

113TH CONGRESS
1ST SESSION

H. R. 426

To provide incentives for States and local educational agencies to implement comprehensive reforms and innovative strategies that are designed to lead to significant improvement in outcomes for all students and significant reductions in achievement gaps among subgroups of students, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2013

Mr. POLIS (for himself, Mrs. DAVIS of California, and Mr. RANGEL) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To provide incentives for States and local educational agencies to implement comprehensive reforms and innovative strategies that are designed to lead to significant improvement in outcomes for all students and significant reductions in achievement gaps among subgroups of students, 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 “Race to the Top Act
5 of 2013”.

1 **SEC. 2. RACE TO THE TOP.**

2 (a) IN GENERAL.—Title VI of the Elementary and
3 Secondary Education Act of 1965 (20 U.S.C. 7301 et
4 seq.) is amended—

5 (1) by redesignating part C as part D;

6 (2) by redesignating sections 6301 and 6302 as
7 sections 6401 and 6402, respectively; and

8 (3) by inserting after part B, the following:

9 **“PART C—RACE TO THE TOP**

10 **“SEC. 6301. PURPOSES.**

11 “The purposes of this part are to—

12 “(1) provide incentives for States and local edu-
13 cational agencies to implement comprehensive re-
14 forms and innovative strategies that are designed to
15 lead to—

16 “(A) significant improvements in outcomes
17 for all students, including improvements in stu-
18 dent achievement, high school graduation rates,
19 college enrollment rates and rates of college
20 persistence; and

21 “(B) significant reductions in achievement
22 gaps among subgroups of students; and

23 “(2) encourage the broad identification, adop-
24 tion, use, dissemination, replication, and expansion
25 of effective State and local policies and practices
26 that lead to significant improvement in outcomes for

1 all students, and the elimination of those policies
2 and practices that are not effective in improving stu-
3 dent outcomes.

4 **“SEC. 6302. RESERVATION OF FUNDS.**

5 “From the amounts made available under section
6 6308 for a fiscal year, the Secretary may reserve not more
7 than 10 percent to carry out activities related to technical
8 assistance, monitoring, outreach, dissemination, and prize
9 awards (which shall be awarded in accordance with section
10 24 of the Stevenson-Wydler Technology Innovation Act of
11 1980 (15 U.S.C. 3601 et seq.)).

12 **“SEC. 6303. PROGRAM AUTHORIZED.**

13 “(a) PROGRAM AUTHORIZATION.—From the
14 amounts made available under section 6308 for a fiscal
15 year, the Secretary shall award grants, on a competitive
16 basis, to States, local educational agencies, or both for the
17 purposes described in section 6301.

18 “(b) GRANT AND SUBGRANT ELIGIBILITY LIMITA-
19 TIONS.—

20 “(1) ARRA.—A State that has received a grant
21 under section 14006 of division A of the American
22 Recovery and Reinvestment Act of 2009 (Public
23 Law 111–5; 123 Stat. 283) may not receive a grant
24 under this part during the period of its grant under
25 section 14006 (Public Law 111–5; 123 Stat. 283).

1 “(2) NUMBER OF GRANTS.—A State or local
2 educational agency may not receive more than 1
3 grant under this part per grant period.

4 “(3) NUMBER OF SUBGRANTS.—A local edu-
5 cational agency may receive a grant and a subgrant
6 for the same fiscal year.

7 “(c) DURATION OF GRANTS.—

8 “(1) IN GENERAL.—A grant under this part
9 shall be awarded for a period of not more than 4
10 years.

11 “(2) CONTINUATION OF GRANTS.—In order to
12 receive a grant for a full grant period, a State or
13 local educational agency under this part shall dem-
14 onstrate to the Secretary, at such time and in such
15 manner as determined by the Secretary, that it is—

16 “(A) making progress in implementing its
17 plan under section 6304(a)(3) at a rate that the
18 Secretary determines will result in the State or
19 agency fully implementing its plan during the
20 remainder of the grant period; or

21 “(B) making progress against the perform-
22 ance measures set forth in section 6305 at a
23 rate that the Secretary determines will result in
24 the State or agency reaching its targets and

1 achieving the objectives of the grant during the
2 remainder of the grant period.

3 **“SEC. 6304. APPLICATIONS.**

4 “(a) APPLICATIONS.—Each State or local educational
5 agency that desires to receive a grant under this part shall
6 submit an application to the Secretary at such time, in
7 such manner, and containing such information as the Sec-
8 retary may reasonably require. At a minimum, each such
9 application shall include—

10 “(1) documentation of the applicant’s record, as
11 applicable, in—

12 “(A) increasing student achievement, in-
13 cluding for all subgroups described in section
14 1111(b)(2)(C)(v)(II);

15 “(B) decreasing achievement gaps, includ-
16 ing for all subgroups described in section
17 1111(b)(2)(C)(v)(II);

18 “(C) increasing high school graduation
19 rates, including for all subgroups described in
20 section 1111(b)(2)(C)(v)(II);

21 “(D) increasing college enrollment and per-
22 sistence rates, including for all subgroups de-
23 scribed in section 1111(b)(2)(C)(v)(II); and

1 “(E) any other measure described in sec-
2 tion 6305 that is not listed in subparagraph (A)
3 through (D);

4 “(2) evidence of conditions of innovation and
5 reform that the applicant has established and its
6 proposed plan for implementing additional conditions
7 for innovation and reform, including—

8 “(A) a description of how the applicant has
9 identified and eliminated ineffective practices in
10 the past and its plan for doing so in the future;

11 “(B) a description of how the applicant
12 has identified and promoted effective practices
13 in the past and its plan for doing so in the fu-
14 ture; and

15 “(C) steps the applicant has taken and will
16 take to eliminate statutory, regulatory, proce-
17 dural, or other barriers and to facilitate the full
18 implementation of its proposed plan;

19 “(3) a comprehensive and coherent plan for
20 using funds under this part, and other Federal,
21 State, and local funds, to improve the applicant’s
22 performance on the measures described in section
23 6305, consistent with criteria set forth by the Sec-
24 retary, including how the applicant will, if applica-
25 ble—

1 “(A) improve the effectiveness of teachers
2 and school leaders, and promote equity in the
3 distribution of effective teachers and school
4 leaders to ensure that low-income and minority
5 children are not—

6 “(i) taught by ineffective teachers at
7 higher rates than other children; and

8 “(ii) enrolled in schools led by ineffec-
9 tive leaders at higher rates than other chil-
10 dren;

11 “(B) strengthen the use of high-quality
12 and timely data to improve instructional prac-
13 tices, policies, and student outcomes, including
14 teacher evaluations;

15 “(C) implement internationally bench-
16 marked, college- and career-ready elementary
17 and secondary academic standards, including in
18 the areas of assessment, instructional materials,
19 professional development, and strategies that
20 translate the standards into classroom practice;

21 “(D) turn around the persistently lowest-
22 achieving schools;

23 “(E) support or coordinate with early
24 learning programs for high-need children from
25 birth through third grade to improve school

1 readiness and ensure that students complete
2 third grade on track for school success;

3 “(F) assess students enrolled in kinder-
4 garten in elementary schools in the State or
5 local educational agency, as applicable, in order
6 to determine the students’ level of readiness for
7 school success across a broad range of domains
8 of learning and development, including physical
9 well-being and motor development, social and
10 emotional development, approaches toward
11 learning, language development, and cognition
12 and general knowledge;

13 “(G) report the to the Secretary the aggre-
14 gate results from the assessments described in
15 subparagraph (F) with respect to—

16 “(i) all kindergarten students in each
17 elementary school assessed; and

18 “(ii) all such students in each sub-
19 group described in section
20 1111(b)(2)(C)(v)(II); and

21 “(H) create or maintain successful condi-
22 tions for high-performing charter schools and
23 other innovative, autonomous public schools;

24 “(4) if the applicant is a State—

1 “(A) evidence of collaboration between the
2 State, its local educational agencies, schools (as
3 appropriate), parents, teachers, and other
4 stakeholders in developing and implementing
5 the plan described in paragraph (3), including
6 evidence of the commitment and capacity to im-
7 plement that plan; and

8 “(B) the names of those local educational
9 agencies the State has selected to participate in
10 carrying out the plan; or

11 “(C) a description of how it will select local
12 educational agencies to participate in carrying
13 out the plan;

14 “(5) if the applicant is a local educational agen-
15 cy, evidence of collaboration between the local edu-
16 cational agency, schools, parents, teachers, and other
17 stakeholders, in developing the plan described in
18 paragraph (3), including evidence of the commitment
19 and capacity to implement the plan;

20 “(6) the applicant’s annual performance meas-
21 ures and targets, consistent with the requirements of
22 section 6305; and

23 “(7) a description of the applicant’s plan to
24 conduct a rigorous evaluation of the effectiveness of
25 activities carried out with funds under this part.

1 “(b) CRITERIA FOR EVALUATING APPLICATIONS.—

2 “(1) IN GENERAL.—The Secretary shall award
3 grants under this part on a competitive basis, based
4 on the quality of the applications submitted under
5 subsection (a), including—

6 “(A) each applicant’s record in the areas
7 described in subsection (a)(1);

8 “(B) each applicant’s record of, and com-
9 mitment to, establishing conditions for innova-
10 tion and reform, as described in subsection
11 (a)(2);

12 “(C) the quality and likelihood of success
13 of each applicant’s plan described in subsection
14 (a)(3) in showing improvement in the areas de-
15 scribed in subsection (a)(1), including each ap-
16 plicant’s capacity to implement the plan and
17 evidence of collaboration as described in sub-
18 section (a)(4) or (a)(5), as applicable; and

19 “(D) each applicant’s evaluation plan as
20 described in subsection (a)(7).

21 “(2) PUBLICATION OF EXPLANATION.—The
22 Secretary shall publish an explanation of how the
23 application review process will ensure an equitable
24 and objective evaluation based on the criteria de-
25 scribed in paragraph (1).

1 “(c) PRIORITY.—In awarding grants to local edu-
 2 cational agencies under this part, the Secretary shall give
 3 priority to—

4 “(1) local educational agencies with the highest
 5 numbers or percentages of children from families
 6 with incomes below the poverty line; and

7 “(2) local educational agencies that serve
 8 schools designated with a school locale code of 41,
 9 42, or 43, as determined by the Secretary.

10 **“SEC. 6305. PERFORMANCE MEASURES.**

11 “Each State and each local educational agency receiv-
 12 ing a grant under this part shall establish performance
 13 measures and targets, approved by the Secretary, for the
 14 programs and activities carried out under this part. These
 15 measures shall, at a minimum, track the State’s or agen-
 16 cy’s progress in—

17 “(1) implementing its plan described in section
 18 6304(a)(3); and

19 “(2) improving outcomes for all subgroups de-
 20 scribed in section 1111(b)(2)(C)(v)(II) including, as
 21 applicable, by—

22 “(A) increasing student achievement;

23 “(B) decreasing achievement gaps;

24 “(C) increasing high school graduation;

1 “(D) increasing college enrollment and per-
2 sistence rates;

3 “(E) improving the effectiveness of teach-
4 ers and school leaders, increasing the retention
5 of effective teachers and school leaders, and
6 promoting equity in the distribution of effective
7 teachers and school leaders to ensure that low-
8 income and minority children are not—

9 “(i) taught by ineffective teachers at
10 higher rates than other children; and

11 “(ii) enrolled in schools led by ineffec-
12 tive leaders at higher rates than other chil-
13 dren;

14 “(F) increasing kindergarten readiness;
15 and

16 “(G) making progress on any other meas-
17 ures identified by the Secretary.

18 **“SEC. 6306. USES OF FUNDS.**

19 “(a) GRANTS TO STATES.—

20 “(1) SUBGRANTS.—Each State that receives a
21 grant under this part shall use at least 50 percent
22 of its grant to make subgrants to those local edu-
23 cational agencies in the State that participate in the
24 State’s plan under section 6304(a)(3), based on
25 those local educational agencies’ relative shares of

1 funds under part A of title I for the most recent
2 year for which those data are available.

3 “(2) ACTIVITIES UNDER PLAN.—Each State or
4 local educational agency that receives a grant or
5 subgrant, respectively, under this part shall use
6 those funds for any purpose included in the State’s
7 plan under section 6304(a)(3).

8 “(b) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—
9 Each local educational agency that receives a grant under
10 this part shall use those funds for any purpose included
11 in the local educational agency’s plan under section
12 6304(a)(3).

13 **“SEC. 6307. REPORTING.**

14 “(a) ANNUAL REPORT.—A State or local educational
15 agency that receives a grant under this part shall submit
16 to the Secretary, at such time and in such manner as the
17 Secretary may require, an annual report including—

18 “(1) data on the State’s or agency’s progress in
19 achieving the performance targets established under
20 section 6305;

21 “(2) a description of the challenges the State or
22 agency has faced in implementing its program and
23 how it has addressed or plans to address those chal-
24 lenges; and

1 “(3) findings from the evaluation plan as de-
2 scribed in section 6304(a)(7).

3 “(b) LOCAL REPORT.—Each local educational agency
4 that receives a subgrant from a State under this part shall
5 submit to the State such information as the State may
6 require to complete the annual report required under sub-
7 section (a).

8 **“SEC. 6308. AUTHORIZATION OF APPROPRIATIONS.**

9 “There are authorized to be appropriated to carry out
10 this part such sums as may be necessary for fiscal year
11 2014 and such sums as may be necessary for each of the
12 5 succeeding fiscal years.”.

13 (b) CONFORMING AMENDMENTS.—

14 (1) GENERAL PROVISIONS.—The table of con-
15 tents of the Elementary and Secondary Education
16 Act of 1965 (20 U.S.C. 6301 et seq.) is amended by
17 striking the items relating to part C of title VI and
18 inserting the following:

“PART D—GENERAL PROVISIONS

“Sec. 6401. Prohibition against Federal mandates, direction, or control.

“Sec. 6402. Rule of construction on equalized spending.”.

19 (2) RACE TO THE TOP.—The table of contents
20 of the Elementary and Secondary Education Act of
21 1965 (20 U.S.C. 6301 et seq.) is amended by insert-
22 ing after the items relating to part B of title VI, the
23 following:

“PART C—RACE TO THE TOP

- “Sec. 6301. Purposes.
- “Sec. 6302. Reservation of funds.
- “Sec. 6303. Program authorized.
- “Sec. 6304. Applications.
- “Sec. 6305. Performance measures.
- “Sec. 6306. Uses of funds.
- “Sec. 6307. Reporting.
- “Sec. 6308. Authorization of appropriations.”.

