

113TH CONGRESS
1ST SESSION

H. R. 521

To award grants to encourage State educational agencies, local educational agencies, and schools to utilize technology to improve student achievement and college-and-career readiness, the skills of teachers and school leaders, and the efficiency and productivity of education systems at all levels.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2013

Mr. GEORGE MILLER of California introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To award grants to encourage State educational agencies, local educational agencies, and schools to utilize technology to improve student achievement and college-and-career readiness, the skills of teachers and school leaders, and the efficiency and productivity of education systems at all levels.

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 “Transforming Edu-
5 cation through Technology Act”.

1 **SEC. 2. TABLE OF CONTENTS.**

2 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Findings.
- Sec. 4. Purposes.
- Sec. 5. E-rate restriction.
- Sec. 6. Rule of construction regarding purchasing.
- Sec. 7. Definitions.

TITLE I—TECHNOLOGY READINESS AND ACCESS

- Sec. 101. Technology grants program authorized.
- Sec. 102. State applications.
- Sec. 103. State use of grant funds.
- Sec. 104. Local subgrants.
- Sec. 105. Reporting.
- Sec. 106. Authorization.

TITLE II—TECHNOLOGY FOR TOMORROW FUND

- Sec. 201. Short title.
- Sec. 202. Technology for tomorrow fund.
- Sec. 203. Application.
- Sec. 204. Use of funds.
- Sec. 205. Data collection and reporting.
- Sec. 206. Performance measurement and evaluation and dissemination.
- Sec. 207. Authorization of appropriations.

3 **SEC. 3. FINDINGS.**

4 Congress finds the following:

5 (1) There is growing opportunity provided by
 6 technology in classrooms, for every grade, in every
 7 subject, and for all types of learners, to—

8 (A) ensure that students are college-and-
 9 career ready; and

10 (B) access the accelerating roll-out of on-
 11 line assessments.

12 (2) Comprehensive education technology pro-
 13 grams have shown great success in improving stu-
 14 dent achievement, reducing secondary school dropout

1 rates, and improving graduation and college enroll-
2 ment rates.

3 (3) Mooresville Graded School District in the
4 State of North Carolina has implemented an inte-
5 grated education technology initiative, which has led
6 to its ranking as the third highest achieving district
7 in the State, with 21 percent composite achievement
8 rate increases and 25 percent graduation rate in-
9 creases over 5 years.

10 (4) At Manor New Tech High School in the
11 State of Texas, where 65 percent of students receive
12 free or reduced price lunch under the Richard B.
13 Russell National School Lunch Act (42 U.S.C. 1751
14 et seq.) and 75 percent are students of color, a
15 project-based learning focus on science, technology,
16 engineering and mathematics, has led to 62 percent
17 of students being the first generation in their fami-
18 lies to enroll in an institution of higher education
19 and a near zero secondary school dropout rate.

20 (5) At the City Arts and Technology High
21 School Envisions in San Francisco, California, which
22 emphasizes personalized learning environments, inte-
23 gration of arts and technology in project-based
24 learning, and development of deeper learning skills,
25 98 percent of the graduates enrolled at an institu-

1 tion of higher education, 91 percent remained en-
2 rolled at such an institution, and 100 percent met
3 the course requirements for entrance to the Univer-
4 sity of California.

5 (6) The Federal Government placed a strong
6 emphasis on technology professional development in
7 the past decade, but no longer provides any funding
8 support for such activities. Annual appropriations
9 for grants awarded under the Enhancing Education
10 through Technology Act of 2001 under subpart D of
11 title II of the Elementary and Secondary Education
12 Act of 1965 (20 U.S.C. 6751 et seq.) ended in 2010
13 and all funds appropriated by the American Recov-
14 ery and Reinvestment Act of 2009 (Public Law
15 111–5) for such grants were to have been spent by
16 September 2011.

17 (7) Online professional development courses
18 offer excellent opportunities for educators to receive
19 the training that they need 24 hours each day, 7
20 days each week. However, a recent survey indicates
21 that only 25 percent of teachers make use of online
22 professional development courses.

23 (8) For technology to be fully integrated into
24 classrooms and to ensure that students are college-
25 and-career ready, it is critical that school adminis-

1 trators are confident in their abilities to use tech-
2 nology and thereby lead change in their schools and
3 local educational agencies. The Federal Government
4 must invest in building leadership skills and capacity
5 for technology to truly take hold in our Nation's
6 schools.

7 **SEC. 4. PURPOSES.**

8 The purposes of this Act are to—

9 (1) improve the achievement, academic growth,
10 and college-and-career readiness of students who
11 have developed the ability to think critically, apply
12 knowledge to solve complex problems, work collabo-
13 ratively, communicate effectively, be self-directed,
14 and be responsible digital citizens;

15 (2) ensure all students have access to individ-
16 ualized, rigorous, and engaging digital learning expe-
17 riences;

18 (3) ensure that educators have the knowledge
19 and skills to develop and implement digital learning
20 curriculum, use technology effectively in order to
21 personalize and strengthen instruction, and effec-
22 tively deliver and utilize assessments to measure stu-
23 dent outcomes and support student success;

24 (4) ensure that administrators have the leader-
25 ship, management, knowledge, and skills to design,

1 develop, and implement a school or local educational
2 agency-wide digital age learning environment;

3 (5) improve the efficiency and productivity of
4 education through technology;

5 (6) address the connectivity needs of local edu-
6 cational agencies and educational service agencies
7 that are eligible for support under the E-rate pro-
8 gram without duplicating the support available
9 under such program; and

10 (7) ensure that State educational agencies, local
11 educational agencies, and elementary schools and
12 secondary schools have the technological capacity
13 and infrastructure to meet purposes described in
14 paragraphs (1) through (6).

15 **SEC. 5. E-RATE RESTRICTION.**

16 Funds awarded under this Act may be used to ad-
17 dress the networking needs of a recipient of such funds
18 for which the recipient is eligible to receive support under
19 the E-rate program, except that such funds may not be
20 duplicative of support received by the recipient under the
21 E-rate program.

22 **SEC. 6. RULE OF CONSTRUCTION REGARDING PUR-**
23 **CHASING.**

24 Nothing in this Act shall be construed to permit a
25 recipient of funds under this Act to purchase goods or

1 services using such funds without ensuring that the pur-
2 chase is free of any conflict of interest between such recipi-
3 ent, or any partner of such recipient, and the person or
4 entity receiving such funds.

5 **SEC. 7. DEFINITIONS.**

6 In this Act:

7 (1) **IN GENERAL.**—Except as otherwise pro-
8 vided in this Act, any term that is defined in section
9 9101 of the Elementary and Secondary Education
10 Act of 1965 (20 U.S.C. 7801) has the meaning
11 given the term in such section.

12 (2) **DIGITAL LEARNING.**—The term “digital
13 learning” means any instructional practice that ef-
14 fectively uses technology to strengthen a student’s
15 learning experience and encompasses a wide spec-
16 trum of tools and practices, including—

17 (A) interactive learning resources that en-
18 gage students in academic content;

19 (B) access to online databases and other
20 primary source documents;

21 (C) the use of data to personalize learning
22 and provide targeted supplementary instruction;

23 (D) student collaboration with content ex-
24 perts and peers;

1 (E) online and computer-based assess-
2 ments;

3 (F) digital content, adaptive, and simula-
4 tion software or courseware,

5 (G) online courses, online instruction, or
6 digital learning platforms;

7 (H) mobile and wireless technologies for
8 learning in school and at home;

9 (I) learning environments that allow for
10 rich collaboration and communication;

11 (J) authentic audiences for learning in a
12 relevant, real world experience;

13 (K) teacher participation in virtual profes-
14 sional communities of practice; and

15 (L) hybrid or blended learning, which oc-
16 curs under direct instructor supervision at a
17 school or other location away from home and,
18 at least in part, through online delivery of in-
19 struction with some element of student control
20 over time, place, path, or pace.

21 (3) ELIGIBLE PARTNERSHIP.—The term “eligi-
22 ble partnership” means a partnership that in-
23 cludes—

24 (A) not less than 1—

25 (i) State educational agency; or

1 (ii) local educational agency or consor-
2 tium of local educational agencies; and

3 (B) not less than 1—

4 (i) local educational agency, edu-
5 cational service agency, consortium of local
6 educational agencies, or consortium of edu-
7 cational service agencies;

8 (ii) institution of higher education;

9 (iii) nonprofit or community-based or-
10 ganization; or

11 (iv) business or for-profit organiza-
12 tion.

13 (4) ELIGIBLE TECHNOLOGY.—The term “eligi-
14 ble technology” means modern information, com-
15 puter, and communication technology hardware,
16 software, services, or tools, including computer or
17 mobile hardware devices and other computer and
18 communications hardware, software applications,
19 systems and platforms, and digital and online con-
20 tent, courseware, and online instruction and other
21 online services and supports.

22 (5) E-RATE PROGRAM.—The term “E-rate pro-
23 gram” means the Schools and Libraries Universal
24 Service Support Mechanism.

1 (6) PROFESSIONAL DEVELOPMENT.—The term
2 “professional development” is a process of contin-
3 uous improvement for teachers and school leaders
4 that improves educator knowledge, skills, and prac-
5 tice toward the goal of increased student achieve-
6 ment and—

7 (A) is intensive, ongoing, connected to
8 practice, and on-site where allowable;

9 (B) is focused on student learning and ad-
10 dresses the teaching of specific curriculum con-
11 tent;

12 (C) is aligned with school improvement pri-
13 orities and goals of the school and local edu-
14 cational agency; and

15 (D) builds strong working relationships
16 among teachers and school leaders that—

17 (i) may be built around active profes-
18 sional learning communities; and

19 (ii) may contain on-demand compo-
20 nents, such as instructional videos, train-
21 ing documents, or learning modules.

22 (7) SECRETARY.—The term “Secretary” means
23 the Secretary of Education.

24 (8) STUDENT TECHNOLOGY LITERACY.—The
25 term “student technology literacy” means student

1 knowledge and skills in using contemporary informa-
2 tion, communication, and learning technologies in a
3 manner necessary for successful employment, life-
4 long learning, and citizenship in the knowledge-
5 based, digital, and global 21st century, including, at
6 a minimum, the ability to—

7 (A) effectively communicate and collabo-
8 rate;

9 (B) analyze and solve problems;

10 (C) access, evaluate, manage, and create
11 information and otherwise gain information lit-
12 eracy;

13 (D) demonstrate creative thinking, con-
14 struct knowledge, and develop innovative prod-
15 ucts and processes; and

16 (E) carry out the activities described in
17 subparagraphs (A) through (D) in a safe and
18 ethical manner.

19 (9) TECHNOLOGY READINESS SURVEY.—The
20 term “technology readiness survey” means a survey
21 completed by a local educational agency that pro-
22 vides standardized information comparable to the in-
23 formation collected through the technology readiness
24 survey administered under the Race to the Top As-
25 sessment program under section 14006 of division A

1 of the American Recovery and Reinvestment Act of
2 2009 (Public Law 111–5) on the quantity and types
3 of technology infrastructure and access available to
4 the students served by the local educational agency,
5 including computer devices, Internet connectivity,
6 operating systems, related network infrastructure,
7 data systems, and—

8 (A) requiring—

9 (i) an internal review of the degree to
10 which instruction, additional student sup-
11 port, and professional development is deliv-
12 ered in digital formats, media, and plat-
13 forms and is available to students and edu-
14 cators at any time;

15 (ii) an internal review of the ability of
16 educators to use assessments and other
17 student data to personalize and strengthen
18 instruction and identify professional devel-
19 opment needs and priorities; and

20 (iii) any other information required by
21 the State educational agency serving the
22 local educational agency; and

23 (B) may include an assessment of local
24 community needs to ensure students have ade-

1 quate on-line access and access to devices for
2 school-related work during out-of-school time.

3 (10) UNIVERSAL DESIGN FOR LEARNING.—The
4 term “universal design for learning” has the mean-
5 ing given the term in section 103 of the Higher
6 Education Act of 1965 (20 U.S.C. 1003).

7 **TITLE I—TECHNOLOGY** 8 **READINESS AND ACCESS**

9 **SEC. 101. TECHNOLOGY GRANTS PROGRAM AUTHORIZED.**

10 (a) IN GENERAL.—From the amounts appropriated
11 under section 106, the Secretary shall award State Grants
12 for Technology Readiness and Access (in this title referred
13 to as “grants”) to State educational agencies to strength-
14 en State and local technological infrastructure and profes-
15 sional development that supports digital learning through
16 State activities under section 103(c) and local activities
17 under section 104(c).

18 (b) GRANTS TO STATE EDUCATIONAL AGENCIES.—

19 (1) RESERVATIONS.—From the amounts appro-
20 priated under section 106 for any fiscal year, the
21 Secretary shall reserve—

22 (A) three-fourths of 1 percent for the Sec-
23 retary of Interior to provide assistance under
24 this title for schools operated or funded by the
25 Bureau of Indian Education; and

1 (B) 1 percent to provide assistance under
2 this title to the outlying areas; and

3 (2) GRANTS.—From the amounts appropriated
4 under section 106 for any fiscal year and remaining
5 after the Secretary makes reservations under para-
6 graph (1), the Secretary shall make a grant for the
7 fiscal year to each State educational agency with an
8 approved application under section 102 in an
9 amount that bears the same relationship to such re-
10 mainder as the amount the State educational agency
11 received under part A of title I of the Elementary
12 and Secondary Education Act of 1965 (20 U.S.C.
13 6311 et seq.) for such year bears to the amount all
14 State educational agencies with an approved applica-
15 tion under section 102 received under such part (20
16 U.S.C. 6311 et seq.) for such year.

17 (c) MINIMUM.—The amount of a grant to a State
18 educational agency under subsection (b)(2) for a fiscal
19 year may not be less than one-half of 1 percent of the
20 total amount made available for grants to all State edu-
21 cational agencies under such subsection for such year.

22 (d) REALLOTMENT OF UNUSED FUNDS.—If any
23 State educational agency does not apply for a grant under
24 subsection (b)(2) for a fiscal year, or does not use its en-
25 tire grant under subsection (b)(2) for such year, the Sec-

1 retary shall reallocate the amount of the State educational
2 agency's grant, or the unused portion of the grant, to the
3 remaining State educational agencies that use their entire
4 grant amounts under subsection (b)(2) for such year.

5 (e) MATCHING FUNDS.—

6 (1) IN GENERAL.—A State educational agency
7 that receives a grant under subsection (b)(2) shall
8 provide matching funds, from non-Federal sources,
9 in an amount equal to 20 percent of the amount of
10 grant funds provided to the State educational agency
11 to carry out the activities supported by the grant.
12 Such matching funds may be provided in cash or in-
13 kind, except that any such in-kind contributions
14 shall be provided for the purpose of supporting the
15 State educational agency's activities under section
16 104(c).

17 (2) WAIVER.—The Secretary may waive the
18 matching requirement under paragraph (1) for a
19 State educational agency that demonstrates that
20 such requirement imposes an undue financial hard-
21 ship on the State educational agency.

22 **SEC. 102. STATE APPLICATIONS.**

23 (a) APPLICATION.—To receive a grant under section
24 101(b)(2), a State educational agency shall submit to the
25 Secretary an application at such time and in such manner

1 as the Secretary may require and containing the informa-
2 tion described in subsection (b).

3 (b) CONTENTS.—Each application submitted under
4 subsection (a) shall include the following:

5 (1) A description of how the State educational
6 agency will meet the following goals:

7 (A) Use technology to ensure all students
8 achieve college-and-career readiness and tech-
9 nology literacy, including by providing high-
10 quality education opportunities to economically
11 or geographically isolated student populations.

12 (B) Provide educators with the tools, de-
13 vices, content, and resources to—

14 (i) significantly improve teaching and
15 learning, including support to increase per-
16 sonalization for and engagement of stu-
17 dents in pursuit of college-and-career read-
18 iness and technology literacy; and

19 (ii) develop and use assessments to
20 improve instruction consistent with the
21 principles of universal design for learning,
22 including for students with disabilities and
23 English-language learners.

24 (C) Ensure administrators and school lead-
25 ers have the flexibility and capacity to develop

1 and manage systems to carry out activities de-
2 scribed in subparagraphs (A) and (B), and sup-
3 port administrators and school leaders in uti-
4 lizing technology to promote equity and increase
5 efficiency and productivity.

6 (D) Enable local educational agencies to
7 build the technological capacity and infrastruc-
8 ture (including through local purchasing of eli-
9 gible technology), necessary for the full imple-
10 mentation of on-line assessments for all stu-
11 dents, (including students with disabilities and
12 English-language learners) and to—

13 (i) ensure the interoperability of data
14 systems and eligible technology; and

15 (ii) carry out subparagraphs (A)
16 through (C).

17 (2) A description of the results of the tech-
18 nology readiness in the State as determined by local
19 educational agency responses to the technology read-
20 iness survey, including—

21 (A) the status of the ability of each local
22 educational agency served by the State edu-
23 cational agency to meet the goals described in
24 section 104(b)(1);

1 (B) an assurance that not less 90 percent
2 of the local educational agencies served by the
3 State educational agency have completed and
4 submitted the technology readiness survey to
5 the State educational agency; and

6 (C) an assurance that the results of the
7 technology readiness survey for each such local
8 educational agency are made available to the
9 Secretary and the public through the Website of
10 the local educational agency.

11 (3) A description of the plan for the State edu-
12 cational agency to support each local educational
13 agency served by the State educational agency in
14 meeting the goals described in section 104(b)(1) not
15 later than 3 years after the local educational agency
16 completes the technology readiness survey by ad-
17 dressing the readiness gaps identified in such sur-
18 vey.

19 (4) A description of the State's process for the
20 adoption, acquisition, distribution, and use of con-
21 tent, how the State will ensure integrity of such
22 processes, and how such processes support the goals
23 under paragraph (1) or how a State will change
24 such processes to support such goals, and how the
25 State will ensure content quality.

1 (5) A description of how the State educational
2 agency will ensure its data systems and eligible tech-
3 nology are interoperable.

4 (6) An assurance that the State educational will
5 consider making content widely available through
6 open educational resources when making purchasing
7 decisions with funds received under this title.

8 (7) A description of the State's student tech-
9 nology literacy standards and the technology stand-
10 ards for teachers and administrators, and an assur-
11 ance that the State's student technology literacy
12 standards meet the requirements of section 7(8).

13 (8) An assurance that subgrant awards under
14 section 104 will be carried out by the State edu-
15 cational agency staff with responsibility for leader-
16 ship, coordination, and implementation of instruc-
17 tional and other classroom technologies.

18 (9) A description of how the State educational
19 agency will award subgrants to local educational
20 agencies under section 104.

21 (10) A description of the process, activities, and
22 performance measures, that the State educational
23 agency will use to evaluate the impact and effective-
24 ness of the grant and subgrants funds awarded

1 under this title across the State and in each local
2 educational agency.

3 (11) A description of how the State educational
4 agency will, in providing technical and other assist-
5 ance to local educational agencies, give priority to
6 the local educational agencies proposing to target
7 services to—

8 (A) students in schools in need of improve-
9 ment and persistently low-achieving schools;
10 and

11 (B) schools with a high percentage of stu-
12 dents that are eligible for free or reduced price
13 lunch under the Richard B. Russell National
14 School Lunch Act (42 U.S.C. 1751 et seq.).

15 (12) A description of how the State educational
16 agency consulted with local educational agencies in
17 the development of the State educational agency's
18 application under this subsection.

19 (13) An assurance that the State educational
20 agency will provide matching funds as required
21 under section 101(e).

22 (14) A description of how the State educational
23 agency will ensure that funds received under this
24 title is not duplicative of support received under the
25 E-rate program.

1 (15) An assurance that the State educational
2 agency will protect the privacy and safety of stu-
3 dents and teachers, consistent with requirements of
4 section 444 of the General Education Provisions Act
5 (20 U.S.C. 1232g) (commonly known as the “Fam-
6 ily Educational Rights and Privacy Act of 1974”)
7 and section 2441(a) of the Elementary and Sec-
8 ondary Education Act of 1965 (20 U.S.C. 6777(a)).

9 **SEC. 103. STATE USE OF GRANT FUNDS.**

10 (a) RESERVATION FOR SUBGRANTS TO SUPPORT
11 TECHNOLOGY INFRASTRUCTURE.—Each State edu-
12 cational agency that receives a grant under section
13 101(b)(2) shall expend not less 90 percent of the grant
14 amount for each fiscal year to award subgrants to local
15 educational agencies in accordance with section 104.

16 (b) RESERVATION FOR STATE ACTIVITIES.—

17 (1) IN GENERAL.—A State educational agency
18 shall reserve not more than 10 percent of the grant
19 received under section 101(b)(2) for the State activi-
20 ties described in subsection (c).

21 (2) GRANT ADMINISTRATION.—Of the amount
22 reserved by a State educational agency under para-
23 graph (1), the State educational agency may reserve
24 not more than 1 percent or 3 percent, in the case
25 of a State educational agency awarding subgrants

1 under section 104(a)(2), for the administration of
2 the grant under this title, except that a State edu-
3 cational agency that forms a State purchasing con-
4 sortium under subsection (d)—

5 (A) may reserve an additional 1 percent to
6 carry out the activities described in subsection
7 (d)(1); and

8 (B) shall receive direct approval from the
9 local educational agencies receiving subgrants
10 under section 104(a) from the State educational
11 agency prior to reserving more than the addi-
12 tional percentage authorized under subpara-
13 graph (A) to carry out the activities described
14 in subsection (d)(1).

15 (c) STATE ACTIVITIES.—A State educational agency
16 shall use funds described in subsection (b) to carry out
17 each of the following:

18 (1) Except for the awarding of subgrants in ac-
19 cordance with section 104, activities described in the
20 State educational agency’s application under section
21 102(b).

22 (2) Providing technical assistance to local edu-
23 cational agencies to—

24 (A) identify and address technology readi-
25 ness needs;

1 (B) redesign curriculum and instruction,
2 improve educational productivity, and deliver
3 computer-based and online assessment;

4 (C) use technology, consistent with the
5 principles of universal design for learning, to
6 support the learning needs of all students in-
7 cluding students with disabilities and English-
8 language learners;

9 (D) support principals to have the exper-
10 tise to evaluate teachers' proficiency in imple-
11 menting digital tools for teaching and learning;
12 and

13 (E) build capacity for individual school and
14 local educational agency leaders.

15 (3) Developing or utilizing research-based or in-
16 novative strategies for the delivery of specialized or
17 rigorous academic courses and curricula through the
18 use of technology, including digital learning tech-
19 nologies and assistive technology.

20 (4) Integrating and coordinating activities
21 under this title with other educational resources and
22 programs across the State.

23 (5) Disseminating information, including mak-
24 ing publicly available on the Websites of the State
25 educational agency promising practices to improve

1 technology instruction, and acquiring and imple-
2 menting technology tools and applications.

3 (6) Ensuring that teachers, paraprofessionals,
4 library and media personnel, specialized instructional
5 support personnel, and administrators possess the
6 knowledge and skills to use technology—

7 (A) for curriculum redesign to change
8 teaching and learning and improve student
9 achievement;

10 (B) for formative and summative assess-
11 ment administration, data analysis, and to per-
12 sonalize learning;

13 (C) to improve student technology literacy;

14 (D) to expand the range of supports and
15 accommodations available to English-language
16 learners and students with disabilities; and

17 (E) for their own ongoing professional de-
18 velopment and for access to teaching resources
19 and tools.

20 (7) Coordinating with teacher and school leader
21 preparation programs to—

22 (A) align digital learning teaching stand-
23 ards; and

24 (B) provide ongoing professional develop-
25 ment for teachers and school leaders that is

1 aligned to State student technology standards
2 and activities promoting college-and-career
3 readiness.

4 (d) PURCHASING CONSORTIA.—

5 (1) IN GENERAL.—A State educational agency
6 receiving a grant under section 101(b)(2) may—

7 (A) form a State purchasing consortium
8 with 1 or more State educational agencies re-
9 ceiving such a grant to carry out the State ac-
10 tivities described in subsection (c), including
11 purchasing eligible technology;

12 (B) encourage local educational agencies to
13 form local purchasing consortia under section
14 104(c)(4); and

15 (C) promote pricing opportunities to local
16 educational agencies for the purchase of eligible
17 technology that are—

18 (i) negotiated by the State educational
19 agency or the State purchasing consortium
20 of the State educational agency; and

21 (ii) available to such local educational
22 agencies.

23 (2) RESTRICTIONS.—A State educational agen-
24 cy receiving a grant under section 101(b)(2) may
25 not—

(A) except for promoting the pricing opportunities described in paragraph (1)(C), make recommendations to local educational agencies for or require use of any specific commercial products and services by local educational agencies;

(B) require local educational agencies to participate in a State purchasing consortia or local purchasing consortia; or

(C) use more than the reservation amount authorized for the administration of the grant under subsection (b) to carry out the activities described in paragraph (1), unless the State educational agency receives approval in accordance with subsection (b)(2)(B).

SEC. 104. LOCAL SUBGRANTS.

(a) SUBGRANTS.—

(1) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—From the grant funds provided under section 101(b)(2) to a State educational agency that are remaining after the State educational agency makes reservations under section 104(b) for any fiscal year and subject to paragraph (2), the State educational agency shall award subgrants for the fiscal year to local educational agencies served by the State edu-

1 cational agency and with an approved application
 2 under subsection (b) by allotting to each such local
 3 educational agency an amount that bears the same
 4 relationship to the remainder as the amount received
 5 by the local educational agency under part A of title
 6 I of the Elementary and Secondary Education Act
 7 of 1965 (20 U.S.C. 6301 et seq.) for such year
 8 bears to the amount received by all such local edu-
 9 cational agencies under such part for such year, ex-
 10 cept that no local educational agency may receive
 11 less than \$5,000.

12 (2) COMPETITIVE GRANTS TO LOCAL EDU-
 13 CATIONAL AGENCIES.—If the amount of funds ap-
 14 propriated under section 106 is less than
 15 \$500,000,000 for any fiscal year, a State edu-
 16 cational agency—

17 (A) shall not award subgrants under para-
 18 graph (1); and

19 (B) shall—

20 (i) award subgrants, on a competitive
 21 basis, to local educational agencies based
 22 on the quality of applications submitted
 23 under (b), including—

24 (I) the level of technology readi-
 25 ness as determined by the technology

1 readiness surveys completed by local
 2 educational agencies submitting such
 3 applications; and

4 (II) the technology plans de-
 5 scribed in subsection (b)(3) and how
 6 the local educational agencies with
 7 such plans will carry out the align-
 8 ment and coordination described in
 9 such subsection; and

10 (ii) ensure that such subgrants are of
 11 sufficient size and scope to carry out the
 12 local activities described in subsection (c).

13 (3) DEFINITION OF LOCAL EDUCATIONAL
 14 AGENCY FOR CERTAIN FISCAL YEARS.—For pur-
 15 poses of awarding subgrants under paragraph (2),
 16 the term “local educational agency” means—

17 (A) a local educational agency;

18 (B) an educational service agency; or

19 (C) a local educational agency and an edu-
 20 cational service agency.

21 (b) APPLICATION.—A local educational agency that
 22 desires to receive a subgrant under subsection (a) shall
 23 submit an application to the State at such time, in such
 24 manner, and accompanied by such information as the
 25 State educational agency may require, including—

1 (1) a description of how the local educational
2 agency will—

3 (A) carry out the goals described in sub-
4 paragraphs (A) through (C) of section
5 101(b)(1); and

6 (B) enable schools served by the agency to
7 build the technological capacity and infrastruc-
8 ture (including through local purchasing of eli-
9 gible technology), necessary for the full imple-
10 mentation of on-line assessments for all stu-
11 dents (including students with disabilities and
12 English-language learners) and to—

13 (i) ensure the interoperability of data
14 systems and eligible technology; and

15 (ii) carry out the goals described in
16 subparagraphs (A) through (C) of section
17 101(b)(1);

18 (2) a description of the results of the tech-
19 nology readiness survey completed by the local edu-
20 cational agency and a description of the plan for the
21 local educational agency to meet the goals described
22 in paragraph (1) within 3 years of completing the
23 survey;

24 (3) a description of the local educational agen-
25 cy's student technology literacy standards, and its

1 goals for the technology skills for teachers and ad-
2 ministrators, and an assurance that the student
3 technology literacy standards meet the requirements
4 of section 7(8);

5 (4) a description of the local educational agen-
6 cy's technology plan to carry out paragraphs (1) and
7 (3) and how the agency will align and coordinate the
8 activities under this section with other activities
9 across the local educational agency;

10 (5) a description of the team of educators that
11 will coordinate and carry out the activities under
12 this section, including individuals with responsibility
13 and expertise in instructional technology, teachers
14 that specialize in supporting students with disabil-
15 ities and English-language learners, school leaders,
16 technology officers, and staff responsible for assess-
17 ments and data analysis;

18 (6) a description of how the local educational
19 agency will evaluate teachers' proficiency and
20 progress in implementing technology for teaching
21 and learning;

22 (7) a description of how the local educational
23 agency will ensure that principals have the expertise
24 to evaluate teachers' proficiency and progress in im-
25 plementing technology for teaching and learning and

1 the interoperability of data systems and eligible tech-
2 nology;

3 (8) a description of the local educational agen-
4 cy's procurement process and process for the cre-
5 ation, acquisition, distribution, and use of content,
6 how the local educational agency will ensure integ-
7 rity of such processes, and how such processes sup-
8 port the goals described in paragraph (1) or how a
9 local educational agency will change such processes
10 to support such goals, and how the local educational
11 agency will ensure content quality;

12 (9) a description of how the local educational
13 agency will carry out activities under subsection (c);

14 (10) a description of how the subgrant funds
15 received under subsection (a) will be coordinated
16 with and supported by other Federal, State, and
17 local funds to support activities under this title;

18 (11) a description of how the local educational
19 agency will ensure that the subgrant received under
20 subsection (a) is not duplicative of support received
21 under the E-rate program; and

22 (12) an assurance that the local educational
23 agency will protect the privacy and safety of stu-
24 dents and teachers, consistent with requirements
25 section 444 of the General Education Provisions Act

(20 U.S.C. 1232g) (commonly known as the “Family Educational Rights and Privacy Act of 1974”) and section 2441(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6777(a)).
(c) USE OF FUNDS.—

(1) TECHNOLOGY INFRASTRUCTURE.—Subject to paragraph (3), a local educational agency receiving a subgrant under subsection (a) shall use not less than 40 percent of such funds to support activities for the acquisition of eligible technology needed to—

(A) except for the activities described in paragraph (2), carry out activities described in the application submitted under subsection (b), including purchasing devices, equipment, and software applications, and improving connectivity to and within schools; and

(B) address readiness shortfalls identified under the technology readiness survey completed by the local educational agency.

(2) PROFESSIONAL DEVELOPMENT FOR DIGITAL LEARNING.—Subject to paragraph (3), a local educational agency receiving a subgrant under subsection (a)—

1 (A) shall use not less than 35 percent of
2 such funds to carry out—

3 (i) digital age professional develop-
4 ment opportunities for teachers, para-
5 professionals, library and media personnel,
6 specialized instructional support personnel,
7 technology coordinators, and administra-
8 tors in the effective use of modern infor-
9 mation and communication technology
10 tools and digital resources to deliver in-
11 struction, curriculum and school classroom
12 management, including for classroom
13 teachers to assess, support, and provide
14 engaging student learning opportunities,
15 including professional development that—

16 (I) is ongoing, sustainable, and
17 scalable;

18 (II) is participatory;

19 (III) includes communication and
20 regular interactions with instructors,
21 facilitators, and peers and is directly
22 related to up-to-date teaching methods
23 in content areas;

1 (IV) includes strategies and tools
2 for improving communication with
3 parents and family engagement;

4 (V) may be built around active
5 professional learning communities or
6 online communities of practice or
7 other tools that increase collaboration
8 among teachers across schools, local
9 educational agencies, or States; and

10 (VI) may contain on-demand
11 components, such as instructional vid-
12 eos, training documents, or learning
13 modules;

14 (ii) ongoing professional development
15 in strategies and pedagogy in the core aca-
16 demic subjects that involve the use of tech-
17 nology and curriculum redesign as key
18 components of supporting effective, innova-
19 tive teaching and learning, and improving
20 student achievement;

21 (iii) ongoing professional development
22 in the use of educational technologies to
23 ensure every educator achieves and main-
24 tains technology literacy, including pos-

1 sessing and maintaining the knowledge and
2 skills to use technology—

3 (I) across the curriculum for stu-
4 dent learning;

5 (II) for real-time data analysis
6 and online or digital assessment to en-
7 able individualized instruction; and

8 (III) to develop and maintain
9 student technology literacy;

10 (iv) ongoing professional development
11 for school leaders to provide and promote
12 leadership in the use of—

13 (I) educational technology to en-
14 sure a digital-age learning environ-
15 ment, including the capacity to lead
16 the reform or redesign of curriculum,
17 instruction, assessment; and

18 (II) data through the use of tech-
19 nology in order to increase student
20 learning opportunity, student tech-
21 nology literacy, student access to tech-
22 nology, and student engagement in
23 learning; and

1 (v) a review of the effectiveness of the
2 professional development and regular inter-
3 vals of learner feedback and data; and

4 (B) may use such funds for—

5 (i) the use of technology coaches to
6 work directly with teachers, including
7 through the preparation of teachers as
8 technology leaders or master teachers—

9 (I) who are provided with the
10 means to serve as experts and to cre-
11 ate professional development opportu-
12 nities for other teachers in the effec-
13 tive use of technology; and

14 (II) who may leverage tech-
15 nologies, such as distance learning
16 and online virtual educator-to-educator
17 peer communities, as a means to
18 support ongoing, participatory profes-
19 sional growth around the integration
20 of effective educational technologies;

21 (ii) innovative approaches to ongoing
22 professional development such as non-
23 standard achievement recognition strate-
24 gies, including digital badging,
25 gamification elements, use of learner-cre-

ated learning objects, integration of social and professional networking tools, rating and commenting on learning artifacts, and personalization of professional development; and

(iii) any other activities required to carry out the local educational agency's technology plan described in subsection (b)(4).

(3) MODIFICATION OF FUNDING ALLOCATIONS.—A State educational agency may authorize a local educational agency to modify the percentage of the local educational agency's subgrant funds required to carry out the activities described in paragraphs (1) or (2) if the local educational agency demonstrates that such modification will assist the local educational agency in more effectively carrying out such activities.

(4) PURCHASING CONSORTIA.—Local educational agencies receiving subgrants under subsection (a) may—

(A) form a local purchasing consortia with other such local educational agencies to carry out the activities described in this subsection, including purchasing eligible technology; and

1 (B) use such funds for purchasing eligible
2 technology through a State purchasing con-
3 sortia under section 103(d).

4 **SEC. 105. REPORTING.**

5 (a) LOCAL EDUCATIONAL AGENCIES.—Each local
6 educational agency receiving a subgrant under section 104
7 shall submit to the State educational agency that awarded
8 such subgrant an annual report the meets the require-
9 ments of subsection (c).

10 (b) STATE EDUCATIONAL AGENCIES.—Each State
11 educational agency receiving a grant under section
12 101(b)(2) shall submit to the Secretary an annual report
13 that meets the requirements of subsection (c).

14 (c) REPORT REQUIREMENTS.—A report submitted
15 under subsection (a) or (b) shall include, at a minimum,
16 a description of—

17 (1) the status of the State education agency's
18 plan described in section 102(b)(3) or local edu-
19 cation agency's technology plan under section
20 104(b)(4), as applicable;

21 (2) the categories eligible technology acquired
22 with funds under this title and how such technology
23 is being used;

24 (3) the professional development activities fund-
25 ed under this title, including types of activities and

1 entities involved in providing such professional devel-
 2 opment to classroom teachers and other staff, such
 3 as school librarians;

4 (4) the instruction, strategies, activities, and
 5 curricula used in the programs funded under this
 6 title; and

7 (5) the types of programs funded under this
 8 title.

9 **SEC. 106. AUTHORIZATION.**

10 There are authorized to be appropriated to carry out
 11 this Act \$500,000,000 for fiscal year 2014 and such sums
 12 as may be necessary for each of the 4 succeeding fiscal
 13 years.

14 **TITLE II—TECHNOLOGY FOR**
 15 **TOMORROW FUND**

16 **SEC. 201. SHORT TITLE.**

17 This title may be cited as the “Technology for To-
 18 morrow Fund”.

19 **SEC. 202. TECHNOLOGY FOR TOMORROW FUND.**

20 (a) GRANTS TO ELIGIBLE PARTNERSHIPS.—From
 21 the amounts appropriated under section 207 and not re-
 22 served under subsection (b), the Secretary shall award
 23 grants, on a competitive basis, to eligible partnerships to
 24 enable the eligible partnerships to carry out activities de-
 25 scribed in section 204 to improve student achievement,

1 academic growth, and college-and-career readiness
2 through the use of technology and digital learning.

3 (b) RESERVATION OF FUNDS.—The Secretary may
4 reserve up to 5 percent of the amounts appropriated under
5 section 207 for a fiscal year for—

6 (1) the administration of this title; and

7 (2) the evaluation and dissemination activities
8 described in section 204(b).

9 (c) DURATION OF GRANT PERIOD.—A grant under
10 subsection (a) shall be awarded to an eligible partnership
11 for at least a 2-year period and not longer than a 3-year
12 period, except that the Secretary may award the eligible
13 partnership an additional 2-year grant if the eligible part-
14 nership demonstrates satisfactory progress on the per-
15 formance measures described in section 206(a).

16 **SEC. 203. APPLICATION.**

17 (a) IN GENERAL.—To receive a grant under section
18 202, an eligible partnership shall submit an application
19 at such time and in such manner as the Secretary may
20 require, and containing the information described in sub-
21 section (b).

22 (b) CONTENTS.—An application submitted under
23 subsection (a) shall include—

1 (1) a description of the eligible partnership, the
2 partners forming the eligible partnership, and the
3 roles and responsibilities of each partner;

4 (2) a demonstration of each partner's capacity
5 and commitment to fulfill its role and responsibilities
6 to ensure the successful completion of activities de-
7 scribed in section 204;

8 (3) a description of how the grant funds will be
9 used to improve the achievement, academic growth,
10 and college-and-career readiness of students, par-
11 ticularly at-risk, low-income, and low-performing
12 students;

13 (4) a description of how the activities funded by
14 the grant will be innovative, systemic, or evidence-
15 based by ensuring such activities—

16 (A) are based on strong or promising evi-
17 dence or a review of the best available research
18 evidence; and

19 (B) may contribute to the development and
20 use of new models;

21 (5) a description of how such activities will uti-
22 lize technology and digital learning to—

23 (A) promote personalized, individualized
24 instruction that improves student achievement,

1 academic growth, and college-and-career readi-
2 ness;

3 (B) improve teacher and school leader
4 preparation, training, knowledge, skills, prac-
5 tice, and professional capacity;

6 (C) ensure all students, particularly at-risk
7 and historically disadvantaged students, includ-
8 ing students with disabilities and English-lan-
9 guage learners, have equitable access to high-
10 quality curriculum, instruction, assessments,
11 technology, and digital learning; or

12 (D) improve the efficiency and productivity
13 of education;

14 (6) a description of how the eligible partnership
15 will measure and report data on the effectiveness of
16 such activities under section 205(a);

17 (7) an assurance that the grant funds will not
18 solely be used—

19 (A) to purchase materials, hardware, or
20 technology-based tools; or

21 (B) to implement online learning to the ex-
22 clusion of other activities;

23 (8) a description of how the eligible partnership
24 will ensure that a grant received under this title is

1 not duplicative of support received under the E-rate
2 program; and

3 (9) such other information as the Secretary
4 may require.

5 (c) APPLICATION REVIEW AND AWARD.—

6 (1) APPLICATION REVIEW AND APPROVAL.—

7 The Secretary shall—

8 (A) establish a peer review process to as-
9 sist in the review of the grant applications and
10 approval of the grants under this section;

11 (B) appoint to the peer review process in-
12 dividuals who are educators and experts in—

13 (i) technology and digital learning;

14 (ii) classroom instruction and teaching
15 practice;

16 (iii) school improvement, redesign, or
17 turnaround;

18 (iv) teacher and school leader training
19 or professional development; and

20 (v) education efficiency and produc-
21 tivity; and

22 (C) ensure that each grant is of sufficient
23 size and scope to carry out the activities de-
24 scribed in the grant application under sub-
25 section (b), including the activities described in

1 section 204 and measuring and reporting data
2 under section 205(a).

3 (2) GRANT AWARD.—In awarding grants under
4 this title, the Secretary shall, to the extent prac-
5 ticable, ensure—

6 (A) diversity in the type of activities fund-
7 ed under the grants, including statewide and
8 local initiatives;

9 (B) equitable geographic distribution of the
10 grants, including urban and rural areas and
11 small and large local educational agencies; and

12 (C) that eligible partnerships receiving
13 such grants—

14 (i) demonstrate that activities funded
15 by the grant will be carried out based on
16 strong or promising evidence; and

17 (ii) are committed to and capable of
18 successfully carrying out the activities de-
19 scribed in the grant application submitted
20 under subsection (b), including the activi-
21 ties described in section 204 and meas-
22 uring and reporting data under section
23 205(a).

1 **SEC. 204. USE OF FUNDS.**

2 (a) REQUIREMENTS.—An eligible partnership receiv-
3 ing a grant under this title shall use grant funds to carry
4 out 1 or more of the following activities that utilize tech-
5 nology and digital learning to promote:

6 (1) Personalized, individualized instruction that
7 improves student achievement, academic growth, and
8 college-and-career readiness, such as—

9 (A) hybrid, blended, or other digital-learn-
10 ing opportunities that combine online and
11 teacher-based instruction to improve student
12 outcomes;

13 (B) gaming or other personalized digital or
14 technology-based tools that individualize in-
15 struction and promote self-directed learning and
16 higher order thinking skills, including giving
17 students control over the place, pace, or time of
18 learning;

19 (C) online platforms or opportunities that
20 provide students opportunities for credit recov-
21 ery or advanced credit accumulation; and

22 (D) expanding the accommodations avail-
23 able to students with disabilities and English-
24 language learners.

1 (2) Improving teacher and school leader prepa-
2 ration, professional development, knowledge, skills,
3 practice, and professional capacity, such as—

4 (A) tools or programs that equip teachers
5 to differentiate instruction, conduct ongoing
6 formative assessments, and use real-time data
7 or data systems to identify individual student
8 learning needs and guide personalized instruc-
9 tion, learning, and appropriate interventions
10 that address those individualized student learn-
11 ing needs;

12 (B) on-demand professional development,
13 online communities of practice, or other tech-
14 nology-based tools that improve teaching and
15 leadership;

16 (C) pre-service training in the use of tech-
17 nology and digital learning to improve student
18 outcomes; and

19 (D) technology-based tools to improve the
20 administration and implementation of teacher
21 evaluation systems or other human capital sys-
22 tems.

23 (3) Ensuring all students, particularly at-risk
24 and low-performing students, have equitable access
25 to high-quality curriculum, instruction, assessments,

1 technology, and digital learning by effectively imple-
2 menting technology tools consistent with principals
3 of universal design for learning, such as—

4 (A) using tools or programs to teach stu-
5 dents higher order thinking skills;

6 (B) improving the education of students
7 with disabilities through assessment accom-
8 modations, including assistive technology;

9 (C) improving the education of English-
10 language learners, including language pro-
11 ficiency and academic content, through intuitive
12 games and interfaces, web-based interventions,
13 or technology-based assessments and assess-
14 ment accommodations;

15 (D) technology-based tools or digital learn-
16 ing opportunities that enhance high-quality
17 early learning or early childhood education pro-
18 grams;

19 (E) expanding learning opportunities, par-
20 ticularly for students who are low-performing or
21 live in rural areas, that increase access to high-
22 quality curriculum and instruction, advanced
23 placement or international baccalaureate
24 courses, science, technology, engineering, and

1 mathematics education, or enrichment activi-
2 ties; and

3 (F) enhancing the quality, depth, or ad-
4 ministration of student assessments, including
5 summative, formative, and classroom-based as-
6 sessments.

7 (4) Improving the efficiency and productivity of
8 education, such as—

9 (A) extending the reach of high-quality
10 materials, tools, curriculum, instruction, or
11 teachers through such means as open edu-
12 cational resources or blended learning;

13 (B) making student learning or school im-
14 provement more effective and cost-efficient
15 through online or digital platforms; and

16 (C) use of laptops, personal devices, or
17 technology-infused instruction to reduce cost
18 and improve delivery of instruction.

19 (b) LIMITATIONS ON USES OF FUNDS.—An eligible
20 partnership may not use the total amount of a grant re-
21 ceived under this title for a fiscal year—

22 (1) on materials, hardware, or technology-based
23 tools; or

24 (2) to implement online learning to the exclu-
25 sion of other activities.

1 **SEC. 205. DATA COLLECTION AND REPORTING.**

2 (a) REPORTING.—Each eligible partnership receiving
3 a grant under this title shall collect and report to the Sec-
4 retary, on at least an annual basis, such information on
5 the progress, outcomes, and best practices learned from
6 activities under the grant as the Secretary may require,
7 which—

8 (1) shall include information on the impact of
9 the grant on student outcomes, such as—

10 (A) the number of and demographic infor-
11 mation about students who are served by the el-
12 igible partnership under this title;

13 (B) student achievement, student growth,
14 and graduation rates of such students;

15 (C) college-and-career readiness data about
16 students of such students, such as rates of
17 credit accumulation, course taking and comple-
18 tion, and college enrollment and persistence;

19 (D) student attendance and participation
20 rates; and

21 (E) such other information the Secretary
22 may require or other information the eligible
23 partnership proposes to include and approved
24 by the Secretary; and

25 (2) may include data on—

26 (A) student engagement and discipline;

1 (B) school climate and teacher working
2 conditions; and

3 (C) increases in inclusion of students with
4 disabilities and English-language learners.

5 (b) DISAGGREGATION.—Each eligible partnership re-
6 ceiving a grant under this title shall disaggregate the in-
7 formation required under subsection (a) in the same man-
8 ner as information is disaggregated under section
9 1111(h)(1)(C)(i) of the Elementary and Secondary Edu-
10 cation Act of 1965 (20 U.S.C. 6311(h)(1)(C)(i)).

11 **SEC. 206. PERFORMANCE MEASUREMENT AND EVALUA-**
12 **TION AND DISSEMINATION.**

13 (a) PERFORMANCE MEASURES.—Prior to the review-
14 ing and awarding of grants under this title, the Secretary
15 shall establish performance measures used to evaluate the
16 progress and performance of each eligible partnership
17 that—

18 (1) shall include, at a minimum, information on
19 the impact of the grants on student outcomes as re-
20 ported under section 205(a); and

21 (2) may include such other information as the
22 Secretary may reasonably require.

23 (b) EVALUATION AND DISSEMINATION.—From
24 amounts reserved under section 202(b), the Secretary
25 shall—

1 (1) conduct or enter into a contract with an
2 outside evaluator to conduct—

3 (A) a comprehensive evaluation after the
4 third year that the grant program is carried
5 under this title on the effectiveness of all grants
6 awarded under this title; and

7 (B) a final evaluation following the final
8 year of the grant program under this title—

9 (i) that focuses on the improvement in
10 student outcomes reported under para-
11 graphs (1) through (3) of section 205(a);

12 (ii) that compares the relative effec-
13 tiveness of different types of programs car-
14 ried under this title and compares the rel-
15 ative effectiveness of variations in imple-
16 mentation within such programs; and

17 (iii) identifies the conditions and prac-
18 tices needed for the effective use of tech-
19 nology and digital learning, including
20 issues related to teacher professional devel-
21 opment, educational leadership, classroom
22 and school practices and implementation
23 and support;

24 (2) disseminate and provide technical assistance
25 to local educational agencies and State educational

1 agencies on best practices in utilizing technology and
2 digital learning to improve student achievement, aca-
3 demic growth, and college-and-career readiness; and
4 (3) ensure that the Department of Education
5 applies the best practices described in paragraph (2)
6 in carrying out other innovation funds.

7 **SEC. 207. AUTHORIZATION OF APPROPRIATIONS.**

8 There are authorized to be appropriated to carry out
9 this title \$250,000,000 for fiscal year 2014 and such sums
10 as may be necessary for each of the 4 succeeding fiscal
11 years.

○