Part I – General Provisions

Maintains provisions from current law; adds a definition for "highly qualified."

TITLE III – Early Childhood Programs and Enrichment Initiatives

Part A: Early Childhood Education

IN GENERAL - Early Childhood Education plays a critical role in academic success for our young people. Research into the development and growth of the human brain clearly demonstrates that learning begins at birth, and that the years between birth and the age of mandatory school enrollment are critical for future academic success. Part A: Early Childhood Education brings together new early learning initiatives and existing provisions in the Elementary and Secondary Education Act to build a cohesive federal policy that provides parents, caretakers, child care providers, and educators with the tools they need to better ensure that our children have the opportunity to enter school ready to learn.

why not include Even Start in the title?

Subpart 1: Early Learning Initiative

appears to 0-8, Even Start

Purpose: The purpose of Title III, Part A, Subpart 1 is to increase the availability of voluntary programs, services, and activities that support early childhood education and promote school readiness of young children (age birth to 6) by helping parents, caretakers, child care providers, and educators who desire to incorporate appropriate developmental activities into the daily lives of pre-school age children and to facilitate broader involvement of other members in the community to develop a cohesive network of early learning opportunities. The "Early Learning Initiative" blends two new components with the Parent Assistance program formerly in Goals 2000. Because of the preponderance of early learning and related health and human service programs within the Department of Health and Human Services, the Secretary of HHS is responsible for administering this initiative (except for the Parent Assistance Program) in collaboration with the Secretary of Education.

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Coordination of Federal Programs: Requires and provides the authority to the Secretaries of the Department of Health and Human Services and Education to develop effective mechanisms to resolve conflicts between early learning programs and remove barriers to the creation of a community-driven, unified system of services, activities, and programs for young children and their families.

Preserving Parental Rights and Roles: Clearly states that parents are not required to participate in any programs, services or activities funded under this part and reinforces that parents are responsible for directing the education of their children.

Federal Funding: $7 billion over 5 years is the amount authorized to carry out this early learning initiative. The amount starts at $1 billion and increases to $1.8 billion a year during the fifth year of the authorization.

Allotments to States: The federal share is 80% for the first two years of the grant, decreasing to 70% in the second and third years, and to 50% for the remainder of the initiative. There is a broad definition of how states can meet the match requirements, including cash or in-kind facilities, equipment, or services. The funds are allocated to the states based equally on the population of children aged 6 or under and the number of children aged 6 or under who are living in poverty. There is a small state minimum of .35% and a 1% set-aside for Indian Tribes, Native Alaskans, Hawaii Natives, and the Outlying areas. States are not permitted to use the funds to supplant existing funding for child care, Head Start, and other early learning programs.

Limit on Administrative Costs: Administrative costs are limited for both the Department of Health and Human Services (5%) and the States (3% for state-level coordination of services and 5% for administrative costs).

State Eligibility: To receive a grant allotment, States must submit an application, designate a lead entity, ensure that funds are distributed on a competitive basis throughout the state, ensure that a broad array/variety of early learning programs, activities, and services receive funds, and develop mechanisms to ensure compliance with the requirement of the initiative. States also are required to develop performance goals based on an assessment of needs and available resources and annually report the State's progress towards meeting those goals.

Awarding Grants to Localities: States must award grants consistent with the performance goals set by the State. Preference is given to grants which include services to help parents as well as those which provide direct activities for young children, and to grants which increase local collaboration to maximize the use of existing resources. There is no definition of entities eligible to receive grants, in order to facilitate the broadest possible participation among local community resources.

Use of Funds: Entities receiving funds from the State grant allotment will use the funds to:

1) Help parents increase their capacity to facilitate the development of cognitive, language comprehension, expressive language, social-emotion, and motor skills and promote learning readiness in their young children;
2) Provide increased opportunities for parents, caretakers, child care providers and educators to participate, with their children, in a variety of early learning programs, activities and services;
3) Remove barriers to the provision of an accessible, unified system of early childhood learning programs;
4) Establish and support local councils or partnerships to facilitate coordination and encourage broad-based involvement in expanding early learning opportunities within the community;
5) Develop linkages among early learning programs within a community and between early learning programs and health care services for young children; and
6) Early learning activities may include: formation of community-based early learning

councils, parent education, traveling or mobile pre-schools, home visiting, mother's-day-out programs, family literacy, library and other reading programs, parent-child exercise activities, recreational programs, formalized play groups, family resource services, home extension services, museum programs, respite services for parents, English as a second language programs for parents and their children, parent support groups, fine arts, performance arts and cultural activities, nutritional guidance and services, computer skills training for children, activities in non-profit cultural institutions, expansion of existing Head Start programs (including early head start), child care services, and other voluntary programs, services, and activities of sufficient intensity to ensure the likelihood of sustaining early learning gains and learning readiness.

Accountability: The State is primarily responsible for monitoring the use of funds by state grantees. If the State determines that the grantee is not complying with the requirements of the grant, the state must inform the grantee of the problems, provide training and technical assistance to help them correct the problems, and if that fails, terminate the grant.

Availability of Funds: The State has 2 years to expend the funds received under the State's allotment. Any unexpended funds will be redistributed to other states which have expended their allotment using the same formula as the original allocation. Of the allotment to Indian Tribes, Alaska Natives, Native Hawaiians, and Outlying areas, any funds not expended withing 2 years is redistributed to other entities receiving funding under this set-aside.

(b) - PARENTAL ASSISTANCE:

The Parental Assistance Program, formerly included in the Goals 2000: Educate America Act has been moved to the Early Learning Initiative to more effectively integrate community-based early learning activities within the States. The legislation continues to authorize the Parental Information and Resource Centers that currently operate in every state. These Centers work to increase parents' knowledge and confidence in child-rearing activities, strengthen partnerships between parents and professionals in meeting the educational needs of children between birth and age 5, and enhance the developmental progress of children assisted under the Individuals with Disabilities Education Act. A portion of the funds for this program supports the development of Parents as Teachers and Home Instruction for Preschool Youngsters programs in communities throughout the country. Currently funded at $30 million, the legislation changes the authorization to a $50 million set-aside within the Early Learning Initiative, and requires that at least half of those funds be used to establish, expand, or operate community-based early learning programs such as Parents as Teachers and the Home Instruction for Preschool Youngsters programs. The Department of Education will continue to administer this program.

(c) NATIONAL RESOURCES FOR EARLY LEARNING:

The National Resources for Early Learning provision of the legislation supports and enhances the toll-free hotline which links parents, caretakers, child care providers, educators, government entities, and private entities with community based resources to help them identify and access early learning resources, including child care services, available in the local area. It creates a national clearinghouse on effective practices in the field of early childhood education and early learning programs, services, and activities. This clearinghouse is linked to community-based early education and child care resources to facilitate the sharing of information among parents, providers, and educators. The hotline and clearinghouse will provide a single point of contact for parents, care givers, child care providers, and educators. In addition, the legislation authorizes the Secretary to work with the broadcast media to explore innovative ways to extend early learning opportunities beyond television programming. Built upon the groundwork laid by the Ready to Learn Act, this provision creates a collaborative process designed to engage the commercial arena in efforts to reach out to parents, service providers, and educators through the distribution of early learning materials, Internet-based activities, and viewing guides that supplement educational programming by expanding early learning opportunities beyond the television screen and in the home and community.

The Secretary is authorized to use no less than 3% and no more than 5% of the appropriations for the Early Learning Initiative to contract for these three activities. The intent is to enhance and expand hotline and clearinghouse resources by building on existing services.

Subpart 2: Ready to Learn Television

Purpose: The Ready to Learn Television program authorizes the Secretary of Education to award grants or enter into contracts or cooperative agreements to develop, produce, and distribute educational and instructional video programming for preschool and elementary school children and their parents. Recognizing that television is part of the daily experience of most young children, the program supports efforts to teach parents, care givers, and child care providers how to use television as a means to help learn, develop, and play creatively.

Program: The proposed reauthorization fundamentally maintains the current Ready to Learn Television program. It makes funds available to local public television stations to work in partnerships with State education agencies (SEAs), local educational agencies (LEAs), local schools, institutions of higher education, or community-based organization to:

1) Address the learning needs of limited English proficient households;
2) Develop programming and support materials to increase family literacy skills;
3) Identify, support and enhance the effective use of innovative programs that promote school readiness; and
4) Develop and disseminate training materials that support efforts to integrate developmentally appropriate games and activities based on Ready to Learn Television programming.

Federal Funds: The Ready to Learn Television Program is currently funded at $11 million. This legislation increases the authorization of the program to $50,000,000 for fiscal year 2001 and such sums as necessary for the four succeeding fiscal years.

Subpart 3: Inexpensive Book Distribution Program

<u>Purpose and Program:</u> Funds made available under the Inexpensive Book Distribution Program" support "Reading is Fundamental" (RIF). Currently funded at $18 million, RIF supports and promotes programs, including the distribution of inexpensive books to students, to motivate children to read. RIF is a public private partnership program that operates nationwide and serves 3.5 million children annually in schools, child care centers, libraries, hospitals, clinics and homeless centers. The proposed reauthorization allocation for the first fiscal year following enactment is $25,000,000 (current funding level is $15,000,000).

PART B: 21st CENTURY COMMUNITY LEARNING CENTERS
(Title III, Part B, Subparts 1 and 2)

OVERVIEW

The 21st Century Community Learning Centers initiative is designed to give public schools the opportunity to create facilities that deliver lifelong learning and related services to individuals of all ages. To carry out the purpose of the program, schools are strongly encouraged to collaborate with other public and nonprofit agencies and organizations, local businesses, and other entities so that services may be maximized.

Several key changes have been made in the reauthorization proposal from the current law. First, the authorization level has been substantially increased from $20 million to $800 million. Second, the reauthorization establishes two programs: 21st Century Community Learning Centers--Subpart 1 and Subpart 2. Subpart 1 continues the intent of the current law program which enables schools to offer an array of activities for lifelong learners. Subpart 2 creates a grant program that will fund non-school hours care for children and youth and will be administered by the Department of Health and Human Services. Funds appropriated for the 21st Century Community Learning Centers will be evenly divided between Subparts 1 and 2. Third, the process for awarding grants for Subpart 1 significantly differs from current law. Presently, the Secretary of Education awards the grants directly to schools. Since the proposed authorization level has substantially increased, States will receive funding based on a formula and will then make the awards to schools through a competitive process. Subpart 2, entitled "Nonschool Hours Care," is designed to make the most effective use of existing after-school, youth development, and youth services resources within a community. It focuses on fostering local collaboration, eliminating barriers, providing a broad array of activities to encourage children and youth to participate, and meeting the needs of working parents. Funds are allocated by formula to States, for distribution to local entities and collaboratives on a competitive basis.

SUMMARY OF PROVISIONS

SUBPART 1: 21st CENTURY COMMUNITY LEARNING CENTERS

PURPOSE -- The purpose is to enable public schools to establish and develop centers that deliver education and human resources to all members of the communities served by the public schools. Schools collaborate with other public and nonprofit organizations, local businesses, other educational entities, recreational, cultural, and hunan service organizations to address the needs of the community.

FEDERAL FUNDING -- $800,000,000 is authorized for the first fiscal year following enactment.

ALLOTMENT TO STATES -- The Secretary allots to each State an amount based on a ratio of a State's school-age population to the school-age population of all States. A small state minimum is also included which is 1/2 of one percent.

GRANDFATHER CLAUSE -- All current grantees that have been awarded funds under the 21st Century Community Learning Centers program will continue to receive funds under the original terms of the grant until the time period for that grant has expired.

STATE APPLICATIONS -- Any State seeking a grant will include the following information in their application to the Secretary:

a) designation of the State educational agency as the agency responsible for the administration of the program, including dissemination of data; and

b) provides for a biennial submission of data regarding use of funds

c) period of application -- the application is for 3 years and may be amended annually as may be necessary.

STATE USES OF FUNDS -- A State educational agency may use not more than 15 percent of funding for the following activities:

a) a peer review process for grant applications;

b) supervision of the awarding of funds to public elementary schools, secondary schools, or consortia of these schools;

c) monitoring and evaluation of programs; and

d) providing technical assistance.

DISTRIBUTION TO SCHOOLS -- A State educational agency shall use not less than 85 percent of funds to award grants, on a competitive basis, to elementary schools, secondary schools, or consortia of schools. A State educational agency shall not award a grant in any fiscal year that is less than $75,000.

a) Priority -- In awarding the grants, the State educational agency shall give priority to funding applications that describe projects that offer a broad selection of services that address the needs of the community to be served by the school or consortium.

LOCAL APPLICATION CONTENTS -- Any public elementary school, secondary school, or consortium seeking a grant will include the following information in their application to the State educational agency:

a) a comprehensive plan that enables the school or consortium to serve as a center for the delivery of education and human resources for members of a community;

b) an evaluation of the needs, available resources, and objectives for the proposed project; and

c) a description of the proposed project, including --

1) identification of Federal, State, and local programs to be merged or coordinated so that public resources may be maximized;

2) a description of the collaborative efforts to be undertaken by community-based organizations, related public agencies, businesses, or other appropriate organizations;

3) a description of how the school or consortium will serve as a delivery center for existing and new services; and

4) an assurance that the school or consortium will establish a facility utilization policy regarding utilization of the building and supervision guidelines.

LOCAL APPLICATION SPECIAL RULE -- A local educational agency may apply for a grant under this part on behalf of a public elementary school, secondary school, or consortia if the school building officials lack the authority to apply for Federal funds.

LOCAL USES OF FUNDS -- A public school or consortium may use their grant to carry out not less than four of the following activities:

a) literacy education programs;

b) senior citizen programs;

c) integrated education, health, social service, recreational, or cultural programs;

d) extended learning programs, including summer and weekend school programs in conjunction with recreational programs;

e) nutrition and health programs;

f) expanded library service hours to serve community needs;

g) telecommunications and technology education programs for individuals of all ages;

h) parenting skills education programs;

i) employment counseling, training, and placement;

j) services for individuals who leave school before graduating from secondary school, regardless of the age of such individuals;

i) services for individuals with disabilities

SUBPART 2: NON-SCHOOL HOURS CARE

PURPOSE -- The purpose of Subpart 2 is to increase the availability of care for school-age children and youth during the non-school hours, including before- and after-school. It expands the types of programs and activities eligible to receive funds to encourage the participation of a wide variety of community-based youth service providers, such as schools, youth development organizations, parks and recreation services, and other local resources.

ADMINISTRATION AND FUNDING -- The Secretary of Education is required to transfer 50 percent of the amount appropriated for the 21st Century Community Learning Centers to the Department of Health and Human Services for the administration of this Subpart.

COORDINATION OF FEDERAL PROGRAMS -- The Secretary of Health and Human Services, the Secretary of Education, and the Assistant Attorney General for the Office of Justice Programs are authorized and required to develop effective mechanisms to resolve conflicts between early learning programs and remove barriers to the creation of a community-driven, unified system of nonschool hours activities and programs.

GRANTS TO STATES -- The legislation creates a State grant program in which funds for this Subpart are allocated to States based equally on the total number of children and youth aged 5 to 17 and the number of those youth living in poverty. There is a small state minimum of .35% and an allocation of 1 percent for Indian Tribes, Alaska Natives, Native Hawaiians, and Outlying areas. States are not permitted to use the funds to supplant existing funding for before- and after-school care, youth development programs, parks and recreational services, academic enrichment or summer school programs, and other activities for children and youth in the non-school hours.

STATE MATCH -- The federal funds can be used for 80 percent of the costs of the programs and activities, with state or local match being cash or in-kind, including facilities, equipment, and services. Fee-for-service funds can be used to achieve the match, as long as no fee is charged to children living in families who qualify to receive free- or reduced price lunches.

ADMINISTRATIVE COSTS -- The Department of Health and Human Services may use up to 7% of the funds transferred by the Department of Education for the costs of monitoring, evaluating, providing training and technical assistance, and administering the grant program. States may use not more than 4 percent of the State's grant to carry out training and technical assistance and an additional 4 percent for the costs associated with administering the grant.

STATE ELIGIBILITY -- To receive a grant allotment, States must submit an application to the Department of Health and Human Services, designate a lead entity, ensure that funds are distributed on a competitive basis throughout the state, ensure that a broad variety of non-school hours programs and types of service providers receive funds, and develop mechanisms to ensure compliance with the requirements of the initiative.

AWARDING GRANTS TO LOCAL ENTITIES -- The state may award grants to public and private entities with demonstrated experience in providing services to children and youth. Preference is given to activities which remove barriers to the provision of nonschool hours care (such as the lack of transportation services between school, home, and program locations), coordinated programs which connect resources from a variety of community-based resources to achieve a continuity of care across the age and activities spectrum, and programs which use at least 20 percent of the funding received in the community under the Safe- and Drug-Free Schools and Communities Act to provide nonschool hours activities for school-aged youth. For the first three years of the grant program, communities which have received funding under the 21st Century Community Learning Centers Act for after-school care will receive a preference if they have formalized cooperative agreements that demonstrate that such program operates on a collaborative basis with other youth serving entities in the community.

ELIGIBILITY OF LOCAL GRANTEES -- To receive a grant from the State, local entities or collaborations must maintain cooperative agreements with a broad range of public and private agencies, organizations, and other service providers (including, to the maximum extent possible, local elementary and secondary schools) to facilitate a continuity of care across the age and activities spectrum. Activities receiving funds must be designed to meet the needs of working parents and assist youth in acquiring the skills and competencies needed to make successful transition from childhood to adulthood. Those competencies include the social, physical, emotional, moral, and cognitive development of children and youth. Although activities should be primarily non-academic in focus, they can include tutoring and a wide range of academic enrichment programs conducted outside the traditional classroom environment.

AUTHORIZED ACTIVITIES -- The legislation includes a illustrative list of types of programs and activities that may receive funding under this Subpart, including: leadership development, mentoring, peer counseling and teaching, literacy and other reading activities, community service, sports and recreation, arts and cultural activities, character development, mediation skills, substance abuse prevention, camping and environmental education, tutoring, academic enrichment, and homework help.

HELPING LOW-INCOME FAMILIES -- At least 30 percent of the funds received by a grantee must be used to subsidize the cost of activities for low-income youth (living in families qualified to receive free- or reduced-price lunches).

ACCOUNTABILITY -- The Secretary of the Department of Health and Human Services is responsible for monitoring and evaluating the effectiveness of activities receiving funding under this Subpart and shall consult with other appropriate federal agencies to ensure effective coordination of this Subpart with other programs providing similar services for children and youth (including child care, delinquency prevention, substance abuse, pregnancy prevention, school-to-work transition, and extended school day/year programs). The State is primarily responsible for monitoring the use of funds by local grantees. If the State determines that the grantee is not complying with the requirements of the grant, the state must inform the grantee of the problems, provide training and technical assistance to help them correct the problems, and if that fails, terminate the grant.

Part C: High School Initiative

The purpose of this part is to create initiatives that will better prepare high school students to meet the challenges of the global economy. The part consists of two subparts which are: (1) a high school reform program and (2) Part D from the current Title I law--which is the Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At Risk of Dropping Out.

To implement the high school reform program, States will award funds competitively to high schools for the development of activities to motivate students to complete their high school education. Such efforts include: articulation agreements between secondary and postsecondary institutions; promoting partnerships with both business and the community; and alternative school efforts that match a student's readiness to learn with a curriculum that addresses the student's learning needs.

The Title I, Part D, program for youth who are neglected, delinquent, or at risk of dropping out primarily serves youth who have been assigned to institutional facilities. The purpose of the program is to provide those youth with the opportunity to make a successful transition from institutionalization to further schooling or employment. Most of the current law provisions would be retained in this proposal.

21st Century notes per the Jeffords draft
October 18, 1999

The draft includes a dramatically rewritten 21st Century formula program that would be divided into parts (and divide an $800 million authorization) for 1) community schools; and 2) afterschool.

- **21st Century**

  1) By requiring ED to transfer funds to HHS for the after school program, these funds would count against the ED budget, but not HHS's budget. Is that the intent? Why should funds for an HHS program count against the ED budget?

  2) Why should Ed funds be used to cover HHS's administrative costs if the after school program is transferred to HHS? Why should ED funds have to cover HHS's administrative costs if Part B of the after school program is transferred to HHS? And why does ED not receive comparable administrative costs to run their portion of the program? Currently, ED's administrative costs are far below the 7 percent recommended. ED spent ½ of 1 percent on administering the grant competition bringing in peer reviewers and the program uses ½ of 1 percent on evaluation. That means, ED spent no more than 1 percent on administrative and evaluation-type activities in FY 99.

  3) How would the draft actually ensure that existing grantees are not cut? The current draft looks like it actually would reduce funding to current grantees. The Administration is requesting $600 million for the program for FY 2000. If that is successful, an $800 authorization divided in half results in a $200 million cut to existing grantees.

  4) How would the switch to a State formula program work? What happens if a State's allocation under the formula is less than the current grantees in the State receive?

  5) How would the revised program ensure continuity between the academic enrichment activities funded under this part and what happens during a child's regular school day?

  6) How would school-based programs compete for funds under the revised after-school program? The draft says that priority is given to programs that remove barriers such as lack of transportation. However, school-based programs may not have transportation barriers to remove. In fact, non-school programs will likely spend a significant part of their grant dollars to provide for transportation, rather than providing direct programming.

- **Early Childhood Learning Fund**

1) Is the early learning fund an amendment to the ESEA and is the intent that funds appropriated for this program count against Department of Education funding or HHS's funding?

2) What is the early learning program intended to accomplish? Why is there nothing on program outcomes and how can states hold projects accountable for anything without knowing what the intended outcomes are? Are there expected outcomes for children and families? In other words, why are we providing these funds for young children and their families– what benefits should they receive as a result of the services?

3) How would the early learning fund address the issue of the quality of early childhood services? (Note: Set asides were required in both CCDBG and Head Start to get focus on the quality issue because not enough was happening on the improving quality side of programs

without the set aside. Why would it be any different with the early learning fund?)

4) Why is there no specific funding authorized for early childhood professional development in literacy readiness? If professional development is just one of many allowable uses of funds, how will the proposal ensure it is addressed?

3)

6) How does the early learning program relate to Head Start and the Early Head Start programs?

7) Why is there only one mention of public schools when many public schools provide early childhood services?

8) How would the early learning fund ensure connects or linkages between early childhood programs and the elementary schools those children will be attending?

9) How would States set priorities for awarding early childhood learning funds? Is there any targeting to high poverty areas in the program?

THE CURRENT 21st CENTURY COMMUNITY LEARNING CENTERS PROGRAM IN COMPARISON TO THE HELP COMMITTEE'S DRAFT PROPOSAL

October 26, 1999

The 21st Century Community Learning Centers Program. The 21st Century Community Learning Centers program, a discretionary grant program from the U.S. Department of Education to local school districts in collaboration with their community partners, is a key component of the Administration's effort to keep children safe and help them learn after school. Congress has supported this initiative by appropriating $200 million for after-school programs in fiscal year 1999, up from $40 million in FY1998 and $1 million in FY1997). Direct administrative costs for the program have amounted to just above 1 percent of the total program authorization for running the discretionary grant competition and providing for evaluation funds.

Through these grants, 468 communities have established or expanded school-based after-school programs for our nation's children in a community schools environment. These grants are enabling 1,601 rural and inner-city schools – 75 percent of which have 50 percent or more of their students in poverty-- to provide programs that will serve 400,000 students and 200,000 community members after school, weekends and summers, in safe, drug-free, and supervised environments. They are located in 49 states, the District of Columbia, and the Virgin Islands. These Centers provide academic enrichment and support; recreational, artistic, sports, and cultural activities; opportunities for children to participate in community service projects; nutritional and health services; access to technology and telecommunications; and they promote parent involvement and lifelong learning that can directly and indirectly benefit their children. Specifically,

- 97% of 1999 Grantees proposed to partner with CBOs
- 74% will partner with colleges or universities
- 97% propose recreation activities
- 91% propose tutoring or homework assistance
- 86% propose helping students meet state academic standards
- 81% propose safety and substance abuse prevention
- 28% propose ESL courses
- 80% propose to serve adults
- 20% serve preschoolers

The Charles Stewart Mott Foundation provides $83 million in support of training and technical assistance to grantees, research and evaluation support, outreach, and efforts to promote access and equity. Data from local grantees indicate that children in jeopardy of academic failure have succeeded because of the program.

The Administration's Reauthorization Proposal for the 21st Century Program. The Department of Education through The Educational Excellence Act for All Children of 1999 is proposing the following revisions to the current law:

- **Require school districts to match grant funds while extending the grant period up to five years.** Experience with other programs shows that providing core funding for five years while requiring local communities to commit their own resources, including with other federal resources, through a matching requirement can help ensure that programs remain in place after the grant expires. A matching requirement also will enable more children and adults to be served nationwide.

- **Strengthen the requirement that schools and community organizations should collaborate by involving both parties in planning and implementing the project.**

- **Allow up to 10 percent of the funds in a given year to be awarded to community-based organizations.** In some neighborhoods, community organizations may have facilities that are superior to or more centrally located than the local public schools. In other areas, community organizations may wish to provide services within the schools, and the school district may prefer that such an organization serve as the grantee. To provide flexibility to communities in these situations, we propose to extend eligibility to receive 21st Century Community Center grants to community organizations with the concurrence of the local school district, while maintaining the current community schools focus of the program.

- **Clarify the targeting to inner cities, rural areas, and small cities with a substantial need for expanded learning opportunities** because of, for example, a high proportion of low-achieving students and lack of resources to establish or expand community learning centers.

- **Emphasize the establishment or expansion of after-school, weekend, and summer programs that offer expanded learning opportunities in a safe, drug-free environment.** The current statute requires grantees to provide a broad array of services that benefit the entire community. The Department believes that 21st Century programs should continue to serve the broad needs of their community, but we also believe that, first and foremost, programs must provide expanded learning opportunities to children.

The HELP Committee Draft Proposal. The draft committee proposal bifurcates the current activities of the 21st Century Community Learning Centers program as administered by the department of Education into a separate and discrete community schools program for life-long learners and a discrete school-aged day care program for children and youth that discourages an academic focus. Both are formula grant programs from the federal level to the states. The community schools program, continuing under the name of the 21st Century Community Learning Centers program, would be administered by the Department of Education. The newly proposed Non-School Hours Care program would be administered by the Department of Health and Human Services.

Major Issues with the Draft Proposal. Several immediate and costly differences in the current law and the proposal are immediately evident:

- **Weakens the 21st Century Program's Ability to Leverage Local Resources.** By bifurcating the 21st Century into two separate programs and not adopting the proposed match for the 21st

Century program, the ability to leverage school and community resources around a learning community will be more than cut in half. Unlike previous community schools and afterschool legislation, 21st Century has gained the fiscal support of Congress and the public using existing school facilities and resources to provide extended learning opportunities to children and a range of services to adults. According to data from the annual Mott Foundation survey, this year conducted in conjunction with JCPenney by Lake, Snell, and Perry/The Tarrance Group, the voting public believes that school districts and parent groups are responsible for setting up afterschool programs. Interest in school districts increased from fourth place last year to first place this year. According to Republican pollster David Sackett with the Tarrance Group, this is because the schools are seen as a trusted place by communities and a familiar institution for families.

- **Leaves Out Learning Which is Critical to a Quality Afterschool Program.** Research on the effectiveness of afterschool programs show that critical elements of a successful program include: coordinating learning with the regular school day, linkages between school-day teachers and afterschool staff, and providing diverse educational enrichment opportunities. The Non-School Hours Care proposal prevents an academic focus, thus countering program effectiveness research, in favor of care. However, both parent and public polling data indicate that parents don't want babysitting in an afterschool program but want activities like computer literacy, the arts, community service, and reinforcement of basic skills. Annual performance reports on individual 21st Century projects also document the effects of afterschool programs on student achievement. Finally, major states like California and cities like Boston, Chicago, and Los Angeles are moving toward a model of legislating programs linked with the academic program of the school.

- **Reverses the Trend of Collaboration Between Schools and CBOs.** A requirement of the 21st Century program is collaboration with a local partner in the design and implementation of the program. Ninety percent of our funded programs have established partnerships between the schools and their local CBOs. All training of grantees includes their local partners and the Mott Foundation has established a Collaboration Taskforce. The Administration's reauthorization proposal seeks to strengthen this collaboration requirement. Establishing separate programs administered by separate agencies under one authority moves in the opposite direction of collaboration.

- **May Not Target Program as Effectively on Poor Children.** The Non-School Hours Program requires local grantees to target 30 percent of their grant money to subsidize care for low-income children. In contrast, through the current discretionary grant competition, funds are targeted to needy communities while serving a broad array of communities. For example, 75 percent of the current 1,601 21st Century Community Learning Centers (schools) have 50 percent or more of their students in poverty, and half of the grantees are in rural communities. Under proposed state formula grant, fewer poor children may receive services.

- **Dilutes Direct Program Services Through Administrative Costs – Up to $120 Million Diverted to Administrative Overhead.** Administrative costs for the two state formula programs could be dramatically higher in comparison to the current program. Under Subpart

1, states could use up to 15 percent of their funds for administrative costs ($60 million). Subpart 2, the Non-School Hours Care program, would siphon off 7% of the funds now used for direct services to children for administrative costs (monitoring, evaluating, training and technical assistance, and grant administration). In the current draft paper, that represents $28 million. States would then be allowed to take 8% off the top of their funds for training and technical assistance and administration. This represents another $30 million being pulled away from direct services for kids. In total, therefore, almost $120 million dollars would be diverted for administrative overhead.

- **Includes Training and Technical Assistance Costs Not Currently Borne By Taxpayers.** All training and technical assistance activities for the 21st Century program administered by the Department of Education are currently paid for by the Charles Stewart Mott Foundation in a unique public-private partnership that has reinvented the way government works. Under the draft proposal, training and technical assistance would be funded with federal tax dollars.

- **May Curtail Access to the USDA Snack Program.** Currently, children and youth served by 21st Century Centers are eligible for snacks under the USDA feeding program because the school-based 21st Century Centers provide educational activities in the afterschool hours. Community-based organizations and other private entities funded under Subpart 2 are not likely to be eligible for these funds due to Subpart 2's discouragement of academic activities and the education requirements for the Snack Program.

UNITED STATES DEPARTMENT OF EDUCATION

Office of the Deputy Secretary
400 Maryland Avenue, SW
Washington, DC 20202

Telephone Number: (202) ______ Fax Number: (202) 401-9027

FAX COVER SHEET

TO: ANN O'LEARY

ORGANIZATION:

PHONE: FAX: 456-2878

FROM: GOODWIN LIU

COMMENTS:

ANN! ARE YOU FEELING BETTER ?? HOPE SO!
LET ME KNOW IF YOU NEED ANYTHING - CUP OF TEA?
HONEY? 40 PIECES OF MARINATED CHICKEN...?
I'LL CALL YOU LATER TODAY.
-G

return Heinjans

TOTAL PAGES (Including Cover): ___

Memorandum

TO: Interested Parties

FROM: The Chairman's Staff
Senate Committee on Health, Education, Labor and Pensions

DATE: October 15, 1999

RE: Reauthorization of the Elementary and Secondary Education Act (ESEA)

The attached is a summary of the discussion draft of the ESEA reauthorization bill prepared by Chairman Jeffords. This draft includes some of the changes recommended by members of the committee and others--particularly as they relate to programs currently funded under ESEA. Other initiatives which have been suggested are not reflected in the draft at this point, as they require further refinement or discussion.

This discussion draft is intended to serve as the foundation for committee discussion in preparation for formal committee action, which we would like to complete this year.

SENATE DISCUSSION DRAFT PROPOSED BY CHAIRMAN JIM JEFFORDS
OCTOBER 15, 1999

REAUTHORIZATION OF ELEMENTARY AND SECONDARY EDUCATION ACT
"EDUCATIONAL OPPORTUNITIES ACT"

Definitions

TITLE I -- Helping Disadvantaged Children Meet High Standards

Part A: Basic Programs
Part B: Even Start
Part C: Migrants
Part D: Evaluations/Demonstrations
Part E: General Provisions

REA?

TITLE II -- Educator Empowerment and Partnership Program

Part A: Federal Activities
Part B: State & Local Activities
Part C: Reading & Literacy
Part D: Leadership Education and Development principals
Part E: Partnership Grant Program ?
Part F: National Writing Project
Part G: The New Century Program for Distributed Teacher Professional Development
Part H: Digital Education Content Collaborative
Part I: General Provisions

TITLE III -- Early Childhood Programs and Enrichment Initiatives

Part A: Early Childhood Education
- Subpart 1- Early Learning Initiative
- Subpart 2-Ready-to-Learn Television
- Subpart 3-Inexpensive Book Distribution Program

Part B: 21st Century Community Learning Centers
Part C: High School Initiative (including Neglected & Delinquent)
Part D: The Jacob Javits Gifted and Talented Students Education Act
Part E: Arts in Education

TITLE IV -- Safe and Drug-Free Schools and Communities

TITLE V-- Educational Opportunity Initiatives

Part A: Technology Education
Part B: Star Schools
Part C: Magnet Schools
Part D: Public Charter Schools
Part E: Women's Educational Equity Act
Part F: Fund for the Improvement of Education
Part G: Civic Education
Part H: Allen J. Ellender Fellowship Program

TITLE VI -- Innovative Education

Part A: Innovative Education Program Strategies
Part B: Rural Flexibility
Part C: Education Flexibility Partnerships
Part D: Flexibility in the Use of Administrative and Other Funds
Part E: Coordination of Programs; Consolidated State and Local Plans and Applications
Part F: Waivers

TITLE VII -- Bilingual Education, Language Enhancement, and Language Acquisition Programs

Part A: Bilingual Education
Part B: Foreign Language Assistance
Part C: Emergency Immigrant Education
Part D: Administration
Part E: General Provisions

TITLE VIII -- Impact Aid

TITLE IX -- Indian, Native Hawaiian, and Alaska Native Education

Part A: Indian Education
Part B: Native Hawaiians
Part C: Alaska Native Education

TITLE X -- General Provisions

Part A: Uniform Provisions
Part B: Evaluation and Dissemination

ED authority?

Title XI -- Amendments to Other Acts

Part A: Education for Homeless Children and Youth (McKinney Act)

TITLE I -- Helping Disadvantaged Children Meet High Standards

OVERVIEW

The purpose of this title is to provide opportunities for those students served by Title I activities to meet challenging State performance and content standards. To achieve this purpose, both the current law and the proposed reauthorization provide greater decisionmaking authority and flexibility to schools and teachers in exchange for increased responsibility for student performance. The last reauthorization of Title I, which ~~occurred in 1994,~~ made major changes in the program regarding standards, assessment, and professional development. These changes have all been retained in the proposed Title I reauthorization. The current law Title I formula regarding the distribution of funds has also been retained in the proposed reauthorization. Proposed changes to current law are outlined below. targeting

already included in TXII

STATE PLANS -- Provisions have been added to coordinate Title I activities, where appropriate, with activities in other Federal education programs, including the Individuals with Disabilities Education Act and the Carl D. Perkins Vocational and Technical Education Act.

LOCAL EDUCATIONAL AGENCY ASSESSMENTS -- Language has been added to require the local educational agency to ensure that assessments:

a) are developmentally appropriate; (?)

b) use multiple measures to assess students; and already included

c) are administered to students in the language most likely to yield valid results (this provision applies to students with limited English proficiency).

LOCAL EDUCATIONAL AGENCY PLANS -- A new provision is included which requests the local educational agency to describe how extended learning time may be used, such as extended school year, before- and after-school programs, and summer programs. (?)

SCHOOLWIDE PROJECTS -- Each local educational agency plan shall provide assurances that the local educational agency will --

a) inform eligible schools and parents of schoolwide project authority;

b) provide technical assistance and support to schoolwide programs; good

c) work closely with the eligible schools so that each school can make adequate yearly progress toward meeting the State content standards and State student performance standards;

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XI (I-pendu)

d) coordinate and collaborate, to the extent feasible, with other agencies providing services to children, youth, and families, including health and social services agencies;

e) take into account the experience of model programs for the educationally disadvantaged and the findings of relevant research indicating that services may be most effective if focused on students in the earliest grades;

f) assure that Title 1 services will comply with Head Start standards if a local educational agency chooses to use Title 1 funds for early childhood development services to low-income children; and

g) annually assess the English proficiency of participating students with limited English proficiency, and the assessment results will be used to guide instruction.

PARENTAL INVOLVEMENT -- Language has been included throughout the planning and assessment sections to require parental involvement activities.

FEDERAL FUNDING -- $10,000,000,000 is the amount authorized to carry out this program for the first fiscal year following enactment (current funding for the Title 1 program is $7,732, 397,000)

TITLE 1, PART B -- Even Start Family Literacy Program

The Even Start Family Literacy program is designed to improve the educational opportunities for low-income families by integrating early childhood education, adult basic education, and parenting education into a unified family literacy program. The Secretary of Education awards grants to State educational agencies through a formula allocation. The State educational agencies distribute the funds to local educational agencies that form a collaboration with a community based organization, an institution of higher education, or another agency or nonprofit organzation. This collaboration will provide joint education programs to serve children aged 0-7 years and their parents. The grants awarded to local educational agencies occur through a peer review process.

Even Start program services must include adult literacy instruction, early childhood education, instruction to help parents support their child's education, staff training, and home-based instruction. Child care and transportation may be provided if these services are necessary and other funding sources are not available.

Even Start initiatives are geared for areas with high rates of: poverty, illiteracy, unemployment, families of limited English proficiency, or disadvantaged children. Grants are awarded for a four-year period and may be renewed for up to four additional years. The Federal share is limited to 90% for the first year and declines to 50% for the fifth and subsequent years. In 1998, several changes were made to the Even Start Law as part of the Reading Excellence Act. The changes primarily focused on improving the coordination between Even Start and other literacy and early childhood programs. The proposal for the Even Start reauthorization maintains current law, including the 1998 changes. $500,000,000 is the authorized amount being proposed to carry out this program for the first fiscal year following enactment (current funding is $135,000,000)

TITLE 1 -- PART C, Migrant Education Program

The Migrant Education program provides grants to State educational agencies to develop or improve education programs for migrant students. Most migrant programs are administered by local educational agencies and operate during both the regular school year and in the summer. Priority for services is given to current migrant students and to students who are failing, or at greatest risk of failing, to meet State performance standards.

Students are eligible for the program if: they have moved from one school district to another; from one administrative area to another within a State having a single district; or, if by living in a school district of at least 15,000 square miles, the child must travel at least 20 miles for temporary residence for the purpose of gaining fishing employment for themselves or their parents.

Funds are distributed through a formula which is based on the number of migrant children residing in the State. This number is then adjusted to the average per pupil expenditure for both the State and the U.S.

The proposed Migrant Education reauthorization retains most current law provisions with several changes listed below:

a) Includes language ensuring that migratory children who move among the States are not penalized in any manner by disparities among the States in curriculum, graduation requirements, and State student performance and content standards;

b) A provision has been added which ensures that migratory children receive full and appropriate opportunities to meet the same challenging State content and performance standards that all children are expected to meet;

c) includes a requirement to have joint planning efforts between migrant education programs and bilingual education;

d) includes provisions emphasizing the importance of parental involvement;

e) includes a student records provision stating that, in maintaining student records with Federal funds, the Secretary will determine the minimum data elements, the means and requirements for access, and the education agencies eligible to obtain such records.

TITLE 1 – Evaluations and Demonstration Models

The proposed reauthorization will retain the current law provisions, with some modifications, pertaining to Federal evaluations. In addition, Comprehensive School Reform, often referred to as "Obey-Porter," will be included in the reauthorization proposal.

Title II – Educator Empowerment and Partnership Program

PPI

Title II of the proposed reauthorization maintains a focus on the professional development needs of educators. In addition, it includes a new initiative designed to meet the pressing need to develop the leadership skills of principals, superintendents, and educators. The current Title II programs receive $358.3 million in funding. The proposed reauthorization places initiatives that have the professional development of teachers and other school leaders as a primary goal into a single title and streamlines the purposes of the Federal, State and Local activities to clarify and tighten the federal role in professional development. It eliminates unfunded programs [National Teacher Training Project (section 2103) and the Professional Development Demonstration Project (Part D)]. It also provides an authorization for partnership activities designed to bridge the preservice teacher training activities funded under Title II of the Higher Education Act with the inservice activities authorized in ESEA. It increases the authorization level from $800,000,000 to $1,000,000,000.

inclusion

Parts A and B – Federal, State, and Local Activities

Purpose: Increasing academic achievement through strategies such as improving teacher quality; investing in sustained and intensive high quality professional development that is aligned to challenging state content standards and challenging state performance standards and that is of sufficient intensity to have an impact on the teacher's performance, and as a result, the student's performance in the classroom; supporting sustained and intensive high quality professional development activities in core academic subject areas, mentoring and teacher leader models.

Federal Funding: Authorizes $1,000,000,000 for fiscal year 2001 of which 5% is available to carry out federal activities, 1% is reserved for the model leadership programs under federal activities and 94% is reserved for state and local activities.

Federal Activities: Requires the Secretary to continue to make funds available for an Eisenhower National Clearinghouse for Math and Science Education (and requires that the Clearinghouse make its materials widely available to educators), continues to provide seed money to Local Education Agency (LEA), State Education Agency (SEA), State Agency for Higher Education (SAHE), Institutions of Higher Education (IHE), and others to develop their capacity to provide sustained and intensive high quality professional development; and reserves 1% of total funds appropriated for Parts A and B for model programs that provide professional development for school leadership personnel to help educators improve their ability to initiate and sustain change in local schools throughout the nation. The proposal maintains the current law provision requiring that $250,000,000 be reserved for professional development in the areas of math and science.

Allotments to States : Maintains State formula from current law in Title II; simplifies the State application and requires that State funds be coordinated with funds received under Title II of the Higher Education Act, if applicable; consolidates the State use of funds for professional development; allows for the inclusion of principals and superintendents in professional development activities; demands coordination with other federal, state and local professional development programs, including Title II of the Higher Education Act;

Allotments to Local Education Agencies: Maintains the formula used to distribute funds to LEAs; eliminates the requirement that local education agencies form consortia, yet allows them to enter such an agreement if that is in the best interest of the students served by the LEA; requires that LEAs provide assurances to the SEA that any professional development activities funded in whole or in part with funds under this title be expended only on programs, projects, or activities that provide sustained and intensive high-quality professional development; allows for the inclusion of principals and superintendents in professional development activities; emphasizes the importance of mentoring and teacher leader models for professional development.

Part C – Reading and Literacy Grant Program

Maintains the current program, the current authorization level of $260,000,000 and extends the authority for this program through fiscal year 2005. Currently funded at $260,000,000, the purposes of the program are: to provide children with the readiness skills they need to learn to read once they enter school; to improve the reading skills of students and the instructional practices for current teachers; to expand the number of high-quality family literacy programs; and to provide early literacy intervention to children who are experiencing reading difficulties in an effort to reduce the number of students who are inappropriately referred to special education.

Part D – Leadership Education and Development

The proposed reauthorization addresses the national need for leadership training by including a competitive grant program for leadership education and development and authorizes $100 million for the initiative. State education agencies, institutions of higher education, and nonprofit educational organizations will be eligible to apply for grants with the purpose of providing professional development services for elementary and secondary school educators, principals, and superintendents to develop and enhance their leadership skills. Grant funds shall be used for activities that include: providing school leaders with effective leadership, management, instructional skills, and practices; enhancing and developing school management and business skills; improving the understanding of the effective use of technology; encouraging highly qualified individuals to become school leaders; and establishing sustained and rigorous

recruitment ?

support for mentorship and developing a network of school leaders within the state. In making grants, the Secretary must give due consideration to equal representation of rural and urban communities and school districts.

Part E - Partnership Grant Program

Establishes a partnership grant program that makes funds available by formula to State Higher Education Agencies (if funding for this part exceeds $50 million) to award subgrants to education partnerships. Funds may be used to strengthen the emphasis on content training that prospective teachers receive; and provide a link between preservice and inservice professional development by providing mentoring and academic support to new teachers during the critical induction period. If funds appropriated are less than $50 million, funds will be distributed on a competitive basis.

Similar to current State program lives in Title II, HEA?

Part F -National Writing Project

Moves National Writing Project from Title X, Part K, to Title II; updates provisions of the program; authorizes $15,000,000 for fiscal year 2001 and such sums as necessary for succeeding fiscal years. Currently funded at $7 million, the National Writing Project has as its primary purpose improving the quality of student writing and learning and the teaching of writing as a learning process in the Nation's classrooms. National Writing Project has 161 sites in 47 states and has served over 2 million teachers.

Part G – The New Century Program for Distributed Teacher Professional Development

Moves the current "Telecommunications Demonstration Program for Mathematics" (Mathline) from Title III, Part D, to Title II and expands purposes of the program. It provides the authority for the Secretary to make grants to a nonprofit communications entity or partnerships to carry out a national telecommunications-based program to improve teaching in core curriculum areas. It is designed to assist elementary and secondary school teachers in preparing students for achieving State content standards. The program will provide funds to deliver video and data in an integrated service to train teachers in the use of standards based curricula material appropriate for each State. The Secretary must make grants in at least 15 States. It authorizes $20,000,000 for fiscal year 2001 and such sums as necessary for the four succeeding fiscal years.

different??

Part H – Digital Education Content Collaborative

Authorizes a competitive grant program to develop, produce, and distribute educational material and instructional video programming that is designed for use by kindergarten through grade 12 schools and is based on State standards. The program will facilitate the development of educational programming that shall: include student assessment tools and built-in teacher utilization and support components; be created for or adaptable to State content standards; and be capable of distribution through digital broadcasting and school digital networks. Authorizes $25,000,000 for fiscal year 2001 and such sums as necessary for the succeeding four fiscal years.

Part D: The Jacob Javits Gifted and Talented Students Education Act

Overview: Under current law, the Javits Gifted and Talented program provides grants to State educational agencies, local educational agencies, institutions of higher education, and other public and private agencies. These grants fund research, demonstration projects, and training activities designed to meet the special needs of gifted and talented students. The present funding level is $6.5 million.

The proposal for the Elementary and Secondary Education Act reauthorization is to place greater emphasis on providing grants to local public schools. These grants will encourage the development of challenging curricula and expand professional development opportunities for educators. The authorized funding level for the State and local grant program would be increased to $155,000,000 for the first fiscal year following enactment.

In addition, the reauthorization also retains language from current law regarding the establishment of a National Center for Research and Development in the Education of Gifted and Talented Children and Youth. The authorized funding level for the center is $5,000,000 for the first year following enactment.

Purpose: The primary purpose of the Javits Gifted and Talented program is to provide grants to State educational agencies and local public schools for the support of programs, classes, and other services designed to meet the needs of gifted and talented students in elementary and secondary schools.

Federal Funding: $155,000,000 is the amount authorized to carry out this program for the first fiscal year following enactment.

Allotment to States: The Secretary allots to each State an amount based on a ratio of a State's school-age population to the school-age population of all States. A small state minimum is also included which is ½ of one percent.

Grandfather Clause: All current grantees that have been awarded funds under the Javits Gifted and Talented program will continue to receive funds under the original terms of the grant until the time period for that grant has expired.

State Applications: Any State seeking a grant will include the following information in their application to the Secretary:

a) designation of the State educational agency as the agency responsible for the administration of the program, including public dissemination of data;

b) an assurance that the State educational agency will have the ability to provide matching funds of amount equal to and not less than 20 percent for gifted and talented activities (match is defined as either in cash or in-kind); and

c) provides for a biennial submission of data regarding the use of gifted and talented funds.

<u>State Uses of Funds:</u> A State educational agency may use not more than 10 percent of funding for the following activities:

a) a peer review process for grant applications;

b) supervision of the awarding of funds to elementary schools, secondary schools, or consortia of these schools;

c) technical assistance, evaluation, and dissemination or programs and activities; and

d) supplementing, but not supplanting, State and local funds for the education of gifted and talented students.

<u>Parental Support:</u> A State educational agency may use not more than 2 percent of funding for support to parents of gifted and talented children.

<u>Distribution to Schools:</u> A State educational agency shall use not less than 88 percent of funds to award grants, on a competitive basis, to elementary schools, secondary schools, or consortia of schools. A State educational agency shall not award a grant in any fiscal year that is less than $75,000.

<u>Local Application Contents:</u> Any elementary school, secondary school, or consortium seeking a grant will include the following information in their application:

a) an assurance that funds received under this program will be used to identify and support gifted and talented students, including gifted and talented students from all economic, ethnic, and racial backgrounds, such as students of limited English proficiency and students with disabilities;

b) a description of how the school or consortium will meet the educational needs of gifted and talented students, including --

(1) the training of personnel in the education of gifted and talented students; and

(2) where appropriate, using gifted and talented services, materials, and methods for all students; and

c) a description of how the school or consortium will evaluate and disseminate information regarding their activities.

<u>**Local Application Special Rule:**</u> A local educational agency may apply for a grant under this part on behalf of an elementary school, secondary school, or consortia if the school building officials lack the authority to apply for Federal funds.

<u>**Local Uses of Funds:**</u> A school or a consortium may use their grant to carry out one or more of the following activities:

> a) professional development -- developing and implementing programs to address State and local needs for inservice training activities for general educators, specialists in gifted and talented education, administrators, school counselors, or other school personnel;
>
> b) identification of students -- providing services to gifted and talented students who may not be identified and served through traditional assessment methods, including educationally disadvantaged students; students of limited English proficiency; and individuals with disabilities;
>
> c) model projects -- supporting and implementing innovative strategies such as cooperative learning, peer tutoring, independent study, and adapted curriculum used by schools or consortia; and
>
> d) emerging technologies -- assisting schools or consortium, that do not have the resources to provide courses through new and emerging technologies which may include distance learning curriculum (no funds may be used for the purchase or upgrading of technological hardware).

<u>**Private School Children & Teachers Participation**</u>: This provision appears in current law. Where appropriate, the Secretary will ensure that there is equitable participation of students and teachers in private, nonprofit elementary and secondary schools, including the participation of teachers and other personnel in professional development.

<u>**Establishment of a National Center**</u>: This provision is also contained in current law.

<u>**National Center Purpose:**</u> The purpose of the National Center for Research and Development in the Education of Gifted and Talented Children and Youth is to develop, devise, disseminate, and evaluate model projects and activities that serve gifted and talented students.

<u>**Center Establishment:**</u> The Secretary shall establish a National center through grants or contracts with 1 or more institutions of higher education, State educational agencies, or a consortia of such institutions and agencies.

<u>**Grandfather Clause:**</u> (This is a new provision.) The current National Center grantee will continue to be the grantee for the duration of the current grant.

Part E – Arts In Education

<u>Purpose and Program</u>: The Arts in Education program is currently funded at $10.5 million. The proposed reauthorization reauthorizes Subpart 1 – Arts Education, and Subpart 2 – Cultural Partnership for Youth at Risk, and moves these provision to Title III, Part E. The program will continue to support: activities that provide students opportunities to have the arts as an integral part of the elementary and secondary school curriculum; the important education programs of the John F. Kennedy Center and the Very Special Arts programs; and grants to improve the performance of at-risk youth by providing comprehensive and coordinated educational and cultural services. The draft proposal authorizes $25 million for subpart 1 and $45 million for subpart 2 and maintains the reservation of funds for the John F. Kennedy Center and the Very Special Arts programs.

TITLE IV -- Safe and Drug-Free Schools and Communities

[TO BE SUPPLIED]

TITLE V-- Educational Opportunity Initiatives

Part A: Technology Education
Part B: Star Schools
Part C: Magnet Schools
Part D: Public Charter Schools
Part E: Women's Educational Equity Act
Part F: Fund for the Improvement of Education
Part G: Civic Education
Part H: Allen J. Ellender Fellowship Program

Overview of Part A: Education Technology and Part B: Star Schools

The current education technology program authorized under Title III (Parts A and B) of the Elementary and Secondary Education Act make $682.1 million available to State education agencies, local educational agencies, institutions of higher education, technology consortia, and others for the purposes of improving technology access, education, professional development and instruction in elementary and secondary schools. The proposed reauthorization renews the federal government's commitment to education technology and makes only minor changes to Parts A and B. The Part A programs include: Leadership Activities; the Technology Literacy Challenge Fund program; the Technology Innovations Challenge Grant program, and the Regional Technology in Education Consortia. Part B is home to the "Star Schools" program. The Teacher Training in Technology and the Community-Based Technology Centers each received funding last fiscal year, yet are not authorized programs.

Part A: Technology Education

Purpose: The draft proposal updates the purposes of the program to include providing support for: helping all students develop technical and higher-order thinking skills and to achieve to challenging State academic and performance standards; giving all classrooms access to education technology; ensuring access to and effective use of educational technology through the provision off sustained and intensive high quality professional development.

Funding: The draft Senate proposal authorizes $815,000,000 for subparts 1, 2 and 3 for 2001 and such sums as necessary for the four succeeding fiscal years. Of that amount $5 million shall be available for federal leadership activities; $10 million for Regional Technology in Education Consortia; 25% of the remaining for Technology Innovation Challenge grants (competitive grant) and 75% of the remaining for the Technology Literacy Challenge Fund (formula program to States). It ensures that under no circumstances would the formula grant program to States receive less than it did in fiscal year 2000. The proposed reauthorization puts an emphasis on increasing the use of education technology to provide professional development opportunities for prospective teachers, current teachers as well as school leaders. It eliminates unfunded programs [Product Development (current Subpart 4 of Title III, Part A) and Elementary Mathematics and Science Equipment Program (Title III, Part E)].

Part B: Star Schools

The purpose of the Star Schools program is to use telecommunications to encourage improved instruction in math, science and foreign languages as well as literacy skills and vocational education to underserved populations. These are five-year grants which can be renewed for a three-year period. Currently funded at $45 million, the proposed reauthorization increases the authorization of the program to $50 million for fiscal year 2001 and such sums as necessary for the four succeeding fiscal years.

Part C: Magnet School Assistance

Magnet schools are public elementary schools or secondary schools that offer a special curriculum which attracts substantial numbers of students of different racial backgrounds. The purpose of the Magnet Schools Assistance program is to assist schools in increasing their racial, economic, linguistic, or ethnic diversity between minority and non-minority students and among students of different minority groups. Magnet school projects help local educational agencies implement systemic reform. The reauthorization proposal retains most of the current law provisions.

Part D: Public Charter Schools

Charter schools are public schools that are released from various regulations that normally apply to public schools in exchange for increased student performance accountability. The Public Charter Schools program supports the establishment of charter schools in states that have enacted state charter school laws.

The Public Charter Schools program supports the design, initial implementation, and evaluation of charter schools. Under this grant program, funds are provided for up to three years, to State educational agencies to support eligible charter schools within the State. The State educational agencies award grants for planning, technical assistance, and dissemination. The reauthorization proposal retains the provisions of current law.

Part E: Women's Educational Equity Act

The Women's Educational Equity Act (WEEA), currently authorized as Part B of Title V of ESEA, is extended through fiscal year 2005. WEEA provides grants for the operation of programs promoting educational equity for women and girls. Approximately two-thirds of WEEA funds are used to support local projects. The remaining funds are used for technical assistance, dissemination, and research and development. Fiscal year 1999 funding for WEEA was $3 million. The proposed reauthorization makes minor clarifying changes to the existing law and provides an authorization level of $5 million in FY 2001-- the same amount included in the 1994 reauthorization.

Part F: Fund for the Improvement of Education (FIE)

The Fund for the Improvement of Education (FIE), currently authorized as Part A of Title X of ESEA, is substantially streamlined and extended through fiscal year 2005. FIE provides the Secretary with broad authority to support nationally significant programs and projects designed to improve the quality of education. Several specific programs, such as character education, are also authorized under FIE. Fiscal year 1999 funding for FIE was $147 million.

The proposed reauthorization specifies activities to be supported by FIE to include: the identification of exemplary schools and programs (such as Blue Ribbon Schools); the development and evaluation of model strategies for professional development for teachers and administrators (such as Christa McAullife Fellowships); character education (which has separate authority under FIE and which received $10 million in fiscal year 1999); and the scholar-athletes program (also separately authorized under FIE, receiving $800,000 in FY 1999). The Comprehensive School Reform Program currently funded under FIE is transferred to Title I. A funding level of $35 million is authorized for fiscal year 2000. This level of funding is sufficient to support the more focused activities authorized by the proposed reauthorization.

Part G: Civic Education

The proposed reauthorization merges the Civic Education program currently authorized as Part F of Title X and the International Education Exchange Program currently authorized under Title VI of Goals 2000: Educate America Act. The proposal authorizes $10 million for fiscal year 2001 for each component (domestic and international) and "such sums as may be necessary" through FY 2005.

The Civic Education program provides support for programs related to instruction on the basic principles of our constitutional democracy and the history of the Constitution and the Bill of Rights. The program received $7.5 million in fiscal year 1999.

The International Education Exchange program provides support for education exchange activities in civics and government education and in economic education between the United States and eligible developing countries (i.e. Eastern Europe, former republics of the Soviet Union). Its purpose is to support democracy and free market economies. Grantees offer exemplary curriculum and teacher training to educators from eligible countries. They also sponsor seminars and site visits and develop related programs for U.S. students. The program received $7 million in fiscal year 1999.

Part H: Allen J. Ellender Fellowship Program

The Allen J. Ellender Fellowship Program, currently authorized as Part G of Title X, is extended through fiscal year 2005 without major change. This program makes an award to the Close Up Foundation to provide fellowships to students from low-income families and their teachers to allow them to participate in one week of seminars on Government and meetings with representatives of all three branches of the Federal Government. Fiscal year 1999 funding for the program was $1.5 million. The proposed reauthorization provides an authorization of $1.5 million for fiscal year 2001.

TITLE VI -- INNOVATIVE EDUCATION
OVERVIEW

The purpose of Title VI, Innovative Education, is to provide funds to local educational programs for the implementation of initiatives that support school improvement and reform efforts with the goal of advancing student performance. To accomplish the purpose of Title VI, States allocate funds to local school districts for an array of activities such as professional development, technology, and library services.

The Title VI reauthorization proposal expands the current funding level for the Innovative Education Program Strategies section. The new authorization of $2,236,000,000 (for the first fiscal year following enactment) combines funds from Goals 2000 State Grants Program (which is set to expire in the year 2000), the Class Size reduction allocation which was included as an amendment to the Fiscal Year 1999 Omnibus Consolidated and Emergency Appropriations Act, and the annual allocation for the authorized Title VI program. The appropriation for programs under the current Title VI program is $375 million.

In addition to significantly changing the authorized funding level from current law, the reauthorization proposal broadens the local uses of funds section. Local educational agencies may use their grant to recruit, hire, and train certified teachers (including teachers certified through State and local alternative routes) in order to reduce class size.

Another key change from current law is the inclusion in this title of the Education Flexibility Partnership Act, Consolidated State and Local Plan Applications, and Waivers of statutory and regulatory requirements These are provisions relating to both flexibility and accountability which are located in various titles of the current law and are now consolidated under Title VI.

The Rural Flexibility Act is a new Title VI initiative. The purpose of the Rural Flexibility proposal is to provide adequate funding to rural school districts for improving student performance. The Rural Flex initiative will enable rural school districts to maximize their funding resources which will assist in the implementation of education reform strategies. $105,000,000 is authorized to carry out this program for the first fiscal year following enactment.

SUMMARY OF PROVISIONS

PART A: INNOVATIVE EDUCATION PROGRAM STRATEGIES

PURPOSE – The purpose of Title VI is to support education reform efforts that are consistent with and support statewide education reform initiatives. Grant funds are used to develop and implement education programs to improve school, student, and teacher performance, including professional development activities and class size reduction programs.

STATE AND LOCAL RESPONSIBILITY -- The administration of Title VI funds is handled by the State educational agencies. However, the design and implementation of Title VI activities are the responsibilities of the local educational agencies, school superintendents, principals, and teachers.

FEDERAL FUNDING -- $2,236,000,000 is the amount authorized to carry out the innovative education strategies section of this title, Parts A-D for the first year following enactment.

ALLOTMENT TO STATES -- This is the same as current law. The Secretary allots to each State an amount based on a ratio of a State's school-age population to the school-age population of all States. A small state minimum is also included, as in current law, which is ½ of one percent.

ALLOCATION TO LOCAL EDUCATIONAL AGENCIES -- Not less than 90 percent of the funds allocated to the States shall be distributed to local educational agencies. A State educational agency may use the remaining 10 percent for statewide education activities, technical assistance and direct grants to local educational agencies, and for monitoring and evaluating programs and activities funded through the Title VI program.

a) **Formula distribution** -- 80 percent of the 90 percent that is to be distributed to local educational agencies shall be based on the formula contained in current law. The formula is based on enrollments in public and private elementary and secondary schools within local educational agencies adjusted to provide higher per pupil allocations to local educational agencies serving high numbers or percentages of children from low-income families and children living in sparsely populated areas.

b) **Competition** -- This is a new provision. Both state and local education leaders have repeatedly stated that a portion of Title 6 funds should be awarded on a competitive basis as a means for encouraging creative and comprehensive reform efforts. 20 percent of the 90 percent shall be awarded through competition by the State educational agency to local educational agencies. The State educational agency shall consult with local educational agencies, private nonprofit elementary schools and secondary schools within the State regarding procedures for awarding the competitive grants.

STATE APPLICATIONS -- Any State submitting an application to the Secretary will provide assurances that, other than technical assistance and monitoring compliance, the State educational agency will not influence the decision making processes of local educational agencies as to how the local educational agencies will spend the funds received under this title.

LOCAL USES OF FUNDS -- Title VI funds allocated to local educational agencies shall be used for innovative assistance which includes:

a) programs to improve teaching and learning, including professional development activities that are consistent with comprehensive State and local systemic education reform efforts;

b) programs to recruit, hire, and train certified teachers (including teachers certified through State and local alternative routes) in order to reduce class size;

c) activities that encourage and expand improvements throughout the local educational agency that are designed to advance student performance;

d) initiatives to generate, maintain, and strengthen parental and community involvement, especially creating activities to meet the educational needs of children aged birth through 5;

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c) activities that encourage and expand improvements throughout the local educational agency that are designed to advance student performance;

d) initiatives to generate, maintain, and strengthen parental and community involvement, especially creating activities to meet the educational needs of children aged birth through 5;

e) programs to improve the academic performance of educationally disadvantaged elementary school and secondary school students, including activities to prevent students from dropping out of school;

f) programs and activities that expand learning opportunities through strategic research designed to improve classroom learning and teaching;

g) programs to combat both student and parental illiteracy;

h) technology activities related to the implementation of school-based reform efforts, including professional development to assist teachers and other school personnel regarding how to effectively use technology in the classroom;

i) programs for the acquisition and use of instructional and educational materials, including library services and materials (including media materials), assessments, and other curricula materials that --

1) are tied to promoting high academic standards;

2) will be used to improve student performance; and

3) are part of an overall education reform strategy

j) school improvement programs or activities relating to the assessment section of Title I; and

k) programs to provide for the educational needs of gifted and talented children.

LOCAL APPLICATIONS -- A local educational agency or consortium of agencies seeking Title VI funds will include in their applications such information as:

a) a description of the programs, projects, and activities that will be funded;

b) a description of how parents, teachers, school personnel, and administrative personnel will be involved in the design, planning, and implementation of Title VI initiatives;

c) a description of how Title VI projects will contribute to improving student achievement or improving the quality of education for students; and

d) assurances of compliance regarding the participation of children enrolled in private, nonprofit schools.

LOCAL EDUCATIONAL AGENCY DISCRETION -- A local educational agency receiving funds under Title VI will have complete discretion in determining how funds will be divided among the areas of targeted assistance. The local educational agency will ensure that the schools will meet the educational needs of the students served by the schools receiving Title VI funds.

PART B: RURAL FLEXIBILITY ACT

RURAL FLEXIBILITY ACT -- The purpose of this Part is to provide adequate funding to rural school districts for improving both student achievement and the quality of instruction. Through the Rural Flexibility Act, rural school districts will have the ability to maximize their resources for implementation of education reform strategies. In addition, the Rural Flex initiative will give rural schools the opportunity to offer programs and activities of sufficient size, scope, and quality which will benefit student and school performance.

PART C: EDUCATION FLEXIBILITY PARTNERSHIP ACT

EDUCATION FLEXIBILITY PARTNERSHIP ACT -- The Education Flexibility Partnership Act allows State educational agencies the flexibility to waive certain Federal requirements, along with related State requirements, for the purpose of raising achievement of all students.

PART D: FLEXIBILITY IN THE USE OF ADMINISTRATIVE AND OTHER FUNDS

CONSOLIDATION OF STATE AND LOCAL ADMINISTRATIVE FUNDS - A State educational agency may consolidate administrative funds for one or more of the activities specified below provided that the state educational agency can demonstrate that the majority of such agency's resources come from non-Federal sources. These programs include:

a) all Title 1 programs;

b) administration of this Title;

c) establishment and operation of peer-review mechanisms under ESEA; and

d) dissemination of information regarding model programs and practices.

Consolidated Administrative. Record keeping -- A State Educational Agency that consolidates administrative funds will not be required to keep separate records, by individual program, to account for administrative costs.

Review of Consolidated State Administrative. -- To determine the effectiveness of State educational agencies consolidating administrative funds, the Secretary may periodically review the performance of State educational agencies.

Consolidation of Local Administrative. -- In accordance with regulations, a local educational agency, with the approval of its State educational agency, may consolidate one or more of the programs outlined under **Consolidation of State and Local Administrative. Funds.**

Availability of Unneeded Program Funds -- With the approval of the State Educational Agency, a local educational agency that determines for a fiscal year, that funds from programs listed under **Consolidation of State and Local Administrative. Funds** (other than funds from Part A of Title I) are not needed to carry out that program, the local educational agency may use up to five percent of those funds to carry out one of the other programs listed under **Consolidation of State and Local Administrative. Funds**.

PART E: CONSOLIDATED PLANS

INTEGRATION OF STATE PLANS -- State educational agencies may integrate the following programs into one plan. These include:

a) Part A of Title 1 -- Helping Disadvantaged Children Meet High Standards;

B) Part C of Title 1 -- Education of Migratory Children;

C) Title II -- Professional Development;

D) Title IV -- Safe and Drug Free Schools; and

E) Part A of this Title -- Innovative Education Program Strategies;

INTEGRATION OF LOCAL PLANS -- Local educational agencies may integrate the following programs into one plan:

A) Part A of Title 1 -- Helping Disadvantaged Children Meet High Standards;

B) Title II -- Professional Development;

C) Title IV -- Safe and Drug Free Schools;

D) Part A of this Title -- Innovative Education Program Strategies;

PART F -- WAIVERS

WAIVERS -- A State educational agency, local educational agency, or Indian tribe which seeks a waiver, shall submit a waiver request to the Secretary that --

a) identifies the Federal programs affected by such requested waiver;

b) describes which Federal requirements are to be waived and how the waiving of such requirements will --

I) increase the quality of instruction for students; or

ii) improve student academic performance;

c) if applicable, describe which similar State and local requirements will be waived and how the waiving of such requirements will assist the local educational agencies, Indian tribes, or schools to achieve improvement in student academic performance or increase the quality of instruction for students;

d) describes specific, measurable, educational improvement goals and expected outcomes for all students;

e) describes the methods to be used to measure progress in meeting the goals and outcomes; and

f) describes how schools will continue to provide assistance to the same populations served by programs for which waivers are requested.

Requirement for State Educational Agencies -- In seeking a waiver, a State educational agency will provide all interested local educational agencies and the public with notice and the opportunity to comment and submit the comments to the Secretary.

Local Educational Agencies -- A waiver sought by a local educational agency will be reviewed by the State educational agency. In addition, the local educational agency will provide the opportunity for notice and comment to the public.

Restrictions -- Waivers will not be granted relating to the following:

a) the allocation or distribution of funds to States, local educational agencies, or other recipients under this Act;

b) maintenance of effort;

c) comparability of services;

d) use of Federal funds to supplement, not supplant, non-Federal funds;

e) equitable participation of private school teachers and students;

f) parental participation and involvement;

g) civil rights requirements;

h) requirements for a charter school;

i) prohibitions on the use of funds for religious worship or instruction

Duration and Extension of Waiver -- The duration of a waiver approved by the Secretary may be for a period not to exceed three years. The Secretary may extend the period if the Secretary determines that the waiver has been effective in enabling the State or affected recipients to carry out the activities for which the waiver was requested and the waiver has contributed to improved student performance and that such an extension is in the public interest.

TITLE VII -- Bilingual Education, Language Enhancement, and Language Acquisition Programs

The Bilingual Education program is designed to provide educational assistance to students with limited English proficiency. Funds awarded under this program help students with limited English proficiency to meet challenging State content and performance standards. The reauthorization proposal retains most current law provisions--with an emphasis on professional development and parental involvement. The new professional development provisions will strengthen the professional development initiatives designed for school personnel who work with students with limited English proficiency. The new components pertaining to parents include outreach programs, with a particular focus of parental understanding of State standards and assessments. The minimum amount that a State educational agency will receive will not be less than $200,000 (this is increased from $100,000 under current law) for the State Grant program.

TITLE VIII – IMPACT AID

Impact Aid programs provide assistance to school districts that are financially burdened as a result of activities of the Federal government for the education of federally connected children or due to the presence of Federal property.

The proposed reauthorization extends currently funded impact aid programs through fiscal year 2005. Unfunded authorities for special additional payments for LEAs with high concentrations of children with severe disabilities and for sudden and substantial increases in attendance of military dependents are repealed. Revisions in other impact aid programs are made in order to avoid disruption of payments to program participants and to reduce delays in the issuance of payments.

TITLE IX -- Indian, Native Hawaiian, and Alaska Native Education

<u>Purpose and Program:</u> The purpose of Title IX is to modify an improve the educational services provided for American Indian, Alaska Native, and Native Hawaiian students. The proposed reauthorization continues to make grants available to schools operated or supported by the Bureau of Indian affairs and allows Local Education Agencies to provide an increased range of services to include those that: (1) promote the incorporation of culturally responsive teaching and learning strategies; (2) incorporate American Indian and Alaska Native specific curriculum content into the curriculum; (3) promote coordination between tribal, Federal, and State public schools, in areas that will improve education; and (4) offer family literacy activities. The proposed reauthorization authorizes the provision of family literacy services for Indian, Native Hawaiian, and Native Alaskan students, limits administrative costs to 5%, and consolidates a number of programs under Part B: Native Hawaiian Education and Part C: Native Alaskan Education.

TITLE X -- General Provisions

Part A: Uniform Provisions

Part B: Evaluation and Dissemination

The ESEA reauthorization proposal contains a separate part pertaining to evaluation and dissemination of all elementary and secondary education programs funded under the Elementary and Secondary Education Act. Components include requiring the Secretary of Education to: carry out comprehensive evaluations of all programs and demonstration projects; evaluate the cost-efficiencies of Federal elementary and secondary education programs; assess the impact of programs in relation to student and school performance; and disseminate broadly the results of these evaluations. America's Education Goals Panel (formerly the National Education Goals Panel) will work with the Secretary of Education to disseminate information regarding best practices. The reauthorization of the Goals Panel will also be included in this part.

TITLE XI -- Amendments to Other Acts

Part A: Education for Homeless Children and Youth

The Education for Homeless Children and Youth program authorized as Subtitle B of the Steward B. McKinney Homelss Assistance Act is extended through fiscal year 2005. The program provides assistance for: the establishment of Offices of Coordinator of Education of Homeless Children and Youth in States; the development and implementation of State plans for the education of homeless children; and support to local educational agencies for the education of these children. The proposed reauthorization strengthens provisions of the current law designed to avoid segregating homeless students, to maintain a child's attendance at his or her school of origin, to avoid enrollment delays, and to assure that the quality of an application is considered in the provision of subgrants to local educational agencies.

Rural Flexibility (Rural-Flex) notes per the Jeffords draft
October 18, 1999

Unfocused block grant, with lax accountability -- The proposal would create a "Straight A's"-type program for rural districts – in other words, a block grant with broad flexibility but no real accountability.

- The bill would allow the districts to "support local or statewide reform efforts intended to improve academic achievement" – i.e., the purposes are very broad, with no focus on improving the achievement of disadvantaged children, improving teaching, or other national priorities.

- Districts would have to "perform in accordance with section 1111" (the section setting out the State plan provisions of Title I) and meet "the requirements of section 1111(b)(2)" (Title I "adequate yearly progress" provisions) in order to continue to receive their funding in a block grant. This language is very vague, but presumably it is intended to mean that the districts would have to make adequate yearly progress in order to stay in the program. As in Straight A's, however, the flexibility would come up front, any accountability would come later, and the only penalty for failing to use Federal funds effectively would be that the district would have to go back to abiding by normal program requirements. Moreover, there is no focus on standards-based reform (on helping all children achieve to high standards).

- In addition, the proposal would give other rural LEAs formula grants under a second, equally unaccountable block grant program. Under this second authority, the "Low-Income and Rural School Program," the Department of Education would make formula grants to States and the States would suballocate to eligible LEAs. The States would set goals for this program, but the LEAs would not, and neither States nor LEAs would be held accountable for failing to meet those goals.

May increase burden -- The proposal is probably intended to ease the administrative burden for rural LEAs, but it may create additional burdens.

- Participating districts would have to ensure that the formula funds they block-grant do not supplant any other Federal, State, or local education funds. This is a more stringent "supplement, not supplant" provision than applies to the rest of ESEA, and it would require separate and difficult accounting for the block-granted funds. The requirement may lead to audit problems for the districts.

- In order to receive formula grant funds from the Secretary, each eligible LEA would have to conduct a special child census, a requirement that is not found elsewhere in ESEA. Districts will also have to complete new, special surveys setting forth the amounts they are receiving under the formula programs they wish to consolidate.

- Confusing and overlapping provisions in the proposal are likely to cause confusion for rural districts. The LEAs are unlikely to know, from year to year, which of the authorized programs they can participate in, whether they can consolidate funds, how they can spend their funds, and what the other rules will be.

Technical problems would impede implementation -- The proposal, as drafted, has many technical problems that will make it difficult for the Department of Education, the States, and the rural districts to implement. Examples include:

- The bill purports to allow districts to consolidate only formula grants, but the list of programs

Based on House Committee language, 9/28/99 version.

whose funds can be consolidated includes competitive programs (such as 21st Century Community Learning Centers).

- While the intent of the bill may be to give participating districts authority to consolidate and use funds for broad purpose, the bill language itself it actually very unclear on the extent to which consolidation is permitted and on the authorized uses of funds. This problems could cause legal, administrative, and auditing problems for the districts.

- The language on the district child-count is very confusing. The language calls for the district to calculate "average daily attendance" (which is generally the average number of children attending school during the course of the year). But the bill also requires districts to calculate the child-count at some point before December 1; this sounds more like a "snapshot' of enrollment.

Draft Comments on Mr. Jeffords' Summary for his ESEA reauthorization proposal

Big Picture Items:

- No support for continued work on standards
- No separate class-size authorization (it is folded into Title VI with Goals 2000)
- No Ed Accountability Act provisions (report cards, teacher quality, discipline) and limited program accountability
- 21st Century Program divided into two subparts

  —Subpart 1 is looks like the current law (as Mr. Jeffords wrote it)

  Subpart 2 is for after school programs to be administered by HHS

  -Authorization to be split between the two subpart; formula not workable at authorization level--would result in cuts to current grantees
- Retain current Title I law with minimal changes (most of EEACA provisions not included)
- New early childhood learning fund authorized for HHS
- Includes Rural Flexibility Act
- Authorizes a High School Reform Initiative (Does not say how much money or how similar to EEACA)
- Technology--fails to promote innovation in distance learning; no targeting for TLCF; no clear focus on professional development; Community Technology Centers nor Preservice Teacher Training program
- See teacher quality issues on page 3
- No technical assistance provisions
- No description of foreign language instruction

Title by Title Comments

Title I

- Includes only three of Administration's proposed changes

  --Requirements for coordinating Title I with IDEA and Perkins;
  --LEA plan to describe how extended learning time may be used
  --Requiring an annual assessment of English language proficiency for LEP students to guide instruction but maybe only for schoolwide schools—(It may be a mistake in how the summary is drafted)
- Authorizes CSRD
- Retains current evaluation provisions with unexplained changes

  - Missing/Issues/Questions

  --Accountability language

--2.5 percent set aside for program improvement
--Section 1116 changes regarding school identified for improvement and corrective action

Title I issues Continued

--Teacher Quality

--Paraprofessional/teacher quality language
--Professional development set aside

--LEP Issues

--Requirement to test LEP students that have been in country for 3 consecutive years in English on the reading/language arts assessment:
--Requirement to test LEP students in Spanish if that is the language and form most likely to yield accurate results

--Targeting

--Requirement to target funds through targeted grants
--Within district allocations

--Comparability

--Other Issues

--Peer review
--Private school language
--First grade diagnostic assessment for literacy readiness
--Clarify services for homeless children
--Reorganizing the components of a schoolwide plan
-- --Section 1117 State Assistance provisions
--Preschool changes
--Puerto Rico formula provisions
--National program funds
--Program performance indicators
--Location of N & D program

Title I, Part B –Even Start

- Makes only minor changes from current law focused primarily on coordination between Even Start and other program

- Makes none of EEACA changes to improve program quality, increase the intensity of services (a big issue), strengthening staff qualifications, strengthening evaluation requirements, or authorizing funds for exemplary projects to serve as models.

Title I, Part C – Migrant Ed

- Retains most of current law (what if anything is dropped?)
- Requires Secretary to determine minimum data elements for student records
- Ensures migratory children receive opportunities to meet the same challenging State content and performance standards all children are expected to meet (need to see language to see how close it is to EEACA accountability provisions)
- Does not address any other EEACA changes—simplifying the formula, limiting changes in state program allocations, increasing parental involvement, simplifying the State incentive grant program, or streamlining planning.

Title I, Part D – N & D –Moves to Title III as part of high school initiative (how is this funded?)

Title II – Education Empowerment and Partnership Program

- Parts A and B authorizes professional development program that looks pretty similar to Eisenhower; sends funds to States by existing formula, retain math and science priority, distributes funds to LEAs by existing formula
- Includes REA
- Authorizes new principal leadership competitive grant program
- Expands Telecommunications Demonstration to carry out a national telecommunications-based teacher training program
- Authorizes grant program to develop educational material and instructional video programming that can be distributed through digital broadcasting and school digital networks

Missing/Issues/Questions:

- No Transition to Teaching; Troops to Teacher
- No Early Childhood Professional Development
- No funds awarded competitively
- No activities authorized for continuing to support standards-based reform
- No emphasis on teachers in first-three years
- No provisions to address State and local efforts to improve systems for licensing, hiring, evaluation, and rewarding teachers
- Not clear if funds for SAHEs are retained in Parts A and B, and if so, how it would relate to new authority for partnership grant programs
- Needs EEACA definition of professional development
- Where is National Board for Professional Teaching Standards?
- Federal activities two a few specific activities including model programs for school leadership (none of the EEACA national initiatives are mentioned.

Title III—Early Childhood and Enrichment Initiatives

- Part A – $7 billion HHS-administered early childhood program
  --Includes authorization for Parent Assistance Centers (leaves them in ED) with no changes (which were intended to help them reach more parents)
  --Includes authorizations for Ready to Learn TV and Inexpensive book distribution
- Title III, Part B is the 21st Century Community Learning Centers programs
  --Subpart 1 continues intent of current statutory provisions
  --Subpart 2 authorizes after school program to be administered by HHS
  --Appropriated funds are to be split between the two programs
  --Within Subpart 2, has 20 percent State match rather than EEACA proposed match; HHS gets 7 percent of funds for administration; funds can be awarded to any public or private agency – not school-based; preference is to be given to programs which use at least 20 percent of their SDFSCA funds for after school programs; activities should be primarily non-academic focus but may include tutoring and a wide range of academic enrichment programs conducted outside the traditional classroom

Title III – Part C – High School Initiative (Need to see language)

- Focus in on motivating students to complete high school, summary not detailed enough to know what, if anything, might have been picked up from EEACA
- This part also includes Title I N & D Program—which should be moved back to Title I

Title III – Part D -- Javits

--No threshold for formula distribution
--No focus on at-risk children

Title III—Part E – Arts in Education

Title III-Part F -- FIE

--No discretionary grants
--Large cut in authorization

Title VI – SDFSCA – to be provided

Title V – Educational Opportunity Initiatives

- Keeps the current law pretty much the way it is, with only minor changes
- Star Schools and the Challenge Grant program are retained as separate programs
- No targeting of the TLCF to high poverty schools

Title V -- Continued

- Magnet schools—summary says retains most of current law—what is dropped? —and appears to include none of EEACA proposed changes.
- This section also authorizes
  --Public Charter Schools (no changes):
  --WEEA (minor changes that are not explained);
  --FIE (transfers CSRD portion to Title I –what does this mean?);
  --Merges Civic Ed and the International Education Exchange Program;
  --Ellender Fellowships

Title VI

- Consolidates Title VI, Goals 2000 and Class-size
- Recruiting, hiring and training of teachers is only one of allowable uses of grant funds
- Also includes
  --Ed Flex (need to see bill language to know if there are any changes)
  --Consolidated Planning and Application authority (does not include extra programs that would be included under EEACA such as Even Start and Title I N & D or other EEACA provisions designed to improve the consolidated planning process at both the SEA and LEA level)
  --Consolidated Administrative funds (this part needs work—the lead in talks about programs for which administrative funds can be consolidated but most of the things they list are not programs)
  --Waiver provisions (retains current law and makes none of changes proposed in EEACA)
  --Rural Flexibility Act
- Has 10 percent State set-aside for statewide education activities (no mention of standards based-reform)
- 20 percent of funds to be allocated to LEAs are to be awarded competitively
- LEA funds can be used for school improvement programs or activities related to the assessment section in Title I

Title VII – Bilingual

- Retains most current law provisions – What is dropped?—and apparently none of the changes proposed by the EEACA
- No annual assessment of English acquisition
- No priority for districts with rapidly expanding LEP populations
- Not clear what it does about promoting second languages
- Appears to do nothing to strengthen program accountability
- Adds new components dealing with parent outreach and raises the minimum SEA grant under the State grant program

- Need to see language on Foreign Language and Immigrant Education

Title III – Impact Aid

- Does not eliminate payments for "b" children
- Says makes revisions in some programs but does not say what they are

Title XI – Indian, Native Hawaiian, and Alaska Native Education

- Consolidates programs under Part B – Native Hawaiians and Part C- Alaskan Native
- Four Indian Ed changes are same as EEACA; 5% cap on administration

Title X – General Provisions

Part A -- Uniform Provisions

Part B -- Evaluation and Dissemination

- No authority for coordinated services projects (what are folks currently using this authority to do?
- No general provisions for private school participation
- Will there be a definition section? If so, need to add definition of Family literacy
- Need uniform assurance provisions also.
- Not clear how evaluation is funded

Title XI – Amendments to other Acts

Part A -- Homeless

- Strengthens provisions of current law to avoid segregation homeless children
- Makes changes to assure that the quality of an application is considered in awarding subgrants to LEAs

Note: Both these issues above are addressed in the EEACA

- Does not appear to require a designated homeless liaison
- Does not appear to include EEACA provisions strengthening parental rights or to reduce the State data collection burden.

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--Targeting

--Requirement to target funds through targeted grants
--Within district allocations

--Comparability

--Other Issues

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--Private school language
--First grade diagnostic assessment for literacy readiness
--Clarify services for homeless children
--Reorganizing the components of a schoolwide plan
-- --Section 1117 State Assistance provisions
--Preschool changes
--Puerto Rico formula provisions
--National program funds
--Program performance indicators
--Location of N & D program

Title I, Part B –Even Start

- Makes only minor changes from current law focused primarily on coordination between Even Start and other program
- Makes none of EEACA changes to improve program quality, increase the intensity of

services (a big issue), strengthening staff qualifications, strengthening evaluation requirements, or authorizing funds for exemplary projects to serve as models.

Title I, Part C – Migrant Ed

- Retains most of current law (what if anything is dropped?)
- Requires Secretary to determine minimum data elements for student records
- Ensures migratory children receive opportunities to meet the same challenging State content and performance standards all children are expected to meet (need to see language to see how close it is to EEACA accountability provisions)
- Does not address any other EEACA changes—simplifying the formula, limiting changes in state program allocations, increasing parental involvement, simplifying the State incentive grant program, or streamlining planning.

Title I, Part D – N & D –Moves to Title III as part of high school initiative (how is this funded?)

Title II – Education Empowerment and Partnership Program

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- Authorizes new principal leadership competitive grant program
- Expands Telecommunications Demonstration to carry out a national telecommunications-based teacher training program
- Authorizes grant program to develop educational material and instructional video programming that can be distributed through digital broadcasting and school digital networks

Missing/Issues/Questions:

- No Transition to Teaching; Troops to Teacher
- No Early Childhood Professional Development
- No funds awarded competitively
- No activities authorized for continuing to support standards-based reform
- No emphasis on teachers in first-three years
- No provisions to address State and local efforts to improve systems for licensing, hiring, evaluation, and rewarding teachers
- Not clear if funds for SAHEs are retained in Parts A and B, and if so, how it would relate to new authority for partnership grant programs
- Needs EEACA definition of professional development
- Where is National Board for Professional Teaching Standards?
- Federal activities two a few specific activities including model programs for school leadership (none of the EEACA national initiatives are mentioned.

Title III—Early Childhood and Enrichment Initiatives

- Part A – $7 billion HHS-administered early childhood program
  --Includes authorization for Parent Assistance Centers (leaves them in ED) with no changes (which were intended to help them reach more parents)
  --Includes authorizations for Ready to Learn TV and Inexpensive book distribution
- Title III, Part B is the 21st Century Community Learning Centers programs
  --Subpart 1 continues intent of current statutory provisions
  --Subpart 2 authorizes after school program to be administered by HHS
  --Appropriated funds are to be split between the two programs
  --Within Subpart 2, has 20 percent State match rather than EEACA proposed match; HHS gets 7 percent of funds for administration; funds can be awarded to any public or private agency – not school-based; preference is to be given to programs which use at least 20 percent of their SDFSCA funds for after school programs; activities should be primarily non-academic focus but may include tutoring and a wide range of academic enrichment programs conducted outside the traditional classroom

Title III – Part C – High School Initiative (Need to see language)

- Focus in on motivating students to complete high school, summary not detailed enough to know what, if anything, might have been picked up from EEACA
- This part also includes Title I N & D Program—which should be moved back to Title I

Title III – Part D -- Javits

--No threshold for formula distribution
--No focus on at-risk children

Title III—Part E – Arts in Education

Title III-Part F -- FIE

--No discretionary grants
--Large cut in authorization

Title VI – SDFSCA – to be provided

Title V – Educational Opportunity Initiatives

- Keeps the current law pretty much the way it is, with only minor changes
- Star Schools and the Challenge Grant program are retained as separate programs
- No targeting of the TLCF to high poverty schools

Title V -- Continued

- Magnet schools—summary says retains most of current law—what is dropped? —and appears to include none of EEACA proposed changes.
- This section also authorizes
  --Public Charter Schools (no changes):
  --WEEA (minor changes that are not explained);
  --FIE (transfers CSRD portion to Title I -what does this mean?);
  --Merges Civic Ed and the International Education Exchange Program;
  --Ellender Fellowships

Title VI

- Consolidates Title VI, Goals 2000 and Class-size
- Recruiting, hiring and training of teachers is only one of allowable uses of grant funds
- Also includes
  --Ed Flex (need to see bill language to know if there are any changes)
  --Consolidated Planning and Application authority (does not include extra programs that would be included under EEACA such as Even Start and Title I N & D or other EEACA provisions designed to improve the consolidated planning process at both the SEA and LEA level)
  --Consolidated Administrative funds (this part needs work—the lead in talks about programs for which administrative funds can be consolidated but most of the things they list are not programs)
  --Waiver provisions (retains current law and makes none of changes proposed in EEACA)
  --Rural Flexibility Act
- Has 10 percent State set-aside for statewide education activities (no mention of standards based-reform)
- 20 percent of funds to be allocated to LEAs are to be awarded competitively
- LEA funds can be used for school improvement programs or activities related to the assessment section in Title I

Title VII – Bilingual

- Retains most current law provisions – What is dropped?—and apparently none of the changes proposed by the EEACA
- No annual assessment of English acquisition
- No priority for districts with rapidly expanding LEP populations
- Not clear what it does about promoting second languages
- Appears to do nothing to strengthen program accountability
- Adds new components dealing with parent outreach and raises the minimum SEA grant under the State grant program

- Need to see language on Foreign Language and Immigrant Education

Title III – Impact Aid

- Does not eliminate payments for "b" children
- Says makes revisions in some programs but does not say what they are

Title XI – Indian, Native Hawaiian, and Alaska Native Education

- Consolidates programs under Part B – Native Hawaiians and Part C- Alaskan Native
- Four Indian Ed changes are same as EEACA; 5% cap on administration

Title X – General Provisions

Part A -- Uniform Provisions

Part B -- Evaluation and Dissemination

- No authority for coordinated services projects (what are folks currently using this authority to do?
- No general provisions for private school participation
- Will there be a definition section? If so, need to add definition of Family literacy
- Need uniform assurance provisions also.
- Not clear how evaluation is funded

Title XI – Amendments to other Acts

Part A -- Homeless

- Strengthens provisions of current law to avoid segregation homeless children
- Makes changes to assure that the quality of an application is considered in awarding subgrants to LEAs

Note: Both these issues above are addressed in the EEACA

- Does not appear to require a designated homeless liaison
- Does not appear to include EEACA provisions strengthening parental rights or to reduce the State data collection burden.

File: ESEA - Senate

Summary of draft amendments to S. 2
2/29/00 4:00 PM

DeWine 1 – Safe and Drug-Free Schools

Would add an additional activity to the local uses of funds (§4116). This amendment would allow locals to use SDFSC funds for alternative placement programs for the placement of students in alternative educational settings so long as the programs provide for the return of the students to their regular educational setting at the earliest opportunity.

DeWine #2 – Troops to Teachers

This seems to be an attempt to restore administration of the more-or-less existing Troops-to-Teachers program (but not ED's expanded version) to the Defense Department. (As a drafting matter, it's a mess.) More specifically, it's an attempt to add TTT as an authorized (but not required) National Activity under Title II, Part A, Subpart 4, and it would retain the feature that the program cannot be implemented unless DOD and DOT ante up 25% of the cost of the program.

DeWine #3 – Ed-Flex

Would amend Part C of Title VI (Educational Flexibility Partnerships), §6303, by adding a new subsection (f) requiring a school that is participating in Ed-Flex to provide written assurances to the State that the school will not diminish its ability to provide a drug-free and violence-free learning environment.

Frist – Title I Schoolwides

Would lower, from 50% to 40%, the percentage of a school's enrollment (or of children in the school's attendance area) who must be from low-income families in order for the LEA to conduct a schoolwide program.

Fixes a probable oversight in the Jeffords draft by restoring language from current law (and the Administration's proposal) that the percentage minimum need be met only in the first year of the schoolwide. A schoolwide program can continue even if the school fails to meet the percentage requirement in later years.

Provides that a school that consolidates funds from multiple Federal programs in a schoolwide project need not maintain separate fiscal records showing the expenditures charged to each of those programs so long as the overall schoolwide program addresses the intent and purposes of each of those programs. Although the current statute is silent on this particular point, the amendment is consistent with the Department's current understanding and practice.

Gregg #2 – Title I Child-Centered Program

Adds, to Part A of Title I, a 5-year program, authorized at $500 million per year, for up to 10 States and 20 LEAs to use both these additional funds and their regular Title I funds for supplemental education services to Title I children. The term "supplemental education services" is broadly defined as "educational services intended to meet the individual educational needs of eligible children and to enable [them] to meet challenging State ... standards".

The provisions relating to the amount of money to be spent on a particular child (§1133(a)(1) and (2) on pp. 5-6) are unclear. The State or LEA establishes a per-child amount "based on" the number of eligible children, but may vary that amount to take account of "factors" including, but not limited to, cost disparities within the State or district, costs of addressing differing needs, and the desirability of giving priority to certain grades. It seems possible that the range of the permissible per-child amount (and the number of children served) could be extensive.

A child's parents would select the service provider, which could be the LEA but could also be any "tutorial assistance provider" that has a record of effectiveness and uses instructional practices based on scientific research.

A participating State or LEA must operate a statewide or districtwide open enrollment program, unless the Secretary finds that the parents already have plenty of choices among public schools or the per-child amount under this new authority will provide multiple choices of providers of supplemental educational services.

It's not at all clear whether this proposal would authorize vouchers, in the sense of providing funds that could be used for tuition for the regular program at private schools. The amendment refers throughout to the services that can be purchased as "supplemental", but defines that term (see above) in a way that could be interpreted to include a school's regular program of instruction. Moreover, a child need not be attending a public school to be eligible. Any child who meets the poverty tests for counting children under Title I (which includes children in private schools) would be eligible, in addition to which the normal provisions on participation of private school children would apply.

Hagel – Impact Aid

p. 1, ln. 1 (amending p. 614 of the Senate bill): This amendment would reduce, from 40% to 35%, the proportion of federally connected children needed to qualify for one category of payments for "heavily impacted" districts. This amendment would further dilute the concept of what constitutes a heavily impacted district and could allow a number of districts to qualify for much larger heavily impacted basic support payments than they would receive under the provisions for "regular" basic payments to Impact Aid LEAs. Given the sponsor, it's quite likely that the/an intended beneficiary of this amendment is Bellevue, Nebraska.

Remainder of amendment: The amendment to §8003(a)(4) (starting on p. 1, ln. 2) and the addition of section 8003(a)(5) (starting on p. 4, ln. 3) would add two provisions that are identical to provisions contained in H.R. 3616. Both of those provisions allow school districts in certain specified cases to weight students who are living off base ("b" students) as if they are living on base ("a" students), thereby increasing the payment weight for these students from 0.10 to 1.0. Both of these provisions are inconsistent with the Administration's proposal to eliminate funding for "b" students.

Specifically, the first provision enables school districts to give the same weight to eligible students who live off base as is given to those who live on Federal property, if the students would have lived on base had their military housing not been undergoing renovation or rebuilding. The Department believes the subsection should be deleted in its entirety because these students generally live on private property, which school districts can tax to raise revenue to educate students. While the Senate bill would provide some time limitations on this practice, they are inadequate.

The second provision would allow LEAs that educate children who live on property that once was Federal property, but that has been transferred out of Federal ownership, to continue to claim those children as if they were children who reside on Federal property. In the third fiscal year, the payment based on these children would be reduced by the amount of any tax revenue the LEA received from the former Federal property in the preceding year. This provision is objectionable because, once the Federal property is transferred out of Federal ownership, the property either generates taxes for the LEA or is tax exempt for some reason other than Federal involvement.

<u>Hutchinson #1 – Title I School Improvement and effect on LEA employees' rights</u>

Would add language to §1116(e), which currently says that nothing in §1116 (relating to LEA and school improvement and corrective under Title I), can be read to affect the rights, remedies, and procedures afforded LEA employees under collective bargaining agreements, statutes, regulations, court orders, etc. The added language would clarify/emphasize that the "nothing" includes corrective action and other measures that are available under §1116 to improve school performance and student achievement.

As a purely legal matter, this amendment does not appear to change current law. It just makes it more specific and emphatic.

Sessions – Safe and Drug-Free Schools

text not available yet

UNITED STATES DEPARTMENT OF EDUCATION

Office of the Deputy Secretary
400 Maryland Avenue, SW
Washington, DC 20202

Telephone Number: (202) ______________ Fax Number: (202) 401-9027

FAX COVER SHEET

TO: ANN O'LEARY

ORGANIZATION:

PHONE: FAX: 456-2878

FROM: GOODWIN LIU

COMMENTS:

FYI – SANDRA ASKED ME TO GO TO THE HILL TO HEAR SOME OF THE OPENING AMENDMENTS, SO I'LL BE THERE THIS MORNING — WILL CALL YOU FROM THERE.... ☺

(THERE ARE MORE AMENDMENTS .... BUT NO SUMMARIES YET)

TOTAL PAGES (Including Cover): 5

DEMOCRATS' ESEA COMMITTEE AMENDMENTS: DRAFT 2/24/00

Menu of strategies to insure change and reform in public schools so that every child achieves to high standards

Accelerating Change and Reform to Ensure Improved Student Achievement

Reduce class size (Murray)
Accountability for results (Bingaman)
Public school report cards (Murray)
Increase Title I authorization -- $15B (Dodd)
Create smaller schools (Bingaman)
Expand access to advanced placement courses (Bingaman)
Reduce drop out rates (Bingaman)
Support school libraries (Reed)
Support high school reform (Kennedy)
Ensure gender equity in the classroom (Kennedy)
Protect privacy of children (Dodd)
Ensure fair testing policies of children (Wellstone)
Assistance for rural communities tied to accountability & targeting (Harkin)

~~school construction~~
arts education
on [illegible]

Ensuring a Qualified Teacher in Every Classroom

Recruitment, retention, professional development, and accountability for teachers (Kennedy)
Teacher training in technology (Bingaman)
10% professional development set-aside in Title I (Reed)
Early Professional Development Training/Violence Prevention Training (Dodd)
Arts educators support (Wellstone)

Ensuring Safety, Order, and Discipline in Every School

Safe, modern school buildings (Harkin)
Expand 21st Century after-school programs (Dodd)
100,000 Counselors (Wellstone)
Project SERV (Dodd)
Pro-Child/Anti-Tobacco program (Harkin)
Prevent domestic violence (Wellstone)
Disaggregation of data on gun-free schools expulsions (Dodd)

Closing the digital divide so child is left out or left behind

Authorize Community Technology Centers (Kennedy)
Authorize One Stop Tech Shops (Mikulski)
Target technology programs to needy communities (Bingaman)

Ensuring parents are involved in the schools and their children's education

Accountability for including parents (Reed)
Family Information Centers program (Wellstone)
COZs -- Family Service Centers in Schools program (Reed)

UNITED STATES DEPARTMENT OF EDUCATION

Office of the Deputy Secretary
400 Maryland Avenue, SW
Washington, DC 20202

Telephone Number: (202) ________ Fax Number: (202) 401-9027

FAX COVER SHEET

TO: Ann O'Leary

ORGANIZATION:

PHONE: FAX: 456-2878

FROM: Goodwin Liu

COMMENTS:

TOTAL PAGES (Including Cover): 2

U.S. Department of Education
Office of Educational Technology
400 Maryland Avenue, SW
Suite 6W301
Washington, DC 20202
(202) 401-1444 (phone)
(202) 401-3941 (fax)

TO: Ann O'Leary

ORGANIZATION:

FAX:

DATE: 2/29

FROM: Julie Zaminkow

PHONE:

FAX:

E-MAIL:

MESSAGE:

SENATOR MIKULSKI'S

NATIONAL DIGITAL EMPOWERMENT ACT

✓ Create a one stop shop for all federal technology education programs

✓ Improve education:

- *technology in the schools*
- *teacher training*
- *high-tech libraries*

✓ Expand the E-Rate

✓ Create an E.Corps within AmeriCorps

HUD

✓ Put E.Villages in public housing

✓ Provide technology for community based organizations

✓ Create tax incentives to encourage donations of:

- equipment
- training
- technology maintenance

OFFICE OF SENATOR BARBARA A. MIKULSKI
UNITED STATES SENATE
709 HART SENATE OFFICE BUILDING
WASHINGTON, D.C. 20510-2003

<u>FAX TRANSMITTAL FORM</u>

DATE: February 16, 2000

THE FOLLOWING 17 PAGE(S) (**<u>INCLUDING</u>** THIS FORM

IS/ARE FOR: Linda Roberts

FROM: Julia Frifield

THIS TRANSMITTAL IS INCOMPLETE, PLEASE CALL (202) 224-4654

****

(ADDITIONAL INFORMATION):

MEMORANDUM

TO: Linda Roberts
FROM: Julia Frifield (Senator Mikulski)
RE: Senator Mikulski's Digital Empowerment Act
DATE: February 16, 2000

A draft of Senator Mikulski's legislation is attached. As you can see – it's very rough. We plan to introduce this bill on March 9 – with members of the Congressional Hispanic Caucus and Black Caucus introducing in the House

There are two things I'd like to over:

1. Title I – Creating a one-stop shop for technology education at Department of Education. This would be where educators or community leaders could get info on federal programs. It would also be a clearinghouse for best practices/examples of public/private partnerships. We thought we could do this by strengthening your office, making the head of the office an Assistant Secretary, etc

2. Title II -- Doubling the authorized funds for teacher training and technology equipment. I thought we could do this by just doubling the Technology Challenge Fund – but there may be better ways to do this

106TH CONGRESS
2D SESSION

S. ______

IN THE SENATE OF THE UNITED STATES

Ms. MIKULSKI introduced the following bill; which was read twice and referred to the Committee on ______________________________

A BILL

To provide for digital empowerment, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Digital Empowerment Act".

SEC. 2. PURPOSE.

The purpose of this Act is to enable every child in America to cross the digital divide by ensuring that all children have access to technology and technology education.

SEC. 3. DEFINITIONS.

The terms used in this Act have the meanings given the terms in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

TITLE I—ONE-STOP SHOP FOR TECHNOLOGY EDUCATION

SEC. 101. ONE-STOP SHOP FOR TECHNOLOGY EDUCATION.

Section 216 of the Department of Education Organization Act (as added by Public Law 103–227) (20 U.S.C. 3425) is amended—

(1) in subsection (a)—

(A) by striking "Director" each place the term appears and inserting "Assistant Secretary"; and

(B) by adding at the end the following: "The Office shall be a one-stop shop for all technology education programs within the Department, provide schools and community groups with information with respect to technology education programs, and serve as a clearinghouse with respect to information on public and private efforts to bring technology to areas underserved by technology.";

(2) in subsection (b), by striking "Director" each place the term appears and inserting "Assistant Secretary";

(3) in subsection (c), by striking "Director" and inserting "Assistant Secretary"; and

(4) by redesignating such section (as so amended) as section 218 of such Act.

TITLE II—DIGITAL EDUCATION

SEC. 201. NATIONAL CHALLENGE GRANTS FOR TECHNOLOGY IN EDUCATION.

Section 3132 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6842) is amended by adding at the end the following:

"[(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $600,000,000 for fiscal year 2001 and such sums as may be necessary for each of the 4 succeeding fiscal years.".]

SEC. 202. TEACHER TRAINING.

(a) TEACHER TECHNOLOGY PREPARATION ACADEMIES.—

(1) GRANTS AUTHORIZED.—The Secretary of Education is authorized to award grants under subsection (b) to State educational agencies to enable the State educational agencies to establish Teacher Technology Preparation Academies within the State that—

(A) provide teachers, librarians, and library media specialists with training to acquire or upgrade technology skills in order to use technology effectively in the classroom;

(B) have training plans developed by a local educational agency; and

(C) encourage teachers, librarians, and library media specialists trained at the academies to return to their schools and act as technology instructors for other teachers, librarians, and library media specialists.

(2) Formula.—The Secretary of Education shall award grants to State educational agencies under subsection (a) in the same manner as the Secretary awards grants to State educational agencies under sections 3131 and 3132 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6841, 6842).

(3) Authorization of appropriations.—There are authorized to be appropriated to carry out this subsection $250,000,000 for fiscal year 2001 and such sums as may be necessary for each of the 4 succeeding fiscal years.

(b) New Teacher Training.—

(1) Grants authorized.—The Secretary of Education is authorized to award grants, on a competitive basis, to institutions of higher education to

enable the institutions to train students entering the teaching workforce to use technology effectively in the classroom.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection $150,000,000 for fiscal year 2001 and such sums as may be necessary for each of the 4 succeeding fiscal years.

(c) LIBRARIES.—

(1) GRANTS AUTHORIZED.—The Secretary of Education is authorized to award grants to State educational agencies to enable the State educational agencies to provide school library technology and training for school librarians and library media specialists.

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection $250,000,000 for fiscal year 2001 and such sums as may be necessary for each of the 4 succeeding fiscal years.

TITLE III—EXPANSION OF UNIVERSAL SERVICE ASSISTANCE

SEC. 301. ADDITIONAL USES OF UNIVERSAL SERVICE ASSISTANCE BY EDUCATIONAL PROVIDERS.

(a) STRUCTURED AFTER-SCHOOL ACTIVITIES.—Subparagraph (B) of section 254(h)(1) of the Communications Act of 1934 (47 U.S.C. 254(h)(1)) is amended by inserting "(including structured after-school activities)" after "for educational purposes".

(b) MAINTENANCE AND REPAIR OF TECHNOLOGY.—That section is further amended—

(1) by designating the third sentence of subparagraph (B) as subparagraph (D) and inserting at the beginning of such subparagraph (D) the following:

"(D) OFFSET.—"; and

(2) in subparagraph (B)—

(A) by striking "(B) EDUCATIONAL PROVIDERS AND LIBRARIES.—All telecommunications carriers" and inserting the following:

"(B) EDUCATIONAL PROVIDERS AND LIBRARIES.—

"(i) IN GENERAL.—All telecommunications carriers";

UNITED STATES DEPARTMENT OF EDUCATION

Office of the Deputy Secretary
400 Maryland Avenue, SW
Washington, DC 20202

Telephone Number: (202) 260-1728 Fax Number: (202) 401-9027

FAX COVER SHEET

TO: Ann O'Leary

ORGANIZATION:

PHONE: **FAX:**

FROM: H Ramirez

COMMENTS:

Republican amendments

TOTAL PAGES (Including Cover):

AMENDMENT NO. ____ Calendar No. ____

Purpose: To modify certain provisions relating to collective bargaining to provide for improved school performance and student achievement.

IN THE SENATE OF THE UNITED STATES—106th Cong., 2d Sess.

S. 2

To extend programs and activities under the Elementary and Secondary Education Act of 1965.

Referred to the Committee on ______________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by ______________

Viz:

On page 46, line 23, strike "and".

On page 56, line 16, strike the second period and insert "; and".

On page 56, between lines 16 and 17, insert the following:

"(4) in subsection (e), by striking "Nothing" and inserting "Notwithstanding corrective action and other measures permitted under this section to

HAGEL

AMENDMENT NO. ____ Calendar No. ____

Purpose: To modify provisions relating to impact aid.

IN THE SENATE OF THE UNITED STATES—106th Cong., 2d Sess.

S. 2

To extend programs and activities under the Elementary and Secondary Education Act of 1965.

Referred to the Committee on ____________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by ____________________

Viz:

On page 614, line 10, strike "40" and insert "35".

At the appropriate place in title VIII, insert the following:

SEC. ____. PAYMENTS FOR ELIGIBLE FEDERALLY CONNECTED CHILDREN.

(a) MILITARY INSTALLATION HOUSING UNDERGOING RENOVATION OR REBUILDING.—

(1) IN GENERAL.—Section 8003(a)(4) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)) is amended—

(A) in the heading, by striking "UNDERGOING RENOVATION" and inserting "UNDERGOING RENOVATION OR REBUILDING";

(B) by striking "For purposes" and inserting the following:

"(A) IN GENERAL.—For purposes";

(C) in subparagraph (A) (as designated by subparagraph (B)), by inserting "or rebuilding" after "undergoing renovation"; and

(D) by adding at the end the following:

"(B) LIMITATIONS.—(i)(I) Except as provided in subclause (II), children described in paragraph (1)(D)(i) may be deemed to be children described in paragraph (1)(B) with respect to housing on Federal property undergoing renovation or rebuilding in accordance with subparagraph (A) for a period not to exceed 2 fiscal years.

"(II) If the Secretary determines, on the basis of a certification provided to the Secretary by a designated representative of the Secretary of Defense, that the expected completion date of the renovation or rebuilding of the housing has been delayed by not less than 1 year, then—

"(aa) in the case of a determination made by the Secretary in the 1st fiscal year described in subclause (I), the time period described such subclause shall be extended by the Secretary for an additional 2 years; and

"(bb) in the case of a determination made by the Secretary in the 2nd fiscal year described in subclause (I), the time period described such subclause shall be extended by the Secretary for an additional 1 year.

"(ii) The number of children described in paragraph (1)(D)(i) who are deemed to be children described in paragraph (1)(B) with respect to housing on Federal property undergoing renovation or rebuilding in accordance with subparagraph (A) for any fiscal year may not exceed the maximum number of children who are expected to occupy that housing upon completion of the renovation or rebuilding.".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply with respect to payments to a local educational agency for fiscal years

beginning before, on, or after the date of the enactment of this Act.

(b) MILITARY "BUILD TO LEASE" PROGRAM HOUSING.—Section 8003(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)) is amended by adding at the end the following:

"(5) MILITARY 'BUILD TO LEASE' PROGRAM HOUSING.—

"(A) IN GENERAL.—For purposes of computing the amount of payment for a local educational agency for children identified under paragraph (1), the Secretary shall consider children residing in housing initially acquired or constructed under the former section 2828(g) of title 10, United States Code (commonly known as the 'Build to Lease' program), as added by section 801 of the Military Construction Authorization Act, 1984, to be children described under paragraph (1)(B) if the property described is within the fenced security perimeter of the military facility upon which such housing is situated.

"(B) ADDITIONAL REQUIREMENTS.—If the property described in subparagraph (A) is not owned by the Federal Government, is subject to taxation by a State or political subdivision of a State, and thereby generates revenues for a local educational agency that is applying to receive a payment under this section, then the Secretary—

"(i) shall require the local educational agency to provide certification from an appropriate official of the Department of Defense that the property is being used to provide military housing; and

"(ii) shall reduce the amount of the payment under this section by an amount equal to the amount of revenue from such taxation received in the second preceding fiscal year by such local educational agency, unless the amount of such revenue was taken into account by the State for such second preceding fiscal year and already resulted in a reduction in the amount of State aid paid to such local educational agency.".

COLLINS – 2

Senator Collins intends to offer an amendment to the Women's Education Equity Act.

AMENDMENT NO. ____ Calendar No. ____

Purpose: To improve the provisions relating to schoolwide programs.

IN THE SENATE OF THE UNITED STATES—106th Cong., 2d Sess.

S. 2

To extend programs and activities under the Elementary and Secondary Education Act of 1965.

Referred to the Committee on ________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. FRIST

Viz:

On page 32, strike lines 3 through 12, and insert the following:

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

"(1) IN GENERAL.—A local educational agency may consolidate funds under this part, together with other Federal, State, and local funds, in order to upgrade the entire educational program of a school that serves an eligible school attendance area in which not less than 40 percent of the children are from low-income families, or not less than 40 percent of the children enrolled in the school are from such families, for the initial year of the schoolwide program."; and

(B) in paragraph (4)—

(i) by amending the heading to read as follows: "EXEMPTION FROM STATUTORY AND REGULATORY REQUIREMENTS.—"; and

(ii) by adding at the end the following:

"(C) A school that consolidates funds from different Federal programs under this section shall not be required to maintain separate fiscal accounting records, by program, that identify the specific activities supported by those particular funds as long as the school maintains records that demonstrate that the schoolwide program, considered as a whole, addresses the intent and purposes of each of the Federal programs that were consolidated to support the schoolwide program."; and

ARMED SERVICES
JUDICIARY
HEALTH, EDUCATION, LABOR, AND PENSIONS
JOINT ECONOMIC

United States Senate

WASHINGTON, DC 20510-0104

February 29, 2000

Senator Jeff Sessions intends to offer an amendment or amendments to Title IV of S. 2, the Educational Opportunities Act.

DeWine #1

AMENDMENT NO. ____ Calendar No. ____

Purpose: To ensure that funds used for alternative placement programs provide for a return of students to their regular classroom at the earliest possible opportunity.

IN THE SENATE OF THE UNITED STATES—106th Cong., 2d Sess.

S. 2

To extend programs and activities under the Elementary and Secondary Education Act of 1965.

Referred to the Committee on ______________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by ______________

Viz:

On page 295, line 14, strike "and".

On page 295, line 17, strike the period and insert "; and".

On page 295, between lines 17 and 18, insert the following:

"(15) alternative placement programs for the placement of students in alternative educational settings so long as such programs provide for the return of such students to their regular educational settings as the earliest opportunity.".

DeWine #2

AMENDMENT NO. ____ Calendar No. ____

Purpose: To provide for the funding and administration of the Troops-to-Teachers Program.

IN THE SENATE OF THE UNITED STATES—106th Cong., 2d Sess.

S. 2

To extend programs and activities under the Elementary and Secondary Education Act of 1965.

Referred to the Committee on ______________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by ______________

Viz:

On page 182, between lines 19 and 20, insert the following:

"(e) TROOPS-TO-TEACHERS PROGRAM.—

"(1) PURPOSE.—The purpose of this subsection is to authorize a mechanism for the funding and administration of the Troops-to-Teachers Program established by the Troops-to-Teachers Program Act of 1999 (subtitle I of title V of the National Defense Authorization Act for Fiscal Year 2000).

"(2) TRANSFER OF FUNDS FOR ADMINISTRATION OF PROGRAM.—Subject to paragraph (3), to the extent that funds are made available under this Act for the Troops-to-Teachers Program, the Secretary of Education shall transfer the funds to the Defense Activity for Non-Traditional Education Support of the Department of Defense. The Defense Activity shall use the funds to perform the actual administration of the Troops-to-Teachers Program, including the selection of participants in the Program under section 594 of the Troops-to-Teachers Program Act of 1999. The Secretary of Education may retain a portion of the funds to identify local educational agencies with teacher shortages and States with alternative certification requirements, as required by section 592 of such Act.

"(3) DEFENSE AND COAST GUARD CONTRIBUTION.—The Secretary of Education may not transfer funds under paragraph (2) unless the Secretary of Defense, and the Secretary of Transportation with respect to the Coast Guard, agree to pay for not less than 25 percent of the costs associated with the activities conducted under the Troops-to-Teachers Program. The contributions may be in cash or in kind, fairly evaluated, including plant, equipment, and services, and may be from private contributions made for purposes of the Program.

DeWine #3

AMENDMENT NO. ____ Calendar No. ____

Purpose: To provide that certain Federal block grant funding not be used for activities that would negatively effect safe and drug-free schools and communities activities.

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To extend programs and activities under the Elementary and Secondary Education Act of 1965.

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AMENDMENT intended to be proposed by ______________

Viz:

On page 517, after line 24, add the following:

"(f) SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES.—A school that is participating in the educational flexibility program under this part shall provide written assurances to the State that the school will not diminish their ability to provide a drug and violence free learning environment.

FAX COVER SHEET

Executive Office of the President
Office of Management and Budget
Education, Income Maintenance and Labor Division
Room 260, Old Executive Office Building
Washington, DC 20503
(202)-395-4844

TO: Ann O'Leary

FROM: Barbara Chow, Associate Director
Jennifer McGee, Special Assistant
Sarah Zambon, Intern

DATE: 10-12-99

FAX#: 62878

OF PAGES INCLUDING COVER SHEET: 3

NOTES: Per our conversation - call if you have any questions

UNITED STATES DEPARTMENT OF LABOR

FACSIMILE TRANSMISSION

OFFICE OF CONGRESSIONAL AND INTERGOVERNMENTAL AFFAIRS

200 Constitution Avenue, N.W.
Room S-1325
Washington, DC 20210

Confirmation:
202/693-4600

10/12

TO: Barbara Chow
DEPARTMENT/COMPANY: Jennifer McGee
FACSIMILE NUMBER: 395-5130
FROM: DARLA LETOURNEAU
NUMBER OF PAGES INCLUDING COVER:

FACSIMILE REPLIES:	CONGRESSIONAL AFFAIRS	202/693-4642
	INTERGOVERNMENTAL AFFAIRS	202/693-4644
	IMMEDIATE OFFICE OF THE ASSISTANT SECRETARY	202/693-4641

MESSAGE: Thanks for the opportunity to comment on DPC's draft "Violence in the Schools piece." We've attached an insert related to DOL activities. Please call if you have any Q's. We're anxious to know DPC's plans on rolling out the DPC Youth Violence Council - any target dates?

DOL Comments on "Preventing Violence in Our Nation's Schools" Draft

On Page 2:

Goal: Helping Communities Coordinate Their Efforts To Identify Troubled Young People, Prevent Them From Acting Violently And Respond When Violence Does Occur

Add:

Expanding Opportunities for At-Risk and Out-of-School Youth

The Clinton Administration has spearheaded new approaches to increase opportunities for at-risk and out-of-school youth to engage in productive educational and work activities. To address the needs of youth in high-poverty areas, the Department of Labor will award $250 million dollars in Youth Opportunity Grants to support public-private community partnerships to increase the long-term employment of young people. To coordinate crime prevention and recovery services for youth already involved in the criminal justice system or in gangs, the Department of Labor and Department of Justice have collaborated on Youth Offender grants to local communities and juvenile corrections facilities. In May 1999 the Clinton Administration awarded fourteen Youth Offender grants totaling $12.5 million dollars to provide job training and education to young offenders. As communities implement both the new Youth Opportunity and the Youth Offenders grants, they will be coordinated with local Safe Schools/Healthy Students initiatives to provide a comprehensive approach to youth violence prevention.

President Clinton's Commitment to Supporting Young People and Preventing Youth Violence

President Clinton's FY 2001 budget includes a major investment in priorities and programs that support positive youth development and work to prevent youth violence.

The FY 2001 budget:

- **Includes an across the board increase in programs throughout the government that address the issue of youth violence:**

  The FY 2001 budget includes \$8.8 billion, \$875 million above FY 2000, for programs throughout the government that work to specifically target youth violence and programs that support the healthy development of young people.

- **Renews President Clinton's Commitment to the Prevention of Youth Violence through Supporting Healthy Youth Development by:**

  - **More than doubling the Safe Schools/Healthy Students Initiative by investing \$247 million.** To help communities throughout the country promote a coordinated, comprehensive response to school safety, last year at the White House Conference on School Safety, the President launched a Safe Schools/Healthy Students initiative designed to help communities develop and implement community-wide responses to school and youth violence. It empowers parents, principals, police, and others to collaborate on local solutions to the problem of youth violence. In September 1999, the President announced over \$100 million in Safe Schools/Healthy Student grants for 54 school districts. With the expansion of this initiative, 40 additional communities will be awarded grants in FY 2001.

  - **Providing \$1 billion to ensure that more than 1.5 million children have the opportunity to attend safe and enriching after-school and summer school programs.** The 21st Century Community Learning Centers program is already supporting hundreds of school-based after-school programs in rural and urban schools in 44 states and the District of Columbia, including weekend and summer programs. In FY 2001, the President will provide over \$1 billion in after-school and summer school funds to ensure that all children in low-performing schools have the opportunity to gain academic enrichment and be in a safe place during the after school and summertime hours. This year, the Education Department released a report, titled *Safe and Smart: Making the After-School Hours Work for Kid.* This report shows that after-school programs can lower juvenile crime and improve academic performance.

  - **Including a new \$120 million initiative to create Smaller High Schools.** In order to provide safe learning environments where students are connected to adults in the school and are being pushed to learn to high standards, the President has provided \$120 million to help school districts break-up large high schools into smaller learning environments.

- **Encouraging youth-driven solutions to community problems, such as youth violence, by including $8 million in two new National Service initiatives.** The President's Corporation for National Service budget includes $5 million for a Community Coaches initiative that will support AmeriCorps members as community coaches in schools helping students to develop and implement their own community service projects. It also includes $3 million to support Youth Empowerment Grants that will provide fellowships to reward and support the creativity of youth who have developed innovative youth-driven strategies for addressing youth related concerns in their own communities.

- **Supporting community, parent, and school efforts to help youth incorporate good citizenship in their learning experiences through a $2 million increase in Character Education.** The President's budget includes over $9 million for the U.S. Department of Education's Character Education grants to school/community partnerships that develop curriculum materials, provide teacher training, gauge and build community consensus on common values, involve parents in character education and integrate character education into the school curriculum.

- **Renewing commitment to youth violence prevention efforts in the areas of Health and Labor.** The President's budget recommits $80 million for Youth Violence Prevention Activities under the Substance Abuse and Mental Health Services Administration (SAMHSA) and promotes (YOUTH OPPORTUNITY GRANTS)

- **Expands President Clinton's commitment to directly targeting the issue of youth violence by:**

  - **Providing $19.5 million in new funding for a 12-city expansion of the Youth Crime Gun Interdiction Initiative**, which provides ATF agents technical support to develop firearms trafficking cases against those supplying guns to youth and to initiative comprehensive tracing of firearms.

  - **Including $75 million for a new Department of Labor initiative, Transition to Responsibility for Ex-Offenders, to reintegrate youthful and first-time offenders into society.**

  - **Increasing the investment in the COPS school safety program by an additional $20million.** This increase would provide grants to assist communities in forging partnerships between local law enforcement and schools. (additional communities served?)

Leanne A. Shimabukuro 01/07/2000 02:57:28 PM

Record Type: Record

To: Ann O'Leary/OPD/EOP@EOP

cc: Deanne E. Benos/OPD/EOP@EOP
Subject: Ann -- the first bullet contains some edits, and the second bullet is new.

- **Providing $19.5 million in new funding for a 12-city expansion of the Youth Crime Gun Interdiction Initiative (YCGII),** to help trace guns retrieved in crimes and to provide additional ATF agents in YCGII cities to crack down on illegal gun traffickers who supply guns to youth and criminals.

- **Investing $10 million for the development of smart gun technology.** The $10 million in new funds through the National Institute of Justice will promote the expansion and replication of "smart gun" technologies that limit a gun's use to the proper owner – preventing accidental deaths and injuries of children who might have access to a firearm, gun theft, and other unauthorized use.

Ann -- could you send me the final document? Also, let me know if you need more information on the $55 million in COPS funding for your bullet.

Thanks.

<u>**Senate Proposal to Reauthorize ESEA**</u>

DRAFT

March 1, 2000

The 1994 reauthorization of the Elementary and Secondary Education Act and Goals 2000: Educate America Act signaled a dramatic shift in Federal support for education. The enactment of these laws, which demanded higher standards for all children, provided increased support and flexibility to States, districts, and schools to improve student achievement and ensure accountability for results.

In contrast to the 1994 reforms, the Senate proposal to reauthorize ESEA fails to continue the Federal obligation and commitment to support change in our schools and real improvements in student performance.

The Senate proposal, S.2:

Retreats from support for smaller class sizes in the early grades. The Senate proposal fails to provide an explicit authority to continue the commitment to reducing class size. Instead, the proposal continues an ineffective Title VI block grant and authorizes the funds appropriated for class size be included in resources to support teacher quality efforts that are not required to be research based.

Forgets teaching and ignores the real needs of schools and classrooms. The Senate proposal does little to improve teacher quality either through increased accountability or by ensuring that teachers meet high standards and have access to ongoing, high-quality professional development, mentoring, and coaching.

Across programs, but particularly in Titles I and II, the Senate proposal fails to provide any meaningful measures for ensuring the presence of highly-qualified teachers--those who have met challenging standards for certification or licensure--in our classrooms, and doing so in fields for which they have content expertise and the necessary training. Federal funds should not be used to place the least qualified teachers in schools serving our most needy students. In addition, schools should be held accountable for supporting quality instruction by publicly reporting on teacher quality indicators.

If teachers are truly to help all students achieve, the focus needs not to be merely on getting them into schools, but also on ensuring teachers can serve students well and encouraging good teachers to stay in our schools. The Title II proposal represents neither the needs of the teaching profession nor the demands of the public, but rather supports countless approaches to providing signing bonuses and in some cases teacher salaries, instead of providing and improving professional development for teachers. As written, districts would be required to spend only "a portion" of their funds on inservice teacher development. Similarly, the proposal does not address the need for Title I schools to better invest in teacher development.

When investments in teacher quality are made, they need to support strategies that have proven effective in improving teaching and leaning, including job-embedded, collaborative efforts aligned with the needs of the students, schools, and the reform approach. Unfortunately, the Title II Teacher Opportunity Payments (TOPs) program would reward districts who have failed to make improvements (as defined by an unclear and confusing accountability system) by giving

The proposal also fails to move the focus of TLCF beyond what was imagined in 1994, to the real needs of today for teachers to be better trained to integrate technology effectively in helping students reach high standards. Similarly, the proposal provides no explicit support for improving the preparation of new teachers to better use technology.

Finally, the proposal fails to encourage the development or use of innovative new and emerging technologies. Throughout all programs, the proposal refers largely to the 6-year old language, and in fact duplicates the uses of funds and purpose of TLCF in the national discretionary programs, which are intended to "push the envelope."

Turns away from protecting our children. S.2 fails to provide a separate authorization for Project SERV to support schools and districts struck by violence or other crises. Similarly, S.2 would repeal the Pro-Children Act (PCA), thus failing to limit drug, alcohol and tobacco use on school grounds. The PCA, which is included in current Goals 2000 law, requires LEAs to adopt policies that prohibit smoking in enclosed facilities where routine educational services are provided.

S.2 also reduces current law's already limited targeting of Safe and Drug Free Schools and Communities resources, and limits the investment in national drug and violence prevention activities.

Finally, the current Senate proposal turns its back on troubled children by failing to include language requiring: (1) referral of expelled students to receive evaluation and mental health services if needed, or (2) LEAs to place students who have been expelled under the act in an alternative education settings sufficient for these students to make progress toward graduation.

funds directly to teachers to support individually determined professional development opportunities outside of a school's overall improvement plan. These funds would allow teachers to participate in potentially costly activities, separate from colleagues, the school, and the district and to do so in content and teaching strategies in which the teacher may not even need support.

Fails to hold States, school districts, and schools accountable for real educational results. The Academic Achievement for All Act ("Straight A's) in Title VI, Part G would allow States to receive Federal education funds designated for Title I activities, class size reduction, professional development, technology programs, and other initiatives in the form of a massive block grant-with no meaningful accountability for at least three years. State Governors could use the money for any "educational purposes," including providing students with vouchers for private schools. There is no assurance that funds will go to improve instruction, strengthen curriculum, reduce class size, provide extended learning opportunities, or support other proven strategies for helping all students learn to high standards. And although States would have to require schools and school districts to post gains in student achievement, the Act nowhere specifies what consequences schools would face if they fail. The only consequence a State faces for failing to meet its performance objectives is an obligation to comply with the original program-specific purposes and requirements of the Federal funds.

The proposal's $850 million authorization for "Innovative Education Program Strategies" in Title VI, Part A likewise provides States with block grants with no accountability. This title requires neither States nor school districts applying for these funds to specify any performance objectives related to student achievement, much less a system for holding schools accountable for meeting such objectives. Moreover, schools and school districts may use these funds for a virtually open-ended array of purposes, with no requirement to help the lowest-achieving or most disadvantaged students. Unfocused and undemanding, this section is unlikely to produce real results.

Likewise, S. 2's $125 million authorization for a "Rural Education Initiative" in Title VI, Part B purports to raise student achievement--in small or poor rural districts. However, the bill requires school districts to demonstrate only that students perform "better" on a test over a five-year time span. This is not meaningful accountability.

Finally, Title I in S. 2 also suffers from weak accountability. The bill does nothing to encourage States to use a single, rigorous accountability system that applies to both Title I and non-Title I schools, despite research demonstrating that when States have two accountability systems, the system for Title I children gets the least attention. S. 2 specifies no accountability framework to make clear what the components of a serious accountability system are and to ensure that schools are accountable for increases in overall student performance and the performance of the lowest achieving children.

Does little to close the digital divide in schools and communities and encouraging innovative and effective classroom use of technology. Despite progress in increasing access to educational technology, our poor schools and communities continue to lag behind. S.2 fails to authorize the Community Technology Centers, which are already providing resources to 40 economically distressed communities to make computer technology available to students, their families, and other adults who do not have computers at home. The proposal also fails to target the Technology Literacy Challenge Fund (TLCF) resources in any way. As a result, states will continue to be required to provide only technical assistance, not real resources, to the schools most in need of technology and support for its effective use.

	Allows federal dollars to pay for unqualified teachers.	**Supports the hiring of only highly qualified teachers.** Does not allow and LEA to use funds to hire any teacher unless the teacher is 1) certified or licensed in the field in which the teacher will teach; or 2) has a bachelor's degree and is working toward certification (sec.2023(1), p.52).
		Targets resources to LEAs and schools with real need and comprehensive approach to recruiting and training teachers. Awards are made on a competitive basis to partnerships that include schools served by Title I-A (sec.2015(b)(2), p.21-22).
		Focuses funds on qualified teachers. Requires states to provide assurances that--within 4 years--none of the funds provided will be used for teachers with waivers or emergency credentials (sec.2021(a), p.48-49).
		Supports a $75 million to implement comprehensive recruitment strategies in high need districts through the Hometown Teachers proposal.
	Fails to authorize the very successful Troops to Teachers program. Troops has demonstrated real success in placing highly-qualified teachers in high-poverty schools, particularly in shortage areas like math and science.	**Supports alternative routes to certification and teaching through the expansion of Troops to Teachers (Transition to Teaching).**
Standard for Quality Teachers	**Sets minimal standard for teachers at a time when teacher quality matters most.** Does not even require a teacher to meet the minimal state standards for licensure. In the case of elementary teachers, defines "highly qualified" as an individual with a major in arts and sciences and some content knowledge and qualified secondary school teacher as one with a major and content knowledge in the field he teaches (sec.2061(3), p.183-4).	**Requires teachers be certified/licensed AND have both the content knowledge and teaching skills necessary to help all students achieve to high standards** (sec. 2021(b) and (c), p.49-50).

Accountability	**Puts in place a limited and complicated accountability system.** Creates an additional system that does not provide criteria for measuring progress and that threatens to confuse the Title I system (p. 170) (and would support individual professional development activities as determined by teachers who are least likely to make appropriate PD choices).	**Ensures public information on teacher quality.** Requires annual state reports to the Secretary on the effectiveness of supported activities and on progress against performance measures (sec.2022(a)(1), as well as public reports that include data on out-of-field teaching (sec.2022(b), p.51-2). Also requires local reports of progress (sec.2025, p.55)
		Demands progress in improving teacher quality. To be eligible to continue funds for the 4th year, LEAs must 1) improve student performance, 2) increase PD and mentoring, 3) reduce beginning teacher attrition, and 4) reduce the number of unlicensed and out-of-field teachers (sec.2024(a), p.54).
		Requires that within 4 years, all teachers in the state are qualified and teaching in field (sec.2021(a)-(d), p.48-50).