

113TH CONGRESS
1ST SESSION

S. 1101

To amend the Elementary and Secondary Education Act of 1965 to ensure that every child is ready for college or a career.

IN THE SENATE OF THE UNITED STATES

JUNE 6, 2013

Mr. ALEXANDER (for himself, Mr. BURR, Mr. ISAKSON, Mr. HATCH, Mr. ROBERTS, Mr. KIRK, and Mr. ENZI) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Elementary and Secondary Education Act of 1965 to ensure that every child is ready for college or a career.

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 “Every Child Ready
5 for College or Career Act of 2013”.

6 **SEC. 2. TABLE OF CONTENTS.**

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

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.

Sec. 4. Statement of purpose.

Sec. 5. Table of contents of the Elementary and Secondary Education Act of 1965.

TITLE I—IMPROVING BASIC PROGRAMS OPERATED BY STATE
AND LOCAL EDUCATIONAL AGENCIES

Sec. 101. Statement of purpose.

Sec. 102. Authorization of appropriations.

Sec. 103. School improvement and State administration.

Sec. 104. Basic program requirements.

Sec. 105. Participation of children enrolled in private schools.

Sec. 106. Title I funds follow the low-income child State option.

Sec. 107. Academic assessments.

Sec. 108. Evaluations.

Sec. 109. Demonstrations of innovative practices.

Sec. 110. General provisions.

Sec. 111. National assessment of educational progress.

TITLE II—HIGH-QUALITY TEACHERS AND PRINCIPALS

Sec. 201. High-quality teachers and principals.

TITLE III—SAFE AND HEALTHY STUDENTS

Sec. 301. General provisions.

TITLE IV—EMPOWERING PARENTS THROUGH QUALITY CHARTER
SCHOOLS

Sec. 401. Purpose.

Sec. 402. Program authorized.

Sec. 403. Grants to support high-quality charter schools.

Sec. 404. Facilities financing assistance.

Sec. 405. National activities.

Sec. 406. Records transfer.

Sec. 407. Definitions.

Sec. 408. Authorization of appropriations.

Sec. 409. General provisions.

TITLE V—STATE INNOVATION AND FLEXIBILITY

Sec. 501. Purposes.

Sec. 502. Transferability of funds.

Sec. 503. Waivers of statutory and regulatory requirements.

Sec. 504. Maintenance of effort.

Sec. 505. Plan approval process.

TITLE VI—EXTENSIONS OF AUTHORIZATIONS

Sec. 601. English learners and immigrant students.

Sec. 602. Magnet school assistance.

Sec. 603. Rural education achievement program.

Sec. 604. Indian, Native Hawaiian, and Alaska Native Education.

Sec. 605. Impact aid.

Sec. 606. McKinney-Vento Homeless Assistance.

1 **SEC. 3. REFERENCES.**

2 Except as otherwise expressly provided, whenever in
 3 this Act an amendment or repeal is expressed in terms
 4 of an amendment to, or repeal of, a section or other provi-
 5 sion, the reference shall be considered to be made to a
 6 section or other provision of the Elementary and Sec-
 7 ondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

8 **SEC. 4. STATEMENT OF PURPOSE.**

9 The purpose of this Act is to restore freedom to par-
 10 ents, teachers, principals, Governors, and local commu-
 11 nities so that they can improve their local public schools.

12 **SEC. 5. TABLE OF CONTENTS OF THE ELEMENTARY AND**
 13 **SECONDARY EDUCATION ACT OF 1965.**

14 Section 2 is amended to read as follows:

15 **“SEC. 2. TABLE OF CONTENTS.**

16 “The table of contents for this Act is as follows:

“Sec. 1. Short title.

“Sec. 2. Table of contents.

“TITLE I—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE
 DISADVANTAGED

“Sec. 1001. Statement of purpose.

“Sec. 1002. Authorization of appropriations.

“Sec. 1003. State administration.

“PART A—IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL
 AGENCIES

“SUBPART 1—BASIC PROGRAM REQUIREMENTS

“Sec. 1111. State plans.

“Sec. 1112. Local educational agency plans.

“Sec. 1113. Eligible school attendance areas; schoolwide programs; targeted as-
 sistance programs.

“Sec. 1114. School identification and assistance.

“Sec. 1115. Reserved.

“Sec. 1116. Reserved.

- “See. 1117. Reserved.
- “See. 1118. Parental involvement.
- “See. 1119. Qualifications for teachers and paraprofessionals.
- “See. 1120. Participation of children enrolled in private schools.
- “See. 1120A. Fiscal requirements.
- “See. 1120B. Coordination requirements.

“SUBPART 2—ALLOCATIONS

- “See. 1121. Grants for the outlying areas and the Secretary of the Interior.
- “See. 1122. Allocations to States.
- “See. 1124. Basic grants to local educational agencies.
- “See. 1124A. Concentration grants to local educational agencies.
- “See. 1125. Targeted grants to local educational agencies.
- “See. 1125AA. Adequacy of funding of targeted grants to local educational agencies in fiscal years after fiscal year 2001.
- “See. 1125A. Education finance incentive grant program.
- “See. 1126. Special allocation procedures.
- “See. 1127. Carryover and waiver.
- “See. 1128. Title I funds follow the low-income child State option.

“PART B—ACADEMIC ASSESSMENTS

- “See. 1201. Grants for State assessments and related activities.
- “See. 1202. Grants for enhanced assessment instruments.
- “See. 1203. Funding.

“PART C—EDUCATION OF MIGRATORY CHILDREN

- “See. 1301. Program purpose.
- “See. 1302. Program authorized.
- “See. 1303. State allocations.
- “See. 1304. State applications; services.
- “See. 1305. Secretarial approval; peer review.
- “See. 1306. Comprehensive needs assessment and service-delivery plan; authorized activities.
- “See. 1307. Bypass.
- “See. 1308. Coordination of migrant education activities.
- “See. 1309. Definitions.

“PART D—PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK

- “See. 1401. Purpose and program authorization.
- “See. 1402. Payments for programs under this part.

“SUBPART 1—STATE AGENCY PROGRAMS

- “See. 1411. Eligibility.
- “See. 1412. Allocation of funds.
- “See. 1413. State reallocation of funds.
- “See. 1414. State plan and State agency applications.
- “See. 1415. Use of funds.
- “See. 1416. Institution-wide projects.
- “See. 1417. Three-year programs or projects.
- “See. 1418. Transition services.
- “See. 1419. Evaluation; technical assistance; annual model program.

“SUBPART 2—LOCAL AGENCY PROGRAMS

- “Sec. 1421. Purpose.
- “Sec. 1422. Programs operated by local educational agencies.
- “Sec. 1423. Local educational agency applications.
- “Sec. 1424. Uses of funds.
- “Sec. 1425. Program requirements for correctional facilities receiving funds under this section.
- “Sec. 1426. Accountability.

“SUBPART 3—GENERAL PROVISIONS

- “Sec. 1431. Program evaluations.
- “Sec. 1432. Definitions.

“PART E—NATIONAL ASSESSMENT OF TITLE I

- “Sec. 1501. Evaluations.

“PART F—GENERAL PROVISIONS

- “Sec. 1601. Federal regulations.
- “Sec. 1602. Agreements and records.
- “Sec. 1603. State administration.
- “Sec. 1604. Local educational agency spending audits.
- “Sec. 1605. Prohibition against Federal mandates, direction, or control.
- “Sec. 1606. Rule of construction on equalized spending.
- “Sec. 1607. State report on dropout data.

“TITLE II—PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS AND PRINCIPALS

- “Sec. 2101. Purpose.
- “Sec. 2102. Definitions.
- “Sec. 2103. Authorizations of appropriations.

“PART A—FUND FOR THE IMPROVEMENT OF TEACHING AND LEARNING

- “Sec. 2104. Formula grants to States.
- “Sec. 2105. Subgrants to local educational agencies.
- “Sec. 2106. Local use of funds.
- “Sec. 2107. Reporting.
- “Sec. 2108. National activities of demonstrated effectiveness.
- “Sec. 2109. Prohibition against Federal mandates, direction, or control.
- “Sec. 2110. Supplement, not supplant.

“PART B—TEACHER INCENTIVE FUND

- “Sec. 2201. Purposes; definitions.
- “Sec. 2202. Teacher incentive fund grants.
- “Sec. 2203. Reports and evaluations.
- “Sec. 2204. Reservation of funds.

“TITLE III—LANGUAGE INSTRUCTION FOR LIMITED ENGLISH PROFICIENT AND IMMIGRANT STUDENTS

- “Sec. 3001. Authorizations of appropriations; condition on effectiveness of parts.

“PART A—ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT,
AND ACADEMIC ACHIEVEMENT ACT

“Sec. 3101. Short title.

“Sec. 3102. Purposes.

“SUBPART 1—GRANTS AND SUBGRANTS FOR ENGLISH LANGUAGE ACQUISITION
AND LANGUAGE ENHANCEMENT

“Sec. 3111. Formula grants to States.

“Sec. 3112. Native American and Alaska Native children in school.

“Sec. 3113. State and specially qualified agency plans.

“Sec. 3114. Within-State allocations.

“Sec. 3115. Subgrants to eligible entities.

“Sec. 3116. Local plans.

“SUBPART 2—ACCOUNTABILITY AND ADMINISTRATION

“Sec. 3121. Evaluations.

“Sec. 3122. Achievement objectives and accountability.

“Sec. 3123. Reporting requirements.

“Sec. 3124. Coordination with related programs.

“Sec. 3125. Rules of construction.

“Sec. 3126. Legal authority under State law.

“Sec. 3127. Civil rights.

“Sec. 3128. Programs for Native Americans and Puerto Rico.

“Sec. 3129. Prohibition.

“SUBPART 3—NATIONAL ACTIVITIES

“Sec. 3131. National professional development project.

“SUBPART 4—DEFINITIONS

“Sec. 3141. Eligible entity.

“PART B—IMPROVING LANGUAGE INSTRUCTION EDUCATIONAL PROGRAMS

“Sec. 3201. Short title.

“Sec. 3202. Purpose.

“Sec. 3203. Native American children in school.

“Sec. 3204. Residents of the territories and freely associated States.

“SUBPART 1—PROGRAM DEVELOPMENT AND ENHANCEMENT

“Sec. 3211. Financial assistance for language instruction educational programs.

“Sec. 3212. Program enhancement activities.

“Sec. 3213. Comprehensive school and systemwide improvement activities.

“Sec. 3214. Applications.

“Sec. 3215. Capacity building.

“Sec. 3216. Programs for Native Americans and Puerto Rico.

“Sec. 3217. Evaluations.

“Sec. 3218. Construction.

“SUBPART 2—RESEARCH, EVALUATION, AND DISSEMINATION

“Sec. 3221. Authority.

“Sec. 3222. Research.

“Sec. 3223. Academic excellence awards.

- “Sec. 3224. State grant program.
- “Sec. 3225. Instruction materials development.

“SUBPART 3—PROFESSIONAL DEVELOPMENT

- “Sec. 3231. Professional development grants.

“SUBPART 4—EMERGENCY IMMIGRANT EDUCATION PROGRAM

- “Sec. 3241. Purpose.
- “Sec. 3242. State administrative costs.
- “Sec. 3243. Withholding.
- “Sec. 3244. State allotments.
- “Sec. 3245. State applications.
- “Sec. 3246. Administrative provisions.
- “Sec. 3247. Uses of funds.
- “Sec. 3248. Reports.

“SUBPART 5—ADMINISTRATION

- “Sec. 3251. Release time.
- “Sec. 3252. Notification.
- “Sec. 3253. Coordination and reporting requirements.

“PART C—GENERAL PROVISIONS

- “Sec. 3301. Definitions.
- “Sec. 3302. Parental notification.
- “Sec. 3303. National Clearinghouse.
- “Sec. 3304. Regulations.

“TITLE IV—SAFE AND HEALTHY STUDENTS

- “Sec. 4101. Purpose.
- “Sec. 4102. Definitions.
- “Sec. 4103. Formula grants to States.
- “Sec. 4104. Subgrants to local educational agencies.
- “Sec. 4105. Local educational agency authorized activities.
- “Sec. 4106. Supplement, not supplant.
- “Sec. 4107. Prohibited use of funds.
- “Sec. 4108. Authorization of appropriations.

“TITLE V—PROMOTING INFORMED PARENTAL CHOICE AND
INNOVATIVE PROGRAMS

“PART A—PUBLIC CHARTER SCHOOLS

- “Sec. 5201. Purpose.
- “Sec. 5202. Program authorized.
- “Sec. 5203. Grants to support high-quality charter schools.
- “Sec. 5204. Facilities financing assistance.
- “Sec. 5205. National activities.
- “Sec. 5206. Federal formula allocation during first year and for successive enrollment expansions.
- “Sec. 5207. Solicitation of input from charter school operators.
- “Sec. 5208. Records transfer.
- “Sec. 5209. Paperwork reduction.
- “Sec. 5210. Definitions.

“Sec. 5211. Authorization of appropriations.

“PART B—MAGNET SCHOOLS ASSISTANCE

- “Sec. 5301. Findings and purpose.
- “Sec. 5302. Definition.
- “Sec. 5303. Program authorized.
- “Sec. 5304. Eligibility.
- “Sec. 5305. Applications and requirements.
- “Sec. 5306. Priority.
- “Sec. 5307. Use of funds.
- “Sec. 5308. Prohibition.
- “Sec. 5309. Limitations.
- “Sec. 5310. Evaluations.
- “Sec. 5311. Authorization of appropriations; reservation.

“TITLE VI—FLEXIBILITY AND ACCOUNTABILITY

“PART A—IMPROVING ACADEMIC ACHIEVEMENT

“SUBPART 1—ACCOUNTABILITY

- “Sec. 6111. Grants for State assessments and related activities.
- “Sec. 6112. Grants for enhanced assessment instruments.
- “Sec. 6113. Funding.

“SUBPART 2—FUNDING TRANSFERABILITY FOR STATE AND LOCAL
EDUCATIONAL AGENCIES

- “Sec. 6121. Short title.
- “Sec. 6122. Purpose.
- “Sec. 6123. Transferability of funds.

“SUBPART 3—STATE AND LOCAL FLEXIBILITY DEMONSTRATION

- “Sec. 6131. Short title.
- “Sec. 6132. Purpose.
- “Sec. 6133. General provision.

“CHAPTER A—STATE FLEXIBILITY AUTHORITY

- “Sec. 6141. State flexibility.
- “Sec. 6142. Consolidation and use of funds.
- “Sec. 6143. Performance review and penalties.
- “Sec. 6144. Renewal of grant of flexibility authority.

“CHAPTER B—LOCAL FLEXIBILITY DEMONSTRATION

- “Sec. 6151. Local flexibility demonstration agreements.
- “Sec. 6152. Consolidation and use of funds.
- “Sec. 6153. Limitations on administrative expenditures.
- “Sec. 6154. Performance review and penalties.
- “Sec. 6155. Renewal of local flexibility demonstration agreement.
- “Sec. 6156. Reports.

“SUBPART 4—STATE ACCOUNTABILITY FOR ADEQUATE YEARLY PROGRESS

- “Sec. 6161. Accountability for adequate yearly progress.
- “Sec. 6162. Peer review.

“Sec. 6163. Technical assistance.

“Sec. 6164. Report to Congress.

“PART B—RURAL EDUCATION INITIATIVE

“Sec. 6201. Short title.

“Sec. 6202. Purpose.

“SUBPART 1—SMALL, RURAL SCHOOL ACHIEVEMENT PROGRAM

“Sec. 6211. Use of applicable funding.

“Sec. 6212. Grant program authorized.

“Sec. 6213. Accountability.

“SUBPART 2—RURAL AND LOW-INCOME SCHOOL PROGRAM

“Sec. 6221. Program authorized.

“Sec. 6222. Uses of funds.

“Sec. 6223. Applications.

“Sec. 6224. Accountability.

“SUBPART 3—GENERAL PROVISIONS

“Sec. 6231. Annual average daily attendance determination.

“Sec. 6232. Supplement, not supplant.

“Sec. 6233. Rule of construction.

“Sec. 6234. Authorization of appropriations.

“PART C—GENERAL PROVISIONS

“Sec. 6301. Prohibition against Federal mandates, direction, or control.

“Sec. 6302. Rule of construction on equalized spending.

“TITLE VII—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE
EDUCATION

“PART A—INDIAN EDUCATION

“Sec. 7101. Statement of policy.

“Sec. 7102. Purpose.

“SUBPART 1—FORMULA GRANTS TO LOCAL EDUCATIONAL AGENCIES

“Sec. 7111. Purpose.

“Sec. 7112. Grants to local educational agencies and tribes.

“Sec. 7113. Amount of grants.

“Sec. 7114. Applications.

“Sec. 7115. Authorized services and activities.

“Sec. 7116. Integration of services authorized.

“Sec. 7117. Student eligibility forms.

“Sec. 7118. Payments.

“Sec. 7119. State educational agency review.

“SUBPART 2—SPECIAL PROGRAMS AND PROJECTS TO IMPROVE EDUCATIONAL
OPPORTUNITIES FOR INDIAN CHILDREN

“Sec. 7121. Improvement of educational opportunities for Indian children.

“Sec. 7122. Professional development for teachers and education professionals.

“SUBPART 3—NATIONAL ACTIVITIES

- “Sec. 7131. National research activities.
- “Sec. 7132. In-service training for teachers of Indian children.
- “Sec. 7133. Fellowships for Indian students.
- “Sec. 7134. Gifted and talented Indian students.
- “Sec. 7135. Grants to tribes for education administrative planning and development.
- “Sec. 7136. Improvement of educational opportunities for adult Indians.

“SUBPART 4—FEDERAL ADMINISTRATION

- “Sec. 7141. National Advisory Council on Indian Education.
- “Sec. 7142. Peer review.
- “Sec. 7143. Preference for Indian applicants.
- “Sec. 7144. Minimum grant criteria.

“SUBPART 5—DEFINITIONS; AUTHORIZATIONS OF APPROPRIATIONS

- “Sec. 7151. Definitions.
- “Sec. 7152. Authorizations of appropriations.

“PART B—NATIVE HAWAIIAN EDUCATION

- “Sec. 7201. Short title.
- “Sec. 7202. Findings.
- “Sec. 7203. Purposes.
- “Sec. 7204. Native Hawaiian Education Council and island councils.
- “Sec. 7205. Program authorized.
- “Sec. 7206. Administrative provisions.
- “Sec. 7207. Definitions.

“PART C—ALASKA NATIVE EDUCATION

- “Sec. 7301. Short title.
- “Sec. 7302. Findings.
- “Sec. 7303. Purposes.
- “Sec. 7304. Program authorized.
- “Sec. 7305. Administrative provisions.
- “Sec. 7306. Definitions.

“TITLE VIII—IMPACT AID

- “Sec. 8001. Purpose.
- “Sec. 8002. Payments relating to Federal acquisition of real property.
- “Sec. 8003. Payments for eligible federally connected children.
- “Sec. 8004. Policies and procedures relating to children residing on Indian lands.
- “Sec. 8005. Application for payments under sections 8002 and 8003.
- “Sec. 8007. Construction.
- “Sec. 8008. Facilities.
- “Sec. 8009. State consideration of payments in providing State aid.
- “Sec. 8010. Federal administration.
- “Sec. 8011. Administrative hearings and judicial review.
- “Sec. 8012. Forgiveness of overpayments.
- “Sec. 8013. Definitions.
- “Sec. 8014. Authorization of appropriations.

“TITLE IX—GENERAL PROVISIONS

“PART A—DEFINITIONS

- “Sec. 9101. Definitions.
- “Sec. 9102. Applicability of title.
- “Sec. 9103. Applicability to Bureau of Indian Affairs operated schools.

“PART B—FLEXIBILITY IN THE USE OF ADMINISTRATIVE AND OTHER FUNDS

- “Sec. 9201. Consolidation of State administrative funds for elementary and secondary education programs.
- “Sec. 9202. Single local educational agency States.
- “Sec. 9203. Consolidation of funds for local administration.
- “Sec. 9204. Consolidated set-aside for Department of the Interior funds.

“PART C—COORDINATION OF PROGRAMS; CONSOLIDATED STATE AND LOCAL PLANS AND APPLICATIONS

- “Sec. 9301. Purpose.
- “Sec. 9302. Optional consolidated State plans or applications.
- “Sec. 9303. Consolidated reporting.
- “Sec. 9304. General applicability of State educational agency assurances.
- “Sec. 9305. Consolidated local plans or applications.
- “Sec. 9306. Other general assurances.

“PART D—WAIVERS

- “Sec. 9401. Waivers of statutory and regulatory requirements.

“PART E—UNIFORM PROVISIONS

“SUBPART 1—PRIVATE SCHOOLS

- “Sec. 9501. Participation by private school children and teachers.
- “Sec. 9502. Standards for by-pass.
- “Sec. 9503. Complaint process for participation of private school children.
- “Sec. 9504. By-pass determination process.
- “Sec. 9505. Prohibition against funds for religious worship or instruction.
- “Sec. 9506. Private, religious, and home schools.

“SUBPART 2—OTHER PROVISIONS

- “Sec. 9522. Prohibition regarding State aid.
- “Sec. 9523. Privacy of assessment results.
- “Sec. 9524. School prayer.
- “Sec. 9525. Equal access to public school facilities.
- “Sec. 9526. General prohibitions.
- “Sec. 9527. Prohibitions on Federal Government and use of Federal funds.
- “Sec. 9528. Armed Forces recruiter access to students and student recruiting information.
- “Sec. 9529. Prohibition on federally sponsored testing.
- “Sec. 9530. Limitations on national testing or certification for teachers.
- “Sec. 9531. Prohibition on nationwide database.
- “Sec. 9532. Unsafe school choice option.
- “Sec. 9533. Prohibition on discrimination.
- “Sec. 9534. Civil rights.

- “Sec. 9535. Rulemaking.
- “Sec. 9536. Severability.
- “Sec. 9537. Transfer of school disciplinary records.

“SUBPART 3—TEACHER LIABILITY PROTECTION

- “Sec. 9541. Short title.
- “Sec. 9542. Purpose.
- “Sec. 9543. Definitions.
- “Sec. 9544. Applicability.
- “Sec. 9545. Preemption and election of State nonapplicability.
- “Sec. 9546. Limitation on liability for teachers.
- “Sec. 9547. Allocation of responsibility for noneconomic loss.
- “Sec. 9548. Effective date.

“SUBPART 4—INTERNET SAFETY

- “Sec. 9551. Internet safety.

“SUBPART 5—GUN POSSESSION

- “Sec. 9561. Gun-free requirements.

“SUBPART 6—ENVIRONMENTAL TOBACCO SMOKE

- “Sec. 9571. Short title.
- “Sec. 9572. Definitions.
- “Sec. 9573. Nonsmoking policy for children’s services.
- “Sec. 9574. Preemption.

“PART F—EVALUATIONS

- “Sec. 9601. Evaluations.

“PART G—APPROVAL AND DISAPPROVAL OF STATE PLANS AND LOCAL APPLICATIONS

- “Sec. 9701. Approval and disapproval of State plans.
- “Sec. 9702. Approval and disapproval of local educational agency applications.”.

1 **TITLE I—IMPROVING BASIC PRO-**
 2 **GRAMS OPERATED BY STATE**
 3 **AND LOCAL EDUCATIONAL**
 4 **AGENCIES**

5 **SEC. 101. STATEMENT OF PURPOSE.**

6 Section 1001 (20 U.S.C. 6301) is amended to read
 7 as follows:

1 **“SEC. 1001. STATEMENT OF PURPOSE.**

2 “The purpose of this title is to ensure that all chil-
3 dren have a fair, equal, and significant opportunity to re-
4 ceive a high-quality education that prepares them for post-
5 secondary education or the workforce, without the need
6 for remediation, and to close the achievement gap between
7 high- and low-performing children, especially the achieve-
8 ment gaps between minority and nonminority students,
9 and between disadvantaged children and their more ad-
10 vantaged peers.”.

11 **SEC. 102. AUTHORIZATION OF APPROPRIATIONS.**

12 Section 1002 (20 U.S.C. 6302) is amended to read
13 as follows:

14 **“SEC. 1002. AUTHORIZATION OF APPROPRIATIONS.**

15 “(a) LOCAL EDUCATIONAL AGENCY GRANTS.—For
16 the purpose of carrying out part A, there are authorized
17 to be appropriated \$14,974,091,000 for each of fiscal
18 years 2014 through 2018.

19 “(b) STATE ASSESSMENTS.—For the purpose of car-
20 rying out part B, there are authorized to be appropriated
21 \$368,900,000 for each of fiscal years 2014 through 2018.

22 “(c) EDUCATION OF MIGRATORY CHILDREN.—For
23 the purpose of carrying out part C, there are authorized
24 to be appropriated \$372,751,000 for each of fiscal years
25 2014 through 2018.

1 “(d) PREVENTION AND INTERVENTION PROGRAMS
 2 FOR YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT
 3 RISK.—For the purpose of carrying out part D, there are
 4 authorized to be appropriated \$47,614,000 for each of fis-
 5 cal years 2014 through 2018.

6 “(e) FEDERAL ACTIVITIES.—For the purpose of car-
 7 rying out section 1501, there are authorized to be appro-
 8 priated such sums as may be necessary for each of fiscal
 9 years 2014 through 2018.”.

10 **SEC. 103. SCHOOL IMPROVEMENT AND STATE ADMINISTRA-**
 11 **TION.**

12 The Act (20 U.S.C. 6301 et seq.) is amended—

13 (1) by striking section 1003;

14 (2) by redesignating section 1004 as section
 15 1003; and

16 (3) in section 1003, as redesignated by para-
 17 graph (2)—

18 (A) in subsection (a), by striking “sub-
 19 section (b)” and inserting “subsections (b) and
 20 (c)”; and

21 (B) by adding at the end the following:

22 “(c) TECHNICAL ASSISTANCE AND SUPPORT.—

23 “(1) IN GENERAL.—Each State may reserve
 24 not more than 4 percent of the amount the State re-
 25 ceives under subpart 2 of part A for a fiscal year to

1 carry out paragraph (2) and to carry out the State
 2 educational agencies responsibilities under section
 3 1114(a), including carrying out the State edu-
 4 cational agency’s statewide system of technical as-
 5 sistance and support for local educational agencies.

6 “(2) USES.—Of the amount reserved under
 7 paragraph (1) for any fiscal year, the State edu-
 8 cational agency—

9 “(A) shall allocate not less than 95 percent
 10 of the amount directly to local educational
 11 agencies for schools identified by the State
 12 under section 1114(a)(1)(B), for activities
 13 under section 1114(b); or

14 “(B) may, with the approval of the local
 15 educational agency, directly provide for such ac-
 16 tivities or arrange for their provision through
 17 other entities, such as school support teams or
 18 educational service agencies.”.

19 **SEC. 104. BASIC PROGRAM REQUIREMENTS.**

20 Subpart 1 of part A of title I (20 U.S.C. 6311 et
 21 seq.) is amended—

22 (1) by striking sections 1111 through 1117 and
 23 inserting the following:

24 **“SEC. 1111. STATE PLANS.**

25 “(a) PLANS REQUIRED.—

1 “(1) IN GENERAL.—For any State desiring to
2 receive a grant under this part, the State edu-
3 cational agency shall submit to the Secretary a plan,
4 developed by the State educational agency in con-
5 sultation with local educational agencies, teachers,
6 principals, pupil services personnel, administrators,
7 other staff, and parents, that satisfies the require-
8 ments of this section.

9 “(2) CONSOLIDATED PLAN.—A State plan sub-
10 mitted under paragraph (1) may be submitted as
11 part of a consolidated plan under section 9302.

12 “(3) PEER REVIEW AND SECRETARIAL AP-
13 PROVAL.—

14 “(A) IN GENERAL.—The Secretary shall—

15 “(i) establish a peer-review process to
16 assist in the review of State plans;

17 “(ii) establish multidisciplinary peer
18 review teams and appoint their members,
19 including representatives of teachers, State
20 educational agencies, local educational
21 agencies, and those with practical experi-
22 ence in implementing academic standards,
23 assessments, accountability, the needs of
24 low-performing schools, and other edu-
25 cational needs of students; and

1 “(iii) approve a State plan within 45
2 days of its submission unless the Secretary
3 presents a body of substantial, high-quality
4 education research that clearly dem-
5 onstrates that the State’s plan does not
6 meet the requirements of this section and
7 is likely to be ineffective or is inappro-
8 priate for its intended purposes.

9 “(B) PURPOSE OF PEER REVIEW.—The
10 peer review process shall be designed to—

11 “(i) promote effective implementation
12 of State-developed challenging academic
13 standards through State and local innova-
14 tion; and

15 “(ii) provide transparent feedback to
16 States designed to strengthen the States’
17 plans.

18 “(C) STANDARD AND NATURE OF RE-
19 VIEW.—Peer reviewers shall conduct a good
20 faith review of State plans in their totality and
21 in deference to State and local judgments, with
22 the goal of promoting State- and local-led inno-
23 vation.

24 “(4) STATE PLAN DETERMINATION, DEM-
25 ONSTRATION, AND REVISION.—If the Secretary de-

1 termines that the State plan does not meet the re-
2 quirements of this subsection or subsection (b) or
3 (c), the Secretary shall, prior to declining to approve
4 a State plan—

5 “(A) immediately notify the State of such
6 determination;

7 “(B) provide a detailed description of the
8 specific requirements of this subsection or sub-
9 section (b) or (c) of the State plan that the Sec-
10 retary determines fails to meet such require-
11 ments;

12 “(C) offer the State an opportunity to re-
13 vise and resubmit its plan within 60 days of
14 such determination;

15 “(D) provide technical assistance, upon re-
16 quest of the State, in order to assist the State
17 to meet the requirements of this subsection or
18 subsection (b) or (c); and

19 “(E) conduct a public hearing within 30
20 days of such resubmission, with public notice
21 provided not less than 15 days before such
22 hearing.

23 “(5) STATE PLAN DISAPPROVAL.—The Sec-
24 retary shall have the authority to disapprove a State
25 plan if the State has been notified and offered an

1 opportunity to revise and submit with technical as-
2 sistance under paragraph (4), and—

3 “(A) the State does not revise and resub-
4 mit its plan; or

5 “(B) the State revises and resubmits a
6 plan that the Secretary determines does not
7 meet the requirements of this part after a hear-
8 ing conducted under paragraph (4)(E).

9 “(6) LIMITATIONS.—The Secretary shall not
10 have the authority to require a State, as a condition
11 of approval of the State plan, to—

12 “(A) include in, or delete from, such plan
13 1 or more specific elements of the State’s aca-
14 demic content standards or academic achieve-
15 ment standards;

16 “(B) use specific academic assessment in-
17 struments or items;

18 “(C) include in, or delete from, such a plan
19 any criterion that specifies, defines, or pre-
20 scribes the standards or measures that State or
21 local educational agencies use to establish, im-
22 plement, or improve—

23 “(i) State standards;

24 “(ii) assessments;

25 “(iii) State accountability systems;

1 “(iv) systems that measure student
2 growth;

3 “(v) measures of other academic indi-
4 cators; or

5 “(vi) teacher and principal evaluation
6 systems; or

7 “(D) require the collection, publication, or
8 transmission to the Department of individual
9 student data that is not expressly required to
10 be collected under this Act.

11 “(7) PUBLIC REVIEW.—All written communica-
12 tions, feedback, and notifications under this sub-
13 section shall be conducted in a manner that is trans-
14 parent and immediately made available to the public
15 through the Department website, including—

16 “(A) plans submitted or resubmitted by a
17 State;

18 “(B) peer review comments;

19 “(C) State plan determinations by the Sec-
20 retary, including approvals or disapprovals; and

21 “(D) public hearings under this section.

22 “(8) DURATION OF THE PLAN.—

23 “(A) IN GENERAL.—Each State plan
24 shall—

1 “(i) remain in effect for the duration
2 of the State’s participation under this part;
3 and

4 “(ii) be periodically reviewed and re-
5 vised as necessary by the State educational
6 agency to reflect changes in the State’s
7 strategies and programs under this part.

8 “(B) ADDITIONAL INFORMATION.—A State
9 shall notify the Secretary if a State makes sig-
10 nificant changes to its plan, such as the adop-
11 tion of new State academic content standards,
12 State academic achievement standards, new
13 academic assessments, or changes to its ac-
14 countability system under subsection (b)(3).

15 “(9) FAILURE TO MEET REQUIREMENTS.—If a
16 State fails to meet any of the requirements of this
17 section, then the Secretary may withhold funds for
18 State administration under this part until the Sec-
19 retary determines that the State has fulfilled those
20 requirements.

21 “(b) ACADEMIC STANDARDS, ACADEMIC ASSESS-
22 MENTS, AND STATE ACCOUNTABILITY SYSTEMS.—

23 “(1) CHALLENGING STATE ACADEMIC STAND-
24 ARDS.—

1 “(A) IN GENERAL.—Each State shall pro-
2 vide an assurance that the State has adopted
3 challenging academic content standards and
4 student academic achievement standards that
5 will be used by the State, its local educational
6 agencies, and its schools to carry out this part.

7 “(B) SAME STANDARDS.—The standards
8 required by subparagraph (A) shall be the same
9 standards that the State applies to all public
10 schools and public school children in the State.

11 “(C) SUBJECTS.—The State shall have
12 such standards in mathematics, reading or lan-
13 guage arts, and science, and any other subjects
14 as determined by the State, which shall include
15 the same knowledge, skills, and levels of
16 achievement expected of all children in the
17 State.

18 “(D) ALIGNMENT.—Each State shall pro-
19 vide an assurance to the Secretary that the
20 State’s challenging academic content standards
21 are aligned with—

22 “(i) entrance requirements, without
23 the need for academic remediation, for an
24 institution of higher education in the
25 State; and

1 “(ii) State performance measures
2 identified in the State plan under section
3 113(b) of the Carl D. Perkins Career and
4 Technical Education Act of 2006.

5 “(E) ALTERNATE ACADEMIC ACHIEVE-
6 MENT STANDARDS.—Notwithstanding any other
7 provision of this paragraph, a State may,
8 through a documented and validated standards-
9 setting process, adopt alternate academic
10 achievement standards for students with the
11 most significant cognitive disabilities who take
12 an alternate assessment, provided those stand-
13 ards—

14 “(i) are aligned with the State’s chal-
15 lenging academic content standards under
16 subparagraph (A);

17 “(ii) promote access to the general
18 curriculum; and

19 “(iii) reflect professional judgment of
20 the highest achievement standards attain-
21 able by those students.

22 “(F) MODIFIED ACADEMIC ACHIEVEMENT
23 STANDARDS.—Notwithstanding any other provi-
24 sion of this paragraph, a State may, through a
25 documented and validated standards-setting

1 process, adopt modified academic achievement
2 standards for students who have disabilities
3 that preclude them from meeting State student
4 achievement standards within the academic year
5 covered by a student’s individualized education
6 program under section 614(d) of the Individ-
7 uals with Disabilities Education Act, provided
8 those standards—

9 “(i) are aligned with the State’s chal-
10 lenging academic content standards under
11 subparagraph (A) for the grade in which
12 the student is enrolled; and

13 “(ii) are challenging for such eligible
14 students, but may be less difficult than the
15 grade-level academic achievement stand-
16 ards under this section.

17 “(G) ENGLISH LANGUAGE PROFICIENCY
18 STANDARDS.—Each State plan shall provide an
19 assurance that the State has adopted English
20 language proficiency standards that are aligned
21 with the State’s challenging academic content
22 standards under subparagraph (A). Such stand-
23 ards shall—

1 “(i) ensure proficiency in each of the
2 domains of speaking, listening, reading,
3 and writing;

4 “(ii) address the different proficiency
5 levels of English language learners; and

6 “(iii) be aligned with the State’s aca-
7 demic content standards in reading or lan-
8 guage arts so that achieving proficiency
9 against the State’s English language pro-
10 ficiency standards indicates a sufficient
11 knowledge of English to measure validly
12 and reliably the student’s achievement on
13 the State’s reading or language arts stand-
14 ards.

15 “(H) PROHIBITIONS.—

16 “(i) STANDARDS REVIEW OR AP-
17 PROVAL.—A State shall not be required to
18 submit any standards developed under this
19 subsection for academic content or student
20 academic achievement to the Secretary for
21 review or approval.

22 “(ii) FEDERAL CONTROL.—The Sec-
23 retary shall not have the authority to man-
24 date, direct, control, or exercise any direc-
25 tion or supervision over the academic con-

1 tent standards or academic achievement
2 standards adopted or implemented by a
3 State.

4 “(I) EXISTING STANDARDS.—Nothing in
5 this part shall prohibit a State from revising,
6 consistent with this section, any standard
7 adopted under this part before or after the date
8 of enactment of the Every Child Ready for Col-
9 lege or Career Act of 2013.

10 “(2) ACADEMIC ASSESSMENTS.—

11 “(A) IN GENERAL.—Each State plan shall
12 provide an assurance that the State educational
13 agency, in consultation with local educational
14 agencies, has implemented a set of high-quality,
15 yearly student academic assessments that in-
16 clude, at a minimum, academic assessments in
17 mathematics and reading or language arts that
18 will be used as the primary means of deter-
19 mining the yearly performance of each school in
20 the State in enabling all children to meet the
21 State’s challenging student academic achieve-
22 ment standards.

23 “(B) REQUIREMENTS.—Each State plan
24 shall provide an assurance that such assess-
25 ments—

1 “(i) are the same academic assess-
2 ments used to measure the achievement of
3 all students;

4 “(ii) are aligned with the State’s chal-
5 lenging academic content and student aca-
6 demic achievement standards, and provide
7 coherent information about student attain-
8 ment of such standards;

9 “(iii) are used for purposes for which
10 such assessments are valid and reliable, be
11 of adequate technical quality for each pur-
12 pose required under this Act, and be con-
13 sistent with relevant, nationally recognized
14 professional and technical standards;

15 “(iv)(I) measure the annual academic
16 achievement of all students against the
17 State’s challenging academic achievement
18 standards in mathematics and reading or
19 language arts, and be administered—

20 “(aa) in each of grades 3
21 through 8; and

22 “(bb) at least once in grades 9
23 through 12; and

24 “(II) measure the academic achieve-
25 ment of all students against the State’s

1 challenging academic achievement stand-
2 ards in science, and be administered not
3 less than one time, during—

4 “(aa) grades 3 through 5;

5 “(bb) grades 6 through 8; and

6 “(cc) grades 9 through 12;

7 “(v) involve multiple up-to-date meas-
8 ures of student academic achievement;

9 “(vi) provide for—

10 “(I) the participation in such as-
11 sessments of all students;

12 “(II) the reasonable adaptations
13 and accommodations for children with
14 disabilities (as defined in section
15 602(3) of the Individuals with Dis-
16 abilities Education Act) necessary to
17 measure the academic achievement of
18 such children relative to State aca-
19 demic content and student academic
20 achievement standards;

21 “(III) alternate assessments
22 aligned with grade-level academic con-
23 tent and academic achievement stand-
24 ards, unless the State develops alter-
25 nate assessments aligned with—

1 “(aa) alternate academic
2 achievement standards, con-
3 sistent with subparagraph (C),
4 for students with the most sig-
5 nificant cognitive disabilities; or

6 “(bb) modified academic
7 achievement standards consistent
8 with subparagraph (C); and

9 “(IV) the inclusion of English
10 language learners, who shall be as-
11 sessed in a valid and reliable manner
12 and provided reasonable accommoda-
13 tions on assessments administered to
14 such students under this paragraph,
15 including, to the extent practicable,
16 assessments in the language and form
17 most likely to yield accurate data on
18 what such students know and can do
19 in academic content areas, until such
20 students have achieved English lan-
21 guage proficiency, as determined
22 under paragraph (1)(G);

23 “(vii) produce individual student in-
24 terpretive, descriptive, and diagnostic re-
25 ports, consistent with clause (iii), that

1 allow parents, teachers, and principals to
 2 understand and address the specific aca-
 3 demic needs of students, and include infor-
 4 mation regarding achievement on academic
 5 assessments, and that are provided to par-
 6 ents, teachers, and principals in a timely
 7 manner after the assessment is given, in
 8 an understandable and uniform format;
 9 and

10 “(viii) enable results to be
 11 disaggregated within each State, local edu-
 12 cational agency, and school, by—

13 “(I) each major racial and ethnic
 14 group;

15 “(II) economically disadvantaged
 16 students as compared to students who
 17 are not economically disadvantaged;

18 “(III) students with disabilities
 19 as compared to nondisabled students;

20 “(IV) English proficiency status;

21 “(V) gender; and

22 “(VI) migrant status.

23 “(C) STUDENTS WITH DISABILITIES.—

24 “(i) ALTERNATE STANDARDS.—A
 25 State may provide for alternate assess-

1 ments aligned with alternate academic
2 achievement standards for students with
3 the most significant cognitive disabilities, if
4 the State—

5 “(I) establishes and monitors im-
6 plementation of clear and appropriate
7 guidelines for individualized education
8 program teams (as defined in section
9 614(d)(1)(B) of the Individuals with
10 Disabilities Education Act) (referred
11 to in this section as ‘IEP Teams’) to
12 apply in determining when a child’s
13 significant cognitive disability justifies
14 assessment based on alternate aca-
15 demic achievement standards;

16 “(II) ensures that the parents of
17 those students are informed that their
18 child’s academic achievement will be
19 based on alternate academic achieve-
20 ment standards;

21 “(III) documents that students
22 with the most significant cognitive
23 disabilities are, to the extent prac-
24 ticable, included in the general cur-

1 curriculum, and in assessments aligned
2 with that curriculum;

3 “(IV) develops, disseminates in-
4 formation on, and promotes the use of
5 appropriate accommodations to in-
6 crease the number of students with
7 disabilities who are tested against aca-
8 demic achievement standards for the
9 grade in which a student is enrolled;
10 and

11 “(V) ensures that regular and
12 special education teachers and other
13 appropriate staff know how to admin-
14 ister assessments, including making
15 appropriate use of accommodations,
16 for students with disabilities.

17 “(ii) MODIFIED STANDARDS.—A State
18 may assess students with disabilities based
19 on modified academic achievement stand-
20 ards, if the State—

21 “(I) establishes and ensures im-
22 plementation of clear and appropriate
23 guidelines for IEP Teams to apply in
24 determining which students with dis-
25 abilities are eligible to be assessed

1 based on modified academic achieve-
2 ment standards, which criteria, at a
3 minimum, shall include—

4 “(aa) whether the student’s
5 disability has precluded the stu-
6 dent from achieving grade-level
7 proficiency, as demonstrated by
8 objective evidence, such as the
9 student’s performance on the
10 State’s regular assessments or on
11 other assessments that can val-
12 idly demonstrate academic
13 achievement; and

14 “(bb) whether the student’s
15 progress in response to appro-
16 priate instruction, including spe-
17 cial education and related serv-
18 ices designed to address the stu-
19 dent’s individual needs, is such
20 that, even if significant growth
21 occurs, the IEP Team is reason-
22 ably certain that the student will
23 not achieve to grade-level within
24 the year covered by the IEP,
25 which progress shall be based on

1 multiple measurements, over a
2 period of time, that are valid for
3 the subjects being assessed;

4 “(II) ensures that, if a student’s
5 IEP includes goals for a subject as-
6 sessed based on modified academic
7 achievement standards, those goals
8 are based on academic content stand-
9 ards for the grade in which the stu-
10 dent is enrolled;

11 “(III) ensures that parents of
12 students with disabilities who are as-
13 sessed against modified academic
14 achievement standards are informed
15 that their child’s achievement will be
16 measured based on modified academic
17 achievement standards;

18 “(IV) ensures that the alternate
19 assessment yields results that measure
20 the achievement of those students sep-
21 arately in reading or language arts,
22 mathematics, and science relative to
23 the modified academic achievement
24 standards;

1 “(V) ensures that students who
2 are assessed based on modified aca-
3 demic achievement standards have ac-
4 cess to the curriculum, including in-
5 struction, for the grade in which the
6 students are enrolled; and

7 “(VI) establishes and monitors
8 implementation of clear and appro-
9 priate guidelines for IEP Teams to
10 apply in developing and implementing
11 IEPs for students who are assessed
12 based on modified academic achieve-
13 ment standards.

14 “(D) LANGUAGE ASSESSMENTS.—Each
15 State plan shall identify the languages other
16 than English that are present to a significant
17 extent in the participating student population
18 and indicate the languages for which yearly stu-
19 dent academic assessments are not available
20 and are needed, and such State shall make
21 every effort to develop such assessments as are
22 necessary.

23 “(E) ASSESSMENTS OF ENGLISH LAN-
24 GUAGE PROFICIENCY.—Each State plan shall
25 provide an assurance that local educational

1 agencies in the State will provide for an annual
2 assessment of English proficiency (measuring
3 students' speaking, listening, reading, and writ-
4 ing skills in English) of all English language
5 learners in the schools served by the State edu-
6 cational agency, except that each local edu-
7 cational agency shall have discretion to exempt
8 any student who has been assessed as proficient
9 in listening, speaking, reading, or writing
10 English from the corresponding portion of the
11 assessment.

12 “(F) DEFERRAL.—A State may defer the
13 commencement, or suspend the administration,
14 but not cease the development, of the assess-
15 ments described in this paragraph, for 1 year
16 for each year for which the amount appro-
17 priated for grants under part B is less than
18 \$368,900,000.

19 “(G) CONSTRUCTION.—Nothing in this
20 paragraph shall be construed to prescribe or
21 prohibit the use of the academic assessments
22 described in this part for student promotion or
23 graduation purposes.

24 “(3) STATE ACCOUNTABILITY SYSTEM.—

1 “(A) IN GENERAL.—Each State plan shall
2 provide an assurance that the State has devel-
3 oped and is implementing a single, statewide
4 State accountability system that will be based
5 on the challenging academic content standards
6 and student academic achievement standards
7 adopted by the State, and other academic indi-
8 cators related to student achievement identified
9 by the State, to ensure that all students grad-
10 uate from high school prepared for postsec-
11 ondary education or the workforce without the
12 need for remediation and that, at a minimum—

13 “(i) annually measures academic
14 achievement of all public school students in
15 the State towards meeting the State’s chal-
16 lenging academic achievement standards
17 established by the State in mathematics
18 and reading or language arts, which may
19 include measures of student growth to
20 such standards and any other valid and re-
21 liable academic indicators related to stu-
22 dent achievement;

23 “(ii) establishes a system of annually
24 identifying and differentiating among all
25 public schools in the State based on stu-

1 dent academic achievement and any other
2 factors determined appropriate by the
3 State and also takes into account—

4 “(I) achievement gaps between
5 each category of students described in
6 subclauses (I) through (IV) of para-
7 graph (2)(B)(viii);

8 “(II) overall performance of all
9 students and of each category of stu-
10 dents described in subclauses (I)
11 through (IV) of paragraph
12 (2)(B)(viii); and

13 “(III) secondary school gradua-
14 tion rates, as appropriate;

15 “(iii) for public schools participating
16 under this part, includes a system for an-
17 nually—

18 “(I) identifying such schools that
19 are in need of strategies for improving
20 student academic achievement and
21 any other measures determined appro-
22 priate by the State; and

23 “(II) providing assistance to local
24 educational agencies to develop and

1 implement appropriate strategies for
2 improving identified schools;

3 “(iv) provides a clear and understand-
4 able explanation of the method of identi-
5 fying schools under clause (iii);

6 “(v) measures the annual progress of
7 not less than 95 percent of each category
8 of students described in subclauses (I)
9 through (IV) of paragraph (2)(B)(viii) who
10 are enrolled in the school and are required
11 to take the assessments under paragraph
12 (2); and

13 “(vi) measures the high school grad-
14 uation rate for each category of students
15 described in subclauses (I) through (IV) of
16 paragraph (2)(B)(viii).

17 “(B) PROHIBITION ON REGULATION.—
18 Nothing in this subsection shall be construed to
19 permit the Secretary to establish any criterion
20 that specifies, defines, or prescribes the stand-
21 ards or measures that State or local educational
22 agencies use to establish, implement, or im-
23 prove—

24 “(i) State standards;

25 “(ii) assessments;

- 1 “(iii) State accountability systems;
2 “(iv) systems that measure student
3 growth;
4 “(v) measures of other academic indi-
5 cators; or
6 “(vi) teacher and principal evaluation
7 systems.

8 “(c) PROVISIONS TO SUPPORT TEACHING AND
9 LEARNING.—Each State plan shall provide an assurance
10 that—

11 “(1) the State will notify local educational
12 agencies, schools, teachers, parents, and the public
13 of the academic content standards, student academic
14 achievement standards, academic assessments, and
15 State accountability system, developed under this
16 section;

17 “(2) the State educational agency will assist
18 each local educational agency and school affected by
19 the State plan to meet the requirements of this part;
20 and

21 “(3) low-income and minority children, enrolled
22 in schools assisted under this part, are served by ef-
23 fective teachers and principals and have access to a
24 high-quality instructional program in the core aca-
25 demic subjects, and the State shall adopt measures

1 to evaluate and publicly report the progress of the
2 State educational agency with respect to such steps.

3 “(d) OTHER ASSURANCES.—Each State plan shall
4 contain an assurance that—

5 “(1) the State will participate in biennial State
6 academic assessments of 4th and 8th grade reading
7 and mathematics under the National Assessment of
8 Educational Progress carried out under section
9 303(b)(3) of the National Assessment of Edu-
10 cational Progress Authorization Act if the Secretary
11 pays the costs of administering such assessments;

12 “(2) the State educational agency will modify or
13 eliminate State fiscal and accounting barriers so
14 that schools can easily consolidate funds from other
15 Federal, State, and local sources in order to improve
16 educational opportunities and reduce unnecessary
17 fiscal and accounting requirements;

18 “(3) the State educational agency will support
19 the collection and dissemination to local educational
20 agencies and schools of effective parental involve-
21 ment practices;

22 “(4) the State educational agency will provide
23 the least restrictive and burdensome regulations for
24 local educational agencies and individual schools par-
25 ticipating in a program assisted under this part;

1 “(5) the State educational agency will ensure
2 that local educational agencies, to the extent fea-
3 sible, in developing and implementing programs
4 under this part, will work in consultation with out-
5 side intermediary organizations or individuals who
6 have expertise in using strategies and programs
7 based on scientifically valid research to improve
8 teaching, learning, and schools; and

9 “(6) the State educational agency has appro-
10 priate procedures and safeguards in place to ensure
11 the validity of the assessment process.

12 “(e) REPORTS.—

13 “(1) ANNUAL STATE REPORT CARD.—

14 “(A) IN GENERAL.—A State that receives
15 assistance under this part shall prepare and
16 disseminate widely to the public an annual
17 State report card.

18 “(B) IMPLEMENTATION.—The State report
19 card shall be—

20 “(i) concise; and

21 “(ii) presented in an understandable
22 and uniform format.

23 “(C) REQUIRED INFORMATION.—The
24 State shall include in its annual State report
25 card—

1 “(i) information, in the aggregate, on
2 student achievement on the State academic
3 assessments described in subsection (b)(2)
4 (disaggregated by each category of stu-
5 dents described in subsection
6 (b)(2)(B)(viii));

7 “(ii) the percentage of students tested
8 (disaggregated by each category of stu-
9 dents described in subsection
10 (b)(2)(B)(viii));

11 “(iii) information on any other indi-
12 cator used by the State to determine stu-
13 dent achievement under subsection (b)(3)
14 (disaggregated by each category of stu-
15 dents described in subsection
16 (b)(2)(B)(viii));

17 “(iv) graduation rates for secondary
18 school students consistent with subsection
19 (b)(3)(A)(vi);

20 “(v) the professional qualifications of
21 teachers in the State and the percentage of
22 such teachers teaching with emergency or
23 provisional credentials, in the aggregate
24 and disaggregated by high-poverty com-
25 pared to low-poverty schools which, for the

1 purpose of this clause, means schools in
2 the top quartile of poverty and the bottom
3 quartile of poverty in the State;

4 “(vi) information on the performance
5 of local educational agencies and schools in
6 the State; and

7 “(vii) for a State that implements a
8 teacher and principal evaluation system
9 consistent with title II, the evaluation re-
10 sults of teachers and principals, except
11 that such information shall not provide in-
12 dividually identifiable information on indi-
13 vidual teachers or principals.

14 “(D) FINANCIAL INFORMATION.—The
15 State shall include in its annual State report
16 card the per-pupil expenditures of Federal,
17 State, and local funds for each local educational
18 agency in the State for the preceding fiscal
19 year.

20 “(E) OPTIONAL INFORMATION.—The State
21 may include in its annual State report card
22 such other information as the State believes will
23 best provide parents, students, and other mem-
24 bers of the public with information regarding

1 the progress of each of the State's public
2 schools.

3 “(2) ANNUAL LOCAL EDUCATIONAL AGENCY
4 REPORT CARDS.—

5 “(A) REPORT CARDS.—A local educational
6 agency that receives assistance under this part
7 shall prepare and disseminate, in accordance
8 with subparagraph (E), an annual local edu-
9 cational agency report card.

10 “(B) MINIMUM REQUIREMENTS.—The
11 local educational agency shall include in its re-
12 port card the information described in para-
13 graph (1)(C) as applied to the local educational
14 agency and each school served by the local edu-
15 cational agency, and—

16 “(i) in the case of a local educational
17 agency, information that shows how stu-
18 dents served by the local educational agen-
19 cy achieved on the statewide academic as-
20 sessment compared to students in the
21 State as a whole; and

22 “(ii) in the case of a school, informa-
23 tion that shows how the school's students'
24 achievement on the statewide academic as-
25 sessments compared to students in the

1 local educational agency and the State as
2 a whole.

3 “(C) FINANCIAL INFORMATION.—The local
4 educational agency shall include in its annual
5 local educational agency report card the per-
6 pupil expenditures of Federal, State, and local
7 funds for each school served by the agency for
8 the preceding fiscal year.

9 “(D) OTHER INFORMATION.—A local edu-
10 cational agency may include in its annual local
11 educational agency report card any other appro-
12 priate information, whether or not such infor-
13 mation is included in the annual State report
14 card.

15 “(E) PUBLIC DISSEMINATION.—

16 “(i) IN GENERAL.—Except as pro-
17 vided in clause (ii), a local educational
18 agency shall—

19 “(I) publicly disseminate the in-
20 formation described in this paragraph
21 to all schools in the school district
22 served by the local educational agency
23 and to all parents of students attend-
24 ing such schools in an understandable
25 and uniform format; and

1 “(II) make the information wide-
2 ly available through public means,
3 such as posting on the Internet, dis-
4 tribution to the media, and distribu-
5 tion through public agencies.

6 “(ii) EXCEPTION.—If a local edu-
7 cational agency issues a report card for all
8 students, the local educational agency may
9 include the information described in this
10 paragraph as part of such report.

11 “(3) PREEXISTING REPORT CARDS.—A State
12 educational agency or local educational agency that
13 was providing public report cards on the perform-
14 ance of students, schools, local educational agencies,
15 or the State prior to the date of enactment of the
16 Every Child Ready for College or Career Act of
17 2013, may use such report cards for the purpose of
18 disseminating information under this subsection if
19 the report card is modified, as may be needed, to
20 contain the information required by this subsection.

21 “(4) ANNUAL STATE REPORT TO THE SEC-
22 RETARY.—Each State educational agency receiving
23 assistance under this part shall report annually to
24 the Secretary, and make widely available within the
25 State—

1 “(A) information on the achievement of
2 students on the academic assessments required
3 under subsection (b)(2), including the
4 disaggregated results for each category of stu-
5 dents described in subsection (b)(2)(B)(viii);

6 “(B) information on the acquisition of
7 English proficiency by children who are English
8 language learners;

9 “(C) the number and names of the schools
10 identified under section 1114(a)(1)(B), and the
11 school assistance strategies developed and im-
12 plemented by the local educational agency
13 under section 1114(b) to address the needs of
14 students in each school;

15 “(D) the number of students and schools
16 that participated in public school choice under
17 this title;

18 “(E)(i) information on the quality and ef-
19 fectiveness of teachers; and

20 “(ii) the percentage of classes being taught
21 by teachers who are licensed or certified to
22 teach in their field of study, for the State and
23 for each local educational agency and public ele-
24 mentary school or secondary school in the
25 State; and

1 “(F) information on the results of the
2 teacher and principal evaluation system, as ap-
3 plicable.

4 “(5) PRESENTATION OF DATA.—

5 “(A) IN GENERAL.—A State educational
6 agency or local educational agency shall only in-
7 clude in its annual report card described under
8 paragraphs (1) and (2) data that are sufficient
9 to yield statistically reliable information, as de-
10 termined by the State or local educational agen-
11 cy, and that do not reveal personally identifiable
12 information about an individual student.

13 “(B) STUDENT PRIVACY.—Subject to sec-
14 tion 444 of the General Education Provisions
15 Act and notwithstanding section 444(b)(1)(F)
16 of such Act, student educational records and in-
17 formation shall not be shared without the in-
18 formed explicit consent of the student’s legal
19 guardian or if the student has reached the age
20 of majority, the student, with any—

21 “(i) individual or governmental entity
22 outside of the school;

23 “(ii) local educational agency or State
24 educational agency; and

1 “(iii) third party contractor, such as a
2 researcher or private or nonprofit non-gov-
3 ernmental organization, including third
4 party assessment and testing organiza-
5 tions.

6 “(C) EXCEPTION.—Notwithstanding sub-
7 paragraph (B), the sharing of educational
8 records and information shall be permissible—

9 “(i) in an emergency situation; and

10 “(ii) in the case where the student
11 does not currently have a recognized legal
12 guardian or is part of a court proceeding
13 regarding child abuse or neglect.

14 “(6) REPORT TO CONGRESS.—The Secretary
15 shall transmit annually to the Committee on Health,
16 Education, Labor, and Pensions of the Senate and
17 the Committee on Education and the Workforce of
18 the House of Representatives a report that provides
19 national and State level data on the information col-
20 lected under paragraph (4). Such report shall be
21 submitted through electronic means only.

22 “(7) SECRETARY’S REPORT CARD.—

23 “(A) IN GENERAL.—Not later than July 1,
24 2015, and annually thereafter, the Secretary
25 shall transmit to the Committee on Health,

1 Education, Labor, and Pensions of the Senate
2 and the Committee on Education and the
3 Workforce of the House of Representatives a
4 national report card on the status of elementary
5 and secondary education in the United States.
6 Such report shall—

7 “(i) analyze existing data from State
8 reports required under this Act, the Indi-
9 viduals with Disabilities Education Act,
10 and the Carl D. Perkins Career and Tech-
11 nical Education Act of 2006, and summa-
12 rize major findings from such reports;

13 “(ii) analyze data from the National
14 Assessment of Educational Progress and
15 comparable international assessments;

16 “(iii) identify trends in student
17 achievement, student performance, and
18 secondary school graduation rates, by ana-
19 lyzing and reporting on the status and per-
20 formance of students, disaggregated by
21 each category of students described in sub-
22 section (b)(2)(B)(viii);

23 “(iv) analyze data on Federal, State,
24 and local expenditures on education, in-
25 cluding per-pupil spending, teacher salaries

1 and pension obligations, school level spend-
2 ing, and other financial data publicly avail-
3 able, and report on current trends and
4 major findings; and

5 “(v) analyze information on the teach-
6 ing and principal profession, including edu-
7 cation and training, retention and mobility,
8 and effectiveness in improving student
9 achievement.

10 “(B) SPECIAL RULE.—The information
11 used to prepare the report described in sub-
12 paragraph (A) shall be derived from existing
13 State and local reporting requirements and data
14 sources. Nothing in this paragraph shall be con-
15 strued as authorizing, requiring, or allowing
16 any additional reporting requirements, data ele-
17 ments, or information to be reported to the Sec-
18 retary not otherwise explicitly authorized by any
19 other Federal law.

20 “(f) VOLUNTARY PARTNERSHIPS.—

21 “(1) IN GENERAL.—Nothing in this section
22 shall be construed to prohibit a State from entering
23 into a voluntary partnership with another State to
24 develop and implement the academic assessments,

1 State academic content standards, and account-
2 ability systems required under this section.

3 “(2) PROHIBITION.—The Secretary shall be
4 prohibited from requiring a State to enter into a vol-
5 untary partnership described in paragraph (1), in-
6 cluding as a condition of approval of a State plan
7 under this section or as a condition of an award of
8 Federal funds under any grant, contract, or coopera-
9 tive agreement.

10 “(g) SPECIAL RULE WITH RESPECT TO BUREAU-
11 FUNDED SCHOOLS.—In determining the assessments to
12 be used by each school operated or funded by the Bureau
13 of Indian Education of the Department of the Interior
14 that receives funds under this part, the following shall
15 apply:

16 “(1) Each such school that is accredited by the
17 State in which it is operating shall use the assess-
18 ments the State has developed and implemented to
19 meet the requirements of this section, or such other
20 appropriate assessment as approved by the Secretary
21 of the Interior.

22 “(2) Each such school that is accredited by a
23 regional accrediting organization shall adopt an ap-
24 propriate assessment in consultation with, and with
25 the approval of, the Secretary of the Interior and

1 consistent with assessments adopted by other schools
2 in the same State or region, that meets the require-
3 ments of this section.

4 “(3) Each such school that is accredited by a
5 tribal accrediting agency or tribal division of edu-
6 cation shall use an assessment developed by such
7 agency or division, except that the Secretary of the
8 Interior shall ensure that such assessment meets the
9 requirements of this section.

10 **“SEC. 1112. LOCAL EDUCATIONAL AGENCY PLANS.**

11 “(a) PLANS REQUIRED.—

12 “(1) SUBGRANTS.—A local educational agency
13 may receive a subgrant under this part for any fiscal
14 year only if such agency has on file with the State
15 educational agency a plan, approved by the State
16 educational agency, that is developed in consultation
17 with teachers, principals, administrators (including
18 administrators of programs described in other parts
19 of this title), other appropriate school personnel, and
20 with parents of children in schools served under this
21 part, that satisfies the requirements of this section.

22 “(2) CONSOLIDATED APPLICATION.—The plan
23 may be submitted as part of a consolidated applica-
24 tion under section 9305.

25 “(3) STATE REVIEW AND APPROVAL.—

1 “(A) IN GENERAL.—Each local educational
2 agency plan shall be filed according to a sched-
3 ule established by the State educational agency.

4 “(B) APPROVAL.—The State educational
5 agency shall approve a local educational agen-
6 cy’s plan only if the State educational agency
7 determines that the local educational agency’s
8 plan satisfies the requirements of this part and
9 enables children served under this part to meet
10 the State’s challenging academic standards de-
11 scribed in section 1111(b)(1).

12 “(4) DURATION.—Each local educational agen-
13 cy plan shall be submitted for the first year for
14 which this part is in effect following the date of en-
15 actment of the Every Child Ready for College or Ca-
16 reer Act of 2013 and shall remain in effect for the
17 duration of the agency’s participation under this
18 part.

19 “(5) REVIEW.—Each local educational agency
20 shall periodically review and, as necessary, revise its
21 plan to reflect changes in the local educational agen-
22 cy’s strategies and programs under this part.

23 “(b) PLAN PROVISIONS.—To ensure that all children
24 receive a high-quality education that prepares them for
25 postsecondary education and the workforce without the

1 need for academic remediation, and to close the achieve-
2 ment gap between high- and low-performing children, es-
3 pecially the achievement gaps between minority and non-
4 minority students, and between disadvantaged children
5 and their more advantaged peers, each local educational
6 agency plan shall describe—

7 “(1) how the local educational agency will work
8 with each of the schools served by the agency so that
9 students meet the State’s challenging academic
10 standards by—

11 “(A) developing and implementing a com-
12 prehensive program of instruction to meet the
13 academic needs of all students;

14 “(B) identifying quickly and effectively
15 students who may be at risk for academic fail-
16 ure;

17 “(C) providing additional educational as-
18 sistance to individual students determined as
19 needing help in meeting the State’s challenging
20 academic achievement standards;

21 “(D) identifying significant gaps in stu-
22 dent academic achievement between each cat-
23 egory of students described in subclauses (I)
24 through (IV) of section 1111(b)(2)(B)(viii) and

1 develop strategies to reduce such gaps in
2 achievement; and

3 “(E) identifying and implementing effec-
4 tive methods and instructional strategies that
5 are based on scientifically valid research in-
6 tended to strengthen the core academic pro-
7 gram of the school;

8 “(2) how the local educational agency will mon-
9 itor and evaluate the effectiveness of school pro-
10 grams in improving student academic achievement,
11 especially for students not meeting the State’s chal-
12 lenging academic achievement standards;

13 “(3)(A) how the local educational agency will
14 meet the requirements of section 1119 regarding the
15 qualifications of teachers and paraprofessionals; and

16 “(B) how the local educational agency, through
17 incentives for voluntary transfers, recruitment pro-
18 grams, incentive pay, performance- or merit-based
19 pay systems, or other effective strategies, will iden-
20 tify and address any disparities that result in low-
21 income students and minority students being taught
22 at higher rates than other students by ineffective,
23 out-of-field, or inexperienced teachers;

24 “(4) the actions the local educational agency
25 will take to assist schools identified under section

1 1114(a)(1)(B) and other schools also determined by
2 the local educational agency to be in need of assist-
3 ance to improve student academic achievement, and
4 the funds used to conduct such actions;

5 “(5) the programs to be conducted by such
6 agency’s schools under section 1113, and where ap-
7 propriate, educational services outside such schools
8 for children living in local institutions for neglected
9 or delinquent children, and for neglected and delin-
10 quent children in community day school programs;

11 “(6) the services the local educational agency
12 will provide homeless children, including services
13 provided with funds reserved under section
14 1113(a)(3)(C)(i);

15 “(7) the strategy the local educational agency
16 will use to implement effective parental involvement
17 under section 1118;

18 “(8) how the local educational agency will co-
19 ordinate and integrate services provided under this
20 part with preschool educational services at the local
21 educational agency or individual school level, includ-
22 ing plans for the transition of participants in such
23 programs to local elementary school programs, and,
24 if appropriate, a description of how the local edu-
25 cational agency will use funds under this part to

1 support preschool programs for children, particularly
2 children participating in a Head Start program,
3 which may be provided directly by the local edu-
4 cational agency or through a subcontract with the
5 local Head Start agency designated by the Secretary
6 of Health and Human Services under section 641 of
7 the Head Start Act, or another comparable public
8 early childhood development program;

9 “(9) how the local educational agency will co-
10 ordinate programs and integrate services under this
11 part with other Federal, State, and local services
12 and programs; and

13 “(10) how teachers, in consultation with par-
14 ents, administrators, and pupil services personnel, in
15 targeted assistance schools under section 1113, will
16 identify the eligible children most in need of services
17 under this part.

18 “(c) ASSURANCES.—Each local educational agency
19 plan shall provide assurances that the local educational
20 agency will—

21 “(1) ensure that the results from the academic
22 assessments required under section 1111(b)(2) will
23 be provided to parents and teachers as soon as is
24 practicably possible after the test is taken;

1 “(2) ensure that migratory children and for-
2 merly migratory children who are eligible to receive
3 services under this part are selected to receive such
4 services on the same basis as other children who are
5 selected to receive services under this part;

6 “(3) provide services to eligible children attend-
7 ing private elementary schools and secondary schools
8 in accordance with section 1120, and timely and
9 meaningful consultation with private school officials
10 regarding such services; and

11 “(4) participate, if selected, in the National As-
12 sessment of Educational Progress in 4th and 8th
13 grade reading and mathematics carried out under
14 section 303(b)(2) of the National Assessment of
15 Educational Progress Authorization Act.

16 “(d) SCHOOLWIDE PROGRAM PLANS.—In addition to
17 the plan requirements described in subsection (c), for
18 schools operating a schoolwide program under section
19 1113(b)(2), the plan shall also include—

20 “(1) a description of schoolwide reform strate-
21 gies that—

22 “(A) provide opportunities for all children
23 to meet the State’s challenging academic
24 achievement standards under section 1111(b);

1 “(B) use effective methods and instruc-
2 tional strategies that are based on scientifically
3 valid research that—

4 “(i) strengthen the core academic pro-
5 gram in the school; and

6 “(ii) increase the amount and quality
7 of learning time and help provide an en-
8 riched and accelerated curriculum; and

9 “(C) address the academic and other sup-
10 port needs of all children in the school;

11 “(2) a list of State educational agency and local
12 educational agency programs and other Federal pro-
13 grams that will be consolidated in the schoolwide
14 program; and

15 “(3) if appropriate, a description of how funds
16 will be used to establish or enhance prekindergarten
17 programs for children below the age of 6.

18 “(e) TARGETED ASSISTANCE SCHOOL PLANS.—In
19 addition to the plan requirements described in subsection
20 (c), for schools operating a targeted assistance program
21 under section 1113(b)(3), the plan shall also include—

22 “(1) a description of—

23 “(A) the process for determining which
24 students will be served and the students to be
25 served;

1 “(B) the assistance that will be provided to
2 such students; and

3 “(C) how the activities supported under
4 this part will be coordinated with and incor-
5 porated into the regular education program of
6 the school; and

7 “(2) assurances that the school will—

8 “(A) help provide an accelerated, high-
9 quality curriculum;

10 “(B) minimize removing children from the
11 regular classroom during regular school hours
12 for instruction provided under this part; and

13 “(C) on an ongoing basis, review the
14 progress of participating children and revise the
15 plan under this section, if necessary, to provide
16 additional assistance to enable such children to
17 meet the State’s challenging academic achieve-
18 ment standards.

19 “(f) PARENTS RIGHT-TO-KNOW.—

20 “(1) TEACHER QUALIFICATIONS.—

21 “(A) IN GENERAL.—At the beginning of
22 each school year, a local educational agency
23 that receives funds under this part shall notify
24 the parents of each student attending any
25 school receiving funds under this part that the

1 parents may request, and the agency will pro-
2 vide the parents on request (and in a timely
3 manner), information regarding the professional
4 qualifications of the student’s classroom teach-
5 ers, including, at a minimum, the following:

6 “(i) Whether the teacher has met
7 State qualification and licensing criteria
8 for the grade levels and subject areas in
9 which the teacher provides instruction.

10 “(ii) Whether the teacher is teaching
11 under emergency or other provisional sta-
12 tus through which State qualification or li-
13 censing criteria have been waived.

14 “(iii) Whether the child is provided
15 services by paraprofessionals and, if so,
16 whether each such paraprofessional meets
17 the qualifications required under section
18 1119.

19 “(B) ADDITIONAL INFORMATION.—In ad-
20 dition to the information that parents may re-
21 quest under subparagraph (A), a school that re-
22 ceives funds under this part shall provide to
23 each individual parent—

24 “(i) information on the level of
25 achievement of the parent’s child in each

1 of the State academic assessments as re-
2 quired under this part; and

3 “(ii) timely notice that the parent’s
4 child has been assigned, or has been
5 taught for 4 or more consecutive weeks by,
6 a teacher who does not meet applicable
7 State certification or licensure require-
8 ments.

9 “(2) LANGUAGE INSTRUCTION.—

10 “(A) NOTICE.—Each local educational
11 agency using funds under this part to provide
12 a language instruction educational program as
13 determined under title III shall, not later than
14 30 days after the beginning of the school year,
15 inform a parent or parents of an English lan-
16 guage learner identified for participation or
17 participating in such a program of—

18 “(i) the reasons for the identification
19 of their child as an English language
20 learner and in need of placement in a lan-
21 guage instruction educational program;

22 “(ii) the child’s level of English pro-
23 ficiency, how such level was assessed, and
24 the status of the child’s academic achieve-
25 ment;

1 “(iii) the methods of instruction used
2 in the program in which their child is, or
3 will be participating, and the methods of
4 instruction used in other available pro-
5 grams, including how such programs differ
6 in content, instructional goals, and the use
7 of English and a native language in in-
8 struction;

9 “(iv) how the program in which their
10 child is, or will be participating, will meet
11 the educational strengths and needs of
12 their child;

13 “(v) how such program will specifi-
14 cally help their child learn English and
15 meet age-appropriate academic achieve-
16 ment standards for grade promotion and
17 graduation;

18 “(vi) the specific exit requirements for
19 the program, including the expected rate of
20 transition from such program into class-
21 rooms that are not tailored for English
22 language learners, and the expected rate of
23 graduation from secondary school for such
24 program if funds under this part are used
25 for children in secondary schools;

1 “(vii) in the case of a child with a dis-
2 ability, how such program meets the objec-
3 tives of the individualized education pro-
4 gram of the child, as described in section
5 614(a)(1)(D) of the Individuals with Dis-
6 abilities Education Act; and

7 “(viii) information pertaining to pa-
8 rental rights that includes written guid-
9 ance—

10 “(I) detailing—

11 “(aa) the right that parents
12 have to have their child imme-
13 diately removed from such pro-
14 gram upon their request; and

15 “(bb) the options that par-
16 ents have to decline to enroll
17 their child in such program or to
18 choose another program or meth-
19 od of instruction, if available; and

20 “(II) assisting parents in select-
21 ing among various programs and
22 methods of instruction, if more than 1
23 program or method is offered by the
24 eligible entity.

1 “(B) SPECIAL RULE APPLICABLE DURING
2 THE SCHOOL YEAR.—For those children who
3 have not been identified as English language
4 learners prior to the beginning of the school
5 year but are identified as English language
6 learners during such school year, the local edu-
7 cational agency shall notify the children’s par-
8 ents during the first 2 weeks of the child being
9 placed in a language instruction educational
10 program consistent with subparagraph (A).

11 “(C) PARENTAL PARTICIPATION.—Each
12 local educational agency receiving funds under
13 this part shall implement an effective means of
14 outreach to parents of English language learn-
15 ers to inform the parents regarding how the
16 parents can be involved in the education of
17 their children, and be active participants in as-
18 sisting their children to attain English pro-
19 ficiency, achieve at high levels in core academic
20 subjects, and meet challenging State academic
21 achievement standards and State academic con-
22 tent standards expected of all students, includ-
23 ing holding, and sending notice of opportunities
24 for, regular meetings for the purpose of formu-

1 lating and responding to recommendations from
2 parents of students assisted under this part.

3 “(D) BASIS FOR ADMISSION OR EXCLU-
4 SION.—A student shall not be admitted to, or
5 excluded from, any federally assisted education
6 program on the basis of a surname or language-
7 minority status.

8 “(3) FORMAT.—The notice and information
9 provided to parents under this subsection shall be in
10 an understandable and uniform format and, to the
11 extent practicable, provided in a language that the
12 parents can understand.

13 **“SEC. 1113. ELIGIBLE SCHOOL ATTENDANCE AREAS;**
14 **SCHOOLWIDE PROGRAMS; TARGETED ASSIST-**
15 **ANCE PROGRAMS.**

16 “(a) ELIGIBLE SCHOOL ATTENDANCE AREAS.—

17 “(1) DETERMINATION.—

18 “(A) IN GENERAL.—A local educational
19 agency shall use funds received under this part
20 only in eligible school attendance areas.

21 “(B) ELIGIBLE SCHOOL ATTENDANCE
22 AREAS.—In this part—

23 “(i) the term ‘school attendance area’
24 means, in relation to a particular school,
25 the geographical area in which the children

1 who are normally served by that school re-
2 side; and

3 “(ii) the term ‘eligible school attend-
4 ance area’ means a school attendance area
5 in which the percentage of children from
6 low-income families is at least as high as
7 the percentage of children from low-income
8 families served by the local educational
9 agency as a whole.

10 “(C) RANKING ORDER.—If funds allocated
11 in accordance with paragraph (3) are insuffi-
12 cient to serve all eligible school attendance
13 areas, a local educational agency shall—

14 “(i) annually rank, without regard to
15 grade spans, such agency’s eligible school
16 attendance areas in which the concentra-
17 tion of children from low-income families
18 exceeds 75 percent from highest to lowest
19 according to the percentage of children
20 from low-income families; and

21 “(ii) serve such eligible school attend-
22 ance areas in rank order.

23 “(D) REMAINING FUNDS.—If funds remain
24 after serving all eligible school attendance areas

1 under subparagraph (C), a local educational
2 agency shall—

3 “(i) annually rank such agency’s re-
4 maining eligible school attendance areas
5 from highest to lowest either by grade
6 span or for the entire local educational
7 agency according to the percentage of chil-
8 dren from low-income families; and

9 “(ii) serve such eligible school attend-
10 ance areas in rank order either within each
11 grade-span grouping or within the local
12 educational agency as a whole.

13 “(E) MEASURES.—The local educational
14 agency shall use the same measure of poverty,
15 which measure shall be the number of children
16 ages 5 through 17 in poverty counted in the
17 most recent census data approved by the Sec-
18 retary, the number of children eligible for a free
19 or reduced priced lunch under the Richard B.
20 Russell National School Lunch Act, the number
21 of children in families receiving assistance
22 under the State program funded under part A
23 of title IV of the Social Security Act, or the
24 number of children eligible to receive medical
25 assistance under the Medicaid program, or a

1 composite of such indicators, with respect to all
2 school attendance areas in the local educational
3 agency—

4 “(i) to identify eligible school attend-
5 ance areas;

6 “(ii) to determine the ranking of each
7 area; and

8 “(iii) to determine allocations under
9 paragraph (3).

10 “(F) EXCEPTION.—This subsection shall
11 not apply to a local educational agency with a
12 total enrollment of less than 1,000 children.

13 “(G) WAIVER FOR DESEGREGATION
14 PLANS.—The Secretary may approve a local
15 educational agency’s written request for a waiv-
16 er of the requirements of this paragraph and
17 paragraph (3) and permit such agency to treat
18 as eligible, and serve, any school that children
19 attend with a State-ordered, court-ordered
20 school desegregation plan or a plan that con-
21 tinues to be implemented in accordance with a
22 State-ordered or court-ordered desegregation
23 plan, if—

24 “(i) the number of economically dis-
25 advantaged children enrolled in the school

1 is at least 25 percent of the school's total
2 enrollment; and

3 “(ii) the Secretary determines on the
4 basis of a written request from such agen-
5 cy and in accordance with such criteria as
6 the Secretary establishes, that approval of
7 that request would further the purposes of
8 this part.

9 “(2) LOCAL EDUCATIONAL AGENCY DISCRE-
10 TION.—

11 “(A) IN GENERAL.—Notwithstanding para-
12 graph (1)(B), a local educational agency may—

13 “(i) designate as eligible any school
14 attendance area or school in which at least
15 35 percent of the children are from low-in-
16 come families;

17 “(ii) use funds received under this
18 part in a school that is not in an eligible
19 school attendance area, if the percentage
20 of children from low-income families en-
21 rolled in the school is equal to or greater
22 than the percentage of such children in a
23 participating school attendance area of
24 such agency;

1 “(iii) designate and serve a school at-
2 tendance area or school that is not eligible
3 under this section, but that was eligible
4 and that was served in the preceding fiscal
5 year, but only for 1 additional fiscal year;
6 and

7 “(iv) elect not to serve an eligible
8 school attendance area or eligible school
9 that has a higher percentage of children
10 from low-income families if—

11 “(I) the school meets the com-
12 parability requirements of section
13 1120A(b);

14 “(II) the school is receiving sup-
15 plemental funds from other State or
16 local sources that are spent according
17 to the requirements of this section;
18 and

19 “(III) the funds expended from
20 such other sources equal or exceed the
21 amount that would be provided under
22 this part.

23 “(B) SPECIAL RULE.—Notwithstanding
24 subparagraph (A)(iv), the number of children
25 attending private elementary schools and sec-

1 ondary schools who are to receive services, and
2 the assistance such children are to receive
3 under this part, shall be determined without re-
4 gard to whether the public school attendance
5 area in which such children reside is assisted
6 under subparagraph (A).

7 “(3) ALLOCATIONS.—

8 “(A) IN GENERAL.—A local educational
9 agency shall allocate funds received under this
10 part to eligible school attendance areas or eligi-
11 ble schools, identified under paragraphs (1) and
12 (2) in rank order, on the basis of the total
13 number of children from low-income families in
14 each area or school.

15 “(B) SPECIAL RULE.—

16 “(i) IN GENERAL.—Except as pro-
17 vided in clause (ii), the per-pupil amount
18 of funds allocated to each school attend-
19 ance area or school under subparagraph
20 (A) shall be at least 125 percent of the
21 per-pupil amount of funds a local edu-
22 cational agency received for that year
23 under the poverty criteria described by the
24 local educational agency in the plan sub-
25 mitted under section 1112, except that this

1 clause shall not apply to a local edu-
2 cational agency that only serves schools in
3 which the percentage of such children is 35
4 percent or greater.

5 “(ii) EXCEPTION.—A local edu-
6 cational agency may reduce the amount of
7 funds allocated under clause (i) for a
8 school attendance area or school by the
9 amount of any supplemental State and
10 local funds expended in that school attend-
11 ance area or school for programs that meet
12 the requirements of this section.

13 “(C) RESERVATION.—A local educational
14 agency shall reserve such funds as are nec-
15 essary under this part to provide services com-
16 parable to those provided to children in schools
17 funded under this part to serve—

18 “(i) homeless children who do not at-
19 tend participating schools, including pro-
20 viding educationally related support serv-
21 ices to children in shelters and other loca-
22 tions where children may live;

23 “(ii) children in local institutions for
24 neglected children; and

1 “(iii) if appropriate, children in local
2 institutions for delinquent children, and
3 neglected or delinquent children in commu-
4 nity day school programs.

5 “(b) SCHOOLWIDE PROGRAMS AND TARGETED AS-
6 SISTANCE SCHOOLS.—

7 “(1) IN GENERAL.—For each school that will
8 receive funds under this part, the local educational
9 agency shall determine whether the school operates
10 as a schoolwide program consistent with paragraph
11 (2) or a targeted assistance school consistent with
12 paragraph (3).

13 “(2) SCHOOLWIDE PROGRAMS.—

14 “(A) IN GENERAL.—A local educational
15 agency may consolidate and use funds under
16 this part, together with other Federal, State,
17 and local funds, in order to upgrade the entire
18 educational program of a school that serves an
19 eligible school attendance area in which not less
20 than 40 percent of the children are from low-
21 income families, or not less than 40 percent of
22 the children enrolled in the school are from
23 such families.

24 “(B) IDENTIFICATION OF STUDENTS NOT
25 REQUIRED.—

1 “(i) IN GENERAL.—No school partici-
2 pating in a schoolwide program shall be re-
3 quired—

4 “(I) to identify particular chil-
5 dren under this part as eligible to par-
6 ticipate in a schoolwide program; or

7 “(II) to provide services to such
8 children that are supplementary, as
9 otherwise required by section
10 1120A(a).

11 “(ii) SUPPLEMENTAL FUNDS.—A
12 school participating in a schoolwide pro-
13 gram shall use funds available to carry out
14 this paragraph only to supplement the
15 amount of funds that would, in the absence
16 of funds under this part, be made available
17 from non-Federal sources for the school,
18 including funds needed to provide services
19 that are required by law for children with
20 disabilities and children who are English
21 language learners.

22 “(C) EXEMPTION FROM STATUTORY AND
23 REGULATORY REQUIREMENTS.—

24 “(i) EXEMPTION.—The Secretary
25 may, through publication of a notice in the

1 Federal Register, exempt schoolwide pro-
2 grams under this section from statutory or
3 regulatory provisions of any other non-
4 competitive formula grant program admin-
5 istered by the Secretary (other than for-
6 mula or discretionary grant programs
7 under the Individuals with Disabilities
8 Education Act, except as provided in sec-
9 tion 613(a)(2)(D) of such Act), or any dis-
10 cretionary grant program administered by
11 the Secretary, to support schoolwide pro-
12 grams if the intent and purposes of such
13 other programs are met.

14 “(ii) REQUIREMENTS.—A school that
15 chooses to use funds from such other pro-
16 grams shall not be relieved of the require-
17 ments relating to health, safety, civil
18 rights, student and parental participation
19 and involvement, services to private school
20 children, comparability of services, uses of
21 Federal funds to supplement, not supplant
22 non-Federal funds, or the distribution of
23 funds to State educational agencies or local
24 educational agencies that apply to the re-
25 ceipt of funds from such programs.

1 “(iii) RECORDS.—A school that con-
2 solidates and uses funds from different
3 Federal programs under this paragraph
4 shall not be required to maintain separate
5 fiscal accounting records, by program, that
6 identify the specific activities supported by
7 those particular funds as long as the
8 school maintains records that demonstrate
9 that the schoolwide program, considered as
10 a whole, addresses the intent and purposes
11 of each of the Federal programs that were
12 consolidated to support the schoolwide pro-
13 gram.

14 “(D) PREKINDERGARTEN PROGRAM.—A
15 school that is eligible for a schoolwide program
16 under this paragraph may use funds made
17 available under this part to establish or enhance
18 prekindergarten programs for children below
19 the age of 6.

20 “(3) TARGETED ASSISTANCE SCHOOLS.—

21 “(A) IN GENERAL.—In all schools selected
22 to receive funds under subsection (a)(3) that
23 are ineligible for a schoolwide program under
24 paragraph (2), or that choose not to operate
25 such a schoolwide program, a local educational

1 agency serving such school may use funds re-
2 ceived under this part only for programs that
3 provide services to eligible children under sub-
4 paragraph (B) identified as having the greatest
5 need for special assistance.

6 “(B) ELIGIBLE CHILDREN.—

7 “(i) ELIGIBLE POPULATION.—

8 “(I) IN GENERAL.—The eligible
9 population for services under this sec-
10 tion is—

11 “(aa) children not older
12 than age 21 who are entitled to
13 a free public education through
14 grade 12; and

15 “(bb) children who are not
16 yet at a grade level at which the
17 local educational agency provides
18 a free public education.

19 “(II) ELIGIBLE CHILDREN FROM
20 ELIGIBLE POPULATION.—From the
21 population described in subclause (I),
22 eligible children are children identified
23 by the school as failing, or most at
24 risk of failing, to meet the State’s
25 challenging student academic achieve-

1 ment standards on the basis of mul-
2 tiple, educationally related, objective
3 criteria established by the local edu-
4 cational agency and supplemented by
5 the school.

6 “(ii) CHILDREN INCLUDED.—

7 “ (I) IN GENERAL.—Children who
8 are economically disadvantaged, chil-
9 dren with disabilities, migrant chil-
10 dren, or children who are English lan-
11 guage learners, are eligible for serv-
12 ices under this part on the same basis
13 as other children selected to receive
14 services under this part.

15 “(II) HEAD START AND PRE-
16 SCHOOL CHILDREN.—A child who, at
17 any time in the 2 years preceding the
18 year for which the determination is
19 made, participated in a Head Start
20 program, or in preschool services
21 under this title, is eligible for services
22 under this part.

23 “(III) MIGRANT CHILDREN.—A
24 child who, at any time in the 2 years
25 preceding the year for which the de-

1 termination is made, received services
2 under part C is eligible for services
3 under this part.

4 “(IV) NEGLECTED OR DELIN-
5 QUENT CHILDREN.—A child in a local
6 institution for neglected or delinquent
7 children and youth or attending a
8 community day program for such chil-
9 dren is eligible for services under this
10 part.

11 “(V) HOMELESS CHILDREN.—A
12 child who is homeless and attending
13 any school served by the local edu-
14 cational agency is eligible for services
15 under this part.

16 “(iii) SPECIAL RULE.—Funds received
17 under this part may not be used to provide
18 services that are otherwise required by law
19 to be made available to children described
20 in clause (ii) but may be used to coordi-
21 nate or supplement such services.

22 “(C) INTEGRATION OF PROFESSIONAL DE-
23 VELOPMENT.—To promote the integration of
24 staff supported with funds under this part into
25 the regular school program and overall school

1 planning and improvement efforts, public school
2 personnel who are paid with funds received
3 under this part may—

4 “(i) participate in general professional
5 development and school planning activities;
6 and

7 “(ii) assume limited duties that are
8 assigned to similar personnel who are not
9 so paid, including duties beyond classroom
10 instruction or that do not benefit partici-
11 pating children, so long as the amount of
12 time spent on such duties is the same pro-
13 portion of total work time as prevails with
14 respect to similar personnel at the same
15 school.

16 “(D) SPECIAL RULES.—

17 “(i) SIMULTANEOUS SERVICE.—Noth-
18 ing in this paragraph shall be construed to
19 prohibit a school from serving students
20 under this paragraph simultaneously with
21 students with similar educational needs, in
22 the same educational settings where appro-
23 priate.

24 “(ii) COMPREHENSIVE SERVICES.—If
25 health, nutrition, and other social services

1 are not otherwise available to eligible chil-
2 dren in a targeted assistance school and
3 such school, if appropriate, has engaged in
4 a comprehensive needs assessment and es-
5 tablished a collaborative partnership with
6 local service providers and funds are not
7 reasonably available from other public or
8 private sources to provide such services,
9 then a portion of the funds provided under
10 this part may be used as a last resort to
11 provide such services, including—

12 “(I) the provision of basic med-
13 ical equipment, such as eyeglasses and
14 hearing aids;

15 “(II) compensation of a coordi-
16 nator; and

17 “(III) professional development
18 necessary to assist teachers, pupil
19 services personnel, other staff, and
20 parents in identifying and meeting the
21 comprehensive needs of eligible chil-
22 dren.

23 **“SEC. 1114. SCHOOL IDENTIFICATION AND ASSISTANCE.**

24 “(a) STATE REVIEW AND RESPONSIBILITIES.—

1 “(1) IN GENERAL.—Each State educational
2 agency receiving funds under this part shall use a
3 system designed by the State in accordance with sec-
4 tion 1111(b)(3)(A) to annually—

5 “(A) review the academic performance of
6 each public school in the State to measure the
7 progress of each public school served under this
8 part in meeting the State’s challenging aca-
9 demic standards and any other measures deter-
10 mined appropriate by the State, by using—

11 “(i) the State academic assessments
12 described in section 1111(b)(2);

13 “(ii) secondary school graduation
14 rates, as appropriate; and

15 “(iii) other indicators determined by
16 the State; and

17 “(B) identify the public schools that re-
18 ceive funds under this part and are in need of
19 assistance for improving student academic
20 achievement and any other measures deter-
21 mined appropriate by the State.

22 “(2) STATE EDUCATIONAL AGENCY RESPON-
23 SIBILITIES.—The State educational agency shall—

1 “(A) make technical assistance available to
2 local educational agencies that serve schools
3 identified under paragraph (1)(B);

4 “(B) if the State educational agency deter-
5 mines that a local educational agency failed to
6 carry out its responsibilities under this section,
7 take such actions as the State educational agen-
8 cy determines to be appropriate and in compli-
9 ance with State law; and

10 “(C) inform local educational agencies of
11 schools identified under subparagraph (1)(B) in
12 a timely manner that is before the beginning of
13 the school year.

14 “(b) LOCAL EDUCATIONAL AGENCY REVIEW AND
15 RESPONSIBILITIES.—

16 “(1) IN GENERAL.—Each local educational
17 agency with a school identified under subsection
18 (a)(1)(B) shall, in consultation with school per-
19 sonnel, parents, and the local community—

20 “(A) conduct a review of such school and
21 student achievement data, including data from
22 the State assessments described in section
23 1111(b)(2), to determine the factors that led to
24 such identification;

1 “(B) conduct a review of the policies, pro-
2 cedures, personnel decisions, and budgetary de-
3 cisions of the local educational agency and the
4 school that impact the school and could have
5 contributed to the identification of the school;

6 “(C) develop appropriate strategies, as de-
7 scribed under paragraph (3), for assisting the
8 identified school; and

9 “(D) develop a comprehensive plan for the
10 successful implementation of the assistance
11 strategies, including—

12 “(i) technical assistance that will be
13 provided to the school;

14 “(ii) improved delivery of services to
15 be provided by the local educational agen-
16 cy;

17 “(iii) curriculum, program of instruc-
18 tion, or other services provided to students
19 in the school; and

20 “(iv) any changes to personnel nec-
21 essary to improve educational opportunities
22 for children in the school.

23 “(2) NOTICE TO PARENTS.—A local educational
24 agency shall promptly provide to a parent or parents

1 of each student enrolled in a school identified under
2 subsection (a)(1)(B)—

3 “(A) an explanation of what the identifica-
4 tion means, and how the school compares in
5 terms of academic achievement to other schools
6 served by the local educational agency and the
7 State educational agency involved;

8 “(B) the reasons for the identification;

9 “(C) an explanation of what the local edu-
10 cational agency or State educational agency is
11 doing to help the school address the student
12 academic achievement problem, including a de-
13 scription of the assistance strategies developed
14 under paragraph (1)(C) that will be imple-
15 mented in the school;

16 “(D) an explanation of how the parents
17 can become involved in addressing the academic
18 achievement issues that caused the school to be
19 identified; and

20 “(E) an explanation of the parents’ option
21 to transfer their child to another public school
22 under paragraph (4), if applicable.

23 “(3) SCHOOL ASSISTANCE STRATEGIES.—

24 “(A) IN GENERAL.—Consistent with sub-
25 section (a)(1) and paragraph (1), a local edu-

1 cational agency shall develop assistance strate-
2 gies for an identified school, which may include,
3 among other strategies—

4 “(i) replacing the principal who led
5 the school before implementation of the
6 strategy;

7 “(ii) screening and replacing teachers
8 that are not effective in improving student
9 achievement, as determined by the State or
10 local educational agency;

11 “(iii) giving the school sufficient oper-
12 ational flexibility in programming, staffing,
13 budgeting, and scheduling to fully imple-
14 ment a comprehensive strategy that is de-
15 signed to substantially improve student
16 achievement and, if applicable, increase the
17 graduation rate;

18 “(iv) providing ongoing, high-quality
19 professional development to instructional
20 staff that is aligned with the school’s in-
21 structional program, facilitates effective
22 teaching and learning, and supports the
23 implementation of school turnaround
24 model;

1 “(v) implementing strategies, such as
2 financial incentives, increased opportunities
3 for promotion and career growth, and more
4 flexible work conditions, that are designed
5 to recruit, place, and retain staff with the
6 skills that are necessary to meet the needs
7 of the students in the school;

8 “(vi) using data to identify and imple-
9 ment a research-based instructional pro-
10 gram that is aligned with the State’s chal-
11 lenging academic standards or to inform
12 and differentiate instruction in order to
13 meet the academic needs of individual stu-
14 dents;

15 “(vii) converting a school or closing
16 and reopening the school—

17 “(I) under a charter school oper-
18 ator, a charter management organiza-
19 tion, an education management orga-
20 nization, as a magnet school, or as an
21 innovative school as defined under
22 State law; and

23 “(II) enrolling in the school,
24 within the grades it serves, any
25 former student from the identified

1 school who wishes to attend the
2 school;

3 “(viii) closing a school and enrolling
4 the students who attended that school in
5 other schools of the local educational agen-
6 cy that are higher performing;

7 “(ix) adopting a new governance
8 structure for the school; and

9 “(x) any other strategies and activi-
10 ties that the local educational agency
11 deems appropriate to address the needs of
12 students in identified schools.

13 “(B) STATE DETERMINED STRATEGIES.—
14 Consistent with State law, a State educational
15 agency may establish alternative State deter-
16 mined strategies that can be used by local edu-
17 cational agencies to assist a school identified
18 under subsection (a)(1)(B), in addition to the
19 assistance strategies developed by a local edu-
20 cational agency under subparagraph (A).

21 “(4) PUBLIC SCHOOL CHOICE.—

22 “(A) IN GENERAL.—In addition to the as-
23 sistance strategies developed under paragraph
24 (3)(A), a local educational agency may, not
25 later than 3 months before the first day of the

1 school year following identification under sub-
2 section (a)(1)(B), provide all students enrolled
3 in the identified school with the option to trans-
4 fer to another public school served by the local
5 educational agency, unless such an option is
6 prohibited by State law.

7 “(B) PRIORITY.—In providing students the
8 option to transfer to another public school, the
9 local educational agency shall give priority to
10 the lowest achieving children from low-income
11 families, as determined by the local educational
12 agency for the purposes of allocating funds to
13 schools under section 1113(a)(3).

14 “(C) TREATMENT.—Students who use the
15 option to transfer to another public school shall
16 be enrolled in classes and other activities in the
17 public school to which the students transfer in
18 the same manner as all other children at the
19 public school.

20 “(D) SPECIAL RULE.—A local educational
21 agency shall permit a child who transfers to an-
22 other public school under this paragraph to re-
23 main in that school until the child has com-
24 pleted the highest grade in that school.

25 “(E) PROVISION OF TRANSPORTATION.—

1 “(i) IN GENERAL.—Except as pro-
2 vided in clause (ii), a local educational
3 agency shall provide, or shall pay for the
4 provision of, transportation for a student
5 who transfers under this paragraph to the
6 public school to which the student trans-
7 fers.

8 “(ii) EXCEPTION.—The obligation of
9 a local educational agency to provide, or
10 pay for the provision of, transportation for
11 a student who transfers under this para-
12 graph ends at the end of a school year if
13 the local educational agency determines
14 that the school from which the student
15 transferred is no longer identified under
16 subsection (a)(1)(B).

17 **“SEC. 1115. RESERVED.**

18 **“SEC. 1116. RESERVED.**

19 **“SEC. 1117. RESERVED.”;**

20 and

21 (2) by striking section 1119 and inserting the
22 following:

1 **“SEC. 1119. QUALIFICATIONS FOR TEACHERS AND PARA-**
2 **PROFESSIONALS.**

3 “(a) **TEACHERS.**—Each local educational agency re-
4 ceiving assistance under this part shall ensure that all
5 teachers working in a program supported with funds
6 under this part meet applicable State certification and li-
7 censure requirements.

8 “(b) **PARAPROFESSIONALS.**—

9 “(1) **IN GENERAL.**—Each local educational
10 agency receiving assistance under this part shall en-
11 sure that all paraprofessionals hired after the date
12 of enactment of the No Child Left Behind Act of
13 2001 (Public Law 107–110) and working in a pro-
14 gram supported with funds under this part have—

15 “(A) completed not less than 2 years of
16 study at an institution of higher education;

17 “(B) obtained an associate’s (or higher)
18 degree; or

19 “(C) met a rigorous standard of quality
20 and can demonstrate, through a formal State or
21 local academic assessment—

22 “(i) knowledge of, and the ability to
23 assist in, instructing, reading, writing, and
24 mathematics; or

25 “(ii) knowledge of, and the ability to
26 assist in, reading readiness, writing readi-

1 ness, and mathematics readiness, as appro-
2 pate.

3 “(2) CLARIFICATION.—The receipt of a sec-
4 ondary school diploma (or its recognized equivalent)
5 shall be necessary but not sufficient to satisfy the
6 requirements of paragraph (1)(C).

7 “(c) EXCEPTIONS FOR TRANSLATION AND PARENTAL
8 INVOLVEMENT ACTIVITIES.—Subsection (b) shall not
9 apply to a paraprofessional—

10 “(1) who is proficient in English and a lan-
11 guage other than English and who provides services
12 primarily to enhance the participation of children in
13 programs under this part by acting as a translator;
14 or

15 “(2) whose duties consist solely of conducting
16 parental involvement activities consistent with sec-
17 tion 1118.

18 “(d) DUTIES OF PARAPROFESSIONALS.—

19 “(1) IN GENERAL.—Each local educational
20 agency receiving assistance under this part shall en-
21 sure that a paraprofessional working in a program
22 supported with funds under this part is not assigned
23 a duty inconsistent with this subsection.

24 “(2) LIMITATIONS.—A paraprofessional de-
25 scribed in paragraph (1) may only provide instruc-

1 tional service to a student under the direct super-
 2 vision of a teacher or principal.

3 “(3) RESPONSIBILITIES PARAPROFESSIONALS
 4 MAY BE ASSIGNED.—A paraprofessional described in
 5 paragraph (1) may be assigned—

6 “(A) to provide one-on-one tutoring for eli-
 7 gible students, if the tutoring is scheduled at a
 8 time when a student would not otherwise re-
 9 ceive instruction from a teacher;

10 “(B) to assist with classroom management,
 11 such as organizing instructional and other ma-
 12 terials;

13 “(C) to provide assistance in a computer
 14 laboratory;

15 “(D) to conduct parental involvement ac-
 16 tivities;

17 “(E) to provide support in a library or
 18 media center;

19 “(F) to act as a translator; or

20 “(G) to provide instructional services to
 21 students in accordance with paragraph (2).”.

22 **SEC. 105. PARTICIPATION OF CHILDREN ENROLLED IN PRI-**
 23 **VATE SCHOOLS.**

24 Section 1120(a) (20 U.S.C. 6320(a)) is amended by
 25 striking paragraph (4) and inserting the following:

1 “(4) EXPENDITURES.—

2 “(A) IN GENERAL.—Expenditures for edu-
3 cational services and other benefits to eligible
4 private school children shall be equal to the pro-
5 portion of funds allocated to the local edu-
6 cational agency based on the number of chil-
7 dren from low-income families who attend pri-
8 vate schools.

9 “(B) TERM OF DETERMINATION.—The
10 local educational agency may determine the eq-
11 uitable share each year or every 2 years.

12 “(C) METHOD OF DETERMINATION.—The
13 proportional share of funds shall be deter-
14 mined—

15 “(i) based on the total allocation re-
16 ceived by the local educational agency; and

17 “(ii) prior to any allowable expendi-
18 tures or transfers by the local educational
19 agency.”.

20 **SEC. 106. TITLE I FUNDS FOLLOW THE LOW-INCOME CHILD**
21 **STATE OPTION.**

22 Subpart 2 of part A of title I (20 U.S.C. 6331 et
23 seq.) is amended by adding at the end the following:

1 **“SEC. 1128. TITLE I FUNDS FOLLOW THE LOW-INCOME**
2 **CHILD STATE OPTION.**

3 “(a) IN GENERAL.—Notwithstanding any other pro-
4 vision of law and to the extent permitted under State law,
5 a State educational agency may allocate grant funds under
6 this subpart among the local educational agencies in the
7 State based on the number of eligible children enrolled in
8 the public schools operated by each local educational agen-
9 cy.

10 “(b) ELIGIBLE CHILD.—

11 “(1) DEFINITION.—In this section, the term
12 ‘eligible child’ means a child aged 5 to 17, inclusive,
13 from a family with an income below the poverty level
14 on the basis of the most recent satisfactory data
15 published by the Department of Commerce.

16 “(2) CRITERIA OF POVERTY.—In determining
17 the families with incomes below the poverty level for
18 the purposes of this section, a State educational
19 agency shall use the criteria of poverty used by the
20 Census Bureau in compiling the most recent decen-
21 nial census, as the criteria have been updated by in-
22 creases in the Consumer Price Index for All Urban
23 Consumers, published by the Bureau of Labor Sta-
24 tistics.

25 “(c) STUDENT ENROLLMENT IN PUBLIC SCHOOLS.—

1 “(1) IDENTIFICATION OF ELIGIBLE CHIL-
2 DREN.—On an annual basis, on a date to be deter-
3 mined by the State educational agency, each local
4 educational agency that receives grant funding in ac-
5 cordance with subsection (a) shall inform the State
6 educational agency of the number of eligible children
7 enrolled in public schools served by the local edu-
8 cational agency.

9 “(2) ALLOCATION TO LOCAL EDUCATIONAL
10 AGENCIES.—Based on the identification of eligible
11 children in paragraph (1), the State educational
12 shall provide to a local educational agency an
13 amount equal to the sum of the amount available for
14 each eligible child in the State multiplied by the
15 number of eligible children identified by the local
16 educational agency under paragraph (1).

17 “(3) DISTRIBUTION TO SCHOOLS.—Each local
18 educational agency that receives funds under para-
19 graph (2) shall distribute such funds to the public
20 schools served by the local educational agency—

21 “(A) based on the number of eligible chil-
22 dren enrolled in such schools; and

23 “(B) in a manner that would, in the ab-
24 sence of such Federal funds, supplement the
25 funds made available from non-Federal re-

1 sources for the education of pupils participating
2 in programs under this part, and not to sup-
3 plant such funds.”.

4 **SEC. 107. ACADEMIC ASSESSMENTS.**

5 Part B of title I (20 U.S.C. 6361 et seq.) is amended
6 to read as follows:

7 **“PART B—ACADEMIC ASSESSMENTS**

8 **“SEC. 1201. GRANTS FOR STATE ASSESSMENTS AND RE-**
9 **LATED ACTIVITIES.**

10 “The Secretary shall make grants to States to enable
11 the States to carry out the following:

12 “(1) To pay the costs of the development of the
13 additional State assessments and standards required
14 by section 1111(b), which may include the costs of
15 working in voluntary partnerships with other States,
16 at the sole discretion of each such State.

17 “(2) If a State has developed the assessments
18 required by section 1111(b), to administer those as-
19 sements or to carry out other activities described
20 in this part and other activities related to ensuring
21 that the State’s schools and local educational agen-
22 cies are held accountable for results, such as the fol-
23 lowing:

24 “(A) Expanding the range of appropriate
25 accommodations available to English language

1 learners and students with disabilities to im-
2 prove the rates of inclusion in regular assess-
3 ments of such students, including professional
4 development activities to improve the implemen-
5 tation of such accommodations in instructional
6 practice.

7 “(B) Developing or improving assessments
8 for students with disabilities, including the de-
9 velopment of assessments—

10 “(i) for all students, including stu-
11 dents with disabilities, using the principles
12 of universal design;

13 “(ii) aligned to modified State content
14 standards; and

15 “(iii) aligned to alternate State con-
16 tent standards for students with the most
17 significant cognitive disabilities.

18 “(C) Developing challenging academic con-
19 tent and student academic achievement stand-
20 ards and aligned assessments in academic sub-
21 jects for which standards and assessments are
22 not required under section 1111(b).

23 “(D) Developing or improving assessments
24 of English language proficiency necessary to
25 comply with section 1111(b)(2)(B)(vi)(IV).

1 “(E) Ensuring the continued validity and
2 reliability of State assessments.

3 “(F) Refining State assessments to ensure
4 their continued alignment with the State’s aca-
5 demic content standards and to improve the
6 alignment of curricula and instructional mate-
7 rials.

8 **“SEC. 1202. GRANTS FOR ENHANCED ASSESSMENT INSTRU-**
9 **MENTS.**

10 “(a) GRANT PROGRAM AUTHORIZED.—

11 “(1) IN GENERAL.—From funds made available
12 to carry out this part, the Secretary shall award, on
13 a competitive basis, grants to State educational
14 agencies to enable the agencies to carry out the ac-
15 tivities described in this section.

16 “(2) APPLICATION.—A State educational agen-
17 cy that desires to receive a grant under this section
18 shall submit an application to the Secretary at such
19 time, in such manner, and containing such informa-
20 tion as the Secretary may require.

21 “(3) AWARD OF GRANTS.—The Secretary shall
22 award grants to State educational agencies whose
23 applications demonstrate, to the satisfaction of the
24 Secretary, that the following requirements of this
25 section will be met:

1 “(A) Developing or improving assessments
2 for students with disabilities, including the de-
3 velopment of assessments—

4 “(i) for all students, including stu-
5 dents with disabilities, using the principles
6 of universal design;

7 “(ii) aligned to modified State content
8 standards; and

9 “(iii) aligned to alternate State con-
10 tent standards for students with the most
11 significant cognitive disabilities.

12 “(B) Collaborating with institutions of
13 higher education, other research institutions, or
14 other organizations to improve the quality, va-
15 lidity, and reliability of State academic assess-
16 ments.

17 “(C) Measuring student academic achieve-
18 ment using multiple measures of student aca-
19 demic achievement from multiple sources.

20 “(D) Measuring student progress or aca-
21 demic growth over time.

22 “(E) Evaluating student academic achieve-
23 ment through the development of comprehensive
24 academic assessment instruments, such as per-

1 formance and technology-based academic as-
 2 sessments.

3 “(F) Developing or improving the quality,
 4 validity, and reliability of assessments for
 5 English language learners, including alternative
 6 assessments aligned with State content stand-
 7 ards, testing accommodations for English lan-
 8 guage learners, and assessments of English lan-
 9 guage proficiency.

10 “(b) ANNUAL REPORT.—Each State educational
 11 agency receiving a grant under this section shall submit
 12 an annual report to the Secretary describing its activities,
 13 and the result of those activities, under the grant.

14 **“SEC. 1203. FUNDING.**

15 “(a) ALLOTMENT OF APPROPRIATED FUNDS.—

16 “(1) IN GENERAL.—From amounts made avail-
 17 able for each fiscal year under subsection 1002(b)
 18 that are equal to or less than the amount described
 19 in section 1111(b)(2)(F) (referred to in this sub-
 20 section as the ‘trigger amount’), the Secretary
 21 shall—

22 “(A) reserve $\frac{1}{2}$ of 1 percent for the Bu-
 23 reau of Indian Affairs;

24 “(B) reserve $\frac{1}{2}$ of 1 percent for the out-
 25 lying areas; and

1 “(C) from the remainder, allocate to each
2 State an amount equal to—

3 “(i) \$3,000,000; and

4 “(ii) with respect to any amounts re-
5 maining after the allocation is made under
6 clause (i), an amount that bears the same
7 relationship to such total remaining
8 amounts as the number of students ages 5
9 through 17 in the State (as determined by
10 the Secretary on the basis of the most re-
11 cent satisfactory data) bears to the total
12 number of such students in all States.

13 “(2) REMAINDER.—Any amounts remaining for
14 a fiscal year after the Secretary carries out para-
15 graph (1) shall be made available as follows:

16 “(A)(i) To award funds under section 1202
17 to States according to the quality, needs, and
18 scope of the State application under that sec-
19 tion.

20 “(ii) In determining the grant amount
21 under clause (i), the Secretary shall ensure that
22 a State’s grant shall include an amount that
23 bears the same relationship to the total funds
24 available under this paragraph for the fiscal
25 year as the number of students ages 5 through

1 17 in the State (as determined by the Secretary
2 on the basis of the most recent satisfactory
3 data) bears to the total number of such stu-
4 dents in all States.

5 “(B) Any amounts remaining after the
6 Secretary awards funds under subparagraph
7 (A) shall be allocated to each State that did not
8 receive a grant under such subparagraph, in an
9 amount that bears the same relationship to the
10 total funds available under this subparagraph
11 as the number of students ages 5 through 17
12 in the State (as determined by the Secretary on
13 the basis of the most recent satisfactory data)
14 bears to the total number of such students in
15 all States.

16 “(3) PRIORITY.—The Secretary shall give pri-
17 ority to States that propose to conduct activities
18 consistent with section 1202(a)(3)(A).

19 “(b) STATE DEFINED.—In this section, the term
20 ‘State’ means each of the 50 States, the District of Colum-
21 bia, and the Commonwealth of Puerto Rico.”.

22 **SEC. 108. EVALUATIONS.**

23 Section 1501 (20 U.S.C. 6491) is amended—

24 (1) in subsection (a)—

25 (A) in paragraph (2)—

1 (i) in subparagraph (A), by striking
2 “relative to the goal of all students reach-
3 ing the proficient level of achievement
4 based on State academic assessments,
5 challenging State academic content stand-
6 ards, and challenging State student aca-
7 demic achievement standards under section
8 1111” and inserting “so that all students
9 are prepared to graduate from high school
10 ready to enter postsecondary education or
11 the workforce without the need for aca-
12 demic remediation”;

13 (ii) by striking subparagraphs (D),
14 (F), and (G);

15 (iii) by redesignating subparagraphs
16 (E), (H), (I), (J), (K), (L), (M), (N), and
17 (O), as subparagraphs (D), (E), (F), (G),
18 (H), (I), (J), (K), and (L), respectively;

19 (iv) in subparagraph (D), as redesign-
20 nated by clause (iii)—

21 (I) in clause (iii), by adding
22 “and” after the semicolon;

23 (II) in clause (iv), by striking “;
24 and” and inserting a period; and

25 (III) by striking clause (v);

1 (v) by striking subparagraph (F), as
2 redesignated by clause (iii), and inserting
3 the following:

4 “(F) The extent to which actions author-
5 ized under section 1114(b) are implemented by
6 State educational agencies and local educational
7 agencies to improve the academic achievement
8 of students in low-performing schools, and the
9 effectiveness of such actions, including the fol-
10 lowing:

11 “(i) The number of schools identified
12 under section 1114(a)(1)(B) and the fac-
13 tors that lead to such identification.

14 “(ii) The assistance strategies de-
15 signed and implemented by the State edu-
16 cational agency or the local educational
17 agency and the impact of such strategies
18 on improving student academic achieve-
19 ment and improving school performance.

20 “(iii) If applicable, the number of par-
21 ents who take advantage of the public
22 school choice provisions of this title, the
23 costs (including transportation costs) asso-
24 ciated with implementing these provisions,
25 the implementation of these provisions,

1 and the impact of these provisions (includ-
2 ing the impact of attending another school)
3 on student achievement.”; and

4 (vi) in subparagraph (K), as redesign-
5 nated by clause (iii), by striking “section
6 1111(b)(2)(C)(v)(II)” and inserting “sub-
7 clauses (I) through (IV) of section
8 1111(b)(2)(B)(viii)”; and
9 (B) in paragraph (6)—

10 (i) in subparagraph (A), by striking
11 “the No Child Left Behind Act of 2001”
12 and inserting “the Every Child Ready for
13 College or Career Act of 2013”; and

14 (ii) in subparagraph (B), by striking
15 “the No Child Left Behind Act of 2001”
16 and inserting “the Every Child Ready for
17 College or Career Act of 2013”; and

18 (2) in subsection (c)(2)(E), by striking “section
19 1116” and inserting “section 1114(c)”.

20 **SEC. 109. DEMONSTRATIONS OF INNOVATIVE PRACTICES.**

21 Part E of title I (20 U.S.C. 6491 et seq.) is amended
22 by striking sections 1502 through 1504.

23 **SEC. 110. GENERAL PROVISIONS.**

24 Title I (20 U.S.C. 6301 et seq.) is amended—

25 (1) by striking parts F, G, and H;

1 (2) in section 1120A, by striking subsection (a)
2 and redesignating subsections (b), (c), and (d), as
3 subsections (a), (b), and (c);

4 (3) by striking section 1908;

5 (4) by redesignating part I as part F;

6 (5) by redesignating sections 1901 through
7 1907 as sections 1601 through 1607; and

8 (6) in section 1604, as redesignated by para-
9 graph (5), by striking “6 local educational agencies”
10 and inserting “25 local educational agencies” both
11 places the term appears.

12 **SEC. 111. NATIONAL ASSESSMENT OF EDUCATIONAL**
13 **PROGRESS.**

14 Section 305 of the National Assessment of Edu-
15 cational Progress Authorization Act (20 U.S.C. 9624) is
16 amended—

17 (1) by redesignating subsection (b) as sub-
18 section (c); and

19 (2) by inserting after subsection (a) the fol-
20 lowing:

21 “(b) STATE ASSESSMENTS.—For the purpose of ad-
22 ministering the State assessments under this title, there
23 are authorized to be appropriated \$72,000,000 for each
24 of fiscal years 2014 through 2018.”.

1 **TITLE II—HIGH-QUALITY**
2 **TEACHERS AND PRINCIPALS**

3 **SEC. 201. HIGH-QUALITY TEACHERS AND PRINCIPALS.**

4 The Elementary and Secondary Education Act of
5 1965 (20 U.S.C. 6301 et seq.) is amended—

6 (1) by redesignating subpart 5 of part C of title
7 II as subpart 3 of part E of title IX and moving
8 that subpart to the end of part E of title IX;

9 (2) by redesignating sections 2361 through
10 2368 as sections 9541 through 9548, respectively;

11 (3) by striking the subpart heading of subpart
12 3 of part E of title IX, as redesignated by paragraph
13 (1), and inserting the following:

14 **“Subpart 3—Teacher Liability Protection”;**

15 (4) in section 9546(b), as redesignated by para-
16 graph (2), by striking the matter following para-
17 graph (2) and inserting the following:

18 “(3) A State law that makes a limitation of li-
19 ability inapplicable if the civil action was brought by
20 an officer of a State or local government pursuant
21 to State or local law.”;

22 (5) by redesignating subpart 4 of part D of title
23 II as subpart 4 of part E of title IX and moving
24 that subpart to follow subpart 3 of part E of title
25 IX, as redesignated by paragraph (1);

1 (6) by redesignating section 2441 as section
2 9551;

3 (7) by striking the subpart heading of subpart
4 4 of part E of title IX, as redesignated by paragraph
5 (5), and inserting the following:

6 **“Subpart 4—Internet Safety”;**

7 and

8 (8) by striking title II and inserting the fol-
9 lowing:

10 **“TITLE II—PREPARING, TRAIN-**
11 **ING, AND RECRUITING HIGH-**
12 **QUALITY TEACHERS AND**
13 **PRINCIPALS**

14 **“SEC. 2101. PURPOSE.**

15 “The purpose of this title is to improve student aca-
16 demic achievement by—

17 “(1) increasing the capacity of local educational
18 agencies, schools, teachers, and principals to provide
19 a well-rounded and complete education for all stu-
20 dents;

21 “(2) improving teacher and principal quality
22 and effectiveness;

23 “(3) increasing the number of teachers and
24 principals who are effective in improving student
25 academic achievement in schools; and

1 “(4) ensuring that low-income and minority
2 students are served by effective teachers and prin-
3 cipals and have access to a high-quality instructional
4 program in the core academic subjects.

5 **“SEC. 2102. DEFINITIONS.**

6 “In this title:

7 “(1) CORE ACADEMIC SUBJECTS.—The term
8 ‘core academic subjects’ means English, reading or
9 language arts, writing, science, technology, engineer-
10 ing, mathematics, foreign languages, civics and gov-
11 ernment, economics, arts, history, geography, music,
12 and physical education.

13 “(2) STATE.—The term ‘State’ means each of
14 the 50 States, the District of Columbia, and the
15 Commonwealth of Puerto Rico.

16 **“SEC. 2103. AUTHORIZATION OF APPROPRIATIONS.**

17 “(a) GRANTS TO STATES AND LOCAL EDUCATIONAL
18 AGENCIES.—There are authorized to be appropriated to
19 carry out this title \$3,045,058,000 for each of fiscal years
20 2014 through 2018.

21 “(b) NATIONAL ACTIVITIES.—From amounts appro-
22 priated under subsection (a) for each fiscal year, the Sec-
23 retary shall reserve not more than 5 percent to carry out
24 activities authorized under section 2108.

1 “(c) **TEACHER INCENTIVE FUND.**—From amounts
 2 appropriated under subsection (a) for each fiscal year that
 3 remain after making the reservation under subsection (b),
 4 the Secretary shall reserve not less than 10 percent to
 5 carry out activities authorized under part B.

6 **“PART A—FUND FOR THE IMPROVEMENT OF**
 7 **TEACHING AND LEARNING**

8 **“SEC. 2104. FORMULA GRANTS TO STATES.**

9 “(a) **RESERVATION OF FUNDS.**—From the total
 10 amount appropriated under section 2103(a) for a fiscal
 11 year after the Secretary makes the reservations under sub-
 12 sections (b) and (c) of section 2103, the Secretary shall
 13 reserve—

14 “(1) $\frac{1}{2}$ of 1 percent for allotments for the
 15 United States Virgin Islands, Guam, American
 16 Samoa, and the Commonwealth of the Northern
 17 Mariana Islands, to be distributed among those out-
 18 lying areas on the basis of their relative need, as de-
 19 termined by the Secretary, in accordance with the
 20 purpose of this part; and

21 “(2) $\frac{1}{2}$ of 1 percent for the Secretary of the In-
 22 terior for programs under this part in schools oper-
 23 ated or funded by the Bureau of Indian Education.

24 “(b) **STATE ALLOTMENTS.**—

1 “(1) IN GENERAL.—From the funds appro-
2 priated under section 2103(a) for a fiscal year that
3 remains after the Secretary makes the reservations
4 under paragraphs (1) and (2) and subsections (b)
5 and (c) of section 2103, the Secretary shall allot to
6 each State the sum of—

7 “(A) an amount that bears the same rela-
8 tionship to 20 percent of the remaining amount
9 as the number of individuals age 5 through 17
10 in the State, as determined by the Secretary on
11 the basis of the most recent satisfactory data,
12 bears to the number of those individuals in all
13 such States, as so determined; and

14 “(B) an amount that bears the same rela-
15 tionship to 80 percent of the remaining amount
16 as the number of individuals age 5 through 17
17 from families with incomes below the poverty
18 line, in the State, as determined by the Sec-
19 retary on the basis of the most recent satisfac-
20 tory data, bears to the number of those individ-
21 uals in all such States, as so determined.

22 “(2) EXCEPTIONS.—

23 “(A) SMALL STATE MINIMUM.—No State
24 receiving an allotment under paragraph (1) may
25 receive less than $\frac{1}{2}$ of 1 percent of the total re-

1 maintaining amount allotted under such paragraph
2 for a fiscal year.

3 “(B) REALLOTMENT.—If a State does not
4 receive an allotment under this title for a fiscal
5 year, the Secretary shall reallocate the amount of
6 the State’s allotment to the remaining States in
7 accordance with this section.

8 “(c) STATE USE OF FUNDS.—

9 “(1) IN GENERAL.—Each State that receives an
10 allotment under this section shall reserve not less
11 than 95 percent of the amount allotted to such State
12 under subsection (b), for each fiscal year, to make
13 subgrants to local educational agencies as described
14 in section 2105.

15 “(2) STATE ADMINISTRATION.—A State edu-
16 cational agency may use not more than 1 percent of
17 the amount allotted to such State under subsection
18 (b) for the administrative costs of carrying out such
19 State educational agency’s responsibilities under this
20 title.

21 “(3) STATE ACTIVITIES.—The State edu-
22 cational agency for a State that receives an allot-
23 ment under subsection (a) may use funds not re-
24 served under paragraph (1) to carry out the fol-
25 lowing activities, which may be carried out through

1 a grant or contract with a for-profit or nonprofit en-
2 tity:

3 “(A) Reforming teacher and principal cer-
4 tification, recertification, licensing, or tenure
5 systems to ensure that—

6 “(i) teachers have the necessary sub-
7 ject matter knowledge and teaching skills
8 in the academic subjects that the teachers
9 teach to help students meet challenging
10 State standards;

11 “(ii) principals have the instructional
12 leadership skills to help teachers teach and
13 to help students meet challenging State
14 standards; and

15 “(iii) teacher certification or licensing
16 requirements are aligned with challenging
17 State standards.

18 “(B) Developing or improving teacher and
19 principal evaluation systems that shall be based
20 in significant part on evidence of student
21 achievement and may include student growth
22 and other measures determined by the State.

23 “(C) Carrying out programs that establish,
24 expand, or improve alternative routes for State
25 certification of teachers and principals, espe-

1 eially in the areas of mathematics and science,
2 for—

3 “(i) highly qualified individuals with a
4 bachelor’s or master’s degree;

5 “(ii) mid-career professionals from
6 other occupations;

7 “(iii) paraprofessionals;

8 “(iv) former military personnel; and

9 “(v) recent college or university grad-
10 uates with records of academic distinction
11 who demonstrate the potential to become
12 highly effective teachers or principals.

13 “(D) Developing and implementing mecha-
14 nisms to assist local educational agencies and
15 schools in effectively recruiting and retaining
16 teachers and principals who are effective in im-
17 proving student academic achievement.

18 “(E) Fulfilling the State educational agen-
19 cy’s responsibilities concerning proper and effi-
20 cient administration and monitoring of the pro-
21 grams carried out under this part, including
22 provision of technical assistance to local edu-
23 cational agencies.

24 “(F) Developing, or assisting local edu-
25 cational agencies in developing—

1 “(i) performance-based pay systems;

2 “(ii) strategies that provide differen-
3 tial and bonus pay for teachers in high-
4 need academic subjects and teachers or
5 principals in high-poverty schools and dis-
6 tricts;

7 “(iii) teacher advancement initiatives
8 that promote professional growth and em-
9 phasize multiple career paths and pay dif-
10 ferentiation; and

11 “(iv) new teacher and principal induc-
12 tion and mentoring programs that are de-
13 signed to—

14 “(I) improve instruction and stu-
15 dent learning and achievement; and

16 “(II) increase the retention of ef-
17 fective teachers and principals.

18 “(G) Providing assistance to local edu-
19 cational agencies for the development and im-
20 plementation of high-quality professional devel-
21 opment programs for principals that enable the
22 principals to be effective school leaders and pre-
23 pare all students to meet challenging State aca-
24 demic content and student academic achieve-
25 ment standards, and the development and sup-

1 port of school leadership academies to develop
2 educational leaders.

3 “(H) Supporting efforts to train teachers
4 and principals to effectively integrate tech-
5 nology into curricula and instruction.

6 “(I) Providing training, technical assist-
7 ance, and capacity building to local educational
8 agencies that receive a subgrant under this
9 title.

10 “(J) Other activities identified by the State
11 that meet the purpose of this part.

12 “(d) STATE PLAN.—

13 “(1) IN GENERAL.—In order to receive an allot-
14 ment under this section for any fiscal year, a State
15 shall submit a plan to the Secretary, at such time,
16 in such manner, and containing such information as
17 the Secretary may reasonably require.

18 “(2) CONTENTS.—Each plan described under
19 paragraph (1) shall include the following:

20 “(A) A description of how the State edu-
21 cational agency will use funds received under
22 this title for State-level activities described in
23 subsection (c).

24 “(B) An assurance that the State edu-
25 cational agency will monitor the implementation

1 of activities under this title and provide tech-
 2 nical assistance to local educational agencies in
 3 carrying out such activities.

4 “(C) An assurance that the State edu-
 5 cational agency will work in consultation with
 6 the entity responsible for teacher professional
 7 standards, certification, and licensing, to ensure
 8 that the State activities carried out under this
 9 subpart are carried out in conjunction with the
 10 entity responsible for such standards, certifi-
 11 cation, and licensing under State law.

12 **“SEC. 2105. SUBGRANTS TO LOCAL EDUCATIONAL AGEN-**
 13 **CIES.**

14 “(a) ALLOCATION OF FUNDS TO LOCAL EDU-
 15 CATIONAL AGENCIES.—

16 “(1) IN GENERAL.—A State educational agency
 17 that receives a grant under this title for a fiscal year
 18 shall provide the amount made available under sec-
 19 tion 2104(c)(1) to award subgrants to local edu-
 20 cational agencies from allocations described in para-
 21 graph (2).

22 “(2) ALLOCATION FORMULA.—From the funds
 23 described in paragraph (1), the State educational
 24 agency shall allocate to each of the eligible local edu-

1 cational agencies in the State for a fiscal year the
2 sum of—

3 “(A) an amount that bears the same rela-
4 tionship to 20 percent of the funds for such fis-
5 cal year as the number of individuals age 5
6 through 17 in the geographic area served by the
7 agency, as determined by the Secretary on the
8 basis of the most recent satisfactory data, bears
9 to the number of those individuals in the geo-
10 graphic areas served by all the local educational
11 agencies in the State, as so determined; and

12 “(B) an amount that bears the same rela-
13 tionship to 80 percent of the funds for such fis-
14 cal year as the number of individuals age 5
15 through 17 from families with incomes below
16 the poverty line in the geographic area served
17 by the agency, as determined by the Secretary
18 on the basis of the most recent satisfactory
19 data, bears to the number of those individuals
20 in the geographic areas served by all the local
21 educational agencies in the State, as so deter-
22 mined.

23 “(3) ADMINISTRATIVE COSTS.—Of the amount
24 received under paragraph (2), a local educational
25 agency may use not more than 2 percent for the di-

1 rect administrative costs of carrying out its respon-
2 sibilities under this title.

3 “(b) LOCAL APPLICATIONS.—

4 “(1) IN GENERAL.—To be eligible to receive a
5 subgrant under this section, a local educational
6 agency shall submit an application to the State edu-
7 cational agency at such time, in such manner, and
8 containing such information as the State educational
9 agency may reasonably require.

10 “(2) NEEDS ASSESSMENT.—

11 “(A) IN GENERAL.—To be eligible to re-
12 ceive a subgrant under this subpart, a local
13 educational agency shall conduct a comprehen-
14 sive needs assessment of the local educational
15 agency and of all schools within the jurisdiction
16 of the local educational agency.

17 “(B) REQUIREMENTS.—Such needs assess-
18 ment shall be designed to determine the schools
19 with the most acute staffing needs related to—

20 “(i) increasing the number of teachers
21 and principals who are effective in improv-
22 ing student academic achievement;

23 “(ii) ensuring that low-income and mi-
24 nority students are served by effective
25 teachers and principals and have access to

1 a high-quality instructional program in the
2 core academic subjects;

3 “(iii) hiring, retention, and promotion;

4 “(iv) understanding and using data
5 and assessments to improve student learn-
6 ing and classroom practice;

7 “(v) improving student behavior in the
8 classroom and school, including the identi-
9 fication of early and appropriate interven-
10 tions; and

11 “(vi) teaching students who are
12 English language learners and students
13 with disabilities.

14 “(3) CONSULTATION.—

15 “(A) IN GENERAL.—In conducting a needs
16 assessment as described in paragraph (2), a
17 local educational agency shall—

18 “(i) involve teachers, principals, pupil
19 services personnel, parents, community-
20 based organizations, and others with rel-
21 evant and demonstrated expertise in pro-
22 grams and activities designed to meet the
23 purpose of this part; and

24 “(ii) take into account the activities
25 that need to be conducted in order to give

1 teachers and principals the skills to provide
2 students with the opportunity to meet chal-
3 lenging State standards.

4 “(B) CONTINUED CONSULTATION.—A local
5 educational agency shall consult with such indi-
6 viduals and organizations described in subpara-
7 graph (A) on an ongoing basis in order to—

8 “(i) seek advice regarding how best to
9 improve the local educational agency’s ac-
10 tivities to meet the purpose of this part;
11 and

12 “(ii) coordinate the local educational
13 agency’s activities under this part with
14 other related strategies, programs, and ac-
15 tivities being conducted in the community.

16 “(4) CONTENTS.—Each application submitted
17 under this section shall be based on the results of
18 the needs assessment required under paragraph (2)
19 and shall include the following:

20 “(A) A description of the results of the
21 comprehensive needs assessment carried out
22 under paragraph (2).

23 “(B) A description of the activities to be
24 carried out by the local educational agency
25 under this section and how these activities will

1 be aligned with the State’s challenging aca-
2 demic standards.

3 “(C) An assurance that such activities will
4 comply with the principles of effectiveness de-
5 scribed in section 2106(b).

6 “(D) A description of the professional de-
7 velopment activities that will be made available
8 to teachers and principals to meet needs identi-
9 fied by the needs assessment described in para-
10 graph (2).

11 “(E) A description of how the local edu-
12 cational agency will support efforts to train
13 teachers and principals to effectively integrate
14 technology into curricula and instruction.

15 “(F) An assurance that the local edu-
16 cational agency will comply with section 9501
17 (regarding participation by private school chil-
18 dren and teachers).

19 “(G) A description of how the local edu-
20 cational agency will prioritize funds to schools
21 served by the agency that are identified under
22 section 1114(a)(1)(B) and have the highest per-
23 centage or number of children counted under
24 section 1124(c).

1 “(H) An assurance that the local edu-
2 cational agency will coordinate professional de-
3 velopment activities authorized under this sub-
4 part with professional development activities
5 provided through other Federal, State, and
6 local programs.

7 **“SEC. 2106. LOCAL USE OF FUNDS.**

8 “(a) IN GENERAL.—A local educational agency that
9 receives a subgrant under section 2105 shall use the funds
10 made available through the subgrant to develop, imple-
11 ment, and evaluate comprehensive programs and activi-
12 ties, which may be carried out through a grant or contract
13 with a for-profit or nonprofit entity, that are in accordance
14 with the purposes of this title and—

15 “(1) meet the needs identified in the needs as-
16 sessment described in 2105(b)(2);

17 “(2) are consistent with the principles of effec-
18 tiveness described in subsection (b); and

19 “(3) may include, among other programs and
20 activities—

21 “(A) developing or improving a rigorous,
22 transparent, and fair evaluation system for
23 teachers and principals that shall be based in
24 significant part on evidence of student achieve-

1 ment, and may include student growth as a sig-
2 nificant factor;

3 “(B) developing and implementing initia-
4 tives to assist in recruiting, hiring, and retain-
5 ing highly effective teachers and principals, par-
6 ticularly in high-poverty schools with high per-
7 centages of ineffective teachers and high per-
8 centages of students who do not meet State-de-
9 termined proficient levels of achievement in the
10 core academic subjects, including initiatives
11 that provide—

12 “(i) differential, incentive, or bonus
13 pay for teachers in high-need academic
14 subject areas and specialty areas;

15 “(ii) performance-based pay systems
16 for teachers and principals;

17 “(iii) teacher advancement, profes-
18 sional growth, and emphasis on multiple
19 career paths and pay differentiation; and

20 “(iv) new teacher and principal induc-
21 tion and mentoring programs that are de-
22 signed to improve instruction, student
23 learning and achievement, and to increase
24 teacher and principal retention;

1 “(C) recruiting qualified individuals from
2 other fields, including mid-career professionals
3 from other occupations, former military per-
4 sonnel, and recent graduates of an institution
5 of higher education with a record of academic
6 distinction who demonstrate potential to become
7 effective teachers or principals;

8 “(D) establishing, improving, or expanding
9 model instructional programs in the core aca-
10 demic subjects to ensure that all children re-
11 ceive a well-rounded and complete education;

12 “(E) providing high-quality professional
13 development for teachers and principals focused
14 on improving teaching and student learning and
15 achievement in the core academic subjects, in-
16 cluding supporting efforts to train teachers and
17 principals to effectively integrate technology
18 into curricula and instruction;

19 “(F) developing programs and activities
20 that increase the ability of teachers to effec-
21 tively teach students with disabilities, including
22 students with significant cognitive disabilities,
23 which may include the use of response to inter-
24 vention and positive behavioral intervention and
25 supports, and students who are English lan-

1 guage learners so that such students can meet
2 the State’s challenging academic content and
3 student academic achievement standards;

4 “(G) providing students with increased ac-
5 cess to up-to-date school library materials, a
6 well-equipped, technologically advanced school
7 library media center, and well-trained profes-
8 sionally certified school library media specialist;

9 “(H) providing programs and activities to
10 help students prepare for postsecondary level
11 coursework in the core academic subjects, in-
12 cluding early college or dual enrollment pro-
13 grams, Advanced Placement and International
14 Baccalaureate programs, and other advanced
15 learning programs, including programs to meet
16 the educational needs of gifted and talented
17 students;

18 “(I) providing programs that support ex-
19 tended learning opportunities in the core aca-
20 demic subjects, including before and after
21 school programs, summer school programs, and
22 programs that extend the school day, week, or
23 school-year calendar;

1 “(J) providing general liability insurance
2 coverage for the purchase by teachers related to
3 actions performed in their scope of duties; and

4 “(K) carrying out other activities identified
5 by the local educational agencies that meet the
6 purpose of this part.

7 “(b) PRINCIPLES OF EFFECTIVENESS.—

8 “(1) IN GENERAL.—For a program or activity
9 developed pursuant to this title to meet the prin-
10 ciples of effectiveness, such program or activity
11 shall—

12 “(A) be based upon an assessment of ob-
13 jective data regarding the need for programs
14 and activities in the schools to be served to—

15 “(i) increase the number of teachers
16 and principals who are effective in improv-
17 ing student academic achievement; and

18 “(ii) ensure that low-income and mi-
19 nority students are served by effective
20 teachers and principals and have access to
21 a high-quality instructional program in the
22 core academic subjects;

23 “(B) be based upon an established set of
24 performance measures aimed at ensuring that
25 all students receive a high-quality education in

1 the core academic subjects, taught by effective
2 teachers, that result in improved student aca-
3 demic achievement in the school served by the
4 program;

5 “(C) reflect, to the extent practicable, sci-
6 entifically valid research, or in the absence of a
7 strong research base, reflect best practices in
8 the field, that provides evidence that the pro-
9 gram or activity will improve student academic
10 achievement in the core academic subjects; and

11 “(D) include meaningful and ongoing con-
12 sultation with and input from teachers, prin-
13 cipals, and parents, in the development of the
14 application and administration of the program
15 or activity.

16 “(2) PERIODIC EVALUATION.—

17 “(A) IN GENERAL.—The program or activ-
18 ity shall undergo a periodic evaluation to assess
19 its progress toward achieving the goal of pro-
20 viding students with a high-quality education in
21 the core academic subjects, taught by effective
22 teachers, that results in improved student aca-
23 demic achievement.

1 “(B) USE OF RESULTS.—The results of
2 evaluations described under subparagraph (A)
3 shall be—

4 “(i) used to refine, improve, and
5 strengthen the program or activity, and to
6 refine the performance measures; and

7 “(ii) made available to the public upon
8 request, with public notice of such avail-
9 ability provided.

10 **“SEC. 2107. REPORTING.**

11 “(a) IN GENERAL.—Each State educational agency
12 receiving funds under this title shall submit to the Sec-
13 retary a report that provides—

14 “(1) the number of teachers and principals in
15 the State who are licensed and certified;

16 “(2) the number of teachers in the State who
17 are licensed and certified to teach in their field of
18 study;

19 “(3) the number of teachers and principals in
20 the State who have received emergency licensure;

21 “(4) the passage rate of teacher and principal
22 licensure examinations; and

23 “(5) if applicable, results of teacher and prin-
24 cipal evaluation systems.

1 “(2) national evaluations of activities carried
2 out by States and local educational agencies under
3 this part.

4 “(c) PROGRAMS OF NATIONAL SIGNIFICANCE.—
5 From the funds reserved by the Secretary under section
6 2103(b), and not reserved under subsection (b), the Sec-
7 retary shall award grants, on a competitive basis, to eligi-
8 ble entities for the purposes of—

9 “(1) providing teachers and school leaders from
10 non-traditional preparation and certification routes
11 to serve in traditionally underserved local education
12 agencies;

13 “(2) providing professional development activi-
14 ties that addresses literacy, numeracy, remedial, or
15 other needs of local education agencies and their
16 students; or

17 “(3) making freely available services and learn-
18 ing opportunities to local education agencies through
19 partnerships and cooperative agreements or by mak-
20 ing publicly accessible through the Internet or other
21 widely available means.

22 “(d) PROGRAM PERIODS AND DIVERSITY OF
23 PROJECTS.—

24 “(1) IN GENERAL.—A grant awarded by the
25 Secretary to an eligible entity under this section

1 shall be of sufficient size, for a period of not more
2 than 3 years, and may be renewed by the Secretary
3 for an additional 2 year period.

4 “(2) DIVERSITY OF PROJECTS.—The Secretary
5 shall ensure that reach eligible entity will serve dif-
6 ferent areas, including urban, suburban, and rural
7 areas.

8 “(3) LIMITATION.—The Secretary may not
9 award more than one grant to an eligible entity dur-
10 ing a grant period.

11 “(e) COST-SHARING.—

12 “(1) IN GENERAL.—An eligible entity that re-
13 ceives a grant under this section, shall provide, from
14 non-Federal sources, not less than 50 percent of the
15 funds for the total cost for each year of activities
16 carried out under this section.

17 “(2) ACCEPTABLE CONTRIBUTIONS.—An eligi-
18 ble entity that receives a grant under this section
19 may meet the requirement of paragraph (1) by pro-
20 viding contributions in cash or in kind, fairly evalu-
21 ated, including plant, equipment, and services.

22 “(3) WAIVERS.—The Secretary may waive or
23 modify the requirement of paragraph (1) in cases of
24 demonstrated financial hardship.

1 “(f) APPLICATIONS.—In order to receive a grant
 2 under this section, an eligible entity shall submit an appli-
 3 cation to the Secretary in such time and in such manner
 4 that the Secretary may require, which shall include, at a
 5 minimum, a certification that the eligible entity will pro-
 6 vide services to the local educational agency and schools
 7 it serves at no cost to its students or parents.

8 “(g) DEFINITION OF ELIGIBLE ENTITY.—In this sec-
 9 tion, the term ‘eligible entity’ means—

10 “(1) an institution of higher education, as de-
 11 fined in section 102 of the Higher Education Act of
 12 1965, that provides course materials or resources
 13 that are research proven in increasing academic
 14 achievement; or

15 “(2) a national nonprofit or for-profit organiza-
 16 tion with a demonstrated track record of raising stu-
 17 dent academic achievement, graduation rates, and
 18 college-going rates.

19 **“SEC. 2109. PROHIBITION AGAINST FEDERAL MANDATES,**
 20 **DIRECTION, OR CONTROL.**

21 “Nothing in this title shall be construed to authorize
 22 the Secretary or any other officer or employee of the Fed-
 23 eral Government to mandate, direct, control, or exercise
 24 any direction or supervision over a State, local educational
 25 agency, or school’s instructional content or materials, cur-

1 riculum, program of instruction, academic content and
 2 student academic achievement standards, or academic as-
 3 sessments.

4 **“SEC. 2110. SUPPLEMENT, NOT SUPPLANT.**

5 “Funds made available under this title shall be used
 6 to supplement, and not supplant, non-Federal funds that
 7 would otherwise be used for activities authorized under
 8 this title.

9 **“PART B—TEACHER INCENTIVE FUND**

10 **“SEC. 2201. PURPOSES; DEFINITIONS.**

11 “(a) PURPOSES.—The purposes of this part are—

12 “(1) to assist States, local educational agencies,
 13 and nonprofit organizations to develop, implement,
 14 improve, or expand comprehensive performance-
 15 based compensation systems for teachers and prin-
 16 cipals, especially for teachers and principals in high-
 17 need schools, who raise student academic achieve-
 18 ment and close the achievement gap; and

19 “(2) to study and review performance-based
 20 compensation systems for teachers and principals to
 21 evaluate the effectiveness, fairness, quality, consist-
 22 ency, and reliability of the systems.

23 “(b) DEFINITIONS.—In this part:

24 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
 25 tity’ means—

1 “(A) a local educational agency or a con-
2 sortium of local educational agencies, including
3 a charter school that is a local educational
4 agency;

5 “(B) a State educational agency, or other
6 State agency designated by the chief executive
7 of a State to participate under this part; or

8 “(C) a partnership consisting of—

9 “(i) one or more agencies described in
10 subparagraph (A) or (B); and

11 “(ii) at least 1 nonprofit or for-profit
12 organization.

13 “(2) HIGH-NEED LOCAL EDUCATIONAL AGEN-
14 CY.—The term ‘high-need local educational agency’
15 means a local educational agency—

16 “(A)(i) that serves not fewer than 10,000
17 children from families with incomes below the
18 poverty line; or

19 “(ii) for which not less than 20 percent of
20 the children served by the agency are from fam-
21 ilies with incomes below the poverty line; and

22 “(B)(i) for which there is a high percent-
23 age of teachers not teaching in the academic
24 subjects or grade levels that the teachers were
25 trained to teach; or

1 “(ii) for which there is a high percentage
2 of teachers with emergency, provisional, or tem-
3 porary certification or licensing.

4 “(3) HIGH-NEED SCHOOL.—The term ‘high-
5 need school’ means a school that—

6 “(A) is located in an area in which the per-
7 centage of students from families with incomes
8 below the poverty line is 30 percent or more; or

9 “(B)(i) has a high percentage of out-of-
10 field teachers;

11 “(ii) is within the top quartile of elemen-
12 tary schools and secondary schools statewide, as
13 ranked by the number of unfilled, available
14 teaching positions at the schools;

15 “(iii) has a high teacher turnover rate; or

16 “(iv) has a high percentage of teachers
17 who are not certified or licensed.

18 “(4) PERFORMANCE-BASED COMPENSATION
19 SYSTEM.—The term ‘performance-based compensa-
20 tion system’ means a system of compensation for
21 teachers and principals that—

22 “(A) differentiates levels of compensation
23 primarily on the basis of measurable increases
24 in student academic achievement; and

25 “(B) may include—

1 “(i) differentiated levels of compensa-
2 tion on the basis of effective teachers’ and
3 principals’ employment and success in
4 hard-to-staff schools or high-need subject
5 areas; and

6 “(ii) recognition of the skills and
7 knowledge of teachers and principals as
8 demonstrated through—

9 “(I) successful fulfillment of ad-
10 ditional responsibilities or job func-
11 tions; and

12 “(II) evidence of high achieve-
13 ment and mastery of content knowl-
14 edge and superior teaching skills.

15 **“SEC. 2202. TEACHER INCENTIVE FUND GRANTS.**

16 “(a) IN GENERAL.—From the amounts appropriated
17 to carry out this part, the Secretary is authorized to award
18 grants, on a competitive basis, to eligible entities to enable
19 the eligible agencies to develop, implement, improve, or ex-
20 pand a performance-based compensation system in a
21 school served by a project under this part.

22 “(b) PRIORITY.—In awarding a grant under this
23 part, the Secretary shall give priority to an eligible entity
24 that concentrates the activities proposed to be assisted

1 under the grant on teachers and principals serving in high-
2 need schools.

3 “(c) APPLICATIONS.—To be eligible to receive a grant
4 under this part, an eligible entity shall submit an applica-
5 tion to the Secretary, at such time and in such manner
6 as the Secretary may reasonably require. The application
7 shall include—

8 “(1) a description of the performance-based
9 compensation system that the eligible entity pro-
10 poses to develop, implement, improve, or expand;

11 “(2) a description and evidence of the support
12 and commitment, from teachers and principals in
13 the school to be served by the project, the commu-
14 nity, and the local educational agency, for the per-
15 formance-based compensation system, including a
16 demonstration of consultation with teachers and
17 principals on the development and implementation of
18 the performance-based compensation system;

19 “(3) a description of how the eligible entity will
20 develop and implement a fair, rigorous, and objective
21 process to evaluate teacher, principal, and student
22 performance under the project, including the base-
23 line performance against which evaluations of im-
24 proved performance will be made;

1 “(4) a description of the local educational agen-
2 cy or school to be served by the project, including
3 such student academic achievement, demographic,
4 and socioeconomic information as the Secretary may
5 request;

6 “(5) a description of the quality of teachers and
7 principals in the local educational agency and the
8 schools to be served by the project and how the
9 project will increase the quality of teachers and prin-
10 cipals in a high-need school;

11 “(6) a description of how the eligible entity will
12 use grant funds under this part in each year of the
13 grant;

14 “(7) a description of how the eligible entity will
15 continue the performance-based compensation sys-
16 tem assisted under the grant after the grant ends;

17 “(8) a description, if applicable, of how the eli-
18 gible entity will define effective for the purposes of
19 section 2201(b)(4)(B)(i), through the use of measur-
20 able indicators, that are based in significant part on
21 measures of student academic achievement; and

22 “(9) a description of the State, local, or other
23 public or private funds that will be used to supple-
24 ment the grant and sustain the activities assisted
25 under the grant at the end of the grant period.

1 “(d) USE OF FUNDS.—

2 “(1) IN GENERAL.—An eligible entity that re-
3 ceives a grant under this part shall use the grant
4 funds to develop, implement, improve, or expand, in
5 collaboration with teachers, principals, other school
6 administrators, and members of the public, a per-
7 formance-based compensation system consistent with
8 this part.

9 “(2) AUTHORIZED ACTIVITIES.—Grant funds
10 under this part may be used for the following:

11 “(A) Developing appraisal systems that re-
12 flect clear and fair measures of teacher and
13 principal performance based on demonstrated
14 improvements in student academic achievement.

15 “(B) Conducting outreach within a local
16 educational agency or a State to gain input on
17 how to construct the appraisal system and to
18 develop support for the appraisal system.

19 “(C) Paying, as part of a comprehensive
20 performance-based compensation system, bo-
21 nuses and increased salaries, if the eligible enti-
22 ty uses an increasing share of non-Federal
23 funds to pay the bonuses and increased salaries
24 each year of the grant, to—

1 “(i) teachers and principals who raise
2 student academic achievement;

3 “(ii) teachers who—

4 “(I) raise student academic
5 achievement; and

6 “(II)(aa) teach in high-need
7 schools; or

8 “(bb) teach subjects that are dif-
9 ficult to staff; or

10 “(iii) principals who raise student aca-
11 demic achievement in the school and serve
12 in high-need schools.

13 “(e) DURATION OF GRANTS.—

14 “(1) IN GENERAL.—The Secretary may award
15 a grant under this part for a period of not more
16 than 5 years.

17 “(2) LIMITATION.—A local educational agency
18 may receive (whether individually or as part of a
19 consortium or partnership) a grant under this part
20 only once.

21 “(f) EQUITABLE DISTRIBUTION.—To the extent
22 practicable, the Secretary shall ensure an equitable geo-
23 graphic distribution of grants under this part.

24 “(g) MATCHING REQUIREMENT.—Each eligible enti-
25 ty that receives a grant under this part shall provide, from

1 non-Federal sources, an amount equal to 50 percent of
2 the amount of the grant (which may be provided in cash
3 or in-kind) to carry out the activities supported by the
4 grant.

5 “(h) SUPPLEMENT, NOT SUPPLANT.—Grant funds
6 provided under this part shall be used to supplement, not
7 supplant, other Federal or State funds available to carry
8 out activities described in this part.

9 **“SEC. 2203. REPORTS AND EVALUATIONS.**

10 “(a) ACTIVITIES SUMMARY.—Each eligible entity re-
11 ceiving a grant under this part shall provide to the Sec-
12 retary a summary of the activities assisted under the
13 grant.

14 “(b) REPORT.—The Secretary shall provide to Con-
15 gress an annual report on the implementation of the pro-
16 gram assisted under this part, including—

17 “(1) information on eligible entities that re-
18 ceived grant funds under this part, including—

19 “(A) information provided by eligible enti-
20 ties to the Secretary in the applications sub-
21 mitted under section 2202(e);

22 “(B) the summaries received under sub-
23 section (a); and

24 “(C) grant award amounts;

25 “(2) student academic achievement data; and

1 “(3) such other information as the Secretary
2 may include.

3 “(c) EVALUATION.—

4 “(1) IN GENERAL.—The Secretary shall,
5 through a grant or contract, carry out an inde-
6 pendent evaluation to measure the effectiveness of
7 the program assisted under this part.

8 “(2) CONTENTS.—The evaluation under para-
9 graph (1) shall measure—

10 “(A) the effectiveness of the program in
11 improving student academic achievement;

12 “(B) the satisfaction of the participating
13 teachers or principals; and

14 “(C) the extent to which the program as-
15 sisted the eligible entities in recruiting and re-
16 taining high-quality teachers and principals, es-
17 pecially in hard-to-staff subject areas.

18 **“SEC. 2204. RESERVATION OF FUNDS.**

19 “Of the total amount reserved under section 2103(c)
20 for this part for a fiscal year, the Secretary may reserve
21 for such fiscal year not more than 1 percent for the cost
22 of the evaluation under section 2203(c) and for technical
23 assistance in carrying out this part.”.

1 **TITLE III—SAFE AND HEALTHY**
2 **STUDENTS**

3 **SEC. 301. GENERAL PROVISIONS.**

4 The Elementary and Secondary Education Act of
5 1965 (20 U.S.C. 6301 et seq.) is amended—

6 (1) in title IV (20 U.S.C. 7101 et seq.)—

7 (A) by redesignating subpart 3 of part A
8 as subpart 5 of part E of title IX and moving
9 that subpart to follow subpart 4 of part E of
10 title IX, as redesignated by section 201 of this
11 Act;

12 (B) by redesignating section 4141 as sec-
13 tion 9561;

14 (C) by redesignating section 4155 as sec-
15 tion 9537 and moving that section so as to fol-
16 low section 9536;

17 (D) by redesignating part C as subpart 6
18 of part E of title IX and moving that subpart
19 to follow subpart 5 of part E of title IX, as re-
20 designated by subparagraph (A); and

21 (E) by redesignating sections 4301, 4302,
22 4303, and 4304, as sections 9571, 9572, 9573,
23 and 9574, respectively; and

24 (2) by striking title IV (20 U.S.C. 7101 et seq.)
25 and inserting the following:

1 **“TITLE IV—SAFE AND HEALTHY**
2 **STUDENTS**

3 **“SEC. 4101. PURPOSE.**

4 “The purpose of this title is to improve students’
5 safety, health, and well-being during and after the school
6 day by—

7 “(1) increasing the capacity of local educational
8 agencies, schools, and local communities to create
9 safe, healthy, supportive, and drug-free environ-
10 ments;

11 “(2) carrying out programs designed to improve
12 school safety and promote students’ physical and
13 mental health well-being, healthy eating and nutri-
14 tion, and physical fitness;

15 “(3) preventing and reducing substance abuse,
16 school violence, and bullying; and

17 “(4) strengthening parent and community en-
18 gagement to ensure a healthy, safe, and supportive
19 school environment.

20 **“SEC. 4102. DEFINITIONS.**

21 “In this title:

22 “(1) CONTROLLED SUBSTANCE.—The term
23 ‘controlled substance’ means a drug or other sub-
24 stance identified under Schedule I, II, III, IV, or V

1 in section 202(c) of the Controlled Substances Act
2 (21 U.S.C. 812(c)).

3 “(2) DRUG.—The term ‘drug’ includes con-
4 trolled substances, the illegal use of alcohol or to-
5 bacco, and the harmful, abusive, or addictive use of
6 substances, including inhalants and anabolic
7 steroids.

8 “(3) DRUG AND VIOLENCE PREVENTION.—The
9 term ‘drug and violence prevention’ means—

10 “(A) with respect to drugs, prevention,
11 early intervention, rehabilitation referral, or
12 education related to the illegal use of drugs;
13 and

14 “(B) with respect to violence, the pro-
15 motion of school safety, such that students and
16 school personnel are free from violent and dis-
17 ruptive acts, including sexual harassment and
18 abuse, and victimization associated with preju-
19 dice and intolerance, on school premises, going
20 to and from school, and at school-sponsored ac-
21 tivities, though the creation and maintenance of
22 a school environment that is free of weapons
23 and fosters individual responsibility and respect
24 for the rights of others.

1 “(4) SCHOOL-BASED MENTAL HEALTH SERV-
2 ICES PROVIDER.—The term ‘school-based mental
3 health services provider’ includes a State licensed or
4 State certified school counselor, school psychologist,
5 school social worker, or other State licensed or cer-
6 tified mental health professional qualified under
7 State law to provide such services to children and
8 adolescents.

9 “(5) STATE.—The term ‘State’ means each of
10 the 50 States, the District of Columbia, and the
11 Commonwealth of Puerto Rico.

12 **“SEC. 4103. FORMULA GRANTS TO STATES.**

13 “(a) RESERVATIONS.—From the total amount appro-
14 priated under section 4108 for a fiscal year, the Secretary
15 shall reserve—

16 “(1) not more than 1 percent for national ac-
17 tivities, which the Secretary may carry out directly
18 or through grants and contracts, such as providing
19 technical assistance to States and local educational
20 agencies carrying out activities under this title or
21 conducting a national evaluation;

22 “(2) ½ of 1 percent for allotments for the
23 United States Virgin Islands, Guam, American
24 Samoa, and the Commonwealth of the Northern
25 Mariana Islands, to be distributed among those out-

1 lying areas on the basis of their relative need, as de-
2 termined by the Secretary, in accordance with the
3 purpose of this title; and

4 “(3) $\frac{1}{2}$ of 1 percent for the Secretary of the In-
5 terior for programs under this title in schools oper-
6 ated or funded by the Bureau of Indian Education.

7 “(b) STATE ALLOTMENTS.—

8 “(1) ALLOTMENT.—

9 “(A) IN GENERAL.—In accordance with
10 subparagraph (B), the Secretary shall allot
11 among each of the States the total amount
12 made available to carry out this title for any
13 fiscal year and not reserved under subsection
14 (a).

15 “(B) DETERMINATION OF STATE ALLOT-
16 MENT AMOUNTS.—Subject to paragraph (2),
17 the Secretary shall allot the amount made avail-
18 able under subparagraph (A) for a fiscal year
19 among the States in proportion to the number
20 of children, aged 5 to 17, who reside within the
21 State and are from families with incomes below
22 the poverty line for the most recent fiscal year
23 for which satisfactory data are available, com-
24 pared to the number of such individuals who re-
25 side in all such States for that fiscal year.

1 “(2) SMALL STATE MINIMUM.—No State receiv-
2 ing an allotment under paragraph (1) may receive
3 less than $\frac{1}{2}$ of 1 percent of the total amount allot-
4 ted under such paragraph.

5 “(3) REALLOTMENT.—If a State does not re-
6 ceive an allotment under this title for a fiscal year,
7 the Secretary shall reallocate the amount of the State’s
8 allotment to the remaining States in accordance with
9 this section.

10 “(c) STATE USE OF FUNDS.—

11 “(1) IN GENERAL.—Each State that receives an
12 allotment under this section shall reserve not less
13 than 98 percent of the amount allotted to such State
14 under subsection (b), for each fiscal year for sub-
15 grants to local educational agencies under section
16 4104.

17 “(2) STATE ADMINISTRATION.—A State edu-
18 cational agency may use not more than 1 percent of
19 the amount made available to the State under sub-
20 section (b) for the administrative costs of carrying
21 out its responsibilities under this title.

22 “(3) STATE ACTIVITIES.—A State educational
23 agency may use the amount made available to the
24 State under subsection (b) and not reserved under
25 paragraph (1) for the following activities:

1 “(A) Providing training, technical assist-
2 ance, and capacity building to local educational
3 agencies that are recipients of awards under
4 this title.

5 “(B) Other activities identified by the
6 State that meet the purpose of this title.

7 “(d) STATE PLAN.—

8 “(1) IN GENERAL.—In order to receive an allot-
9 ment under this section for any fiscal year, a State
10 shall submit a plan to the Secretary, at such time
11 and in such manner as the Secretary may reason-
12 ably require.

13 “(2) CONTENTS.—Each plan submitted by a
14 State under this section shall include the following:

15 “(A) A description of how the State edu-
16 cational agency will use funds received under
17 this title for State-level activities.

18 “(B) An assurance that the State edu-
19 cational agency will monitor the implementation
20 of activities under this title and provide tech-
21 nical assistance to local educational agencies in
22 carrying out such activities.

1 **“SEC. 4104. SUBGRANTS TO LOCAL EDUCATIONAL AGEN-**
2 **CIES.**

3 “(a) **ALLOCATIONS TO LOCAL EDUCATIONAL AGEN-**
4 **CIES.—**

5 “(1) **IN GENERAL.—**A State that receives an al-
6 lotment under this title for a fiscal year shall provide
7 the amount made available under section 4103(c)(1)
8 for subgrants to local educational agencies in accord-
9 ance with this section.

10 “(2) **FUNDS TO LOCAL EDUCATIONAL AGEN-**
11 **CIES.—**From the funds reserved by a State under
12 section 4103(c)(1), the State shall allocate to each
13 local educational agency in the State an amount that
14 bears the same relationship to such funds as the
15 number of individuals ages 5 to 17 from families
16 with incomes below the poverty line in the geo-
17 graphic area served by the agency, as determined by
18 the Secretary on the basis of the most recent satis-
19 factory data, bears to the number of such individuals
20 in the geographic areas served by all the local edu-
21 cational agencies in the State, as so determined.

22 “(3) **ADMINISTRATIVE COSTS.—**Of the amount
23 received under paragraph (2), a local educational
24 agency may use not more than 2 percent for the di-
25 rect administrative costs of carrying out its respon-
26 sibilities under this title.

1 “(b) LOCAL APPLICATIONS.—

2 “(1) IN GENERAL.—To be eligible to receive a
3 subgrant under this section, a local educational
4 agency shall submit an application to the State edu-
5 cational agency at such time, in such manner, and
6 containing such information as the State educational
7 agency may reasonably require.

8 “(2) CONSULTATION.—

9 “(A) IN GENERAL.—A local educational
10 agency shall conduct a needs assessment de-
11 scribed in paragraph (3), and develop its appli-
12 cation, through consultation with parents,
13 teachers, principals, pupil services personnel,
14 students, community-based organizations, local
15 government representatives, and others with
16 relevant and demonstrated expertise in pro-
17 grams and activities designed to meet the pur-
18 pose of this title.

19 “(B) CONTINUED CONSULTATION.—On an
20 ongoing basis, the local educational agency shall
21 consult with the individuals and organizations
22 described in subparagraph (A) in order to seek
23 advice regarding how best—

1 “(i) to improve the local educational
2 agency’s activities in order to meet the
3 purpose of this title; and

4 “(ii) to coordinate such agency’s ac-
5 tivities under this title with other related
6 strategies, programs, and activities being
7 conducted in the community.

8 “(3) NEEDS ASSESSMENT.—

9 “(A) IN GENERAL.—To be eligible to re-
10 ceive a subgrant under this section, a local edu-
11 cational agency shall conduct a comprehensive
12 needs assessment of the local educational agen-
13 cy and of all schools within the jurisdiction of
14 the local educational agency.

15 “(B) REQUIREMENTS.—The needs assess-
16 ment required under subparagraph (A) shall
17 take into account risk factors of the community,
18 school, family, or peer-individual domains that
19 are known, through prospective, longitudinal re-
20 search efforts, to be predictive of drug use, vio-
21 lent behavior, and the physical and mental
22 health and well-being of youth in the school and
23 community.

24 “(4) CONTENTS.—Each application submitted
25 under this subsection shall be based on the needs as-

1 assessment described in paragraph (3) and shall in-
2 clude the following:

3 “(A) The results of the needs assessment
4 described in paragraph (3) and an identification
5 of each school that will be served by a subgrant
6 under this section.

7 “(B) A description of the activities to be
8 carried out by the local educational agency
9 under this title and how these activities are
10 aligned with the results of the needs assessment
11 conducted under paragraph (3).

12 “(C) A description of the performance in-
13 dicators that will be used to evaluate the effec-
14 tiveness of the activities carried out under this
15 section.

16 “(D) An assurance that the activities will
17 comply with the principles of effectiveness de-
18 scribed in section 4105(b), and foster a healthy,
19 safe, and supportive school environment that
20 improves students’ safety, health, and well-
21 being during and after the school day.

22 “(E) An assurance that the local edu-
23 cational agency will prioritize funds to schools
24 served by the local educational agency that—

1 “(i) are among the schools with the
2 greatest needs as identified through the
3 needs assessment conducted under para-
4 graph (3);

5 “(ii) have the highest percentages or
6 numbers of children counted under section
7 1124(c);

8 “(iii) are identified for improvement
9 under section 1114; or

10 “(iv) are identified as a persistently
11 dangerous public elementary school or sec-
12 ondary school under section 9532.

13 “(F) An assurance that the local edu-
14 cational agency will comply with section 9501
15 (regarding participation by private school chil-
16 dren and teachers).

17 **“SEC. 4105. LOCAL EDUCATIONAL AGENCY AUTHORIZED**
18 **ACTIVITIES.**

19 “(a) LOCAL EDUCATIONAL AGENCY ACTIVITIES.—A
20 local educational agency that receives a subgrant under
21 section 4104 shall use the subgrant funds to develop, im-
22 plement, and evaluate comprehensive programs and activi-
23 ties, which are coordinated with other schools and commu-
24 nity-based services and programs, that are in accordance
25 with the purpose of this title and—

1 “(1) foster safe, healthy, supportive, and drug-
2 free environments that support student academic
3 achievement;

4 “(2) are consistent with the principles of effec-
5 tiveness described in subsection (b);

6 “(3) promote the involvement of parents in the
7 activity or program; and

8 “(4) may include, among other programs and
9 activities—

10 “(A) drug and violence prevention activi-
11 ties and programs, including professional devel-
12 opment and training for school and pupil serv-
13 ices personnel, and interested community mem-
14 bers in prevention, education, early identifica-
15 tion, and intervention mentoring, or rehabilita-
16 tion referral, as related to drug and violence
17 prevention;

18 “(B) before and after school programs and
19 activities, including during summer recess peri-
20 ods, and programs to extend the school day,
21 week, or school-year calendar;

22 “(C) school-based mental health services,
23 including early identification of drug use and vi-
24 olence, and direct individual or group coun-

1 seling services provided by qualified school-
2 based mental health services providers;

3 “(D) emergency intervention services fol-
4 lowing traumatic crisis events;

5 “(E) programs that train school personnel
6 to identify warning signs of youth suicide;

7 “(F) mentoring programs and activities for
8 children who are at risk of academic failure,
9 dropping out of school, or involvement in crimi-
10 nal or delinquent activities, or who lack strong
11 positive role models;

12 “(G) elementary school and secondary
13 school counseling programs;

14 “(H) programs or activities that support a
15 healthy, active lifestyle, including nutritional
16 education and regular, structured physical edu-
17 cation programs for elementary school and sec-
18 ondary school students;

19 “(I) implementation of schoolwide positive
20 behavioral interventions and supports, including
21 through coordination with similar activities car-
22 ried out under the Individuals with Disabilities
23 Education Act; and

24 “(J) other activities and programs identi-
25 fied as necessary by the local educational agen-

1 cy through the needs assessment conducted
2 under section 4104(b)(3) that meet the purpose
3 of this title.

4 “(b) PRINCIPLES OF EFFECTIVENESS.—

5 “(1) IN GENERAL.—For a program or activity
6 developed pursuant to this title to meet the prin-
7 ciples of effectiveness, such program or activity
8 shall—

9 “(A) be based upon an assessment of ob-
10 jective data regarding the need for programs
11 and activities in the elementary schools and sec-
12 ondary schools and communities to be served
13 to—

14 “(i) improve school safety and pro-
15 mote students’ physical and mental health
16 well-being, healthy eating and nutrition,
17 and physical fitness; and

18 “(ii) strengthen parent and commu-
19 nity engagement to ensure a healthy, safe,
20 and supportive school environment;

21 “(B) be based upon an established set of
22 performance measures aimed at ensuring a
23 healthy, safe, and supportive school environ-
24 ment for students in the elementary schools and

1 secondary schools and communities to be served
2 by the program;

3 “(C) reflect, to the extent practicable, sci-
4 entifically valid research, or in the absence of a
5 strong research base, reflect best practices in
6 the field, that provides evidence that the pro-
7 gram or activity will provide students a healthy,
8 safe, and supportive school environment; and

9 “(D) include meaningful and ongoing con-
10 sultation with and input from parents in the de-
11 velopment of the application and administration
12 of the program or activity.

13 “(2) PERIODIC EVALUATION.—

14 “(A) IN GENERAL.—The program or activ-
15 ity shall undergo a periodic evaluation to assess
16 its progress toward achieving its goal of pro-
17 viding students a healthy, safe, and supportive
18 school environment that promotes school safety
19 and students’ physical and mental health and
20 well-being, healthy eating and nutrition, and
21 physical fitness.

22 “(B) USE OF RESULTS.—The results of
23 evaluations under subparagraph (A) shall be—

1 “(i) used to refine, improve, and
2 strengthen the program or activity, and to
3 refine the performance measures; and

4 “(ii) made available to the public upon
5 request, with public notice of such avail-
6 ability provided.

7 **“SEC. 4106. SUPPLEMENT, NOT SUPPLANT.**

8 “Funds made available under this title shall be used
9 to supplement, and not supplant, non-Federal funds that
10 would otherwise be used for activities authorized under
11 this title.

12 **“SEC. 4107. PROHIBITED USE OF FUNDS.**

13 “No funds under this title may be used for—

14 “(1) construction; or

15 “(2) medical services, drug treatment or reha-
16 bilitation, except for pupil services or referral to
17 treatment for students who are victims of, or wit-
18 nesses to, crime or who illegally use drugs.

19 **“SEC. 4108. AUTHORIZATION OF APPROPRIATIONS.**

20 “There are authorized to be appropriated to carry out
21 this title \$1,372,627,000 for each of fiscal years 2014
22 through 2018.”.

1 **TITLE IV—EMPOWERING PAR-**
2 **ENTS THROUGH QUALITY**
3 **CHARTER SCHOOLS**

4 **SEC. 401. PURPOSE.**

5 Section 5201 (20 U.S.C. 7221) is amended to read
6 as follows:

7 **“SEC. 5201. PURPOSE.**

8 “It is the purpose of this subpart to—

9 “(1) provide financial assistance for the plan-
10 ning, program design, and initial implementation of
11 charter schools;

12 “(2) expand the number of high-quality charter
13 schools available to students across the Nation;

14 “(3) evaluate the impact of such schools on stu-
15 dent achievement, families, and communities, and
16 share best practices between charter schools and
17 other public schools;

18 “(4) encourage States to provide support to
19 charter schools for facilities financing in an amount
20 more nearly commensurate to the amount the States
21 have typically provided for traditional public schools;

22 “(5) improve student services to increase oppor-
23 tunities for students who are children with disabil-
24 ities, English language learners, and other tradition-
25 ally underserved students to attend charter schools

1 and meet challenging State academic achievement
2 standards; and

3 “(6) support efforts to strengthen the charter
4 school authorizing process to improve performance
5 management, including transparency, monitoring,
6 and evaluation of such schools.”.

7 **SEC. 402. PROGRAM AUTHORIZED.**

8 Section 5202 (20 U.S.C. 7221a) is amended to read
9 as follows:

10 **“SEC. 5202. PROGRAM AUTHORIZED.**

11 “(a) IN GENERAL.—The Secretary is authorized to
12 carry out a charter school program that supports charter
13 schools that serve elementary school and secondary school
14 students by—

15 “(1) supporting the startup, replication, and ex-
16 pansion of charter schools;

17 “(2) assisting charter schools in accessing cred-
18 it to acquire and renovate facilities for school use;
19 and

20 “(3) carrying out national activities to sup-
21 port—

22 “(A) charter school development;

23 “(B) the dissemination of best practices of
24 charter schools for all schools; and

1 “(C) the evaluation of the impact of the
2 program on schools participating in the charter
3 school program.

4 “(b) FUNDING ALLOTMENT.—From the amount
5 made available under section 5211 for a fiscal year, the
6 Secretary shall—

7 “(1) reserve 15 percent to support charter
8 school facilities assistance under section 5204;

9 “(2) reserve not more than 5 percent to carry
10 out national activities under section 5205; and

11 “(3) use the remaining amount after the res-
12 ervations under paragraphs (1) and (2) to carry out
13 section 5203.

14 “(c) PRIOR GRANTS AND SUBGRANTS.—The recipi-
15 ent of a grant or subgrant under this subpart, as such
16 subpart was in effect on the day before the date of enact-
17 ment of the Every Child Ready for College or Career Act
18 of 2013, shall continue to receive funds in accordance with
19 the terms and conditions of such grant or subgrant.”.

20 **SEC. 403. GRANTS TO SUPPORT HIGH-QUALITY CHARTER**
21 **SCHOOLS.**

22 Section 5203 (20 U.S.C. 7221b) is amended to read
23 as follows:

1 **“SEC. 5203. GRANTS TO SUPPORT HIGH-QUALITY CHARTER**
2 **SCHOOLS.**

3 “(a) DEFINITIONS.—In this section:

4 “(1) CHARTER MANAGEMENT ORGANIZATION.—

5 The term ‘charter management organization’ means
6 a nonprofit organization that operates, manages, or
7 oversees multiple charter schools by centralizing or
8 sharing certain functions and resources among
9 schools, or a group or consortium of such organiza-
10 tions.

11 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
12 tity’ means—

13 “(A) a State entity;

14 “(B) an authorized public chartering agen-
15 cy;

16 “(C) a local educational agency; or

17 “(D) a charter management organization.

18 “(3) STATE ENTITY.—The term ‘State entity’
19 means—

20 “(A) a State educational agency;

21 “(B) a State charter school board;

22 “(C) a Governor of a State; or

23 “(D) a charter support organization.

24 “(b) PROGRAM AUTHORIZED.—From the amount
25 available under section 5202(b)(3), the Secretary shall

1 award grants, on a competitive basis, to eligible entities
2 to enable—

3 “(1) eligible entities described in subparagraph
4 (A), (B), or (C) of subsection (a)(2) to—

5 “(A) award subgrants to eligible appli-
6 cants—

7 “(i) to open new charter schools;

8 “(ii) to open replicable, high-quality
9 charter school models; or

10 “(iii) to expand high-quality charter
11 schools; and

12 “(B) provide technical assistance to eligible
13 applicants and authorized public chartering
14 agencies in carrying out the activities described
15 in subparagraph (A) and work with authorized
16 public chartering agencies in the State to im-
17 prove authorizing quality; or

18 “(2) eligible entities described in subparagraph
19 (B), (C), or (D) of subsection (a)(2) to open new
20 charter schools, to open replicable high-quality char-
21 ter school models, or to expand high-quality charter
22 schools, which may include—

23 “(A) supporting the physical expansion of
24 charter school buildings, including financing the

1 development of new buildings and campuses to
2 meet increased enrollment needs;

3 “(B) paying costs associated with hiring
4 additional teachers to serve additional students;

5 “(C) providing transportation to students
6 to and from the charter school;

7 “(D) purchasing instructional materials,
8 implementing teacher and principal professional
9 development programs, and hiring additional
10 non-teaching staff; and

11 “(E) supporting any necessary activities
12 associated with the charter school carrying out
13 the purpose of this section.

14 “(c) USES OF FUNDS.—

15 “(1) SPECIAL RULE FOR SUBGRANTING ENTI-
16 TIES.—An eligible entity receiving a grant under
17 subsection (b)(1) shall—

18 “(A) use 90 percent of the grant funds to
19 carry out subsection (b)(1)(A), in accordance
20 with the quality charter school program de-
21 scribed in the entity’s application approved pur-
22 suant to subsection (f); and

23 “(B) reserve 10 percent of such funds to
24 carry out the activities described in subsection
25 (b)(1)(B), of which not more than 30 percent

1 may be used for administrative costs which may
2 include technical assistance.

3 “(2) CONTRACTS AND GRANTS.—An eligible en-
4 tity may use a grant received under this section to
5 carry out the activities described in subsection (b)
6 directly or through grants, contracts, or cooperative
7 agreements.

8 “(d) PROGRAM PERIODS; PEER REVIEW; DIVERSITY
9 OF PROJECTS.—

10 “(1) PROGRAM PERIODS.—

11 “(A) GRANTS.—A grant awarded by the
12 Secretary to an eligible entity under this section
13 shall be for a period of not more than 3 years,
14 and may be renewed by the Secretary for 1 ad-
15 ditional 2-year period.

16 “(B) SUBGRANTS.—A subgrant awarded
17 by an eligible entity under this section shall be
18 for a period of not more than 3 years, of which
19 an eligible applicant may use not more than 18
20 months for planning and program design. An
21 eligible entity may renew a subgrant for 1 addi-
22 tional 2-year period.

23 “(2) PEER REVIEW.—The Secretary, and each
24 eligible entity awarding subgrants under this section,

1 shall use a peer review process to review applications
2 for assistance under this section.

3 “(3) DIVERSITY OF PROJECTS.—Each eligible
4 entity awarding subgrants under this section shall
5 award subgrants in a manner that, to the extent
6 practicable and applicable, ensures that such sub-
7 grants—

8 “(A) are distributed throughout different
9 areas, including urban, suburban, and rural
10 areas; and

11 “(B) will assist charter schools rep-
12 resenting a variety of educational approaches.

13 “(e) LIMITATIONS.—

14 “(1) GRANTS.—An eligible entity may not re-
15 ceive more than 1 grant under this section at a time,
16 unless the eligible entity demonstrates to the Sec-
17 retary that, for each charter school supported under
18 the first grant, the education results have improved
19 in the areas described in subparagraphs (A) and (D)
20 of section 5210(7).

21 “(2) SUBGRANTS.—An eligible applicant may
22 not receive more than 1 subgrant under this section
23 per charter school for each grant period or renewal
24 period.

1 “(f) APPLICATIONS.—An eligible entity desiring to
2 receive a grant under this section shall submit an applica-
3 tion to the Secretary at such time and in such manner
4 as the Secretary may require. The application shall include
5 the following:

6 “(1) A description of the entity’s objectives in
7 running a quality charter school program under this
8 section and how the objectives of the program will
9 be carried out, including—

10 “(A) a description of how the entity will—

11 “(i) support both new charter school
12 startup and the expansion and replication
13 of high-quality charter school models;

14 “(ii) work with charter schools to pro-
15 mote inclusion of all students and support
16 all students upon enrollment to promote
17 retention;

18 “(iii) work with charter schools on re-
19 cruitment practices, including efforts to en-
20 gage groups that may otherwise have lim-
21 ited opportunities to participate in charter
22 schools;

23 “(iv) share best and promising prac-
24 tices between charter schools and other
25 public schools;

1 “(v) ensure the charter schools the eli-
2 gible entity supports can meet the edu-
3 cational needs of their students, including
4 students who are children with disabilities
5 and English language learners; and

6 “(vi) support efforts to increase qual-
7 ity initiatives, including meeting the qual-
8 ity authorizing elements described in para-
9 graph (2)(D)(ii);

10 “(B) in the case of any eligible entity that
11 will be awarding subgrants under subsection
12 (b)(1)(A), a description of how the entity will—

13 “(i) inform eligible charter schools,
14 developers, authorized public chartering
15 agencies, and other entities of the avail-
16 ability of funds under the program;

17 “(ii) work with eligible applicants to
18 ensure that the applicants access all Fed-
19 eral funds that they are eligible to receive,
20 and help the charter schools supported by
21 the applicants and the students attending
22 the charter schools—

23 “(I) participate in the Federal
24 programs in which the schools and

1 students are eligible to participate;
2 and

3 “(II) receive the commensurate
4 share of Federal funds the schools
5 and students are eligible to receive
6 under such programs;

7 “(iii) ensure eligible applicants that
8 receive a subgrant under the entity’s pro-
9 gram are prepared to continue to operate
10 the charter schools receiving the subgrant
11 funds once the funds have expired;

12 “(iv) support charter schools in local
13 educational agencies with large numbers of
14 schools identified by the State under sec-
15 tion 1114(a)(1)(B); and

16 “(v) carry out the subgrant competi-
17 tion, including—

18 “(I) a description of the applica-
19 tion each eligible applicant desiring to
20 receive a subgrant will submit, which
21 application shall include—

22 “(aa) a description of the
23 roles and responsibilities of eligi-
24 ble applicants, partner organiza-
25 tions, and charter management

1 organizations, including the ad-
2 ministrative and contractual roles
3 and responsibilities; and

4 “(bb) a description of the
5 quality controls agreed to be-
6 tween the eligible applicant and
7 the authorized public chartering
8 agency involved, such as a con-
9 tract or performance agreement,
10 and how a school’s performance
11 on the State’s academic account-
12 ability system will be a primary
13 factor for renewal; and

14 “(II) a description of how the en-
15 tity will review applications;

16 “(C) except in the case of an eligible entity
17 described in subsection (a)(3)(A), a description
18 of how the entity—

19 “(i) will work with the State edu-
20 cational agency and the charter schools in
21 the State to maximize charter school par-
22 ticipation in Federal and State programs
23 for charter schools; and

24 “(ii) will work with the State edu-
25 cational agency to adequately operate the

1 entity’s program under this section, where
2 applicable;

3 “(D) in the case of an eligible entity that
4 is a State entity, a description of the extent to
5 which the entity—

6 “(i) is able to meet and carry out the
7 priorities described in subsection (g)(2);
8 and

9 “(ii) is working to develop or
10 strengthen a cohesive statewide system to
11 support the opening of new charter
12 schools, the opening of replicable, high-
13 quality charter school models, and the ex-
14 pansion of high-quality charter schools;
15 and

16 “(E) in the case of an entity that partners
17 with an outside organization to carry out the
18 entity’s quality charter school program, in
19 whole or in part, a description of the roles and
20 responsibilities of such partner.

21 “(2) Assurances, including a description of how
22 the assurances will be met, that—

23 “(A) the eligible entity, if awarding sub-
24 grants, will—

1 “(i) consider applications from eligible
2 charter schools, authorized public char-
3 tering agencies, charter management orga-
4 nizations, and other entities as applicable
5 under State law; and

6 “(ii) provide adequate technical assist-
7 ance to such eligible applicants to—

8 “(I) meet the objectives described
9 in clauses (ii) and (iii) of paragraph
10 (1)(A) and subparagraph (B); and

11 “(II) enroll traditionally under-
12 served students, including students
13 who are children with disabilities and
14 English language learners, to promote
15 an inclusive education environment;

16 “(B) each charter school receiving funds
17 under the entity’s program will have a high de-
18 gree of autonomy over budget and operations;

19 “(C) the entity will support charter schools
20 in meeting the educational needs of their stu-
21 dents as described in paragraph (1)(A)(v); and

22 “(D) in the case of an eligible entity that
23 is a State entity—

24 “(i) the entity will ensure that the au-
25 thorized public chartering agency of any

1 charter school that receives funds under
2 the entity’s program—

3 “(I) ensures that the charter
4 school is meeting the obligations
5 under this Act, part B of the Individ-
6 uals with Disabilities Education Act,
7 title VI of the Civil Rights Act of
8 1964, and section 504 of the Rehabili-
9 tation Act of 1973; and

10 “(II) adequately monitors and
11 helps the schools in recruiting, enroll-
12 ing, and meeting the needs of all stu-
13 dents, including students who are chil-
14 dren with disabilities and English lan-
15 guage learners; and

16 “(ii) the entity will promote quality
17 authorizing, such as through providing
18 technical assistance, to support all author-
19 ized public chartering agencies in the State
20 to improve the monitoring of their charter
21 schools, including by—

22 “(I) using annual performance
23 data, which may include graduation
24 rates and student growth data, as ap-
25 propriate, to measure the progress of

1 their schools toward becoming high-
2 quality charter schools; and

3 “(II) reviewing the schools’ inde-
4 pendent, annual audits of financial
5 statements conducted in accordance
6 with generally accepted accounting
7 principles, and ensuring any such au-
8 dits are publically reported.

9 “(3) A request and justification for waivers of
10 any Federal statutory or regulatory provisions that
11 the entity believes are necessary for the successful
12 operation of the charter schools that will receive
13 funds under the entity’s program under this section,
14 and a description of any State or local rules, gen-
15 erally applicable to public schools, that will be
16 waived, or otherwise not apply, to such schools.

17 “(g) SELECTION CRITERIA; PRIORITY.—

18 “(1) SELECTION CRITERIA.—The Secretary
19 shall award grants to eligible entities under this sec-
20 tion on the basis of the quality of the applications
21 submitted under subsection (f), after taking into
22 consideration—

23 “(A) the degree of flexibility afforded by
24 the State’s public charter school law and, in the
25 case of an eligible entity described in subsection

1 (a)(2)(A), how the entity will work to maximize
2 the flexibility provided to charter schools under
3 the law;

4 “(B) the quality of the strategy for assess-
5 ing achievement of the entity’s objectives under
6 subsection (f)(1);

7 “(C) the likelihood that the eligible entity,
8 and any eligible applicants receiving subgrants
9 from the eligible entity, will meet those objec-
10 tives and improve educational results for stu-
11 dents;

12 “(D) the proposed number of new charter
13 schools to be opened, and the number of high-
14 quality charter schools to be replicated or ex-
15 panded under the program;

16 “(E) in the case of an eligible entity
17 awarding subgrants under subsection (b)(1)(A),
18 the entity’s plan to—

19 “(i) adequately monitor the eligible
20 applicants receiving subgrants under the
21 entity’s program;

22 “(ii) work with the authorized public
23 chartering agencies involved to avoid dupli-
24 cation of work for the charter schools and
25 authorized public chartering agencies; and

1 “(iii) provide adequate technical as-
2 sistance, as described in the entity’s appli-
3 cation under subsection (f), for the eligible
4 applicants receiving subgrants under the
5 entity’s program; and

6 “(F) the eligible entity’s plan to support
7 quality authorizing efforts in the State, con-
8 sistent with the objectives under subsection
9 (f)(1).

10 “(2) PRIORITY.—In selecting eligible entities
11 that are State entities to receive a portion of the
12 grants awarded under this section, the Secretary
13 shall give priority to State entities to the extent that
14 the entities meet the following criteria:

15 “(A) In the case in which a State entity is
16 located in a State that allows an entity other
17 than the State educational agency to be an au-
18 thorized public chartering agency or a State in
19 which only a local educational agency may be
20 an authorized public chartering agency, the
21 State has an appeals process for the denial of
22 an application for a charter school.

23 “(B) The State entity is located in a State
24 that ensures equitable financing, as compared

1 to traditional public schools, for charter schools
2 and students in a prompt manner.

3 “(C) The State entity is located in a State
4 that uses charter schools and best practices
5 from charter schools to help improve struggling
6 schools and local educational agencies.

7 “(D) The State entity partners with an or-
8 ganization that has a demonstrated record of
9 success in developing management organiza-
10 tions to support the development of charter
11 schools in the State.

12 “(E) The State entity supports charter
13 schools that support at-risk students through
14 activities such as dropout prevention or dropout
15 recovery.

16 “(h) LOCAL USES OF FUNDS.—An eligible applicant
17 receiving a subgrant under this section shall use such
18 funds to open new charter schools, open replicable, high-
19 quality charter school models, or expand existing high-
20 quality charter schools, which may include the activities
21 described in subparagraphs (A) through (E) of subsection
22 (b)(2).

23 “(i) REPORTING REQUIREMENTS.—Each eligible en-
24 tity receiving a grant under this section shall submit to
25 the Secretary, at the end of the second and third year of

1 the grant period and at the end of any renewal period,
2 a report that includes the following:

3 “(1) The number of students served and, if ap-
4 plicable, how many new students were served during
5 each year of the grant.

6 “(2) In the case of an eligible entity awarding
7 subgrants under subsection (b)(1)(A), the number of
8 subgrants awarded under this section to carry out
9 each of the following:

10 “(A) The opening of new charter schools.

11 “(B) The opening of replicable, high-qual-
12 ity charter school models.

13 “(C) The expansion of high-quality charter
14 schools.

15 “(3) In the case of an eligible entity receiving
16 a grant under subsection (b)(2), the number of new
17 charter schools opened, the number of replicable
18 high-quality charter school models opened, and the
19 number of high-quality charter schools expanded
20 under the grant.

21 “(4) In the case of a State entity described in
22 subparagraph (A), (B), or (C) of subsection (a)(3),
23 the progress the State entity made toward meeting
24 the priorities described in subsection (g)(2), as appli-
25 cable.

1 “(5) A description of—

2 “(A) how the entity met the objectives of
3 the quality charter school program described in
4 the entity’s application under subsection (f);

5 “(B) how the entity complied with, and, if
6 applicable, ensured that eligible applicants com-
7 plied with, the assurances described in the enti-
8 ty’s application; and

9 “(C) how the entity worked with author-
10 ized public chartering agencies, including how
11 the agencies worked with the management com-
12 pany or leadership of the schools in which the
13 subgrants were awarded, if applicable.”.

14 **SEC. 404. FACILITIES FINANCING ASSISTANCE.**

15 Section 5204 (20 U.S.C. 7221e) is amended to read
16 as follows:

17 **“SEC. 5204. FACILITIES FINANCING ASSISTANCE.**

18 “(a) GRANTS TO ELIGIBLE ENTITIES.—

19 “(1) IN GENERAL.—From the amount reserved
20 under section 5202(b)(1), the Secretary shall award
21 not less than 3 grants to eligible entities that have
22 applications approved under subsection (d) to dem-
23 onstrate innovative methods of assisting charter
24 schools to address the cost of acquiring, con-

1 structing, and renovating facilities by enhancing the
2 availability of loans or bond financing.

3 “(2) ELIGIBLE ENTITY DEFINED.—In this sec-
4 tion, the term ‘eligible entity’ means—

5 “(A) a public entity, such as a State or
6 local governmental entity;

7 “(B) a private nonprofit entity; or

8 “(C) a consortium of entities described in
9 subparagraphs (A) and (B).

10 “(b) GRANTEE SELECTION.—

11 “(1) EVALUATION OF APPLICATION.—The Sec-
12 retary shall evaluate each application submitted
13 under subsection (d), and shall determine whether
14 the application is sufficient to merit approval.

15 “(2) DISTRIBUTION OF GRANTS.—The Sec-
16 retary shall award not less than one grant to an eli-
17 gible entity described in subsection (a)(2)(A), not
18 less than one grant to an eligible entity described in
19 subsection (a)(2)(B), and not less than one grant to
20 an eligible entity described in subsection (a)(2)(C),
21 if applications are submitted that permit the Sec-
22 retary to do so without approving an application
23 that is not of sufficient quality to merit approval.

24 “(c) GRANT CHARACTERISTICS.—Grants under sub-
25 section (a) shall be of a sufficient size, scope, and quality

1 so as to ensure an effective demonstration of an innovative
2 means of enhancing credit for the financing of charter
3 school acquisition, construction, or renovation.

4 “(d) APPLICATIONS.—

5 “(1) IN GENERAL.—To receive a grant under
6 subsection (a), an eligible entity shall submit to the
7 Secretary an application in such form as the Sec-
8 retary may reasonably require.

9 “(2) CONTENTS.—An application submitted
10 under paragraph (1) shall contain—

11 “(A) a statement identifying the activities
12 proposed to be undertaken with funds received
13 under subsection (a), including how the eligible
14 entity will determine which charter schools will
15 receive assistance, and how much and what
16 types of assistance charter schools will receive;

17 “(B) a description of the involvement of
18 charter schools in the application’s development
19 and the design of the proposed activities;

20 “(C) a description of the eligible entity’s
21 expertise in capital market financing;

22 “(D) a description of how the proposed ac-
23 tivities will leverage the maximum amount of
24 private-sector financing capital relative to the
25 amount of government funding used and other-

1 wise enhance credit available to charter schools,
2 including how the entity will offer a combina-
3 tion of rates and terms more favorable than the
4 rates and terms that a charter school could re-
5 ceive without assistance from the entity under
6 this section;

7 “(E) a description of how the eligible enti-
8 ty possesses sufficient expertise in education to
9 evaluate the likelihood of success of a charter
10 school program for which facilities financing is
11 sought; and

12 “(F) in the case of an application sub-
13 mitted by a State governmental entity, a de-
14 scription of the actions that the entity has
15 taken, or will take, to ensure that charter
16 schools within the State receive the funding the
17 charter schools need to have adequate facilities.

18 “(e) CHARTER SCHOOL OBJECTIVES.—An eligible
19 entity receiving a grant under this section shall use the
20 funds deposited in the reserve account established under
21 subsection (f) to assist one or more charter schools to ac-
22 cess private sector capital to accomplish one or both of
23 the following objectives:

24 “(1) The acquisition (by purchase, lease, dona-
25 tion, or otherwise) of an interest (including an inter-

1 est held by a third party for the benefit of a charter
2 school) in improved or unimproved real property
3 that is necessary to commence or continue the oper-
4 ation of a charter school.

5 “(2) The construction of new facilities, includ-
6 ing predevelopment costs, or the renovation, repair,
7 or alteration of existing facilities, necessary to com-
8 mence or continue the operation of a charter school.

9 “(f) RESERVE ACCOUNT.—

10 “(1) USE OF FUNDS.—To assist charter schools
11 to accomplish the objectives described in subsection
12 (e), an eligible entity receiving a grant under sub-
13 section (a) shall, in accordance with State and local
14 law, directly or indirectly, alone or in collaboration
15 with others, deposit the funds received under sub-
16 section (a) (other than funds used for administrative
17 costs in accordance with subsection (g)) in a reserve
18 account established and maintained by the eligible
19 entity for this purpose. Amounts deposited in such
20 account shall be used by the eligible entity for one
21 or more of the following purposes:

22 “(A) Guaranteeing, insuring, and rein-
23 suring bonds, notes, evidences of debt, loans,
24 and interests therein, the proceeds of which are

1 used for an objective described in subsection
2 (e).

3 “(B) Guaranteeing and insuring leases of
4 personal and real property for an objective de-
5 scribed in such subsection.

6 “(C) Facilitating financing by identifying
7 potential lending sources, encouraging private
8 lending, and other similar activities that di-
9 rectly promote lending to, or for the benefit of,
10 charter schools.

11 “(D) Facilitating the issuance of bonds by
12 charter schools, or by other public entities for
13 the benefit of charter schools, by providing
14 technical, administrative, and other appropriate
15 assistance (including the recruitment of bond
16 counsel, underwriters, and potential investors
17 and the consolidation of multiple charter school
18 projects within a single bond issue).

19 “(2) INVESTMENT.—Funds received under this
20 section and deposited in the reserve account estab-
21 lished under paragraph (1) shall be invested in obli-
22 gations issued or guaranteed by the United States or
23 a State, or in other similarly low-risk securities.

24 “(3) REINVESTMENT OF EARNINGS.—Any earn-
25 ings on funds received under subsection (a) shall be

1 deposited in the reserve account established under
2 paragraph (1) and used in accordance with such
3 subsection.

4 “(g) LIMITATION ON ADMINISTRATIVE COSTS.—An
5 eligible entity may use not more than 2.5 percent of the
6 funds received under subsection (a) for the administrative
7 costs of carrying out its responsibilities under this section
8 (excluding subsection (k)).

9 “(h) AUDITS AND REPORTS.—

10 “(1) FINANCIAL RECORD MAINTENANCE AND
11 AUDIT.—The financial records of each eligible entity
12 receiving a grant under subsection (a) shall be main-
13 tained in accordance with generally accepted ac-
14 counting principles and shall be subject to an annual
15 audit by an independent public accountant.

16 “(2) REPORTS.—

17 “(A) GRANTEE ANNUAL REPORTS.—Each
18 eligible entity receiving a grant under sub-
19 section (a) annually shall submit to the Sec-
20 retary a report of the entity’s operations and
21 activities under this section.

22 “(B) CONTENTS.—Each annual report
23 submitted under subparagraph (A) shall in-
24 clude—

1 “(i) a copy of the most recent finan-
2 cial statements, and any accompanying
3 opinion on such statements, prepared by
4 the independent public accountant review-
5 ing the financial records of the eligible en-
6 tity;

7 “(ii) a copy of any report made on an
8 audit of the financial records of the eligible
9 entity that was conducted under paragraph
10 (1) during the reporting period;

11 “(iii) an evaluation by the eligible en-
12 tity of the effectiveness of its use of the
13 Federal funds provided under subsection
14 (a) in leveraging private funds;

15 “(iv) a listing and description of the
16 charter schools served during the reporting
17 period, including the amount of funds used
18 by each school, the type of project facili-
19 tated by the grant, and the type of assist-
20 ance provided to the charter schools;

21 “(v) a description of the activities car-
22 ried out by the eligible entity to assist
23 charter schools in meeting the objectives
24 set forth in subsection (e); and

1 “(vi) a description of the characteris-
2 tics of lenders and other financial institu-
3 tions participating in the activities under-
4 taken by the eligible entity under this sec-
5 tion (excluding subsection (k)) during the
6 reporting period.

7 “(C) SECRETARIAL REPORT.—The Sec-
8 retary shall review the reports submitted under
9 subparagraph (A) and shall provide a com-
10 prehensive annual report to Congress on the ac-
11 tivities conducted under this section (excluding
12 subsection (k)).

13 “(i) NO FULL FAITH AND CREDIT FOR GRANTEE
14 OBLIGATION.—No financial obligation of an eligible entity
15 entered into pursuant to this section (such as an obliga-
16 tion under a guarantee, bond, note, evidence of debt, or
17 loan) shall be an obligation of, or guaranteed in any re-
18 spect by, the United States. The full faith and credit of
19 the United States is not pledged to the payment of funds
20 which may be required to be paid under any obligation
21 made by an eligible entity pursuant to any provision of
22 this section.

23 “(j) RECOVERY OF FUNDS.—

1 “(1) IN GENERAL.—The Secretary, in accord-
2 ance with chapter 37 of title 31, United States
3 Code, shall collect—

4 “(A) all of the funds in a reserve account
5 established by an eligible entity under sub-
6 section (f)(1) if the Secretary determines, not
7 earlier than 2 years after the date on which the
8 eligible entity first received funds under this
9 section (excluding subsection (k)), that the eli-
10 gible entity has failed to make substantial
11 progress in carrying out the purposes described
12 in subsection (f)(1); or

13 “(B) all or a portion of the funds in a re-
14 serve account established by an eligible entity
15 under subsection (f)(1) if the Secretary deter-
16 mines that the eligible entity has permanently
17 ceased to use all or a portion of the funds in
18 such account to accomplish any purpose de-
19 scribed in such subsection.

20 “(2) EXERCISE OF AUTHORITY.—The Secretary
21 shall not exercise the authority provided in para-
22 graph (1) to collect from any eligible entity any
23 funds that are being properly used to achieve one or
24 more of the purposes described in subsection (f)(1).

1 “(3) PROCEDURES.—The provisions of sections
2 451, 452, and 458 of the General Education Provi-
3 sions Act shall apply to the recovery of funds under
4 paragraph (1).

5 “(4) CONSTRUCTION.—This subsection shall
6 not be construed to impair or affect the authority of
7 the Secretary to recover funds under part D of the
8 General Education Provisions Act.

9 “(k) PER-PUPIL FACILITIES AID PROGRAM.—

10 “(1) DEFINITION OF PER-PUPIL FACILITIES AID
11 PROGRAM.—In this subsection, the term ‘per-pupil
12 facilities aid program’ means a program in which a
13 State makes payments, on a per-pupil basis, to char-
14 ter schools to provide the schools with financing—

15 “(A) that is dedicated solely for funding
16 charter school facilities; or

17 “(B) a portion of which is dedicated for
18 funding charter school facilities.

19 “(2) GRANTS.—

20 “(A) IN GENERAL.—From the amount re-
21 served under section 5202(b)(1) and remaining
22 after the Secretary makes grants under sub-
23 section (a), the Secretary shall make grants, on
24 a competitive basis, to States to pay for the
25 Federal share of the cost of establishing or en-

1 hancing, and administering, per-pupil facilities
2 aid programs.

3 “(B) PERIOD.—The Secretary shall award
4 grants under this subsection for periods of not
5 more than 5 years.

6 “(C) FEDERAL SHARE.—The Federal
7 share of the cost described in subparagraph (A)
8 for a per-pupil facilities aid program shall be
9 not more than—

10 “(i) 90 percent of the cost, for the
11 first fiscal year for which the program re-
12 ceives assistance under this subsection;

13 “(ii) 80 percent for the second such
14 year;

15 “(iii) 60 percent for the third such
16 year;

17 “(iv) 40 percent for the fourth such
18 year; and

19 “(v) 20 percent for the fifth such
20 year.

21 “(D) STATE SHARE.—A State receiving a
22 grant under this subsection may partner with 1
23 or more organizations to provide up to 50 per-
24 cent of the State share of the cost of estab-

1 lishing or enhancing, and administering, the
2 per-pupil facilities aid program.

3 “(E) MULTIPLE GRANTS.—A State may
4 receive more than 1 grant under this sub-
5 section, so long as the amount of such grant
6 funds provided to charter schools increases with
7 each successive grant.

8 “(3) USE OF FUNDS.—

9 “(A) IN GENERAL.—A State that receives
10 a grant under this subsection shall use the
11 funds made available through the grant to es-
12 tablish or enhance, and administer, a per-pupil
13 facilities aid program for charter schools in the
14 State of the applicant.

15 “(B) EVALUATIONS; TECHNICAL ASSIST-
16 ANCE; DISSEMINATION.—From the amount
17 made available to a State through a grant
18 under this subsection for a fiscal year, the State
19 may reserve not more than 5 percent to carry
20 out evaluations, to provide technical assistance,
21 and to disseminate information.

22 “(C) SUPPLEMENT, NOT SUPPLANT.—
23 Funds made available under this subsection
24 shall be used to supplement, and not supplant,
25 State and local public funds expended to pro-

1 vide per-pupil facilities aid programs, operations
2 financing programs, or other programs, for
3 charter schools.

4 “(4) REQUIREMENTS.—

5 “(A) VOLUNTARY PARTICIPATION.—No
6 State may be required to participate in a pro-
7 gram carried out under this subsection.

8 “(B) STATE LAW.—

9 “(i) IN GENERAL.—To be eligible to
10 receive a grant under this subsection, a
11 State shall establish or enhance, and ad-
12 minister, a per-pupil facilities aid program
13 for charter schools in the State, that—

14 “(I) is specified in State law; and

15 “(II) provides annual financing,
16 on a per-pupil basis, for charter
17 school facilities.

18 “(ii) SPECIAL RULE.—A State that is
19 required under State law to provide its
20 charter schools with access to adequate fa-
21 cility space may be eligible to receive a
22 grant under this subsection if the State
23 agrees to use the funds to develop a per-
24 pupil facilities aid program consistent with
25 the requirements of this subsection.

1 “(5) APPLICATIONS.—To be eligible to receive a
2 grant under this subsection, a State shall submit an
3 application to the Secretary at such time, in such
4 manner, and containing such information as the Sec-
5 retary may require.”.

6 **SEC. 405. NATIONAL ACTIVITIES.**

7 Section 5205 (20 U.S.C. 7221d) is amended to read
8 as follows:

9 **“SEC. 5205. NATIONAL ACTIVITIES.**

10 “(a) IN GENERAL.—From the amount reserved
11 under section 5202(b)(2), the Secretary shall—

12 “(1) use not less than 50 percent of such funds
13 to award grants in accordance with subsection (b);
14 and

15 “(2) use the remainder of such funds to—

16 “(A) disseminate technical assistance to
17 State entities in awarding subgrants under sec-
18 tion 5203(b)(1)(A);

19 “(B) disseminate best practices regarding
20 public charter schools; and

21 “(C) evaluate the impact of the charter
22 school program, including the impact on stu-
23 dent achievement, carried out under this sub-
24 part.

25 “(b) GRANTS.—

1 “(1) IN GENERAL.—From the amounts de-
2 scribed in subsection (a)(1), the Secretary shall
3 make grants, on a competitive basis, to eligible ap-
4 plicants for the purpose of carrying out the activities
5 described in section 5202(a)(1) and section 5203(b).

6 “(2) TERMS AND CONDITIONS.—Except as oth-
7 erwise provided in this subsection, grants awarded
8 under this subsection shall have the same terms and
9 conditions as grants awarded under section 5203.

10 “(3) ELIGIBLE APPLICANT DEFINED.—For pur-
11 poses of this subsection, the term ‘eligible applicant’
12 means an eligible applicant that desires to open a
13 charter school in a State that—

14 “(A) did not apply for a grant under sec-
15 tion 5203;

16 “(B) did not receive a grant under section
17 5203; or

18 “(C) received a grant under section 5203
19 and is in the fourth or fifth year of the grant
20 period for such grant.

21 “(c) CONTRACTS AND GRANTS.—The Secretary may
22 carry out any of the activities described in this section di-
23 rectly or through grants, contracts, or cooperative agree-
24 ments.”.

1 **SEC. 406. RECORDS TRANSFER.**

2 Section 5208 (20 U.S.C. 7221g) is amended by in-
3 serting “as quickly as possible and” before “to the extent
4 practicable”.

5 **SEC. 407. DEFINITIONS.**

6 Section 5210 (20 U.S.C. 7221i) is amended—

7 (1) in paragraph (1)—

8 (A) in subparagraph (K), by striking
9 “and” at the end;

10 (B) in subparagraph (L), by striking the
11 period at the end and inserting “; and”; and

12 (C) by adding at the end, the following:

13 “(M) may serve prekindergarten or post-
14 secondary students.”;

15 (2) in paragraph (3), by striking “under section
16 5203(d)(3)”; and

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

18 “(5) CHARTER SUPPORT ORGANIZATION.—The
19 term ‘charter support organization’ means a non-
20 profit, non-governmental entity that provides, on a
21 statewide or regional basis, assistance to developers
22 during the planning, program design, and initial im-
23 plementation of a charter school, and technical as-
24 sistance to operating charter schools.

25 “(6) EXPANSION OF A HIGH-QUALITY CHARTER
26 SCHOOL.—The term ‘expansion of a high-quality

1 charter school’ means a high-quality charter school
2 that either significantly increases its enrollment or
3 adds one or more grades to its school.

4 “(7) HIGH-QUALITY CHARTER SCHOOL.—The
5 term ‘high-quality charter school’ means a charter
6 school that—

7 “(A) shows evidence of strong academic re-
8 sults;

9 “(B) has no significant issues in the areas
10 of student safety, financial management, or
11 statutory or regulatory compliance;

12 “(C) has demonstrated success in signifi-
13 cantly increasing student academic achievement
14 and attainment for all students served by char-
15 ter schools; and

16 “(D) has demonstrated success in increas-
17 ing student academic achievement for the sub-
18 groups of students described in section
19 1111(b)(2)(B)(viii).

20 “(8) REPLICABLE, HIGH-QUALITY CHARTER
21 SCHOOL MODEL.—The term ‘replicable, high-quality
22 charter school model’ means a high-quality charter
23 school that will open a new campus under an exist-
24 ing charter.”.

1 **SEC. 408. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 5211 (20 U.S.C. 7221j) is amended to read
3 as follows:

4 **“SEC. 5211. AUTHORIZATION OF APPROPRIATIONS.**

5 “There are authorized to be appropriated to carry out
6 this subpart \$241,507,000 for each of fiscal years 2014
7 through 2018.”.

8 **SEC. 409. GENERAL PROVISIONS.**

9 Title V (20 U.S.C. 7201 et seq.) is amended by—

- 10 (1) striking part A;
- 11 (2) striking subparts 2 and 3 of part B;
- 12 (3) striking part D;
- 13 (4) in part B, by striking “**Subpart 1—**
14 **Charter School Programs**”;
- 15 (5) by redesignating part B as part A; and
- 16 (6) by redesignating part C as part B.

17 **TITLE V—STATE INNOVATION**
18 **AND FLEXIBILITY**

19 **SEC. 501. PURPOSES.**

20 The purposes of this title are to—

- 21 (1) support State, local, and tribal leadership
22 and innovation in preparing all students to meet
23 State-developed academic content standards and stu-
24 dent academic achievement standards;
- 25 (2) establish a process to permit State, local,
26 and tribal educational leaders to implement alter-

1 native and innovative strategies to improve academic
2 achievement for all students and otherwise meet the
3 purposes of the Elementary and Secondary Edu-
4 cation Act of 1965 (20 U.S.C. 6301 et seq.);

5 (3) provide States and local educational agen-
6 cies with maximum flexibility in using Federal funds
7 provided under this Act; and

8 (4) direct the Secretary of Education to defer
9 to State, local, and tribal judgments regarding how
10 best to accomplish the purposes of the Elementary
11 and Secondary Education Act of 1965 (20 U.S.C.
12 6301 et seq.).

13 **SEC. 502. TRANSFERABILITY OF FUNDS.**

14 Section 6123 (20 U.S.C. 7305b) is amended—

15 (1) in subsection (a)—

16 (A) in paragraph (1)—

17 (i) in the matter preceding subpara-
18 graph (A), by striking “not more than 50
19 percent of the nonadministrative State
20 funds” and inserting “all, or any lesser
21 amount, of State funds”; and

22 (ii) by striking subparagraphs (A)
23 through (D) and inserting the following:

24 “(A) Any provision of title II.

25 “(B) Any provision of title IV.”; and

1 (B) in paragraph (2), by striking “and
2 subject to the 50 percent limitation described in
3 paragraph (1)”;

4 (2) in subsection (b)—

5 (A) in paragraph (1)—

6 (i) in subparagraph (A), by striking
7 “(except” and all that follows through
8 “subparagraph (C))” and inserting “may
9 transfer all, or any lesser amount, of the
10 funds allocated to it”;

11 (ii) by striking subparagraph (B);

12 (iii) by redesignating subparagraph
13 (C) as subparagraph (B); and

14 (iv) in subparagraph (B), as redesign-
15 nated by clause (iii), by striking “and sub-
16 ject to the percentage limitation described
17 in subparagraph (A) or (B), as applica-
18 ble”;

19 (B) in paragraph (2)—

20 (i) by striking “subparagraph (A),
21 (B), or (C)” and inserting “subparagraph
22 (A) or (B)”;

23 (ii) by striking subparagraphs (A)
24 through (D) and inserting the following:

25 “(A) Any provision of title II.

1 “(B) Any provision of title IV.”.

2 **SEC. 503. WAIVERS OF STATUTORY AND REGULATORY RE-**
 3 **QUIREMENTS.**

4 Section 9401 of the Elementary and Secondary Edu-
 5 cation Act of 1965 (20 U.S.C. 7861) is amended—

6 (1) by striking subsection (a) and inserting the
 7 following:

8 “(a) IN GENERAL.—

9 “(1) REQUEST FOR WAIVER.—A State edu-
 10 cational agency, local educational agency (through a
 11 State educational agency), or Indian tribe that re-
 12 ceives funds under a program authorized under this
 13 Act may submit a request to the Secretary to waive
 14 any statutory or regulatory requirement of this Act.

15 “(2) RECEIPT OF WAIVER.—Except as provided
 16 in subsection (c), the Secretary shall waive any stat-
 17 utory or regulatory requirement of this Act for a
 18 State educational agency, local educational agency,
 19 Indian tribe, or school (through a local educational
 20 agency), that submits a waiver request pursuant to
 21 this subsection.”;

22 (2) in subsection (b)—

23 (A) in paragraph (1)—

24 (i) in the matter preceding subpara-
 25 graph (A), by inserting “, which shall in-

1 clude a plan” after “waiver request to the
2 Secretary”;

3 (ii) in subparagraph (B), by striking
4 “and how the waiving of those require-
5 ments will” and all that follows through
6 the end, and inserting a semicolon;

7 (iii) by redesignating subparagraph
8 (E) as subparagraph (F); and

9 (iv) by striking subparagraphs (C)
10 and (D), and inserting the following:

11 “(C) describes the methods the State edu-
12 cational agency, local educational agency, or In-
13 dian tribe will use to—

14 “(i) monitor the effectiveness of the
15 implementation of the plan; and

16 “(ii) assure regular evaluation and
17 continuous improvement of the plan;

18 “(D) as applicable to the waiver request,
19 includes information on how the State edu-
20 cational agency, local educational agency, or In-
21 dian tribe will maintain and improve trans-
22 parency in reporting to parents and the public
23 on student achievement and school perform-
24 ance, including the achievement of students ac-
25 cording to the student subgroups described in

1 subclauses (I) through (IV) of section
2 1111(b)(2)(B)(viii); and”;

3 (B) in paragraph (2)(B)(i)(II), by striking
4 “(on behalf of, and based on the requests of,
5 local educational agencies)” and inserting “(on
6 their own behalf, or on behalf of, and based on
7 the requests of, local educational agencies in the
8 State)”;

9 (C) in paragraph (3)—

10 (i) in subparagraph (A), in the matter
11 preceding clause (i), by inserting “or on
12 behalf of local educational agencies in the
13 State,” after “acting on its own behalf,”;
14 and

15 (ii) in subparagraph (B), by striking
16 “reviewed by the State educational agen-
17 cy” and inserting “reviewed and approved
18 by the State educational agency before
19 being submitted to the Secretary”; and

20 (D) by adding at the end the following:

21 “(4) WAIVER DETERMINATION, DEMONSTRA-
22 TION, AND REVISION.—

23 “(A) IN GENERAL.—The Secretary shall
24 approve a waiver request not more than 90
25 days after the date on which such request is

1 submitted, unless the Secretary determines and
2 demonstrates that—

3 “(i) the waiver request does not meet
4 the requirements of this section; and

5 “(ii) the waiver is not permitted under
6 subsection (c).

7 “(B) WAIVER DETERMINATION AND REVI-
8 SION.—If the Secretary determines and dem-
9 onstrates that the waiver request does not meet
10 the requirements of this section, the Secretary
11 shall—

12 “(i) immediately—

13 “(I) notify the State educational
14 agency, local educational agency, or
15 Indian tribe of such determination;
16 and

17 “(II) at the request of the State
18 educational agency, local educational
19 agency, or Indian tribe, provide de-
20 tailed reasons for such determination
21 in writing;

22 “(ii) offer the State educational agen-
23 cy, local educational agency, or Indian
24 tribe an opportunity to revise and resubmit

1 the waiver request not more than 60 days
2 after the date of such determination; and

3 “(iii) if the Secretary determines that
4 the resubmission does not meet the re-
5 quirements of this section, at the request
6 of the State educational agency, local edu-
7 cational agency, or Indian tribe, conduct a
8 public hearing not more than 30 days after
9 the date of such resubmission.

10 “(C) WAIVER DISAPPROVAL.—The Sec-
11 retary may disapprove a waiver request if—

12 “(i) the State educational agency,
13 local educational agency, or Indian tribe
14 has been notified and offered an oppor-
15 tunity to revise and resubmit the waiver
16 request, as described under clauses (i) and
17 (ii) of subparagraph (B); and

18 “(ii) the State educational agency,
19 local educational agency, or Indian tribe—

20 “(I) does not revise and resubmit
21 the waiver request; or

22 “(II) revises and resubmits the
23 waiver request, and the Secretary de-
24 termines that such waiver request
25 does not meet the requirements of this

1 section after a hearing conducted
2 under subparagraph (B)(iii).

3 “(D) EXTERNAL CONDITIONS.—The Sec-
4 retary shall not disapprove a waiver request
5 under this section based on conditions outside
6 the scope of the waiver request.”;

7 (3) in subsection (c), by striking paragraph (2)
8 and redesignating paragraphs (3), (4), (5), (6), (7),
9 (8), (9), and (10) as paragraphs (2), (3), (4), (5),
10 (6), (7), (8), and (9);

11 (4) in subsection (d)—

12 (A) in the heading, by adding “; LIMITA-
13 TIONS” after “DURATION AND EXTENSION OF
14 WAIVER”; and

15 (B) by adding at the end the following:

16 “(3) SPECIFIC LIMITATIONS.—The Secretary
17 shall not place any requirements on a State edu-
18 cational agency, local educational agency, or Indian
19 tribe, as a condition of approval of a waiver re-
20 quest.”;

21 (5) by striking subsection (e) and inserting the
22 following:

23 “(e) REPORTS.—A State educational agency, local
24 educational agency, and Indian Tribe receiving a waiver
25 under this section shall describe, as part of, and pursuant

1 to, the required annual reporting under section 1111(e),
 2 the progress of schools covered under the provisions of
 3 such waiver toward increasing academic achievement.”;
 4 and

5 (6) in subsection (f), by inserting “and the re-
 6 cipient of the waiver has failed to make revisions
 7 needed to carry out the purpose of the waiver,” after
 8 “has been inadequate to justify a continuation of the
 9 waiver”.

10 **SEC. 504. MAINTENANCE OF EFFORT.**

11 Section 9521 (20 U.S.C. 7901) is repealed.

12 **SEC. 505. PLAN APPROVAL PROCESS.**

13 Title IX (20 U.S.C. 7801 et seq.) is amended by add-
 14 ing at the end the following:

15 **“PART G—APPROVAL AND DISAPPROVAL OF**
 16 **STATE PLANS AND LOCAL APPLICATIONS**

17 **“SEC. 9701. APPROVAL AND DISAPPROVAL OF STATE**
 18 **PLANS.**

19 “(a) DEEMED APPROVAL.—A plan submitted by a
 20 State pursuant to section 2104(d) or section 4103(d) shall
 21 be deemed to be approved by the Secretary unless the Sec-
 22 retary makes a written determination, prior to the expira-
 23 tion of the 120-day period beginning on the date on which
 24 the Secretary received the plan, that the plan is not in

1 compliance with section 2104(d) or section 4103(d), as ap-
2 plicable.

3 “(b) DISAPPROVAL PROCESS.—

4 “(1) IN GENERAL.—The Secretary shall not fi-
5 nally disapprove a plan submitted under section
6 2104(d) or section 4103(d), except after giving the
7 State educational agency notice and an opportunity
8 for a hearing.

9 “(2) NOTIFICATION.—If the Secretary finds
10 that the plan is not in compliance, in whole or in
11 part, with section 2104(d) or section 4103(d), as ap-
12 plicable, the Secretary shall—

13 “(A) give the State educational agency no-
14 tice and an opportunity for a hearing; and

15 “(B) notify the State educational agency of
16 the finding of noncompliance and, in such noti-
17 fication, shall—

18 “(i) cite the specific provisions in the
19 plan that are not in compliance; and

20 “(ii) request additional information,
21 only as to the noncompliant provisions,
22 needed to make the plan compliant.

23 “(3) RESPONSE.—If the State educational
24 agency responds to the Secretary’s notification de-
25 scribed in paragraph (2)(B) during the 45-day pe-

1 riod beginning on the date on which the State edu-
 2 cational agency received the notification, and resub-
 3 mits the plan with the requested information de-
 4 scribed in paragraph (2)(B)(ii), the Secretary shall
 5 approve or disapprove such plan prior to the later
 6 of—

7 “(A) the expiration of the 45-day period
 8 beginning on the date on which the plan is re-
 9 submitted; or

10 “(B) the expiration of the 120-day period
 11 described in subsection (a).

12 “(4) FAILURE TO RESPOND.—If the State edu-
 13 cational agency does not respond to the Secretary’s
 14 notification described in paragraph (2)(B) during
 15 the 45-day period beginning on the date on which
 16 the State educational agency received the notifica-
 17 tion, such plan shall be deemed to be disapproved.

18 **“SEC. 9702. APPROVAL AND DISAPPROVAL OF LOCAL EDU-**

19 **CATIONAL AGENCY APPLICATIONS.**

20 “(a) DEEMED APPROVAL.—An application submitted
 21 by a local educational agency pursuant to section 2105(b)
 22 or section 4104(b) shall be deemed to be approved by the
 23 State educational agency unless the State educational
 24 agency makes a written determination, prior to the expira-
 25 tion of the 120-day period beginning on the date on which

1 the State educational agency received the application, that
2 the application is not in compliance with section 2105(b)
3 or section 4104(b), as applicable.

4 “(b) DISAPPROVAL PROCESS.—

5 “(1) IN GENERAL.—The State educational
6 agency shall not finally disapprove an application
7 submitted under section 2105(b) or section 4104(b),
8 except after giving the local educational agency no-
9 tice and opportunity for a hearing.

10 “(2) NOTIFICATION.—If the State educational
11 agency finds that the application is not in compli-
12 ance, in whole or in part, with section 2105(b) or
13 section 4104(b), as applicable, the State educational
14 agency shall—

15 “(A) give the local educational agency no-
16 tice and an opportunity for a hearing; and

17 “(B) notify the local educational agency of
18 the finding of noncompliance, and in such noti-
19 fication, shall—

20 “(i) cite the specific provisions in the
21 application that are not in compliance; and

22 “(ii) request additional information,
23 only as to the noncompliant provisions,
24 needed to make the application compliant.

1 “(3) RESPONSE.—If the local educational agen-
2 cy responds to the State educational agency’s notifi-
3 cation described in paragraph (2)(B) during the 45-
4 day period beginning on the date on which the local
5 educational agency received the notification, and re-
6 submits the application with the requested informa-
7 tion described in paragraph (2)(B)(ii), the State
8 educational agency shall approve or disapprove such
9 application prior to the later of—

10 “(A) the expiration of the 45-day period
11 beginning on the date on which the application
12 is resubmitted; or

13 “(B) the expiration of the 120-day period
14 described in subsection (a).

15 “(4) FAILURE TO RESPOND.—If the local edu-
16 cational agency does not respond to the State edu-
17 cational agency’s notification described in paragraph
18 (2)(B) during the 45-day period beginning on the
19 date on which the local educational agency received
20 the notification, such application shall be deemed to
21 be disapproved.”.

1 **TITLE VI—EXTENSIONS OF**
2 **AUTHORIZATIONS**

3 **SEC. 601. ENGLISH LEARNERS AND IMMIGRANT STUDENTS.**

4 Section 3001 (20 U.S.C. 6801) is amended by strik-
5 ing “\$750,000,000 for fiscal year 2002 and such sums
6 as may be necessary for each of the 5 succeeding fiscal
7 years.” and inserting “\$693,848,000 for each of fiscal
8 years 2014 through 2018.”.

9 **SEC. 602. MAGNET SCHOOL ASSISTANCE.**

10 Section 5311 (20 U.S.C. 7231j) is amended by strik-
11 ing “\$125,000,000 for fiscal year 2002 and such sums
12 as may be necessary for each of the 5 succeeding fiscal
13 years.” and inserting “\$91,647,000 for each of fiscal years
14 2014 through 2018.”.

15 **SEC. 603. RURAL EDUCATION ACHIEVEMENT PROGRAM.**

16 Section 6234 (20 U.S.C. 7355c) is amended by strik-
17 ing “\$300,000,000 for fiscal year 2002 and such sums
18 as may be necessary for each of the 5 succeeding fiscal
19 years” and inserting “\$169,840,000 for each of fiscal
20 years 2014 through 2018”.

21 **SEC. 604. INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE**
22 **EDUCATION.**

23 (a) GRANTS TO LOCAL EDUCATIONAL AGENCIES AND
24 TRIBES.—Section 7152 (20 U.S.C. 7492) is amended to
25 read as follows:

1 **“SEC. 7152. AUTHORIZATIONS OF APPROPRIATIONS.**

2 “(a) SUBPART 1.—For the purpose of carrying out
3 subpart 1, there are authorized to be appropriated
4 \$100,381,000 for each of fiscal years 2014 through 2018.

5 “(b) SUBPART 2.—For the purpose of carrying out
6 subpart 2, there are authorized to be appropriated
7 \$17,993,000 for each of fiscal years 2014 through 2018.

8 “(c) SUBPART 3.—For the purpose of carrying out
9 subpart 3, there are authorized to be appropriated
10 \$5,565,000 for each of fiscal years 2014 through 2018.”.

11 (b) NATIVE HAWAIIAN EDUCATION.—Section
12 7205(c) (20 U.S.C. 7515(c)) is amended—

13 (1) by striking paragraph (1) and inserting the
14 following:

15 “(1) IN GENERAL.—There are authorized to be
16 appropriated to carry out this section and section
17 7204 \$32,397,000 for each of fiscal years 2014
18 through 2018.”; and

19 (2) in paragraph (2), by striking “for fiscal
20 year 2002 and each of the 5 succeeding fiscal years”
21 and inserting “for fiscal years 2014 through 2018”.

22 (c) ALASKA NATIVE EDUCATION.—Section
23 7304(d)(1) (20 U.S.C. 7544(d)(1)) is amended by striking
24 “such sums as may be necessary for fiscal year 2002 and
25 each of the 5 succeeding fiscal years.” and inserting

1 “\$31,453,000 for each of fiscal years 2014 through
2 2108.”.

3 **SEC. 605. IMPACT AID.**

4 Section 8014 (20 U.S.C. 7714) is amended—

5 (1) in subsection (a), by striking “\$32,000,000
6 for fiscal year 2000 and such sums as may be nec-
7 essary for each of the seven succeeding fiscal years.”
8 and inserting “\$63,445,000 for each of fiscal years
9 2014 through 2018.”;

10 (2) in subsection (b), by striking
11 “\$809,400,000 for fiscal year 2000 and such sums
12 as may be necessary for each of the seven succeeding
13 fiscal years.” and inserting “\$1,093,203,000 for
14 each of fiscal years 2014 through 2018.”;

15 (3) in subsection (c), by striking “\$50,000,000
16 for fiscal year 2000 and such sums as may be nec-
17 essary for each of the seven succeeding fiscal years.”
18 and inserting “\$45,881,000 for each of fiscal years
19 2014 through 2018.”;

20 (4) in subsection (e), by striking “\$10,052,000
21 for fiscal year 2000 and such sums as may be nec-
22 essary for fiscal year 2001, \$150,000,000 for fiscal
23 year 2002, and such sums as may be necessary for
24 each of the five succeeding fiscal years.” and insert-

1 ing “\$16,529,000 for each of fiscal years 2014
2 through 2018.”; and

3 (5) in subsection (f), by striking “\$5,000,000
4 for fiscal year 2000 and such sums as may be nec-
5 essary for each of the seven succeeding fiscal years.”
6 and inserting “\$4,591,000 for each of fiscal years
7 2014 through 2018.”.

8 **SEC. 606. MCKINNEY-VENTO HOMELESS ASSISTANCE.**

9 Section 726 of the McKinney-Vento Homeless Assist-
10 ance Act (42 U.S.C. 11435) is amended by striking
11 “\$100,000,000 for fiscal year 2009 and such sums as may
12 be necessary for each subsequent fiscal year.” and insert-
13 ing “\$61,771,000 for each of fiscal years 2014 through
14 2018.”.

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