

113TH CONGRESS
1ST SESSION

S. 1087

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 SENATE OF THE UNITED STATES

JUNE 4, 2013

Mrs. HAGAN (for herself, Mrs. MURRAY, and Ms. BALDWIN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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 “Enhancing Education
5 Through Technology Act of 2013”.

1 **SEC. 2. ACHIEVEMENT THROUGH TECHNOLOGY AND INNO-**
2 **VATION.**

3 Part D of title II of the Elementary and Secondary
4 Education Act of 1965 (20 U.S.C. 6751 et seq.) is amend-
5 ed to read as follows:

6 **“PART D—ACHIEVEMENT THROUGH**
7 **TECHNOLOGY AND INNOVATION**

8 **“SEC. 2401. PURPOSES.**

9 “The purposes of this part are—

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

16 “(2) to ensure all students have access to indi-
17 vidualized, rigorous, and engaging digital learning
18 experiences;

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

25 “(4) to ensure that administrators have the
26 leadership, management, knowledge, and skills to de-

1 sign, develop, and implement a school or local edu-
2 cational agency-wide digital age learning environ-
3 ment;

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

6 “(6) to address the connectivity needs of local
7 educational agencies and educational service agen-
8 cies that are eligible for support under the E-rate
9 program without duplicating the support available
10 under such program;

11 “(7) to ensure that students have increased ac-
12 cess to dual and concurrent enrollment opportuni-
13 ties, career and technical courses, and programs
14 leading to an industry recognized credential; and

15 “(8) to ensure that State educational agencies,
16 local educational agencies, and elementary schools
17 and secondary schools have the technological capac-
18 ity and infrastructure to meet purposes described in
19 paragraphs (1) through (7).

20 **“SEC. 2402. E-RATE RESTRICTION.**

21 “Funds awarded under this part may be used to ad-
22 dress the networking needs of a recipient of such funds
23 for which the recipient is eligible to receive support under
24 the E-rate program, except that such funds may not be

1 duplicative of support received by the recipient under the
2 E-rate program.

3 **“SEC. 2403. DEFINITIONS.**

4 “In this part:

5 “(1) DIGITAL LEARNING.—The term ‘digital
6 learning’ means any instructional practice that effec-
7 tively uses technology to strengthen a student’s
8 learning experience and encompasses a wide spec-
9 trum of tools and practices, including—

10 “(A) interactive learning resources that en-
11 gage students in academic content;

12 “(B) access to online databases and other
13 primary source documents;

14 “(C) the use of data to personalize learn-
15 ing and provide targeted supplementary instruc-
16 tion;

17 “(D) student collaboration with content ex-
18 perts and peers;

19 “(E) online and computer-based assess-
20 ments;

21 “(F) digital content, adaptive, and simula-
22 tion software or courseware;

23 “(G) online courses, online instruction, or
24 digital learning platforms;

1 “(H) mobile and wireless technologies for
2 learning in school and at home;

3 “(I) learning environments that allow for
4 rich collaboration and communication;

5 “(J) authentic audiences for learning in a
6 relevant, real world experience;

7 “(K) teacher participation in virtual pro-
8 fessional communities of practice; and

9 “(L) hybrid or blended learning, which oc-
10 curs under direct instructor supervision at a
11 school or other location away from home and,
12 at least in part, through online delivery of in-
13 struction with some element of student control
14 over time, place, path, or pace.

15 “(2) ELIGIBLE PARTNERSHIP.—The term ‘eligi-
16 ble partnership’ means a partnership that shall in-
17 clude not less than 1 high-need local educational
18 agency and not less than 1—

19 “(A) State educational agency;

20 “(B) local educational agency, educational
21 service agency, consortium of local educational
22 agencies, or consortium of educational service
23 agencies, that can demonstrate that teachers in
24 schools served by the agency are effectively in-
25 tegrating technology and proven teaching stand-

1 ards into instruction, based on a review of rel-
 2 evant research, and that such integration re-
 3 sults in improvement in—

4 “(i) classroom instruction in the core
 5 academic subjects; and

6 “(ii) the preparation of students to
 7 meet State academic content and student
 8 academic achievement standards;

9 “(C) institution of higher education;

10 “(D) nonprofit or community-based organi-
 11 zation; or

12 “(E) business or for-profit organization.

13 “(3) 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 “(4) E-RATE PROGRAM.—The term ‘E-rate pro-
 23 gram’ means the Schools and Libraries Universal
 24 Service Support Mechanism established under sec-

1 tion 254(h)(1)(B) of the Communications Act of
 2 1934 (47 U.S.C. 254(h)(1)(B)).

3 “(5) HIGH-NEED LOCAL EDUCATIONAL AGEN-
 4 CY.—The term ‘high-need local educational agency’
 5 means a local educational agency that—

6 “(A) is among the local educational agen-
 7 cies in a State with the highest numbers or per-
 8 centages of children from families with incomes
 9 below the poverty line; and

10 “(B)(i) operates one or more schools iden-
 11 tified under section 1116; or

12 “(ii) has a substantial need for assistance
 13 in acquiring and using technology based on the
 14 technology readiness survey.

15 “(6) PROFESSIONAL DEVELOPMENT.—The
 16 term ‘professional development’ is a process of con-
 17 tinuous improvement for teachers and school leaders
 18 that improves educator knowledge, skills, and prac-
 19 tice toward the goal of increased student achieve-
 20 ment and—

21 “(A) is intensive, ongoing, connected to
 22 practice, and on-site where allowable;

23 “(B) is focused on student learning and
 24 addresses the teaching of specific curriculum
 25 content;

1 “(C) is aligned with school improvement
 2 priorities and goals of the school and local edu-
 3 cational agency; and

4 “(D) builds strong working relationships
 5 among teachers and school leaders that—

6 “(i) may be built around active pro-
 7 fessional learning communities; and

8 “(ii) may contain on-demand compo-
 9 nents, such as instructional videos, train-
 10 ing documents, or learning modules.

11 “(7) STUDENT TECHNOLOGY LITERACY.—The
 12 term ‘student technology literacy’ means student
 13 knowledge and skills in using contemporary informa-
 14 tion, communication, and learning technologies in a
 15 manner necessary for successful employment, life-
 16 long learning, and citizenship in the knowledge-
 17 based, digital, and global 21st century, including, at
 18 a minimum, the ability to—

19 “(A) effectively communicate and collabo-
 20 rate;

21 “(B) analyze and solve problems;

22 “(C) access, evaluate, manage, and create
 23 information and otherwise gain information lit-
 24 eracy;

1 “(D) demonstrate creative thinking, con-
 2 struct knowledge, and develop innovative prod-
 3 ucts and processes; and

4 “(E) carry out the activities described in
 5 subparagraphs (A) through (D) in a safe and
 6 ethical manner.

7 “(8) TECHNOLOGY READINESS SURVEY.—The
 8 term ‘technology readiness survey’ means a survey
 9 completed by a local educational agency that pro-
 10 vides standardized information comparable to the in-
 11 formation collected through the technology readiness
 12 survey administered under the Race to the Top As-
 13 sessment program under section 14006 of division A
 14 of the American Recovery and Reinvestment Act of
 15 2009 (Public Law 111–5) on the quantity and types
 16 of technology infrastructure and access available to
 17 the students served by the local educational agency,
 18 including computer devices, Internet connectivity,
 19 operating systems, related network infrastructure,
 20 data systems, and—

21 “(A) requiring—

22 “(i) an internal review of the degree
 23 to which instruction, additional student
 24 support, and professional development is
 25 delivered in digital formats, media, and

1 platforms and is available to students and
 2 educators at any time;

3 “(ii) an internal review of the ability
 4 of educators to use assessments and other
 5 student data to personalize and strengthen
 6 instruction and identify professional devel-
 7 opment needs and priorities; and

8 “(iii) any other information required
 9 by the State educational agency serving
 10 the local educational agency; and

11 “(B) may include an assessment of local
 12 community needs to ensure students have ade-
 13 quate online access and access to devices for
 14 school-related work during out-of-school time.

15 “(9) UNIVERSAL DESIGN FOR LEARNING.—The
 16 term ‘universal design for learning’ has the meaning
 17 given the term in section 103 of the Higher Edu-
 18 cation Act of 1965 (20 U.S.C. 1003).

19 **“Subpart 1—Technology Readiness and Access**

20 **“SEC. 2411. TECHNOLOGY GRANTS PROGRAM AUTHORIZED.**

21 “(a) IN GENERAL.—From the amounts appropriated
 22 under section 2416, the Secretary shall award State
 23 grants for technology readiness and access (in this subpart
 24 referred to as ‘grants’) to State educational agencies to
 25 strengthen State and local technological infrastructure

1 and professional development that supports digital learn-
 2 ing through State activities under section 2413(c) and
 3 local activities under section 2414(c).

4 “(b) GRANTS TO STATE EDUCATIONAL AGENCIES.—

5 “(1) RESERVATIONS.—From the amounts ap-
 6 propriated under section 2416 for any fiscal year,
 7 the Secretary shall reserve—

8 “(A) three-fourths of 1 percent for the
 9 Secretary of Interior to provide assistance
 10 under this subpart for schools operated or fund-
 11 ed by the Bureau of Indian Education; and

12 “(B) 1 percent to provide assistance under
 13 this subpart to the outlying areas.

14 “(2) GRANTS.—From the amounts appro-
 15 priated under section 2416 for any fiscal year and
 16 remaining after the Secretary makes reservations
 17 under paragraph (1), the Secretary shall make a
 18 grant for the fiscal year to each State educational
 19 agency with an approved application under section
 20 2412 in an amount that bears the same relationship
 21 to such remainder as the amount the State edu-
 22 cational agency received under part A of title I for
 23 such year bears to the amount all State educational
 24 agencies with an approved application under section
 25 2412 received under such part for such year.

1 “(c) MINIMUM.—The amount of a grant to a State
2 educational agency under subsection (b)(2) for a fiscal
3 year shall not be less than one-half of 1 percent of the
4 total amount made available for grants to all State edu-
5 cational agencies under such subsection for such year.

6 “(d) REALLOTMENT OF UNUSED FUNDS.—If any
7 State educational agency does not apply for a grant under
8 subsection (b)(2) for a fiscal year, or does not use the
9 State educational agency’s entire grant under subsection
10 (b)(2) for such year, the Secretary shall reallocate the amount
11 of the State educational agency’s grant, or the unused por-
12 tion of the grant, to the remaining State educational agen-
13 cies that use their entire grant amounts under subsection
14 (b)(2) for such year.

15 “(e) MATCHING FUNDS.—

16 “(1) IN GENERAL.—A State educational agency
17 that receives a grant under subsection (b)(2) shall
18 provide matching funds, from non-Federal sources,
19 in an amount equal to 20 percent of the amount of
20 grant funds provided to the State educational agency
21 to carry out the activities supported by the grant.
22 Such matching funds may be provided in cash or in-
23 kind, except that any such in-kind contributions
24 shall be provided for the purpose of supporting the

1 State educational agency's activities under section
2 2413(c).

3 “(2) WAIVER.—The Secretary may waive the
4 matching requirement under paragraph (1) for a
5 State educational agency that demonstrates that
6 such requirement imposes an undue financial hard-
7 ship on the State educational agency.

8 **“SEC. 2412. STATE APPLICATIONS.**

9 “(a) APPLICATION.—To receive a grant under section
10 2411(b)(2), a State educational agency shall submit to the
11 Secretary an application at such time and in such manner
12 as the Secretary may require and containing the informa-
13 tion described in subsection (b).

14 “(b) CONTENTS.—Each application submitted under
15 subsection (a) shall include the following:

16 “(1) A description of how the State educational
17 agency will meet the following goals:

18 “(A) Use technology to ensure all students
19 achieve college and career readiness and stu-
20 dent technology literacy, including by providing
21 high-quality education opportunities to economi-
22 cally or geographically isolated student popu-
23 lations.

24 “(B) Provide educators with the tools, de-
25 vices, content, and resources to—

1 “(i) significantly improve teaching
2 and learning, including support to increase
3 personalization for and engagement of stu-
4 dents in pursuit of college and career read-
5 iness and student technology literacy; and

6 “(ii) develop and use assessments to
7 improve instruction, consistent with the
8 principles of universal design for learning,
9 including for students who are children
10 with disabilities and children who are lim-
11 ited English proficient.

12 “(C) Ensure administrators and school
13 leaders have the flexibility and capacity to de-
14 velop and manage systems to carry out activi-
15 ties described in subparagraphs (A) and (B),
16 and support administrators and school leaders
17 in utilizing technology to promote equity and
18 increase efficiency and productivity.

19 “(D) Enable local educational agencies to
20 build the technological capacity and infrastruc-
21 ture (including through local purchasing of eli-
22 gible technology), necessary for the full imple-
23 mentation of online assessments for all stu-
24 dents, (including students who are children with

1 disabilities and children who are limited English
2 proficient) and to—

3 “(i) ensure the interoperability of data
4 systems and eligible technology; and

5 “(ii) carry out subparagraphs (A)
6 through (C).

7 “(2) A description of the technology readiness
8 in the State, as determined by local educational
9 agency responses to the technology readiness survey,
10 including—

11 “(A) the status of the ability of each local
12 educational agency served by the State edu-
13 cational agency to meet the goals described in
14 section 2414(b)(1);

15 “(B) an assurance that not less 90 percent
16 of the local educational agencies served by the
17 State educational agency have completed and
18 submitted the technology readiness survey to
19 the State educational agency; and

20 “(C) an assurance that the results of the
21 technology readiness survey for each such local
22 educational agency are made available to the
23 Secretary and the public through the website of
24 the local educational agency.

1 “(3) A description of the plan for the State
2 educational agency to support each local educational
3 agency served by the State educational agency in
4 meeting the goals described in section 2414(b)(1)
5 not later than 3 years after the local educational
6 agency completes the technology readiness survey by
7 addressing the readiness gaps identified in such sur-
8 vey.

9 “(4) A description of—

10 “(A) the State’s process for the adoption,
11 acquisition, distribution, and use of content;

12 “(B) how the State will ensure integrity of
13 such processes;

14 “(C) how such processes support the goals
15 under paragraph (1) or how a State will change
16 such processes to support such goals; and

17 “(D) how the State will ensure content
18 quality.

19 “(5) A description of how the State educational
20 agency will ensure that the State educational agen-
21 cy’s data systems and eligible technology are inter-
22 operable.

23 “(6) An assurance that the State educational
24 agency will consider making content widely available
25 through open educational resources when making

1 purchasing decisions with funds received under this
2 subpart.

3 “(7) A description of the State’s student tech-
4 nology literacy standards and the technology stand-
5 ards for teachers and administrators, and an assur-
6 ance that the State’s student technology literacy
7 standards meet the requirements of section 2403(7).

8 “(8) An assurance that subgrant awards under
9 section 2414 will be carried out by the State edu-
10 cational agency staff with responsibility for leader-
11 ship, coordination, and implementation of instruc-
12 tional and other classroom technologies.

13 “(9) A description of how the State educational
14 agency will award subgrants to local educational
15 agencies under section 2414.

16 “(10) A description of the process, activities,
17 and performance measures that the State edu-
18 cational agency will use to evaluate the impact and
19 effectiveness of the grant and subgrant funds award-
20 ed under this subpart across the State and in each
21 local educational agency.

22 “(11) A description of how the State edu-
23 cational agency will, in providing technical and other
24 assistance to local educational agencies, give priority

1 to the local educational agencies proposing to target
2 services to—

3 “(A) students in schools in need of im-
4 provement and persistently low-achieving
5 schools; and

6 “(B) schools with a high percentage of stu-
7 dents who are eligible for free or reduced price
8 lunch under the Richard B. Russell National
9 School Lunch Act (42 U.S.C. 1751 et seq.).

10 “(12) A description of how the State edu-
11 cational agency consulted with local educational
12 agencies in the development of the State educational
13 agency’s application under this subsection.

14 “(13) An assurance that the State educational
15 agency will provide matching funds as required
16 under section 2411(e).

17 “(14) A description of how the State edu-
18 cational agency will ensure that funds received under
19 this subpart do not duplicate support received under
20 the E-rate program.

21 “(15) An assurance that the State educational
22 agency will protect the privacy and safety of stu-
23 dents and teachers, consistent with requirements of
24 section 444 of the General Education Provisions Act
25 (20 U.S.C. 1232g) (commonly known as the ‘Family

1 Educational Rights and Privacy Act of 1974') and
 2 section 2441(a).

3 **“SEC. 2413. STATE USE OF GRANT FUNDS.**

4 “(a) RESERVATION FOR SUBGRANTS TO SUPPORT
 5 TECHNOLOGY INFRASTRUCTURE.—Each State edu-
 6 cational agency that receives a grant under section
 7 2411(b)(2) shall expend not less than 90 percent of the
 8 grant amount for each fiscal year to award subgrants to
 9 local educational agencies in accordance with section
 10 2414.

11 “(b) RESERVATION FOR STATE ACTIVITIES.—

12 “(1) IN GENERAL.—A State educational agency
 13 shall reserve not more than 10 percent of the grant
 14 received under section 2411(b)(2) for the State ac-
 15 tivities described in subsection (c).

16 “(2) GRANT ADMINISTRATION.—

17 “(A) IN GENERAL.—Subject to subpara-
 18 graph (B), of the amount reserved by a State
 19 educational agency under paragraph (1), the
 20 State educational agency may reserve for the
 21 administration of the grant under this sub-
 22 part—

23 “(i) not more than—

24 “(I) 1 percent in the case of a
 25 State educational agency awarding

1 subgrants under section 2414(a)(1);
2 or

3 “(II) 3 percent in the case of a
4 State educational agency awarding
5 subgrants under section 2414(a)(2).

6 “(B) SPECIAL RULE.—Notwithstanding
7 subparagraph (A), a State educational agency
8 that forms a State purchasing consortium
9 under subsection (d)—

10 “(i) may reserve an additional 1 per-
11 cent to carry out the activities described in
12 subsection (d)(1); and

13 “(ii) may reserve amounts in addition
14 to the percentage described in clause (i) if
15 the State purchasing consortium receives
16 direct approval from the local educational
17 agencies receiving subgrants under section
18 2414(a) from the State educational agency
19 prior to reserving more than the additional
20 percentage authorized under clause (i).

21 “(c) STATE ACTIVITIES.—A State educational agency
22 shall use funds described in subsection (b) to carry out
23 each of the following:

24 “(1) Except for the awarding of subgrants in
25 accordance with section 2414, activities described in

1 the State educational agency’s application under sec-
2 tion 2412(b).

3 “(2) Providing technical assistance to local edu-
4 cational agencies to—

5 “(A) identify and address technology readi-
6 ness needs;

7 “(B) redesign curriculum and instruction,
8 improve educational productivity, and deliver
9 computer-based and online assessment;

10 “(C) use technology, consistent with the
11 principles of universal design for learning, to
12 support the learning needs of all students, in-
13 cluding students who are children with disabil-
14 ities and children who are limited English pro-
15 ficient;

16 “(D) support principals so that principals
17 have the expertise to evaluate teachers’ pro-
18 ficiency in implementing digital tools for teach-
19 ing and learning; and

20 “(E) build capacity for individual school
21 and local educational agency leaders.

22 “(3) Developing or utilizing research-based or
23 innovative strategies for the delivery of specialized or
24 rigorous academic courses and curricula through the

1 use of technology, including digital learning tech-
2 nologies and assistive technology.

3 “(4) Integrating and coordinating activities
4 under this subpart with other educational resources
5 and programs across the State.

6 “(5) Disseminating information, including mak-
7 ing publicly available on the website of the State
8 educational agency, promising practices to improve
9 technology instruction, and acquiring and imple-
10 menting technology tools and applications.

11 “(6) Ensuring that teachers, paraprofessionals,
12 library and media personnel, specialized instructional
13 support personnel, and administrators possess the
14 knowledge and skills to use technology—

15 “(A) for curriculum redesign to change
16 teaching and learning and improve student
17 achievement;

18 “(B) for formative and summative assess-
19 ment administration, data analysis, and to per-
20 sonalize learning;

21 “(C) to improve student technology lit-
22 eracy;

23 “(D) to expand the range of supports and
24 accommodations available to children who are

1 limited English proficient and students who are
2 children with disabilities;

3 “(E) for ongoing professional development
4 and for access to teaching resources and tools;
5 and

6 “(F) to provide access to dual enrollment
7 opportunities, career and technical courses, and
8 programs leading to an industry recognized cre-
9 dential.

10 “(7) Coordinating with teacher and school lead-
11 er preparation programs to—

12 “(A) align digital learning teaching stand-
13 ards; and

14 “(B) provide ongoing professional develop-
15 ment for teachers and school leaders that is
16 aligned to State student technology standards
17 and activities promoting college and career
18 readiness.

19 “(d) PURCHASING CONSORTIA.—

20 “(1) IN GENERAL.—A State educational agency
21 receiving a grant under section 2411(b)(2) may—

22 “(A) form a State purchasing consortium
23 with 1 or more State educational agencies re-
24 ceiving such a grant to carry out the State ac-

1 activities described in subsection (c), including
2 purchasing eligible technology;

3 “(B) encourage local educational agencies
4 to form local purchasing consortia under section
5 2414(c)(4); and

6 “(C) promote pricing opportunities to local
7 educational agencies for the purchase of eligible
8 technology that are—

9 “(i) negotiated by the State edu-
10 cational agency or the State purchasing
11 consortium of the State educational agen-
12 cy; and

13 “(ii) available to such local edu-
14 cational agencies.

15 “(2) RESTRICTIONS.—A State educational
16 agency receiving a grant under section 2411(b)(2)
17 shall not—

18 “(A) except for promoting the pricing op-
19 portunities described in paragraph (1)(C), make
20 recommendations to local educational agencies
21 for, or require, use of any specific commercial
22 products and services by local educational agen-
23 cies;

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

4 “(C) use more than the amount reserved
 5 under subsection (b) to carry out the activities
 6 described in paragraph (1), unless the State
 7 educational agency receives approval in accord-
 8 ance with subsection (b)(2)(B).

9 **“SEC. 2414. LOCAL SUBGRANTS.**

10 “(a) SUBGRANTS.—

11 “(1) GRANTS TO LOCAL EDUCATIONAL AGEN-
 12 CIES.—From the grant funds provided under section
 13 2411(b)(2) to a State educational agency that are
 14 remaining after the State educational agency makes
 15 reservations under section 2413(b) for any fiscal
 16 year and subject to paragraph (2), the State edu-
 17 cational agency shall award subgrants for the fiscal
 18 year to local educational agencies served by the
 19 State educational agency and with an approved ap-
 20 plication under subsection (b) by allotting to each
 21 such local educational agency an amount that bears
 22 the same relationship to the remainder as the
 23 amount received by the local educational agency
 24 under part A of title I for such year bears to the
 25 amount received by all such local educational agen-

1 cies under such part for such year, except that no
 2 local educational agency may receive less than
 3 \$3,000.

4 “(2) COMPETITIVE GRANTS TO LOCAL EDU-
 5 CATIONAL AGENCIES.—If the amount of funds ap-
 6 propriated under section 2411 is less than
 7 \$300,000,000 for any fiscal year, a State edu-
 8 cational agency—

9 “(A) shall not award subgrants under
 10 paragraph (1); and

11 “(B) shall—

12 “(i) award subgrants, on a competi-
 13 tive basis, to local educational agencies
 14 based on the quality of applications sub-
 15 mitted under subsection (b), including—

16 “(I) the level of technology readi-
 17 ness, as determined by the technology
 18 readiness surveys completed by local
 19 educational agencies submitting such
 20 applications; and

21 “(II) the technology plans de-
 22 scribed in subsection (b)(4) and how
 23 the local educational agencies with
 24 such plans will carry out the align-

1 ment and coordination described in
2 such subsection;

3 “(ii) ensure that such subgrants are
4 of sufficient size and scope to carry out the
5 local activities described in subsection (c);
6 and

7 “(iii) give priority to local educational
8 agencies that have demonstrated substan-
9 tial need for assistance in acquiring and
10 using technology, based on the agency’s
11 technology readiness survey.

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

16 “(A) a local educational agency;

17 “(B) an educational service agency; or

18 “(C) a local educational agency and an
19 educational service agency.

20 “(b) APPLICATION.—A local educational agency that
21 desires to receive a subgrant under subsection (a) shall
22 submit an application to the State at such time, in such
23 manner, and accompanied by such information as the
24 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 (D) of section
5 2412(b)(1); and

6 “(B) enable schools served by the local
7 educational agency to build the technological
8 capacity and infrastructure (including through
9 local purchasing of eligible technology), nec-
10 essary for the full implementation of online as-
11 sessments for all students (including students
12 who are children with disabilities and children
13 who are limited English proficient) and to—

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

16 “(ii) carry out the goals described in
17 subparagraphs (A) through (D) of section
18 2412(b)(1);

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

1 “(3) a description of the local educational agen-
2 cy’s student technology literacy standards, the agen-
3 cy’s goals for the technology skills for teachers and
4 administrators, and an assurance that the student
5 technology literacy standards meet the requirements
6 of section 2403(7);

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

12 “(5) a description of the team of educators who
13 will coordinate and carry out the activities under
14 this section, including individuals with responsibility
15 and expertise in instructional technology, teachers
16 that specialize in supporting students who are chil-
17 dren with disabilities and children who are limited
18 English proficient, school leaders, technology offi-
19 cers, and staff responsible for assessments and data
20 analysis;

21 “(6) a description of how the local educational
22 agency will evaluate teachers’ proficiency and
23 progress in implementing technology for teaching
24 and learning;

1 “(7) a description of how the local educational
2 agency will ensure that principals have the expertise
3 to evaluate teachers’ proficiency and progress in im-
4 plementing technology for teaching and learning and
5 the interoperability of data systems and eligible tech-
6 nology;

7 “(8) a description of—

8 “(A) the local educational agency’s pro-
9 curement process and process for the creation,
10 acquisition, distribution, and use of content;

11 “(B) how the local educational agency will
12 ensure integrity of such processes;

13 “(C) how such processes support the goals
14 described in paragraph (1) or how a local edu-
15 cational agency will change such processes to
16 support such goals; and

17 “(D) how the local educational agency will
18 ensure content quality;

19 “(9) a description of how the local educational
20 agency will carry out activities under subsection (c);

21 “(10) a description of how the subgrant funds
22 received under subsection (a) will be coordinated
23 with and supported by other Federal, State, and
24 local funds to support activities under this subpart;

1 “(11) a description of how the local educational
2 agency will ensure that the subgrant received under
3 subsection (a) is not duplicative of support received
4 under the E-rate program; and

5 “(12) an assurance that the local educational
6 agency will protect the privacy and safety of stu-
7 dents and teachers, consistent with requirements
8 section 444 of the General Education Provisions Act
9 (20 U.S.C. 1232g) (commonly known as the ‘Family
10 Educational Rights and Privacy Act of 1974’) and
11 section 2441(a).

12 “(c) USE OF FUNDS.—

13 “(1) TECHNOLOGY INFRASTRUCTURE.—Subject
14 to paragraph (3), a local educational agency receiv-
15 ing a subgrant under subsection (a) shall use not
16 less than 40 percent of such funds to support activi-
17 ties for the acquisition of eligible technology needed
18 to—

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

1 “(B) address readiness shortfalls identified
2 under the technology readiness survey com-
3 pleted by the local educational agency.

4 “(2) PROFESSIONAL DEVELOPMENT FOR DIG-
5 ITAL LEARNING.—Subject to paragraph (3), a local
6 educational agency receiving a subgrant under sub-
7 section (a)—

8 “(A) shall use not less than 35 percent of
9 such funds to carry out—

10 “(i) digital age professional develop-
11 ment opportunities for teachers, para-
12 professionals, library and media personnel,
13 specialized instructional support personnel,
14 technology coordinators, and administra-
15 tors in the effective use of modern infor-
16 mation and communication technology
17 tools and digital resources to deliver in-
18 struction, curriculum and school classroom
19 management, including for classroom
20 teachers to assess, support, and provide
21 engaging student learning opportunities,
22 including professional development that—

23 “(I) is ongoing, sustainable, and
24 scalable;

25 “(II) is participatory;

1 “(III) includes communication
 2 and regular interactions with instruc-
 3 tors, facilitators, and peers and is di-
 4 rectly related to up-to-date teaching
 5 methods in content areas;

6 “(IV) includes strategies and
 7 tools for improving communication
 8 with parents and family engagement;

9 “(V) may be built around active
 10 professional learning communities or
 11 online communities of practice or
 12 other tools that increase collaboration
 13 among teachers across schools, local
 14 educational agencies, or States; and

15 “(VI) may contain on-demand
 16 components, such as instructional vid-
 17 eos, training documents, or learning
 18 modules;

19 “(ii) ongoing professional development
 20 in strategies and pedagogy in the core aca-
 21 demic subjects that involve the use of tech-
 22 nology and curriculum redesign as key
 23 components of supporting effective, innova-
 24 tive teaching and learning, and improving
 25 student achievement;

1 “(iii) ongoing professional develop-
 2 ment in the use of educational technologies
 3 to ensure every educator achieves and
 4 maintains student technology literacy, in-
 5 cluding possessing and maintaining the
 6 knowledge and skills to use technology—

7 “(I) across the curriculum for
 8 student learning;

9 “(II) for real-time data analysis
 10 and online or digital assessment to en-
 11 able individualized instruction; and

12 “(III) to develop and maintain
 13 student technology literacy;

14 “(iv) ongoing professional develop-
 15 ment for school leaders to provide and pro-
 16 mote leadership in the use of—

17 “(I) educational technology to en-
 18 sure a digital-age learning environ-
 19 ment, including the capacity to lead
 20 the reform or redesign of curriculum,
 21 instruction, assessment; and

22 “(II) data through the use of
 23 technology in order to increase stu-
 24 dent learning opportunity, student
 25 technology literacy, student access to

1 technology, and student engagement
2 in learning; and

3 “(v) a review of the effectiveness of
4 the professional development and regular
5 intervals of learner feedback and data; and
6 “(B) may use such funds for—

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

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

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

23 “(ii) innovative approaches to ongoing
24 professional development such as non-
25 standard achievement recognition strate-

gies, including digital badging,
 gamification elements, use of learner-created 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

1 carry out the activities described in this sub-
 2 section, including purchasing eligible tech-
 3 nology; and

4 “(B) use such funds for purchasing eligible
 5 technology through a State purchasing con-
 6 sortia under section 2413(d).

7 **“SEC. 2415. REPORTING.**

8 “(a) LOCAL EDUCATIONAL AGENCIES.—Each local
 9 educational agency receiving a subgrant under section
 10 2414 shall submit to the State educational agency that
 11 awarded such subgrant an annual report the meets the
 12 requirements of subsection (c).

13 “(b) STATE EDUCATIONAL AGENCIES.—Each State
 14 educational agency receiving a grant under section
 15 2411(b)(2) shall submit to the Secretary an annual report
 16 that meets the requirements of subsection (c).

17 “(c) REPORT REQUIREMENTS.—A report submitted
 18 under subsection (a) or (b) shall include, at a minimum,
 19 a description of—

20 “(1) the status of the State educational agen-
 21 cy’s plan described in section 2412(b)(3) or the local
 22 education agency’s technology plan under section
 23 2414(b)(4), as applicable;

1 “(2) the categories of eligible technology ac-
2 quired with funds under this subpart and how such
3 technology is being used;

4 “(3) the professional development activities
5 funded under this subpart, including types of activi-
6 ties and entities involved in providing such profes-
7 sional development to classroom teachers and other
8 staff, such as school librarians;

9 “(4) the instruction, strategies, activities, and
10 curricula used in the programs funded under this
11 subpart; and

12 “(5) the types of programs funded under this
13 subpart.

14 **“SEC. 2416. AUTHORIZATION.**

15 “‘There are authorized to be appropriated to carry out
16 this subpart \$1,000,000,000 for fiscal year 2014 and such
17 sums as may be necessary for each of the 4 succeeding
18 fiscal years.

19 **“Subpart 2—Technology for Tomorrow Fund**

20 **“SEC. 2421. SHORT TITLE.**

21 “‘This subpart may be cited as the ‘Technology for
22 Tomorrow Fund’.

23 **“SEC. 2422. TECHNOLOGY FOR TOMORROW FUND.**

24 “(a) GRANTS TO ELIGIBLE PARTNERSHIPS.—From
25 the amounts appropriated under section 2427 and not re-

1 served under subsection (b), the Secretary shall award
 2 grants, on a competitive basis, to eligible partnerships to
 3 enable the eligible partnerships to carry out activities de-
 4 scribed in section 2424 to improve student achievement,
 5 academic growth, and college and career readiness
 6 through the use of technology and digital learning.

7 “(b) RESERVATION OF FUNDS.—The Secretary may
 8 reserve not more than 5 percent of the amounts appro-
 9 priated under section 2427 for a fiscal year for—

10 “(1) the administration of this subpart; and

11 “(2) the evaluation and dissemination activities
 12 described in section 2424(b).

13 “(c) DURATION OF GRANT PERIOD.—A grant under
 14 subsection (a) shall be awarded to an eligible partnership
 15 for not less than a 2-year period and not more than a
 16 3-year period, except that the Secretary may award the
 17 eligible partnership an additional 2-year grant if the eligi-
 18 ble partnership demonstrates satisfactory progress on the
 19 performance measures described in section 2426(a).

20 **“SEC. 2423. APPLICATION.**

21 “(a) IN GENERAL.—To receive a grant under section
 22 2422, an eligible partnership shall submit an application
 23 at such time and in such manner as the Secretary may
 24 require, and containing the information described in sub-
 25 section (b).

1 “(b) CONTENTS.—An application submitted under
2 subsection (a) shall include—

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

6 “(2) a demonstration of each partner’s capacity
7 and commitment to fulfill its role and responsibilities
8 to ensure the successful completion of activities de-
9 scribed in section 2424;

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

15 “(4) a description of how the activities funded
16 by the grant will be innovative, systemic, or evi-
17 dence-based by ensuring such activities—

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

21 “(B) may contribute to the development
22 and use of new models;

23 “(5) a description of how such activities will
24 utilize technology and digital learning to—

1 “(A) promote personalized, individualized
2 instruction that improves student achievement,
3 academic growth, and college and career readi-
4 ness;

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

8 “(C) ensure all students, particularly at-
9 risk and historically disadvantaged students, in-
10 cluding students who are children with disabil-
11 ities and children who are limited English pro-
12 ficient, have equitable access to high-quality
13 curriculum, instruction, assessments, tech-
14 nology, and digital learning; or

15 “(D) improve the efficiency and produc-
16 tivity of education;

17 “(6) a description of how the eligible partner-
18 ship will measure and report data on the effective-
19 ness of such activities under section 2425(a);

20 “(7) an assurance that the grant funds will not
21 solely be used—

22 “(A) to purchase materials, hardware, or
23 technology-based tools; or

24 “(B) to implement online learning to the
25 exclusion of other activities;

1 “(8) a description of how the eligible partner-
 2 ship will ensure that a grant received under this
 3 subpart is not duplicative of support received under
 4 the E-rate program; and

5 “(9) such other information as the Secretary
 6 may require.

7 “(c) APPLICATION REVIEW AND AWARD.—

8 “(1) APPLICATION REVIEW AND APPROVAL.—
 9 The Secretary shall—

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

13 “(B) appoint to the peer review process in-
 14 dividuals who are educators and experts in—

15 “(i) technology and digital learning;

16 “(ii) classroom instruction and teach-
 17 ing practice;

18 “(iii) school improvement, redesign, or
 19 turnaround;

20 “(iv) teacher and school leader train-
 21 ing or professional development; and

22 “(v) education efficiency and produc-
 23 tivity; and

24 “(C) ensure that each grant is of sufficient
 25 size and scope to carry out the activities de-

1 scribed in the grant application under sub-
2 section (b), including the activities described in
3 section 2424 and measuring and reporting data
4 under section 2425(a).

5 “(2) GRANT AWARD.—In awarding grants
6 under this subpart, the Secretary shall, to the extent
7 practicable, ensure—

8 “(A) diversity in the type of activities
9 funded under the grants, including statewide
10 and local initiatives;

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

14 “(C) that eligible partnerships receiving
15 such grants—

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

19 “(ii) are committed to and capable of
20 successfully carrying out the activities de-
21 scribed in the grant application submitted
22 under subsection (b), including the activi-
23 ties described in section 2424 and meas-
24 uring and reporting data under section
25 2425(a).

1 **“SEC. 2424. USE OF FUNDS.**

2 “(a) REQUIREMENTS.—An eligible partnership re-
3 ceiving a grant under this subpart shall use grant funds
4 to carry out 1 or more of the following activities that uti-
5 lize technology and digital learning:

6 “(1) Promoting personalized, individualized in-
7 struction that improves student achievement, aca-
8 demic growth, and college and career readiness, such
9 as—

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

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

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

23 “(D) expanding the accommodations avail-
24 able to students who are children with disabil-
25 ities and children who are limited English pro-
26 ficient.

1 “(2) Improving teacher and school leader prep-
2 aration, 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
17 technology and digital learning to improve stu-
18 dent 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 the prin-
3 ciple 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 who are children with disabilities through as-
8 sessment accommodations, including assistive
9 technology;

10 “(C) improving the education of children
11 who are limited English proficient, including
12 language proficiency and academic content,
13 through intuitive games and interfaces, web-
14 based interventions, or technology-based assess-
15 ments and assessment accommodations;

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

20 “(E) expanding learning opportunities,
21 particularly for students who are low-per-
22 forming or live in rural areas, that increase ac-
23 cess to high-quality curriculum and instruction,
24 advanced placement or international bacca-
25 laureate courses, science, technology, engineer-

1 ing, and mathematics education, or enrichment
2 activities; 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
8 of 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
14 improvement 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 subpart for a fiscal year—

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

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

1 **“SEC. 2425. DATA COLLECTION AND REPORTING.**

2 “(a) REPORTING.—Each eligible partnership receiv-
3 ing a grant under this subpart shall collect and report to
4 the Secretary, on at least an annual basis, such informa-
5 tion on the progress, outcomes, and best practices learned
6 from activities under the grant as the Secretary may re-
7 quire, 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 in-
11 formation about students who are served by the
12 eligible partnership under this subpart;

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

15 “(C) college and career readiness data
16 about students, such as rates of credit accumu-
17 lation, course taking and completion, and col-
18 lege 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 has ap-
24 proved 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 who
4 are children with disabilities and children who
5 are limited English proficient.

6 “(b) DISAGGREGATION.—Each eligible partnership
7 receiving a grant under this subpart shall disaggregate the
8 information required under subsection (a) in the same
9 manner as information is disaggregated under section
10 1111(h)(1)(C)(i).

11 **“SEC. 2426. PERFORMANCE MEASUREMENT AND EVALUA-**
12 **TION AND DISSEMINATION.**

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

18 “(1) shall include, at a minimum, information
19 on the impact of the grants on student outcomes as
20 reported under section 2425(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 2422(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 subpart on the effectiveness of all
6 grants awarded under this subpart; and

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

9 “(i) that focuses on the improvement
10 in student outcomes reported under para-
11 graphs (1) through (3) of section 2425(a);

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

17 “(iii) identifies the conditions and
18 practices needed for the effective use of
19 technology 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 assist-
25 ance to local educational agencies and State edu-

1 cational agencies on best practices in utilizing tech-
2 nology and digital learning to improve student
3 achievement, academic growth, and college and ca-
4 reer readiness; and

5 “(3) ensure that the Department of Education
6 applies the best practices described in paragraph (2)
7 in carrying out other innovation funds.

8 **“SEC. 2427. AUTHORIZATION OF APPROPRIATIONS.**

9 “There are authorized to be appropriated to carry out
10 this subpart such sums as may be necessary for fiscal year
11 2014 and each of the 4 succeeding fiscal years.”.

○