

111TH CONGRESS
2D SESSION

S. 3558

To improve the No Child Left Behind Act of 2001, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 30, 2010

Mr. DODD introduced the following bill; which was read twice and referred to
the Committee on Health, Education, Labor, and Pensions

A BILL

To improve the No Child Left Behind Act of 2001, and
for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “No Child Left Behind
5 Reform Act”.

6 **SEC. 2. ADEQUATE YEARLY PROGRESS.**

7 (a) DEFINITION OF ADEQUATE YEARLY
8 PROGRESS.—Section 1111(b)(2) of the Elementary and
9 Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2))
10 is amended—

11 (1) in subparagraph (C)(vii)—

1 (A) by striking “such as”;

2 (B) by inserting “such as measures of indi-
3 vidual or cohort growth over time based on the
4 academic assessments implemented in accord-
5 ance with paragraph (3),” after “described in
6 clause (v),”; and

7 (C) by striking “attendance rates,”; and
8 (2) in subparagraph (D)—

9 (A) by striking clause (ii);

10 (B) by striking “the State” and all that
11 follows through “ensure” and inserting “the
12 State shall ensure”; and

13 (C) by striking “; and” and inserting a pe-
14 riod.

15 (b) ACADEMIC ASSESSMENT AND LOCAL EDU-
16 CATIONAL AGENCY AND SCHOOL IMPROVEMENT.—Sec-
17 tion 1116(a)(1)(B) of the Elementary and Secondary
18 Education Act of 1965 (20 U.S.C. 6316(a)(1)(B)) is
19 amended by striking “, except that” and all that follows
20 through “action or restructuring”.

21 **SEC. 3. GRANTS FOR INCREASING DATA CAPACITY FOR**
22 **PURPOSES OF AYP.**

23 Subpart 1 of part A of title I of the Elementary and
24 Secondary Education Act of 1965 (20 U.S.C. 6311 et
25 seq.) is amended by adding at the end the following:

1 **“SEC. 1120C. GRANTS FOR INCREASING DATA CAPACITY**
2 **FOR PURPOSES OF AYP.**

3 “(a) GRANT AUTHORITY.—The Secretary may award
4 grants, on a competitive basis, to State educational agen-
5 cies to enable the State educational agencies—

6 “(1) to develop or increase the capacity of data
7 systems for accountability purposes; and

8 “(2) to award subgrants to increase the capac-
9 ity of local educational agencies to upgrade, create,
10 or manage information databases for the purpose of
11 measuring adequate yearly progress.

12 “(b) PRIORITY.—In awarding grants under this sec-
13 tion the Secretary shall give priority to State educational
14 agencies that have created, or are in the process of cre-
15 ating, a growth model or proficiency index as part of their
16 adequate yearly progress determination.

17 “(c) STATE USE OF FUNDS.—Each State that re-
18 ceives a grant under this section shall use—

19 “(1) not more than 20 percent of the grant
20 funds for the purpose of increasing the capacity of,
21 or creating, State databases to collect information
22 related to adequate yearly progress; and

23 “(2) not less than 80 percent of the grant
24 funds to award subgrants to local educational agen-
25 cies within the State to enable the local educational

1 agencies to carry out the authorized activities de-
2 scribed in subsection (d).

3 “(d) AUTHORIZED ACTIVITIES.—Each local edu-
4 cational agency that receives a subgrant under this section
5 shall use the subgrant funds to increase the capacity of
6 the local educational agency to upgrade databases or cre-
7 ate unique student identifiers for the purpose of meas-
8 uring adequate yearly progress, by—

9 “(1) purchasing database software or hardware;

10 “(2) hiring additional staff for the purpose of
11 managing such data;

12 “(3) providing professional development or ad-
13 ditional training for such staff; and

14 “(4) providing professional development or
15 training for principals and teachers on how to effec-
16 tively use such data to implement instructional strat-
17 egies to improve student achievement.

18 “(e) STATE APPLICATION.—Each State educational
19 agency desiring a grant under this section shall submit
20 an application to the Secretary at such time, in such man-
21 ner, and containing such information as the Secretary may
22 require.

23 “(f) LEA APPLICATION.—Each local educational
24 agency desiring a subgrant under this section shall submit
25 an application to the State educational agency at such

1 time, in such manner, and containing such information as
 2 the State educational agency may require. Each such ap-
 3 plication shall include, at a minimum, a demonstration of
 4 the local educational agency's ability to put such a data-
 5 base in place.

6 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
 7 are authorized to be appropriated to carry out this part
 8 \$80,000,000 for each of fiscal years 2011, 2012, and
 9 2013.”.

10 **SEC. 4. DEFINITION OF HIGHLY QUALIFIED TEACHERS.**

11 Section 9101(23)(B)(ii) of the Elementary and Sec-
 12 ondary Act of 1965 (20 U.S.C. 7801(23)(B)(ii)) is amend-
 13 ed—

14 (1) in subclause (I), by striking “or” after the
 15 semicolon;

16 (2) in subclause (II), by striking “and” after
 17 the semicolon; and

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

19 “(III) in the case of a middle
 20 school teacher, passing a State ap-
 21 proved middle school generalist exam
 22 when the teacher receives the teach-
 23 er's license to teach middle school in
 24 the State;

1 “(IV) obtaining a State social
2 studies certificate that qualifies the
3 teacher to teach history, geography,
4 economics, and civics in middle or sec-
5 ondary schools, respectively, in the
6 State; or

7 “(V) obtaining a State science
8 certificate that qualifies the teacher to
9 teach earth science, biology, chem-
10 istry, and physics in middle or sec-
11 ondary schools, respectively, in the
12 State; and”.

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