

1           “(C) include sufficient recreational activi-  
2           ties, social activities, or extra-curricular cultural  
3           activities (such as music, theater, or art) to  
4           make each expanded year program a positive  
5           experience for the students who participate.

6           “(2) PROGRAM STAFFING.—The program may  
7           use grant funds to employ faculty for the program,  
8           as well as the requisite number of non-academic  
9           staff needed to carry out paragraph (1)(C).

10           “(3) USE OF MODELS.—The program shall be  
11           based on 1 of the 3 models described in subsection  
12           (e). Each State receiving a grant under this section  
13           shall have the authority to determine which model,  
14           or which combination of the models, shall be used.

15           “(e) EXPANDED YEAR MODELS.—

16           “(1) SCHOOL-BASED MANDATORY PARTICIPA-  
17           TION MODEL.—A pilot program implementing the  
18           school-based mandatory participation model shall  
19           meet the following requirements:

20           “(A) PARTICIPATING SCHOOL REQUIRE-  
21           MENTS.—Each elementary school or secondary  
22           school in a State participating in the pilot pro-  
23           gram shall—



1           “(i) have a student population of  
2           which not less than 50 percent are low-in-  
3           come students;

4           “(ii) be identified by the local edu-  
5           cational agency as suitable for participa-  
6           tion in the program; and

7           “(iii) submit a pilot program proposal  
8           prepared by the local educational agency  
9           involved to the State educational agency at  
10          such time, in such manner, and containing  
11          such information as the State educational  
12          agency may reasonably require.

13          “(B) SELECTION OF PARTICIPATING  
14          SCHOOLS.—A State educational agency shall se-  
15          lect schools to participate in this model by  
16          choosing the highest ranking schools based on  
17          the following weighted criteria:

18                 “(i) 50 percent of a school’s ranking  
19                 shall be based on a high percentage of low-  
20                 income students at the school.

21                 “(ii) 30 percent of a school’s ranking  
22                 shall be based on the proposal submitted to  
23                 the State educational agency describing the  
24                 program that will be implemented in the  
25                 school, taking into account the program’s

1 design, implementation plan, administra-  
2 tive staffing, and budget.

3 “(iii) 20 percent of a school’s ranking  
4 shall be based on the capacity of the  
5 school, as determined by a review con-  
6 ducted by the State educational agency, to  
7 implement the program described in the  
8 school’s proposal.

9 “(C) ENTITY CARRYING OUT PILOT PRO-  
10 GRAM.—The State educational agency may  
11 choose a participating school, or an institution  
12 of higher education or nonprofit organization,  
13 to carry out the pilot program at the school.

14 “(D) SPONSORS.—

15 “(i) ROLE OF SPONSORS.—Subject to  
16 approval by the Secretary as described in  
17 clause (iii), the entity chosen to carry out  
18 the pilot program at a school may enter  
19 into a partnership with 1 or more sponsors  
20 to provide services for the program at the  
21 school.

22 “(ii) QUALIFICATIONS.—The entity  
23 shall endeavor to enter into such a part-  
24 nership with a sponsor that has a success-  
25 ful track record of providing high-quality

1 summer learning opportunities to low-in-  
2 come students.

3 “(iii) APPROVAL OF SPONSORS.—

4 “(I) DESCRIPTION OF PARTNER-  
5 SHIP.—To obtain approval of the  
6 sponsors described in clause (i) for  
7 the pilot program, the State edu-  
8 cational agency, in submitting an ap-  
9 plication under subsection (b), shall  
10 include in the application a descrip-  
11 tion of the partnership with the spon-  
12 sors.

13 “(II) EXPERIENCE OR PROMISE  
14 OF SUCCESS.—The State educational  
15 agency shall, to the extent practicable,  
16 demonstrate in the application that  
17 each sponsor has experience with, or  
18 promise of success in, providing edu-  
19 cational, enrichment, and related ac-  
20 tivities that will complement and en-  
21 hance the academic performance,  
22 achievement, and positive youth devel-  
23 opment of the students involved.

24 “(iv) SERVICES.—The sponsors shall  
25 provide services to students such as—

1           “(I) academic enrichment learn-  
2           ing programs, including providing ad-  
3           ditional assistance to students to allow  
4           the students to improve their aca-  
5           demic achievement;

6           “(II) mathematics and science  
7           education activities;

8           “(III) arts and music education  
9           activities;

10          “(IV) tutoring services (including  
11          those provided by senior citizen volun-  
12          teers) and mentoring programs;

13          “(V) programs for limited  
14          English proficient students that em-  
15          phasize language skills and academic  
16          achievement;

17          “(VI) recreational activities;

18          “(VII) telecommunications and  
19          technology education programs;

20          “(VIII) provision of expanded li-  
21          brary service hours;

22          “(IX) programs that promote pa-  
23          rental involvement and family literacy;

24          “(X) programs that provide as-  
25          sistance to students who have been

1 truant, suspended, or expelled to allow  
2 the students to improve their aca-  
3 demic achievement; and

4 “(XI) drug and violence preven-  
5 tion programs, and counseling pro-  
6 grams.

7 “(E) STUDENT PARTICIPATION.—

8 “(i) FULL GRADE PARTICIPATION.—

9 The program shall be provided to not less  
10 than 1 entire grade level in the partici-  
11 pating school and, if funds are sufficient,  
12 may include additional grade levels.

13 “(ii) REQUIRED STUDENT PARTICIPA-

14 TION.—Each student in each grade level  
15 included in the program shall be required  
16 to attend the school for the extended year,  
17 unless the student receives a waiver under  
18 clause (iii).

19 “(iii) WAIVER.—The parents of a stu-

20 dent required to participate in the ex-  
21 panded year program under this section  
22 may petition the school for a waiver from  
23 participation in the program if such par-  
24 ticipation is a hardship for the family. A  
25 waiver shall only be granted if the partici-

1           pating school and the local educational  
2           agency approve the waiver.

3           “(2) SCHOOL-BASED VOLUNTARY PARTICIPA-  
4           TION MODEL.—A pilot program implementing the  
5           school-based voluntary participation model shall  
6           meet the following requirements:

7                   “(A) PARTICIPATING SCHOOL REQUIRE-  
8                   MENTS.—Each elementary school or secondary  
9                   school in a State participating in the pilot pro-  
10                  gram shall—

11                           “(i) have a student population of  
12                           which not less than 50 percent are low-in-  
13                           come students;

14                           “(ii) be identified by the local edu-  
15                           cational agency as suitable for participa-  
16                           tion in the program; and

17                           “(iii) submit a pilot program proposal  
18                           to the State educational agency at such  
19                           time, in such manner, and containing such  
20                           information as the State educational agen-  
21                           cy may reasonably require.

22                   “(B) SELECTION OF PARTICIPATING  
23                   SCHOOLS.—A State educational agency shall se-  
24                   lect schools to participate in this model by  
25                   choosing the highest ranking schools based on

1 the weighted criteria described in clauses (i)  
2 through (iii) of paragraph (1)(B).

3 “(C) ENTITY CARRYING OUT PILOT PRO-  
4 GRAM.—The State educational agency may  
5 choose a participating school, or an institution  
6 of higher education or nonprofit organization,  
7 to carry out the pilot program at the school.

8 “(D) SPONSORS.—

9 “(i) ROLE OF SPONSORS.—Subject to  
10 approval by the Secretary as described in  
11 clause (iii), the entity chosen to carry out  
12 the pilot program at a school may enter  
13 into a partnership with 1 or more sponsors  
14 to provide services for the program at the  
15 school.

16 “(ii) QUALIFICATIONS.—The entity  
17 shall endeavor to enter into such a part-  
18 nership with a sponsor that has a success-  
19 ful track record of providing high-quality  
20 summer learning opportunities to low-in-  
21 come students.

22 “(iii) APPROVAL OF SPONSORS.—

23 “(I) DESCRIPTION OF PARTNER-  
24 SHIP.—To obtain approval of the  
25 sponsors described in clause (i) for

1 the pilot program, the State edu-  
2 cational agency, in submitting an ap-  
3 plication under subsection (b), shall  
4 include in the application a descrip-  
5 tion of the partnership with the spon-  
6 sors.

7 “(II) EXPERIENCE OR PROMISE  
8 OF SUCCESS.—The State educational  
9 agency shall, to the extent practicable,  
10 demonstrate in the application that  
11 each sponsor has experience with, or  
12 promise of success in, providing edu-  
13 cational, enrichment, and related ac-  
14 tivities that will complement and en-  
15 hance the academic performance,  
16 achievement, and positive youth devel-  
17 opment of the students involved.

18 “(iv) SERVICES.—The sponsors shall  
19 provide services to students such as—

20 “(I) academic enrichment learn-  
21 ing programs, including providing ad-  
22 ditional assistance to students to allow  
23 the students to improve their aca-  
24 demic achievement;



1                   “(II) mathematics and science  
2 education activities;

3                   “(III) arts and music education  
4 activities;

5                   “(IV) tutoring services (including  
6 those provided by senior citizen volun-  
7 teers) and mentoring programs;

8                   “(V) programs for limited  
9 English proficient students that em-  
10 phasize language skills and academic  
11 achievement;

12                   “(VI) recreational activities;

13                   “(VII) telecommunications and  
14 technology education programs;

15                   “(VIII) provision of expanded li-  
16 brary service hours;

17                   “(IX) programs that promote pa-  
18 rental involvement and family literacy;

19                   “(X) programs that provide as-  
20 sistance to students who have been  
21 truant, suspended, or expelled to allow  
22 the students to improve their aca-  
23 demic achievement; and

1                   “(XI) drug and violence preven-  
2                   tion programs, and counseling pro-  
3                   grams.

4                   “(E) STUDENT PARTICIPATION.—

5                   “(i) VOLUNTARY PARTICIPATION.—  
6                   Student participation in the program  
7                   under this model shall be voluntary.

8                   “(ii) MULTIPLE GRADES.—Under this  
9                   model, the program shall be offered to not  
10                  less than 2 grades at each school.

11                  “(F) STRUCTURE OF PROGRAM.—

12                  “(i) SUMMER MODULES.—The pro-  
13                  gram shall provide separate summer mod-  
14                  ules for each selected grade, which modules  
15                  may run concurrently or consecutively, or  
16                  overlap.

17                  “(ii) LENGTH OF MODULES.—Each  
18                  such module shall be not less than 4 weeks  
19                  in length.

20                  “(3) STATE-BASED VOLUNTARY SUMMER INSTI-  
21                  TUTE MODEL.—A pilot program implementing the  
22                  State-based voluntary summer institute model shall  
23                  meet the following requirements:

24                  “(A) IN GENERAL.—The State educational  
25                  agency shall establish 1 or more summer insti-

1 tutes for secondary school students at a public  
2 institution of higher education or, if the State  
3 educational agency determines it appropriate, at  
4 a private institution of higher education.

5 “(B) ADMINISTRATION.—The State edu-  
6 cational agency may administer the summer in-  
7 stitute or may elect to have a local educational  
8 agency in the State administer the summer in-  
9 stitute. In the case of a State educational agen-  
10 cy that transfers the administration of the sum-  
11 mer institute to the local educational agency,  
12 the State educational agency shall compensate  
13 the local educational agency for the costs of ad-  
14 ministration from non-Federal funds.

15 “(C) ENTITY CARRYING OUT THE SUMMER  
16 INSTITUTE.—The State educational agency (or  
17 local educational agency) may choose the par-  
18 ticipating institution of higher education, or an  
19 eligible nonprofit organization, to carry out the  
20 summer institute. To be eligible to carry out  
21 the summer institute, the nonprofit organiza-  
22 tion shall have experience with summer edu-  
23 cation, and shall have experience with, or prom-  
24 ise of success in, providing educational, enrich-  
25 ment, and related activities that will com-

1           plement and enhance the academic perform-  
2           ance, achievement, and positive youth develop-  
3           ment of the students involved.

4           “(D) SUBJECT MATTER FOCUS.—A sum-  
5           mer institute shall be encouraged to be grade-  
6           specific for the grades of students in attendance  
7           and shall focus on a subject in the domain of  
8           1 of the following:

9                   “(i) Reading or writing.

10                   “(ii) Mathematics.

11                   “(iii) Science.

12                   “(iv) Social science, civics, or history.

13           “(E) ASSESSMENTS.—

14                   “(i) GENERAL PROHIBITION.—Except  
15           as provided in clauses (ii) and (iii), a sum-  
16           mer institute shall not require any assess-  
17           ments or examinations as part of the insti-  
18           tute program.

19                   “(ii) USE OF CERTAIN MEASURES.—A  
20           summer institute program may require  
21           writing assignments, ungraded exercises in  
22           mathematics, laboratory experiments and  
23           laboratory reports in science, oral presen-  
24           tations, and such other teaching aids as

1 are necessary to encourage students to  
2 take the work at the institute seriously.

3 “(iii) FORMATIVE ASSESSMENTS.—

4 “(I) IN GENERAL.—A summer  
5 institute may use formative assess-  
6 ments or other measures necessary—

7 “(aa) for the reports de-  
8 scribed in section 1855(c);

9 “(bb) for diagnostic pur-  
10 poses; or

11 “(cc) to measure program  
12 effectiveness.

13 “(II) TIMING OF ADMINISTRA-  
14 TION.—A summer institute utilizing a  
15 formative assessment under this sub-  
16 paragraph shall administer the forma-  
17 tive assessment at the beginning and  
18 at the end of the institute, and may  
19 administer the assessment during the  
20 institute.

21 “(iv) GRADING PROHIBITION.—A  
22 summer institute shall not—

23 “(I) provide a student with the  
24 student’s grade on any formative as-  
25 sessment under clause (iii) or assign-

1                   ment, exercise, experiment, report,  
2                   presentation, or other teaching aid  
3                   under clause (ii), except that a sum-  
4                   mer institute may provide to the stu-  
5                   dent, but not to a school or local edu-  
6                   cational agency, a written summative  
7                   assessment of the student's participa-  
8                   tion in the summer institute at the  
9                   conclusion of the summer institute;  
10                  and

11                               “(II) add any such grade to the  
12                               student's academic record.

13                               “(F) LENGTH OF PROGRAM.—A summer  
14                   institute shall be not less than 5 days nor more  
15                   than 4 weeks long.

16                               “(G) PARTICIPANTS.—Students partici-  
17                   pating in a summer institute shall be low-in-  
18                   come students in the State and shall be selected  
19                   by the State educational agency, in consultation  
20                   with local educational agencies in the State.

21                               “(H) FACULTY.—

22                                       “(i) IN GENERAL.—Not less than 50  
23                   percent of the faculty at each summer in-  
24                   stitute shall be highly qualified teachers,  
25                   and the remaining members of the faculty

1 may be citizens of accomplishment or pub-  
2 lic figures, such as authors, scientists, pub-  
3 lic servants, artists, or educators, who  
4 have—

5 “(I) a record of significant ac-  
6 complishment; or

7 “(II) the capacity to add signifi-  
8 cant expertise to the academic side of  
9 the summer institute program.

10 “(ii) SALARIES.—The weekly salary  
11 for each faculty member of a summer in-  
12 stitute shall not be more than 135 percent  
13 of the greater of the average or median  
14 weekly salary for teachers in the State.

15 “(iii) TEACHING ASSISTANTS.—A  
16 summer institute may employ students at-  
17 tending institutions of higher education as  
18 interns or tutors to supplement the teach-  
19 ing endeavor of the institute.

20 “(I) HOUSING EXPENSES.—

21 “(i) NO GRANT FUNDS FOR HOUS-  
22 ING.—No grant funds under this section  
23 shall be used to pay for the housing costs  
24 of students participating in a summer in-  
25 stitute. Notwithstanding any other provi-

1           sion of law, the State educational agency  
 2           receiving the grant shall pay for the costs  
 3           of housing for such students from State  
 4           funds or funds received by the State under  
 5           part A of this title or under the Higher  
 6           Education Act of 1965.

7           “(ii) MEALS AND TRANSPORTATION  
 8           EXPENSES.—Grant funds from a grant  
 9           under this section may be used by a State  
 10          educational agency to pay for the costs of  
 11          meals and transportation expenses for the  
 12          students participating in the summer insti-  
 13          tute.

14          “(f) AUTHORIZATION OF APPROPRIATIONS.—There  
 15          are authorized to be appropriated to carry out this section  
 16          \$350,000,000 for fiscal year 2008 and such sums as may  
 17          be necessary for each succeeding fiscal year of which—

18                 “(1) 30 percent shall be available for grants to  
 19                 small States; and

20                 “(2) 70 percent shall be available for grants to  
 21                 large States.

22          **“SEC. 1855. GENERAL PROVISIONS.**

23                 “(a) PROHIBITION OF GRANT FUNDS FOR ADMINIS-  
 24          TRATION.—No grants funds under this part shall be used



1 by a State educational agency for the costs of admin-  
2 istering a grant program under this part.

3 “(b) STATE AND LOCAL MATCH.—

4 “(1) STATE FUNDS.—A State educational agen-  
5 cy receiving a grant under this Act shall use State  
6 funds for the costs to the State of the administra-  
7 tion of the grant.

8 “(2) LOCAL FUNDS.—A local educational agen-  
9 cy participating in a grant program under this Act  
10 shall use local funds for the costs to the local edu-  
11 cational agency of—

12 “(A) planning and submitting to the State  
13 educational agency a proposal for an expanded  
14 day, expanded week, or expanded year program  
15 at a school served by the local educational agen-  
16 cy;

17 “(B) administering, establishing, and over-  
18 seeing the program at a school served by the  
19 local educational agency; and

20 “(C) submitting the reports required under  
21 subsection (c).

22 “(3) SCHOOL FUNDS.—A school participating  
23 in an expanded day, expanded week, or expanded  
24 year program shall use school or local funds for the  
25 costs to the school of administering the program.

1           “(4) USE OF PART A FUNDS.—Notwithstanding  
2 any other provision of law, a State educational agen-  
3 cy, local educational agency, or school may use funds  
4 made available to the State or local educational  
5 agency, or school, respectively, under part A of this  
6 title for the costs described in paragraph (2) or (3).

7           “(c) REPORTS.—

8           “(1) LOCAL EDUCATIONAL AGENCY.—Each  
9 local educational agency that serves a school partici-  
10 pating in an expanded day, expanded week, or ex-  
11 panded year program under this part (except for a  
12 State-based voluntary summer institute program  
13 under section 1854(e)(3)) shall, not later than 60  
14 days after the completion of the program, report to  
15 the State educational agency regarding—

16           “(A) the extent to which the proposal for  
17 the expanded program was carried through;

18           “(B) the actual budget for and expenses of  
19 the expanded program; and

20           “(C) the level of learning for each student  
21 participating in the program for the year pre-  
22 ceding the year of the program, as determined  
23 by the academic assessments under section  
24 1111(b)(3).

1           “(2) SUMMER INSTITUTES REPORT.—In the  
2 case of a summer institute program under section  
3 1854(e)(3), the sponsoring State educational agency  
4 or local educational agency shall report to the Sec-  
5 retary regarding the subjects described in subpara-  
6 graphs (A) through (C) of paragraph (1).

7           “(3) APPENDIX.—Each State educational agen-  
8 cy or local educational agency that is required to  
9 submit a report under paragraph (1) or (2) shall,  
10 not later than 120 days after receiving the results  
11 for the academic assessments under section  
12 1111(b)(3) for the school year following the ex-  
13 panded day, expanded week, or expanded year pro-  
14 gram, submit to the State educational agency or the  
15 Secretary (as the case may be) an appendix that  
16 shall contain—

17                   “(A) for each student that participated in  
18 the program—

19                           “(i) the student’s level of learning for  
20 the year preceding the year of the pro-  
21 gram, as described in paragraph (1)(C);

22                           “(ii) the student’s level of learning for  
23 the year following the year of the program;

24                           “(iii) in the case of a summer insti-  
25 tute program, the student’s formative as-

1                   assessment at the beginning and end of the  
2                   summer institute; and

3                   “ (iv) the student’s gain, if any, com-  
4                   pared to—

5                   “ (I) the average and the mean of  
6                   the gains made during the same  
7                   grades by the most recent group of  
8                   students in that grade in the school  
9                   who did not matriculate in an ex-  
10                  panded day, expanded week, or ex-  
11                  panded year program, as applicable;  
12                  or

13                  “ (II) in the case of a voluntary  
14                  expanded year program, the average  
15                  and the mean of the gains made by  
16                  students in the same grade at the  
17                  school who did not matriculate in the  
18                  expanded year program; and

19                  “ (B) the average and the mean of the  
20                  gains made between the year preceding the year  
21                  of the program and the year following the year  
22                  of the program for the entire group of students  
23                  who matriculated in the program, compared to  
24                  the average and the mean of the gains made by

1 students described in subclause (I) or (II) of  
2 subparagraph (A)(iv) (as applicable).

3 “(4) SUBMISSION OF REPORTS.—A State edu-  
4 cational agency receiving a grant under this part  
5 shall submit the local educational agency reports  
6 under paragraph (1) to the Secretary after the State  
7 educational agency has received the required appen-  
8 dixes described in paragraph (3) for the reports.

9 “(5) PUBLICATION AND AVAILABILITY OF RE-  
10 SULTS.—

11 “(A) IN GENERAL.—The Secretary shall  
12 publish and make widely available to the public,  
13 including through a website or other means, a  
14 summary of local educational agency reports  
15 under this section.

16 “(B) INDIVIDUAL REPORTS.—The Sec-  
17 retary shall make the individual local edu-  
18 cational agency reports under this section avail-  
19 able to Congress.”.

20 **SEC. 3. CONFORMING AMENDMENTS.**

21 Title I of the Elementary and Secondary Education  
22 Act of 1965 (20 U.S.C. 6301 et seq.) is further amend-  
23 ed—

1           (1) in section 1304(c)(2) (20 U.S.C.  
2           6394(c)(2)), by striking “part I” and inserting “part  
3           J”; and

4           (2) in section 1415(a)(2)(C) (20 U.S.C.  
5           6435(a)(2)(C)), by striking “part I” and inserting  
6           “part J”.

○