

113TH CONGRESS  
1ST SESSION

# S. 1063

To improve teacher quality, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 23, 2013

Mr. REED 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 improve teacher quality, 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 “Effective Teaching and  
5       Leading Act”.

6       **SEC. 2. FINDINGS AND PURPOSES.**

7       (a) FINDINGS.—Congress finds the following:

8               (1) Teacher quality is the single most important  
9       in-school factor influencing student learning and  
10      achievement.

11              (2) A 2003 study by Richard Ingersoll found  
12      that new teachers, not just those in hard-to-staff

1 schools, face such challenging working conditions  
 2 that nearly one-half leave the profession within their  
 3 first 5 years, one-third leave within their first 3  
 4 years, and 14 percent leave by the end of their first  
 5 year.

6 (3) A report by the National Commission on  
 7 Teaching and America's Future estimated that the  
 8 nationwide cost of replacing public school teachers  
 9 who have dropped out of the profession is  
 10 \$7,300,000,000 annually.

11 (4) A randomized controlled trial of comprehen-  
 12 sive teacher induction, sponsored by the Institute of  
 13 Education Sciences found that beginning teachers  
 14 who received 2 years of induction support produced  
 15 greater student learning gains as a result, the equiv-  
 16 alent of a student moving from the 50th to 58th  
 17 percentile in mathematics achievement and from the  
 18 50th to 54th percentile in reading achievement.

19 (5) Research by Thomas Smith, Richard Inger-  
 20 soll, Michael Strong, Anthony Villar, and Jonah  
 21 Rockoff has shown that comprehensive mentoring  
 22 and induction reduces teacher attrition by as much  
 23 as one-half and strengthens new teacher effective-  
 24 ness.

1           (6) A recent School Redesign Network at Stan-  
 2       ford University and National Staff Development  
 3       Council report by Linda Darling-Hammond, Ruth  
 4       Chung Wei, Alethea Andree, Nikole Richardson, and  
 5       Stelios Orphanos found that—

6           (A) a set of programs that offered substan-  
 7       tial contact hours of professional development  
 8       (ranging from 30 to 100 hours in total) spread  
 9       over 6 to 12 months showed a positive and sig-  
 10      nificant effect on student achievement gains;  
 11      and

12          (B) intensive professional development, es-  
 13      pecially when it includes applications of knowl-  
 14      edge to teachers' planning and instruction, has  
 15      a greater chance of influencing teacher prac-  
 16      tices, and in turn, leading to gains in student  
 17      learning, and such intensive professional devel-  
 18      opment has shown a positive and significant ef-  
 19      fect on student achievement gains, in some  
 20      cases by approximately 21 percentile points.

21          (7) Teachers can acquire and use new knowl-  
 22      edge and skills in their instruction when provided  
 23      with adequate opportunities to learn, according to  
 24      “Student Achievement Through Staff Development”  
 25      published by ASCD, which found that more than 90

1       percent of participants attained skill proficiency if it  
 2       includes theory presentation, demonstration, prac-  
 3       tice, and peer coaching.

4           (8) Recent reports from the Center for Amer-  
 5       ican Progress, Education Sector, Hope Street  
 6       Group, and the New Teacher Project have collec-  
 7       tively demonstrated the significant flaws in current  
 8       teacher evaluation and implementation, and the ne-  
 9       cessity for redesigning these systems and linking  
 10      such evaluation to individualized feedback and sub-  
 11      stantive targeted support in order to ensure effective  
 12      teaching.

13          (9) Research by Kenneth Leithwood, Karen  
 14      Seashore Louis, Stephen Anderson, and Kyla  
 15      Wahlstrom found that—

16           (A) leadership is second only to classroom  
 17           instruction among school-related factors that  
 18           influence student outcomes; and

19           (B) direct and indirect leadership effects  
 20           account for about one-quarter of total school ef-  
 21           fects on student learning.

22          (10) Research by Charles Clotfelter, Helen  
 23      Ladd, Kenneth Leithwood, Anthony Milanowski, and  
 24      the New Teacher Center has shown that the quality  
 25      of working conditions, particularly supportive school

1 leadership, impacts student academic achievement  
2 and teacher recruitment, retention, and effective-  
3 ness.

4 (11) Since 1965, more than 60 education and  
5 library studies have produced clear evidence that  
6 school libraries staffed by qualified librarians have a  
7 positive impact on student academic achievement,  
8 with a recent analysis of reading scores from 2004–  
9 2009 showing that fewer librarians translated to  
10 lower performance, or a slower rise in scores, on  
11 standardized tests.

12 (b) PURPOSES.—The purposes of this Act are to  
13 build capacity for developing effective teachers and prin-  
14 cipals in our Nation’s schools through—

15 (1) the redesign of teacher and principal eval-  
16 uation and assessment systems;

17 (2) comprehensive, high-quality, rigorous, multi-  
18 year induction and mentoring programs for begin-  
19 ning teachers, principals, and other school leaders;

20 (3) systematic, sustained, and coherent profes-  
21 sional development for all teachers that is team-  
22 based and job-embedded;

23 (4) systematic, sustained, and coherent profes-  
24 sional development for school principals, other school

1 leaders, school librarians, paraprofessionals, and  
 2 other staff; and

3 (5) increased teacher leadership opportunities,  
 4 including compensation for teacher leaders who take  
 5 on new roles in providing school-based professional  
 6 development, mentoring, rigorous evaluation, and in-  
 7 structional coaching.

8 **SEC. 3. DEFINITIONS.**

9 Section 9101 of the Elementary and Secondary Edu-  
 10 cation Act of 1965 (20 U.S.C. 7801) is amended—

11 (1) by striking paragraph (34) and inserting  
 12 the following:

13 “(34) PROFESSIONAL DEVELOPMENT.—The  
 14 term ‘professional development’ means comprehen-  
 15 sive, sustained, and intensive support, provided for  
 16 teachers, principals, school librarians, other school  
 17 leaders, and other instructional staff, that—

18 “(A) fosters collective responsibility for im-  
 19 proved student learning;

20 “(B) is designed and implemented in a  
 21 manner that increases teacher, principal, school  
 22 librarian, other school leader, paraprofessional,  
 23 and other instructional staff effectiveness in im-  
 24 proving student learning and strengthening  
 25 classroom practice;

1 “(C) analyzes and uses—

2 “(i) real-time data and information  
3 collected from—

4 “(I) evidence of student learning;

5 “(II) evidence of classroom prac-  
6 tice; and

7 “(III) the State’s longitudinal  
8 data system; and

9 “(ii) other relevant data collected by  
10 the school or local educational agency;

11 “(D) is aligned with—

12 “(i) rigorous State student academic  
13 achievement standards developed under  
14 section 1111(b)(1);

15 “(ii) related academic and school im-  
16 provement goals of the school, local edu-  
17 cational agency, and statewide curriculum;

18 “(iii) statewide and local curricula;  
19 and

20 “(iv) rigorous standards of profes-  
21 sional practice and development;

22 “(E) includes frequently scheduled, signifi-  
23 cant blocks of time during the regular school  
24 day among established collaborative teams of  
25 teachers, principals, school librarians, other

1 school leaders, and other instructional staff, by  
 2 grade level and content area (to the extent ap-  
 3 plicable and practicable), which teams engage in  
 4 a continuous cycle of professional learning and  
 5 improvement that—

6 “(i) identifies, reviews, and analyzes—

7 “(I) evidence of student learning;

8 and

9 “(II) evidence of classroom prac-

10 tice;

11 “(ii) defines a clear set of educator

12 learning goals to improve student learning

13 and strengthen classroom practice based

14 on the rigorous analysis of evidence of stu-

15 dent learning and evidence of classroom

16 practice;

17 “(iii) develops and implements coher-

18 ent, sustained, and evidenced-based profes-

19 sional development strategies to meet such

20 goals (including through instructional

21 coaching, lesson study, and study groups

22 organized at the school, team, or individual

23 levels);

24 “(iv) provides learning opportunities

25 for teachers to collectively develop and re-

fine student learning goals and the teachers' instructional practices and the use of formative assessment;

“(v) provides an effective mechanism to support the transfer of new knowledge and skills to the classroom (including utilizing teacher leaders, instructional coaches, school librarians, and content experts to support such transfer); and

“(vi) provides opportunities for follow-up, observation, and formative feedback and assessment of the teacher's classroom practice, on a regular basis and in a manner that allows each such teacher to identify areas of classroom practice that need to be strengthened, refined, and improved;

“(F) regularly assesses the effectiveness of the support, and uses such assessments to inform ongoing improvements, in—

“(i) improving student learning; and

“(ii) strengthening classroom practice;

and

“(G) supports the recruiting, hiring, and training of highly qualified teachers, including teachers who become highly qualified through

1 State and local alternative routes to certifi-  
 2 cation or licensure.”;

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

4 “(44) EVIDENCE OF CLASSROOM PRACTICE.—

5 The term ‘evidence of classroom practice’ means evi-  
 6 dence of practice gathered from a classroom through  
 7 multiple formats and sources, including some or all  
 8 of the following:

9 “(A) Demonstration of effective teaching  
 10 skills.

11 “(B) Classroom observations based on rig-  
 12 orous teacher performance standards or rubrics.

13 “(C) Student work.

14 “(D) Teacher portfolios.

15 “(E) Videos of teacher practice.

16 “(F) Lesson plans.

17 “(G) Information on the extent to which  
 18 the teacher collaborates and shares best prac-  
 19 tices with other teachers and instructional staff.

20 “(H) Information on the teacher’s success-  
 21 ful use of research and data.

22 “(I) Parent, student, and peer feedback.

23 “(45) EVIDENCE OF STUDENT LEARNING.—The  
 24 term ‘evidence of student learning’ means multiple

1 measures of student learning that shall include the  
2 following:

3 “(A) Valid and reliable student assessment  
4 data, which may include data—

5 “(i) based on—

6 “(I) student learning gains on  
7 State student academic assessments  
8 under section 1111(b)(3); or

9 “(II) student academic achieve-  
10 ment assessments used at the na-  
11 tional, state, or district levels, where  
12 available and appropriate for the cur-  
13 riculum and students taught;

14 “(ii) from classroom-based formative  
15 assessments;

16 “(iii) from classroom-based summative  
17 assessments; and

18 “(iv) from objective performance-  
19 based assessments.

20 “(B) At least 1 of the following additional  
21 measures:

22 “(i) Student work, including measures  
23 of performance criteria and evidence of  
24 student growth.

1                   “(ii) Teacher-generated information  
2                   about student goals and growth.

3                   “(iii) Parental feedback about student  
4                   goals and growth.

5                   “(iv) Student feedback about learning  
6                   and teaching supports.

7                   “(v) Assessments of affective engage-  
8                   ment and self-efficacy.

9                   “(vi) Other appropriate measures, as  
10                  determined by the State.

11               “(46) LOWEST ACHIEVING SCHOOL.—The term  
12               ‘lowest achieving school’ means a school served by a  
13               local educational agency that—

14               “(A) is failing to make adequate yearly  
15               progress as described in section 1111(b)(2), for  
16               the greatest number of subgroups described in  
17               section 1111(b)(2)(C)(v) and by the greatest  
18               margins, as compared to the other schools  
19               served by the local educational agency; and

20               “(B) in the case of a secondary school, has  
21               a graduation rate of less than 65 percent.

22               “(47) SCHOOL LEADER.—The term ‘school  
23               leader’ means an individual who—

24               “(A) is an employee or officer of a school;  
25               and

1 “(B) is responsible for—

2 “(i) the school’s performance; and

3 “(ii) the daily instructional and mana-  
4 gerial operations of the school.

5 “(48) TEACHING SKILLS.—The term ‘teaching  
6 skills’ means skills that enable a teacher to—

7 “(A) increase student learning, achieve-  
8 ment, and the ability to apply knowledge;

9 “(B) effectively convey and explain aca-  
10 demic subject matter;

11 “(C) actively engage students and person-  
12 alize learning;

13 “(D) effectively teach higher-order analyt-  
14 ical, evaluation, problem-solving, and commu-  
15 nication skills;

16 “(E) develop and effectively apply new  
17 knowledge, skills, and practices;

18 “(F) employ strategies grounded in the  
19 disciplines of teaching and learning that—

20 “(i) are based on empirically based  
21 practice and scientifically valid research,  
22 where applicable, related to teaching and  
23 learning;

24 “(ii) are specific to academic subject  
25 matter;

1 “(iii) focus on the identification of  
 2 students’ specific learning needs, (includ-  
 3 ing children with disabilities, English lan-  
 4 guage learners, students who are gifted  
 5 and talented, and students with low lit-  
 6 eracy levels), and the tailoring of academic  
 7 instruction to such needs; and

8 “(iv) enable effective inclusion of chil-  
 9 dren with disabilities and English language  
 10 learners, including the utilization of—

11 “(I) response to intervention;

12 “(II) positive behavioral sup-  
 13 ports;

14 “(III) differentiated instruction;

15 “(IV) universal design of learn-  
 16 ing;

17 “(V) appropriate accommoda-  
 18 tions for instruction and assessments;

19 “(VI) collaboration skills;

20 “(VII) skill in effectively partici-  
 21 pating in individualized education pro-  
 22 gram meetings required under section  
 23 614 of the Individuals with Disabil-  
 24 ities Education Act; and

1 “(VIII) evidence-based strategies  
 2 to meet the linguistic and academic  
 3 needs of English language learners;

4 “(G) conduct an ongoing assessment of  
 5 student learning, which may include the use of  
 6 formative assessments, performance-based as-  
 7 sessments, project-based assessments, or port-  
 8 folio assessments, that measures higher-order  
 9 thinking skills (including application, analysis,  
 10 synthesis, and evaluation);

11 “(H) effectively manage a classroom, in-  
 12 cluding the ability to implement positive behav-  
 13 ioral support strategies;

14 “(I) communicate and work with parents,  
 15 and involve parents in their children’s edu-  
 16 cation; and

17 “(J) use age-appropriate and develop-  
 18 mentally appropriate strategies and practices.

19 “(49) FORMATIVE ASSESSMENT.—The term  
 20 ‘formative assessment’ means a process used by  
 21 teachers and students during instruction that pro-  
 22 vides feedback to adjust ongoing teaching and learn-  
 23 ing to improve students’ achievement of intended in-  
 24 structional outcomes.”; and

1           (3) by redesignating paragraphs (1) through  
 2           (39), the undesignated paragraph following para-  
 3           graph (39), and paragraphs (41) through (49) (as  
 4           amended by this section) as paragraphs (1) through  
 5           (18), (21), (22), (24) through (29), (31) through  
 6           (40), (42) through (47), (49), (19), (20), (30), (41),  
 7           (48), and (23), respectively.

8 **SEC. 4. SCHOOL IMPROVEMENT.**

9           Section 1003(g)(5) of the Elementary and Secondary  
 10          Education Act of 1965 (20 U.S.C. 6303(g)(5)) is amend-  
 11          ed—

12           (1) in subparagraph (B), by striking “and”  
 13          after the semicolon;

14           (2) in subparagraph (C), by striking the period  
 15          and inserting “; and”; and

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

17                   “(D) permitted to be used to supplement  
 18                   the activities required under section 2502.”.

19 **SEC. 5. TEACHER AND PRINCIPAL PROFESSIONAL DEVEL-**  
 20 **OPMENT AND SUPPORT.**

21           (a) IN GENERAL.—Title II of the Elementary and  
 22          Secondary Education Act of 1965 (20 U.S.C. 6601 et  
 23          seq.) is amended by adding at the end the following:

1     **“PART E—BUILDING SCHOOL CAPACITY FOR**  
 2         **EFFECTIVE TEACHING AND LEADERSHIP**

3     **“SEC. 2501. LOCAL SCHOOL IMPROVEMENT ACTIVITIES.**

4         “(a) SUBGRANTS TO LOCAL EDUCATIONAL AGEN-  
 5     CIES.—

6             “(1) GRANTS.—From amounts made available  
 7     under section 2505, the Secretary shall award  
 8     grants, through allotments under paragraph (3)(A),  
 9     to States to enable the States to award subgrants to  
 10    local educational agencies under this part.

11            “(2) RESERVATIONS.—A State that receives a  
 12    grant under this part for a fiscal year shall—

13               “(A) reserve 95 percent of the funds made  
 14     available through the grant to make subgrants,  
 15     through allocations under paragraph (3)(B), to  
 16     local educational agencies; and

17               “(B) use the remainder of the funds for—

18                   “(i) administrative activities and tech-  
 19     nical assistance in helping local educational  
 20     agencies carry out this part;

21                   “(ii) statewide capacity building strat-  
 22     egies to support local educational agencies  
 23     in the implementation of the required ac-  
 24     tivities under section 2502; and

25                   “(iii) conducting the evaluation re-  
 26     quired under section 2504.

1 “(3) FORMULAS.—

2 “(A) ALLOTMENTS.—The allotment pro-  
 3 vided to a State under this section for a fiscal  
 4 year shall bear the same relation to the total  
 5 amount available under this part for such allot-  
 6 ments for the fiscal year, as the allotment pro-  
 7 vided to the State under section 2111(b) for  
 8 such year bears to the total amount available  
 9 under such section 2111(b) for such allotments  
 10 for such year.

11 “(B) ALLOCATIONS.—The allocation pro-  
 12 vided to a local educational agency under this  
 13 section for a fiscal year shall bear the same re-  
 14 lation to the total amount available under this  
 15 part for such allocations for the fiscal year, as  
 16 the allocation provided to the local educational  
 17 agency under section 2121(a) for such year  
 18 bears to the total amount available for such al-  
 19 locations for such year.

20 “(4) SCHOOLS FIRST SUPPORTED.—A local  
 21 educational agency receiving a subgrant under this  
 22 part shall first use such funds to carry out the ac-  
 23 tivities described in section 2502(a) in each lowest  
 24 achieving school served by the local educational  
 25 agency—

1           “(A) that demonstrates the greatest need  
2           for subgrant funds based on the data analysis  
3           described in subsection (b)(3); and

4           “(B) in which not less than 40 percent of  
5           the students enrolled in the school are eligible  
6           for a free or reduced price lunch under the  
7           Richard B. Russell National School Lunch Act  
8           (42 U.S.C. 1751 et seq.).

9           “(b) LOCAL EDUCATIONAL AGENCY APPLICATION.—

10           “(1) IN GENERAL.—To be eligible to receive a  
11           subgrant under this part, a local educational agency  
12           shall submit to the State educational agency an ap-  
13           plication described in paragraph (2), and a summary  
14           of the data analysis conducted under paragraph (3),  
15           at such time, in such manner, and containing such  
16           information as the State educational agency may  
17           reasonably require.

18           “(2) CONTENTS OF APPLICATION.—Each appli-  
19           cation submitted pursuant to paragraph (1) shall in-  
20           clude—

21           “(A) a description of how the local edu-  
22           cational agency will assist the lowest achieving  
23           schools served by the local educational agency  
24           in carrying out the requirements of section  
25           2502, including—

1 “(i) developing and implementing the  
2 teacher and principal evaluation system  
3 pursuant to section 2502(a)(3);

4 “(ii) implementing teacher induction  
5 programs pursuant to section 2502(a)(1);

6 “(iii) providing effective professional  
7 development in accordance with section  
8 2502(a)(2);

9 “(iv) implementing mentoring, coach-  
10 ing, and sustained professional develop-  
11 ment for school principals and other school  
12 leaders pursuant to section 2502(a)(4);  
13 and

14 “(v) providing significant and sustain-  
15 able teacher stipends, pursuant to section  
16 2502(a)(6);

17 “(B) a description of how the local edu-  
18 cational agency will—

19 “(i) conduct and utilize valid and reli-  
20 able surveys pursuant to section 2502(b);  
21 and

22 “(ii) ensure that such programs are  
23 integrated and aligned pursuant to section  
24 2502(c);

1           “(C)(i) a description of how the local edu-  
 2           cational agency will use subgrant funds to tar-  
 3           get and support the lowest achieving schools de-  
 4           scribed in subsection (a)(4) before using funds  
 5           for other lowest achieving schools; and

6           “(ii) a list that identifies all of the lowest  
 7           achieving schools that will be assisted under the  
 8           subgrant;

9           “(D) a description of how the local edu-  
 10          cational agency will enable effective inclusion of  
 11          children with disabilities and English language  
 12          learners, including through utilization by the  
 13          teachers, principals, and other school leaders of  
 14          the local educational agency of—

15               “(i) response to intervention;

16               “(ii) positive behavioral supports;

17               “(iii) differentiated instruction;

18               “(iv) universal design of learning;

19               “(v) appropriate accommodations for  
 20          instruction and assessments;

21               “(vi) collaboration skills;

22               “(vii) skill in effectively participating  
 23          in individualized education program meet-  
 24          ings required under section 614 of the In-

1 individuals with Disabilities Education Act;  
2 and

3 “(viii) evidence-based strategies to  
4 meet the linguistic and academic needs of  
5 English language learners;

6 “(E) a description of how the local edu-  
7 cational agency will assist the lowest achieving  
8 schools in utilizing real-time student learning  
9 data, based on evidence of student learning and  
10 evidence of classroom practice, to—

11 “(i) inform instruction; and

12 “(ii) inform professional development  
13 for teachers, mentors, principals, and other  
14 school leaders;

15 “(F) a description of how the programs  
16 and assistance provided under section 2502 will  
17 be managed and designed, including a descrip-  
18 tion of the division of labor and different roles  
19 and responsibilities of local educational agency  
20 central office staff members, school leaders,  
21 teacher leaders, coaches, mentors, and eval-  
22 uators; and

23 “(G) a description of how the local edu-  
24 cational agency will work with institutions of  
25 higher education and local teacher and principal

preparation programs to improve the performance of beginning teachers and principals, improve induction programs, and strengthen professional development.

“(3) DATA ANALYSIS.—A local educational agency desiring a subgrant under this part shall, prior to applying for the subgrant, conduct a data analysis of each school served by the local educational agency, based on data and information collected from evidence of student learning, evidence of classroom practice, and the State’s longitudinal data system, in order to—

“(A) determine which schools have the most critical teacher, principal, school librarian, and other school leader quality, effectiveness, and professional development needs; and

“(B) allow the local educational agency to identify the specific needs regarding the quality, effectiveness, and professional development needs of the school’s teachers, principals, librarians, and other school leaders, including with respect to instruction provided for individual student subgroups (including children with disabilities and English language learners) and specific grade levels and content areas.

1 “(4) JOINT DEVELOPMENT AND SUBMISSION.—

2 “(A) IN GENERAL.—Except as provided in  
3 subparagraph (B), a local educational agency  
4 shall—

5 “(i) jointly develop the application  
6 and data analysis framework under this  
7 subsection with local organizations rep-  
8 resenting the teachers, principals, and  
9 other school leaders in the local edu-  
10 cational agency; and

11 “(ii) submit the application and data  
12 analysis in partnership with such local  
13 teacher, principal, and school leader orga-  
14 nizations.

15 “(B) EXCEPTION.—A State may, after  
16 consultation with the Secretary, consider an ap-  
17 plication from a local educational agency that is  
18 not jointly developed and submitted in accord-  
19 ance with subparagraph (A) if the application  
20 includes documentation of the local educational  
21 agency’s extensive attempt to work jointly with  
22 local teacher, principal, and school leader orga-  
23 nizations.

1 **“SEC. 2502. USE OF FUNDS.**

2       “(a) INDUCTION, PROFESSIONAL DEVELOPMENT,  
 3 AND EVALUATION SYSTEM.—A local educational agency  
 4 that receives a subgrant under this part shall use the  
 5 subgrant funds to improve teaching and school leadership  
 6 through a system of teacher and principal induction, pro-  
 7 fessional development, and evaluation. Such system shall  
 8 be developed, implemented, and evaluated in collaboration  
 9 with local teacher, principal, and school leader organiza-  
 10 tions and local teacher, principal, and school leader prepa-  
 11 ration programs and shall provide assistance to each  
 12 school that the local educational agency has identified  
 13 under section 2501(b)(2)(C)(ii), to—

14               “(1) implement a comprehensive, coherent,  
 15 high-quality formalized induction program for begin-  
 16 ning teachers during not less than the teachers’ first  
 17 2 years of full-time employment as teachers with the  
 18 local educational agency, that shall include—

19                       “(A) rigorous mentor selection by school or  
 20 local educational agency leaders with mentoring  
 21 and instructional expertise, including require-  
 22 ments that the mentor demonstrate—

23                               “(i) a proven track record of improv-  
 24 ing student learning;

25                               “(ii) strong interpersonal skills;

1 “(iii) exemplary teaching skills, par-  
2 ticularly with diverse learners, including  
3 children with disabilities and English lan-  
4 guage learners;

5 “(iv) not less than 5 years teaching  
6 experience;

7 “(v) commitment to personal and pro-  
8 fessional growth and learning, such as Na-  
9 tional Board for Professional Teaching  
10 Standards certification;

11 “(vi) willingness and experience in  
12 using real-time data, as well as school and  
13 classroom level practices that have dem-  
14 onstrated the capacity to—

15 “(I) improve student learning  
16 and classroom practice; and

17 “(II) inform instruction and pro-  
18 fessional growth;

19 “(vii) a commitment to participate in  
20 professional development throughout the  
21 year to develop the knowledge and skills  
22 related to effective mentoring; and

23 “(viii) the ability to improve the effec-  
24 tiveness of the mentor’s mentees, as as-

1           sessed by the evaluation system described  
2           in paragraph (3);

3           “(B) a program of high-quality, intensive,  
4           and ongoing mentoring and mentor-teacher  
5           interactions that—

6                   “(i) ensures that new teachers are  
7                   supported in ways that help improve con-  
8                   tent-specific knowledge and pedagogy, in-  
9                   cluding by matching mentors with begin-  
10                  ning teachers by grade level and content  
11                  area;

12                  “(ii) assists each beginning teacher  
13                  in—

14                           “(I) analyzing data based on the  
15                           beginning teacher’s evidence of stu-  
16                           dent learning and evidence of class-  
17                           room practice, and utilizing research-  
18                           based instructional strategies, includ-  
19                           ing differentiated instruction, to in-  
20                           form and strengthen such practice;

21                           “(II) developing and enhancing  
22                           effective teaching skills;

23                           “(III) enabling effective inclusion  
24                           of children with disabilities and

1 English language learners, including  
2 through the utilization of—  
3 “(aa) response to interven-  
4 tion;  
5 “(bb) positive behavioral  
6 supports;  
7 “(cc) differentiated instruc-  
8 tion;  
9 “(dd) universal design of  
10 learning;  
11 “(ee) appropriate accom-  
12 modations for instruction and as-  
13 sessments;  
14 “(ff) collaboration skills;  
15 “(gg) skill in effectively par-  
16 ticipating in individualized edu-  
17 cation program meetings required  
18 under section 614 of the Individ-  
19 uals with Disabilities Education  
20 Act; and  
21 “(hh) evidence-based strate-  
22 gies to meet the linguistic and  
23 academic needs of English lan-  
24 guage learners;

1 “(IV) using formative evaluations  
2 to—  
3 “(aa) collect and analyze  
4 classroom-level data;  
5 “(bb) foster evidence-based  
6 discussions;  
7 “(cc) provide opportunities  
8 for self assessment;  
9 “(dd) examine classroom  
10 practice; and  
11 “(ee) establish goals for pro-  
12 fessional growth; and  
13 “(V) achieving the goals of the  
14 school, district, and statewide cur-  
15 ricula;  
16 “(iii) provides regular and ongoing op-  
17 portunities for beginning teachers to ob-  
18 serve exemplary teaching in classroom set-  
19 tings during the school day;  
20 “(iv) aligns with the mission and  
21 goals of the local educational agency and  
22 school;  
23 “(v)(I) acts as a vehicle for a begin-  
24 ning teacher to establish short- and long-  
25 term planning and professional goals and

1 to improve student learning and classroom  
2 practice; and

3 “(II) guides, monitors, and assesses  
4 the beginning teacher’s progress toward  
5 such goals;

6 “(vi) assigns not more than 12 begin-  
7 ning teacher mentees to a mentor who is  
8 released full-time from classroom teaching,  
9 and reduces such maximum number of  
10 mentees proportionately for a mentor who  
11 works on a part-times basis;

12 “(vii) provides joint professional devel-  
13 opment opportunities for mentors and be-  
14 ginning teachers;

15 “(viii) may include the use of master  
16 teachers to support mentors or other  
17 teachers; and

18 “(ix) improves student learning and  
19 classroom practice, as measured by the  
20 evaluation system described in paragraph  
21 (3);

22 “(C) paid school release time that allows  
23 for at least weekly high-quality mentoring and  
24 mentor-teacher interactions;

1           “(D) foundational training and ongoing  
2           professional development for mentors that sup-  
3           port the high-quality mentoring and mentor-  
4           teacher interactions described in subparagraph  
5           (B);

6           “(E) use of research-based teaching stand-  
7           ards, formative assessments, teacher portfolio  
8           processes (such as the National Board for Pro-  
9           fessional Teaching Standards certification proc-  
10          ess), and teacher development protocols that  
11          support the high-quality mentoring and mentor-  
12          teacher interactions described in subparagraph  
13          (B); and

14          “(F) feedback on the performance of be-  
15          ginning teachers to local teacher preparation  
16          programs and recommendations for improving  
17          such programs;

18          “(2) implement high-quality effective profes-  
19          sional development for teachers, principals, school li-  
20          brarians, and other school leaders serving the  
21          schools targeted for assistance under the subgrant;

22          “(3) develop and implement a rigorous, trans-  
23          parent, and equitable teacher and principal evalua-  
24          tion system for all schools served by the local edu-  
25          cational agency that—

1           “(A)(i) provides formative individualized  
2 feedback to teachers and principals on areas for  
3 improvement;

4           “(ii) provides for substantive support and  
5 interventions targeted specifically on such areas  
6 of improvement; and

7           “(iii) results in summative evaluations;

8           “(B) differentiates the effectiveness of  
9 teachers and principals using multiple rating  
10 categories that take into account evidence of  
11 student learning;

12           “(C) shall be developed, implemented, and  
13 evaluated in partnership with local teacher and  
14 principal organizations; and

15           “(D) includes—

16           “(i) valid, clearly defined, and reliable  
17 performance standards and rubrics for  
18 teacher evaluation based on multiple per-  
19 formance measures, which shall include a  
20 combination of—

21           “(I) evidence of classroom prac-  
22 tice; and

23           “(II) evidence of student learning  
24 as a significant factor;

1 “(ii) valid, clearly defined, and reliable  
2 performance standards and rubrics for  
3 principal evaluation based on multiple per-  
4 formance measures of student learning and  
5 leadership skills, which standards shall in-  
6 clude—

7 “(I) planning and articulating a  
8 shared and coherent schoolwide direc-  
9 tion and policy for achieving high  
10 standards of student performance;

11 “(II) identifying and imple-  
12 menting the activities and rigorous  
13 curriculum necessary for achieving  
14 such standards of student perform-  
15 ance;

16 “(III) supporting a culture of  
17 learning, collaboration, and profes-  
18 sional behavior and ensuring quality  
19 measures of instructional practice;

20 “(IV) communicating and engag-  
21 ing parents, families, and other exter-  
22 nal communities; and

23 “(V) collecting, analyzing, and  
24 utilizing data and other tangible evi-  
25 dence of student learning and evi-

1                   dence of classroom practice to guide  
2                   decisions and actions for continuous  
3                   improvement and to ensure perform-  
4                   ance accountability;

5                   “(iii) multiple and distinct rating op-  
6                   tions that allow evaluators to—

7                   “(I) conduct multiple classroom  
8                   observations throughout the school  
9                   year;

10                  “(II) examine the impact of the  
11                  teacher or principal on evidence of  
12                  student learning and evidence of class-  
13                  room practice;

14                  “(III) specifically describe and  
15                  compare differences in performance,  
16                  growth, and development; and

17                  “(IV) provide teachers or prin-  
18                  cipals with detailed individualized  
19                  feedback and evaluation in a manner  
20                  that allows each teacher or principal  
21                  to identify the areas of classroom  
22                  practice that need to be strengthened,  
23                  refined, and improved;

24                  “(iv) implementing a formative and  
25                  summative evaluation process based on the

1 performance standards established under  
2 clauses (i) and (ii);

3 “(v) rigorous training for evaluators  
4 on the performance standards established  
5 under clauses (i) and (ii) and the process  
6 of conducting effective evaluations, includ-  
7 ing how to provide specific feedback and  
8 improve teaching and principal practice  
9 based on evaluation results;

10 “(vi) regular monitoring and assess-  
11 ment of the quality and fairness of the  
12 evaluation system and the evaluators’  
13 judgements, including with respect to—

14 “(I) inter-rater reliability, includ-  
15 ing independent or third-party re-  
16 views;

17 “(II) student assessments used in  
18 the evaluation system;

19 “(III) the performance standards  
20 established under clauses (i) and (ii);

21 “(IV) training and qualifications  
22 of evaluators; and

23 “(V) timeliness of teacher and  
24 principal evaluations and feedback;

1 “(vii) a plan and substantive targeted  
 2 support for teachers and principals who  
 3 fail to meet the performance standards es-  
 4 tablished under clauses (i) and (ii);

5 “(viii) a streamlined, transparent,  
 6 fair, and objective due process for docu-  
 7 mentation and removal of teachers and  
 8 principals who fail to meet such perform-  
 9 ance standards, as governed by any appli-  
 10 cable collective bargaining agreement or  
 11 State law and after substantive targeted  
 12 and reasonable support has been provided  
 13 to such teachers and principals; and

14 “(ix) in the case of a local educational  
 15 agency in a State that has a State evalua-  
 16 tion framework, the alignment of the local  
 17 educational agency’s evaluation system  
 18 with, at a minimum, such framework and  
 19 the requirements of this paragraph;

20 “(4) implement ongoing high-quality support,  
 21 coaching, and professional development for prin-  
 22 cipals and other school leaders serving the schools  
 23 targeted for assistance under such subgrant, which  
 24 shall—

“(A) include a comprehensive, coherent, high-quality formalized induction program outside the supervisory structure for beginning principals and other school leaders, during not less than the principals’ and other school leaders’ first 2 years of full-time employment as a principal or other school leader in the local educational agency, to develop and improve the knowledge and skills described in subparagraph (B), including—

“(i) a rigorous mentor or coach selection process based on exemplary administrative expertise and experience;

“(ii) a program of ongoing opportunities throughout the school year for the mentoring or coaching of beginning principals and other school leaders, including opportunities for regular observation and feedback;

“(iii) foundational training and ongoing professional development for mentors or coaches; and

“(iv) the use of research-based leadership standards, formative and summative assessments, or principal and other school

1 leader protocols (such as the National  
2 Board for Professional Teaching Stand-  
3 ards Certification for Educational Leaders  
4 program or the 2008 Interstate School  
5 Leaders Licensure Consortium Standards);

6 “(B) improve the knowledge and skills of  
7 school principals and other school leaders in—

8 “(i) planning and articulating a  
9 shared and clear schoolwide direction, vi-  
10 sion, and strategy for achieving high  
11 standards of student performance;

12 “(ii) identifying and implementing the  
13 activities and rigorous student curriculum  
14 and assessments necessary for achieving  
15 such standards of performance;

16 “(iii) managing and supporting a col-  
17 laborative culture of ongoing learning and  
18 professional development and ensuring  
19 quality evidence of classroom practice (in-  
20 cluding shared or distributive leadership  
21 and providing timely and constructive feed-  
22 back to teachers to improve student learn-  
23 ing and strengthen classroom practice);

24 “(iv) communicating and engaging  
25 parents, families, and local communities

1 and organizations (including engaging in  
 2 partnerships among elementary schools,  
 3 secondary schools, and institutions of high-  
 4 er education to ensure the vertical align-  
 5 ment of student learning outcomes);

6 “(v) collecting, analyzing, and uti-  
 7 lizing data and other tangible evidence of  
 8 student learning and classroom practice  
 9 (including the use of formative and  
 10 summative assessments) to—

11 “(I) guide decisions and actions  
 12 for continuous instructional improve-  
 13 ment; and

14 “(II) ensure performance ac-  
 15 countability;

16 “(vi) managing resources and school  
 17 time to ensure a safe and effective student  
 18 learning environment; and

19 “(vii) designing and implementing  
 20 strategies for differentiated instruction and  
 21 effectively identifying and educating di-  
 22 verse learners, including children with dis-  
 23 abilities and English language learners;  
 24 and

1           “(C) provide feedback on the performance  
 2           of beginning principals and other school leaders  
 3           to local principal and leader preparation pro-  
 4           grams and recommendations for improving such  
 5           programs;

6           “(5)(A) create or enhance opportunities for  
 7           teachers and school librarians to assume new school  
 8           leadership roles and responsibilities, including—

9               “(i) serving as mentors, instructional  
 10           coaches, or master teachers; or

11               “(ii) assuming increased responsibility for  
 12           professional development activities, curriculum  
 13           development, or school improvement and leader-  
 14           ship activities; and

15           “(B) provide training for teachers who assume  
 16           such school leadership roles and responsibilities; and

17           “(6) provide significant and sustainable sti-  
 18           pends above a teacher’s base salary for teachers that  
 19           serve as mentors, instructional coaches, teacher lead-  
 20           ers, or evaluators under the programs described in  
 21           this subsection.

22           “(b) SURVEY.—A local educational agency receiving  
 23           a subgrant under this part shall conduct a valid and reli-  
 24           able full population survey of teaching and learning, at  
 25           the school and local educational agency level, and include,

1 as topics in the survey, not less than the following ele-  
 2 ments essential to improving student learning and retain-  
 3 ing effective teachers:

4           “(1) Instructional planning time.

5           “(2) School leadership.

6           “(3) Decisionmaking processes.

7           “(4) Professional development.

8           “(5) Facilities and resources, including the  
 9 school library.

10          “(6) Beginning teacher induction.

11          “(7) School safety and environment.

12          “(c) INTEGRATION AND ALIGNMENT.—The system  
 13 described in subsection (a) shall—

14           “(1) integrate and align all of the activities de-  
 15 scribed in such subsection;

16           “(2) be informed by, and integrated with, the  
 17 results of the survey described in subsection (b);

18           “(3) be aligned with the State’s school improve-  
 19 ment efforts under sections 1116 and 1117; and

20           “(4) be aligned with the programs funded  
 21 under title II of the Higher Education Act of 1965  
 22 and other professional development programs au-  
 23 thorized under this Act.

24          “(d) ELIGIBLE ENTITIES.—The assistance required  
 25 to be provided under this section may be provided—

1 “(1) by the local educational agency; or

2 “(2) by the local educational agency, in collabo-  
3 ration with—

4 “(A) the State educational agency;

5 “(B) an institution of higher education;

6 “(C) a nonprofit organization;

7 “(D) a teacher organization;

8 “(E) a principal or school leader organiza-  
9 tion;

10 “(F) an educational service agency;

11 “(G) a teaching residency program; or

12 “(H) another nonprofit entity with experi-  
13 ence in helping schools improve student achieve-  
14 ment.

15 **“SEC. 2503. RULE OF CONSTRUCTION.**

16 “Nothing in this part shall be construed to alter or  
17 otherwise affect the rights, remedies, and procedures af-  
18 fforded school or school district employees under Federal,  
19 State, or local laws (including applicable regulations or  
20 court orders) or under the terms of collective bargaining  
21 agreements, memoranda of understanding, or other agree-  
22 ments between such employees and their employers.

23 **“SEC. 2504. PROGRAM EVALUATION.**

24 “(a) IN GENERAL.—Each program required under  
25 section 2502(a) shall include a formal evaluation system

1 to determine, at a minimum, the effectiveness of each such  
 2 program on—

3 “(1) student learning;

4 “(2) retaining teachers and principals, including  
 5 differentiating the retainment data by profession  
 6 and by the level of performance of the teachers and  
 7 principals, based on the evaluation system described  
 8 in section 2502(a)(3);

9 “(3) teacher, principal, and other school leader  
 10 practice, which shall include, for teachers and prin-  
 11 cipals, practice measured by the teacher and prin-  
 12 cipal evaluation system described in section  
 13 2502(a)(3);

14 “(4) student graduation rates, as applicable;

15 “(5) teaching, learning, and working conditions;

16 “(6) parent, family, and community involve-  
 17 ment and satisfaction;

18 “(7) student attendance rates;

19 “(8) teacher and principal satisfaction; and

20 “(9) student behavior.

21 “(b) LOCAL EDUCATIONAL AGENCY AND SCHOOL  
 22 EFFECTIVENESS.—The formal evaluation system de-  
 23 scribed in subsection (a) shall also measure the effective-  
 24 ness of the local educational agency and school in—

1           “(1) implementing the comprehensive induction  
2           program described in section 2502(a)(1);

3           “(2) implementing high-quality professional de-  
4           velopment described in section 2502(a)(2);

5           “(3) developing and implementing a rigorous,  
6           transparent, and equitable teacher and principal  
7           evaluation system described in section 2502(a)(3);

8           “(4) implementing mentoring, coaching, and  
9           professional development for school principals and  
10          other school leaders described in section 2502(a)(4);

11          “(5) ensuring that mentors, teachers, and  
12          schools are using data to inform instructional prac-  
13          tices; and

14          “(6) ensuring that the comprehensive induction  
15          and high-quality mentoring required under section  
16          2502(a)(1) and the high impact professional devel-  
17          opment required under section 2502(a)(2) are inte-  
18          grated and aligned with the State’s school improve-  
19          ment efforts under sections 1116 and 1117.

20          “(c) CONDUCT OF EVALUATION.—The evaluation de-  
21          scribed in subsection (a) shall be—

22               “(1) conducted by the State, an institution of  
23               higher education, or an external agency that is expe-  
24               rienced in conducting such evaluations; and

1           “(2) developed in collaboration with groups  
2       such as—

3           “(A) experienced educators with track  
4       records of success in the classroom;

5           “(B) institutions of higher education in-  
6       volved with teacher induction and professional  
7       development located within the State; and

8           “(C) local teacher, principal, and school  
9       leader organizations.

10       “(d) DISSEMINATION.—

11           “(1) IN GENERAL.—The results of the evalua-  
12       tion described in subsection (a) shall be submitted to  
13       the Secretary.

14           “(2) DISSEMINATION.—The Secretary shall  
15       make the results of each evaluation described in sub-  
16       section (a) available to States, local educational  
17       agencies, and the public.

18       **“SEC. 2505. AUTHORIZATION OF APPROPRIATIONS.**

19           ““There are authorized to be appropriated to carry out  
20       this part such sums as may be necessary for fiscal year  
21       2014 and each succeeding fiscal year.”.

22       (b) TABLE OF CONTENTS.—The table of contents in  
23       section 2 of the Elementary and Secondary Education Act  
24       of 1965 is amended by inserting after the item relating  
25       to section 2441 the following:

“PART E—BUILDING SCHOOL CAPACITY FOR EFFECTIVE TEACHING AND  
LEADERSHIP

“Sec. 2501. Local school improvement activities.

“Sec. 2502. Use of funds.

“Sec. 2503. Rule of Construction.

“Sec. 2504. Program evaluation.

“Sec. 2505. Authorization of appropriations.”.

