

1 **SEC. 120. TARGETED GRANTS.**

2 Section 1125 (20 U.S.C 6335) is amended to read
3 as follows:

4 **"SEC. 1125. TARGETED GRANTS TO LOCAL EDUCATIONAL**
5 **AGENCIES.**

6 "(a) **ELIGIBILITY OF LOCAL EDUCATIONAL AGEN-**
7 **CIES.**—A local educational agency in a State shall be eligi-
8 ble to receive a targeted grant under this section for any
9 fiscal year if the number of children in the local edu-
10 cational agency counted under subsection 1124(c), before
11 the application of the weighting factor described in sub-
12 section (c), is at least 10, and if the number of children
13 counted for grants under section 1124 is at least 5 percent
14 of the total population age 5 to 17 years, inclusive, in the
15 local educational agency.

16 "(b) **GRANTS FOR LOCAL EDUCATIONAL AGENCIES,**
17 **THE DISTRICT OF COLUMBIA, AND PUERTO RICO.**—

18 "(1) **IN GENERAL.**—The amount of a grant
19 that a local educational agency in a State or that the
20 District of Columbia is eligible to receive under this
21 section for any fiscal year shall be equal to the prod-
22 uct of—

23 "(A) the weighted child count determined
24 under subsection (c); and

25 "(B) the amount determined under section
26 1124(a)(1)(B).

1 “(2) PUERTO RICO.—For each fiscal year, the
2 amount of the grant for which the Commonwealth of
3 Puerto Rico is eligible to receive under this section
4 shall be equal to the number of children counted
5 under subsection (c) for Puerto Rico, multiplied by
6 the amount determined under section 1124(a)(4).

7 “(c) WEIGHTED CHILD COUNT.—

8 “(1) IN GENERAL.—For each fiscal year, the
9 weighted child count used to determine a local edu-
10 cational agency’s grant under this section shall be
11 equal to the sum of—

12 “(A) the number of children determined
13 under section 1124(c) for that local educational
14 agency constituting up to 14.265 percent, inclu-
15 sive, of the agency’s total population ages 5 to
16 17, inclusive, multiplied by 1.0;

17 “(B) the number of such children consti-
18 tuting more than 14.265 percent, but not more
19 than 21.553 percent, of such population, multi-
20 plied by 1.75;

21 “(C) the number of such children consti-
22 tuting more than 21.553 percent, but not more
23 than 29.223 percent, of such population, multi-
24 plied by 2.5;

1 “(D) the number of such children consti-
2 tuting more than 29.223 percent, but not more
3 than 36.538 percent, of such population, multi-
4 plied by 3.25; and

5 “(E) the number of such children consti-
6 tuting more than 36.538 percent of such popu-
7 lation, multiplied by 4.0.

8 “(2) PUERTO RICO.—Notwithstanding subpara-
9 graph (A), the weighted child count for Puerto Rico
10 under this paragraph shall not be greater than the
11 total number of children counted under section
12 1124(c) multiplied by 1.72.

13 “(d) CALCULATION OF GRANT AMOUNTS.—Grants
14 under this section shall be calculated in accordance with
15 section 1124(a)(2) and (3).

16 “(e) STATE MINIMUM.—Notwithstanding any other
17 provision of this section or section 1122, from the total
18 amount made available for any fiscal year to carry out
19 this section, each State shall be allotted at least the lesser
20 of—

21 “(1) 0.25 percent of the total amount of grants
22 awarded under this section; or

23 “(2) the average of—

1 “(A) one-quarter of 1 percent of the total
2 amount available for such fiscal year to carry
3 out this section; and

4 “(B) 150 percent of the national average
5 grant under this section per child described in
6 section 1124(c), without application of a
7 weighting factor, multiplied by the State’s total
8 number of children described in section
9 1124(c), without application of a weighting fac-
10 tor.”.

11 **SEC. 121. SPECIAL ALLOCATION PROCEDURES.**

12 Section 1126 (20 U.S.C. 6337) is amended to read
13 as follows:

14 **“SEC. 1126. SPECIAL ALLOCATION PROCEDURES.**

15 “(a) ALLOCATIONS FOR NEGLECTED CHILDREN.—

16 “(1) IN GENERAL.—If a State educational
17 agency determines that a local educational agency in
18 the State is unable or unwilling to provide for the
19 special educational needs of children who are living
20 in institutions for neglected children as described in
21 subparagraph (B) of section 1124(c)(1), the State
22 educational agency shall, if such agency assumes re-
23 sponsibility for the special educational needs of such
24 children, receive the portion of such local educational

1 agency's allocation under sections 1124, 1124A, and
2 1125 that is attributable to such children.

3 “(2) SPECIAL RULE.—If the State educational
4 agency does not assume the responsibility described
5 in paragraph (1), any other State or local public
6 agency that does assume such responsibility shall re-
7 ceive that portion of the local educational agency's
8 allocation.

9 “(b) ALLOCATIONS AMONG LOCAL EDUCATIONAL
10 AGENCIES.—The State educational agency may allocate
11 the amounts of grants under sections 1124, 1124A, and
12 1125 among the affected local educational agencies—

13 “(1) if 2 or more local educational agencies
14 serve, in whole or in part, the same geographical
15 area;

16 “(2) if a local educational agency provides free
17 public education for children who reside in the
18 school district of another local educational agency;
19 or

20 “(3) to reflect the merger, creation, or change
21 of boundaries of 1 or more local educational agen-
22 cies.

23 “(c) REALLOCATION.—If a State educational agency
24 determines that the amount of a grant that a local edu-
25 cational agency would receive under sections 1124, 1124A,

1 and 1125 is more than such local agency will use, the
2 State educational agency shall make the excess amount
3 available to other local educational agencies in the State
4 that need additional funds in accordance with criteria es-
5 tablished by the State educational agency.”.

6 **PART B—EVEN START FAMILY LITERACY**

7 **PROGRAMS**

8 **SEC. 131. PROGRAM AUTHORIZED.**

9 Section 1202(c) (20 U.S.C. 6362(c)) is amended—

10 (1) in paragraph (1), by striking “section
11 2260(b)(3)” and inserting “section 7005(c)”;

12 (2) by striking paragraph (2)(C); and

13 (3) in paragraph (3)—

14 (A) by striking “is defined” and inserting
15 “was defined”; and

16 (B) by inserting “as such section was in
17 effect on the day preceding the date of enact-
18 ment of the Public Education Reinvestment,
19 Reinvestment, and Responsibility Act” after
20 “2252”.

21 **SEC. 132. APPLICATIONS.**

22 Section 1207(c)(1)(F) (20 U.S.C. 6367(c)(1)(F)) is
23 amended by striking “the Goals 2000” and all that follows
24 through the period and inserting “or other Acts, as appro-
25 priate, consistent with section 8305.”.

1 **SEC. 133. RESEARCH.**

2 Section 1211(b) (20 U.S.C. 6396b(b)) is amended to
3 read as follows:

4 “(b) DISSEMINATION.—The Secretary shall dissemi-
5 nate, or designate another entity to disseminate, the re-
6 sults of the research described in subsection (a) to States
7 and recipients of subgrants under this part.”.

8 **PART C—EDUCATION OF MIGRATORY CHILDREN**

9 **SEC. 141. COMPREHENSIVE NEEDS ASSESSMENT AND SERV-**

10 **ICE-DELIVERY PLAN; AUTHORIZED ACTIVI-**
11 **TIES.**

12 Section 1306(a)(1) (20 U.S.C. 6369(a)(1)) is
13 amended—

14 (1) in subparagraph (A), by striking “the Goals
15 2000” and all that follows through the period and
16 inserting “or other Acts, as appropriate, consistent
17 with section 8305;”;

18 (2) in subparagraph (B), by striking “section
19 14302” and inserting “section 8302”; and

20 (3) in subparagraph (F), by striking “bilingual
21 education” and all that follows and inserting “lan-
22 guage instruction programs under title III; and”.

1 PART D—PREVENTION AND INTERVENTION PRO-
2 GRAMS FOR CHILDREN AND YOUTH WHO
3 ARE NEGLECTED, DELINQUENT, OR AT RISK
4 OF DROPPING OUT

5 SEC. 151. STATE PLAN AND STATE AGENCY APPLICATIONS.

6 Section 1414 (20 U.S.C. 6434) is amended—

7 (1) in subsection (a)(1), by striking “the Goals
8 2000” and all that follows through the period and
9 inserting “or other Acts, as appropriate, consistent
10 with section 8305.”; and

11 (2) in subsection (c)—

12 (A) in paragraph (6), by striking “section
13 14701” and inserting “section 8701”; and

14 (B) in paragraph (7), by striking “section
15 14501” and inserting “section 8501”.

16 SEC. 152. USE OF FUNDS.

17 Section 1415(a)(2)(D) (20 U.S.C. 6435(a)(2)(D)) is
18 amended by striking “section 14701” and inserting “sec-
19 tion 8701”.

20 PART E—FEDERAL EVALUATIONS,
21 DEMONSTRATIONS, AND TRANSITION PROJECTS

22 SEC. 161. EVALUATIONS.

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

24 (1) in subsection (a)(4)—

25 (A) by striking “January 1, 1996” and in-
26 serting “January 1, 2002”; and

1 (B) by striking “January 1, 1999” and in-
2 serting “January 1, 2005”;

3 (2) in subsection (b)(1), by striking “December
4 31, 1997” and inserting “December 31, 2003”; and

5 (3) in subsection (e)(2), by striking “December
6 31, 1996” and inserting “December 31, 2002”.

7 **SEC. 162. DEMONSTRATIONS OF INNOVATIVE PRACTICES.**

8 Section 1502 (20 U.S.C. 6492) is amended to read
9 as follows:

10 **“SEC. 1502. COMPREHENSIVE SCHOOL REFORM.**

11 **“(a) FINDINGS AND PURPOSE.—**

12 **“(1) FINDINGS.—**Congress finds the following:

13 **“(A)** A number of schools across the coun-
14 try have shown impressive gains in student per-
15 formance through the use of comprehensive
16 models for schoolwide change that incorporate
17 virtually all aspects of school operations.

18 **“(B)** No single comprehensive school re-
19 form model may be suitable for every school,
20 however, schools should be encouraged to exam-
21 ine successful, externally developed comprehen-
22 sive school reform approaches as they under-
23 take comprehensive school reform.

24 **“(C)** Comprehensive school reform is an
25 important means by which children are assisted

1 in meeting challenging State student perform-
2 ance standards.

3 “(2) PURPOSE.—The purpose of this section is
4 to provide financial incentives for schools to develop
5 comprehensive school reforms, based upon scientif-
6 ically based research and effective practices that in-
7 clude an emphasis on basic academics and parental
8 involvement so that all children can meet challenging
9 State content and performance standards.

10 “(b) PROGRAM AUTHORIZED.—

11 “(1) IN GENERAL.—The Secretary is authorized
12 to provide grants to State educational agencies to
13 provide subgrants to local educational agencies to
14 carry out the purpose described in subsection (a)(2).

15 “(2) ALLOCATION.—

16 “(A) RESERVATION.—Of the amount ap-
17 propriated under this section, the Secretary
18 may reserve—

19 “(i) not more than 1 percent for
20 schools supported by the Bureau of Indian
21 Affairs and in the United States Virgin Is-
22 lands, Guam, American Samoa, and the
23 Commonwealth of the Northern Mariana
24 Islands; and

1 “(ii) not more than 1 percent to con-
2 duct national evaluation activities de-
3 scribed under subsection (e).

4 “(B) IN GENERAL.—Of the amount of
5 funds remaining after the reservation under
6 subparagraph (A), the Secretary shall allocate
7 to each State for a fiscal year, an amount that
8 bears the same ratio to the amount appro-
9 priated for that fiscal year as the amount made
10 available under section 1124 to the State for
11 the preceding fiscal year bears to the total
12 amount allocated under section 1124 to all
13 States for that year.

14 “(C) REALLOCATION.—If a State does not
15 apply for funds under this section, the Sec-
16 retary shall reallocate such funds to other
17 States that do apply in proportion to the
18 amount allocated to such States under subpara-
19 graph (B).

20 “(c) STATE AWARDS.—

21 “(1) STATE APPLICATION.—

22 “(A) IN GENERAL.—Each State edu-
23 cational agency that desires to receive a grant
24 under this section shall submit an application to
25 the Secretary at such time, in such manner and

1 containing such other information as the Sec-
2 retary may reasonably require.

3 “(B) CONTENTS.—Each State application
4 shall also describe—

5 “(i) the process and selection criteria
6 by which the State educational agency,
7 using expert review, will select local edu-
8 cational agencies to receive subgrants
9 under this section;

10 “(ii) how the agency will ensure that
11 only comprehensive school reforms that are
12 based on scientifically based research re-
13 ceive funds under this section;

14 “(iii) how the agency will disseminate
15 materials regarding information on com-
16 prehensive school reforms that are based
17 on scientifically based research;

18 “(iv) how the agency will evaluate the
19 implementation of such reforms and meas-
20 ure the extent to which the reforms re-
21 sulted in increased student academic per-
22 formance; and

23 “(v) how the agency will provide, upon
24 request, technical assistance to the local
25 educational agency in evaluating, devel-

1 oping, and implementing comprehensive
2 school reform.

3 “(2) USES OF FUNDS.—

4 “(A) IN GENERAL.—Except as provided in
5 subparagraph (E), a State educational agency
6 that receives an award under this section shall
7 use such funds to provide competitive grants to
8 local educational agencies receiving funds under
9 part A.

10 “(B) GRANT REQUIREMENTS.—A grant to
11 a local educational agency shall be—

12 “(i) of sufficient size and scope to
13 support the initial costs for the particular
14 comprehensive school reform plan selected
15 or designed by each school identified in the
16 application of the local educational agency;

17 “(ii) in an amount not less than
18 \$50,000 to each participating school; and

19 “(iii) renewable for two additional 1-
20 year periods after the initial 1-year grant
21 is made if schools are making substantial
22 progress in the implementation of their re-
23 forms.

1 “(C) PRIORITY.—The State, in awarding
2 grants under this paragraph, shall give priority
3 to local educational agencies that—

4 “(i) plan to use the funds in schools
5 identified as being in need of improvement
6 or corrective action under section 1116(c);
7 and

8 “(ii) demonstrate a commitment to
9 assist schools with budget allocation, pro-
10 fessional development, and other strategies
11 necessary to ensure the comprehensive
12 school reforms are properly implemented
13 and are sustained in the future.

14 “(D) GRANT CONSIDERATION.—In making
15 subgrant awards under this part, the State edu-
16 cational agency shall take into account the equi-
17 table distribution of awards to different geo-
18 graphic regions within the State, including
19 urban and rural areas, and to schools serving
20 elementary and secondary students.

21 “(E) ADMINISTRATIVE COSTS.—A State
22 educational agency that receives a grant award
23 under this section may reserve not more than 5
24 percent of such award for administrative, eval-
25 uation, and technical assistance expenses.

1 “(F) SUPPLEMENT.—Funds made avail-
2 able under this section shall be used to supple-
3 ment, not supplant, any other Federal, State,
4 or local funds that would otherwise be available
5 to carry out this section.

6 “(3) REPORTING.—Each State educational
7 agency that receives an award under this section
8 shall provide to the Secretary such information as
9 the Secretary may require, including the names of
10 local educational agencies and schools selected to re-
11 ceive subgrant awards under this section, the
12 amount of such award, and a description of the com-
13 prehensive school reform model selected and in use.

14 “(d) LOCAL AWARDS.—

15 “(1) IN GENERAL.—Each local educational
16 agency that applies for a subgrant under this section
17 shall—

18 “(A) identify which schools eligible for
19 funds under part A plan to implement a com-
20 prehensive school reform program, including the
21 projected costs of such a program;

22 “(B) describe the scientifically based com-
23 prehensive school reforms that such schools will
24 implement;

1 “(C) describe how the agency will provide
2 technical assistance and support for the effec-
3 tive implementation of the scientifically based
4 school reforms selected by such schools; and

5 “(D) describe how the agency will evaluate
6 the implementation of such reforms and meas-
7 ure the results achieved in improving student
8 academic performance.

9 “(2) COMPONENTS OF THE PROGRAM.—A local
10 educational agency that receives a subgrant award
11 under this section shall provide such funds to
12 schools that implement a comprehensive school re-
13 form program that—

14 “(A) employs innovative strategies and
15 proven methods for student learning, teaching,
16 and school management that are based on sci-
17 entifically based research and effective practices
18 and have been replicated successfully in schools
19 with diverse characteristics;

20 “(B) integrates a comprehensive design for
21 effective school functioning, including instruc-
22 tion, assessment, classroom management, pro-
23 fessional development, parental involvement,
24 and school management, that aligns the school’s
25 curriculum, technology, professional develop-

1 ment into a comprehensive reform plan for
2 schoolwide change designed to enable all stu-
3 dents to meet ~~challenging~~ State content and
4 challenging student performance standards and
5 addresses needs identified through a school
6 needs assessment;

7 “(C) provides high-quality and continuous
8 teacher and staff professional development;

9 “(D) includes measurable goals for student
10 performance and benchmarks for meeting such
11 goals;

12 “(E) is supported by teachers, principals,
13 administrators, and other professional staff;

14 “(F) provides for the meaningful involve-
15 ment of parents and the local community in
16 planning and implementing school improvement
17 activities;

18 “(G) uses high quality external technical
19 support and assistance from an entity, which
20 may be an institution of higher education, with
21 experience and expertise in schoolwide reform
22 and improvement;

23 “(H) includes a plan for the evaluation of
24 the implementation of school reforms and the
25 student results achieved; and

1 “(I) identifies how other resources, includ-
2 ing Federal, State, local, and private resources,
3 available to the school will be used to coordinate
4 services to support and sustain the school re-
5 form effort.

6 “(3) SPECIAL RULE.—A school that receives
7 funds to develop a comprehensive school reform pro-
8 gram shall not be limited to using the approaches
9 identified or developed by the Department of Edu-
10 cation, but may develop its own comprehensive
11 school reform programs for schoolwide change that
12 comply with paragraph (2).

13 “(e) EVALUATION AND REPORT.—

14 “(1) IN GENERAL.—The Secretary shall develop
15 a plan for a national evaluation of the programs de-
16 veloped pursuant to this section.

17 “(2) EVALUATION.—This national evaluation
18 shall evaluate the implementation and results
19 achieved by schools after 3 years of implementing
20 comprehensive school reforms, and assess the effec-
21 tiveness of comprehensive school reforms in schools
22 with diverse characteristics.

23 “(3) REPORTS.—Prior to the completion of a
24 national evaluation, the Secretary shall submit an
25 interim report outlining first year implementation

1 activities to the Committees on Education and the
2 Workforce and Appropriations of the House of Rep-
3 resentatives and the Committees on Health, Edu-
4 cation, Labor, and Pensions and Appropriations of
5 the Senate.

6 “(f) DEFINITION.—The term ‘scientifically based
7 research’—

8 “(1) means the application of rigorous, system-
9 atic, and objective procedures in the development of
10 comprehensive school reform models; and

11 “(2) shall include research that—

12 “(A) employs systematic, empirical meth-
13 ods that draw on observation or experiment;

14 “(B) involves rigorous data analyses that
15 are adequate to test the stated hypotheses and
16 justify the general conclusions drawn;

17 “(C) relies on measurements or observa-
18 tional methods that provide valid data across
19 evaluators and observers and across multiple
20 measurements and observations; and

21 “(D) has been accepted by a peer-reviewed
22 journal or approved by a panel of independent
23 experts through a comparably rigorous, objec-
24 tive, and scientific review.

1 “(g) AUTHORIZATION OF APPROPRIATIONS.—Funds
2 appropriated for any fiscal year under section 1002(f)
3 shall be used for carrying out the activities under this sec-
4 tion.”.

5 **PART F—RURAL EDUCATION DEVELOPMENT**
6 **INITIATIVE**

7 **SEC. 171. RURAL EDUCATION DEVELOPMENT INITIATIVE.**

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

9 (1) by redesignating part F (20 U.S.C. 6511 et
10 seq.) as part G;

11 (2) by redesignating sections 1601 through
12 1604 (20 U.S.C. 6511, 6514) as sections 1701
13 through 1704, respectively, and by redesignating ac-
14 cordingly the references to such sections in part G
15 (as so redesignated); and

16 (3) by inserting after part E (20 U.S.C. 6491
17 et seq.) the following:

18 **“PART F—RURAL EDUCATION DEVELOPMENT**
19 **INITIATIVE**

20 **“SEC. 1601. FINDINGS.**

21 “Congress makes the following findings:

22 “(1) The National Center for Educational Sta-
23 tistics reports that 46 percent of our Nation’s public
24 elementary schools and secondary schools serve rural
25 areas.

1 “(2) While there are rural education initiatives
2 identified at the State and local level, no Federal
3 education policy focuses on the specific and unique
4 needs of rural school districts and schools, especially
5 those that serve poor students.

6 “(3) A critical problem for rural school districts
7 involves the hiring and retention of qualified admin-
8 istrators and certified teachers, especially in science
9 and mathematics. Consequently, teachers in rural
10 schools are almost twice as likely to provide instruc-
11 tion in 3 or more subject areas than teachers in
12 urban schools. Rural schools also face other tough
13 challenges, such as shrinking local tax bases, high
14 transportation costs, aging buildings, limited course
15 offerings, and limited resources.

16 “(4) Data from the National Assessment of
17 Educational Progress (NAEP) consistently shows
18 large gaps between the achievement of students in
19 high poverty schools and those in other schools.
20 High-poverty schools will face special challenges in
21 preparing their students to reach high standards of
22 performance on State and national assessments.

23 **“SEC. 1602. DEFINITIONS.**

24 “‘In this part:

1 “(1) ELIGIBLE LOCAL EDUCATIONAL AGEN-
2 CY.—The term ‘eligible local educational agency’
3 means a local educational agency that serves—

4 “(A) a school-age population, not less than
5 15 percent of which consists of students from
6 families with incomes below the poverty line;
7 and

8 “(B)(i) a rural locality; or

9 “(ii) a school-age population of not more
10 than 800 students.

11 “(2) METROPOLITAN AREA.—The term ‘metro-
12 politan area’ means an area defined as such by the
13 Secretary of Commerce.

14 “(3) POVERTY LINE.—The term ‘poverty line’
15 means the poverty line (as defined by the Office of
16 Management and Budget, and revised annually in
17 accordance with section 673(2) of the Community
18 Services Block Grant Act (42 U.S.C. 9902(2))) ap-
19 plicable to a family of the size involved.

20 “(4) RURAL LOCALITY.—The term ‘rural local-
21 ity’ means a locality that is not within a metropoli-
22 tan area.

23 “(5) STATE.—The term ‘State’ means each of
24 the several States of the United States, the District
25 of Columbia, and the Commonwealth of Puerto Rico.

1 “(6) SCHOOL AGE POPULATION.—The term
2 ‘school age population’ means the number of stu-
3 dents aged 5 through 17.

4 **“SEC. 1603. PROGRAM AUTHORIZED.**

5 “(a) GRANTS AUTHORIZED.—The Secretary shall
6 award grants, from allotments under subsection (b)(2), to
7 each State having an application approved under section
8 1604 to enable the State educational agency to award
9 grants to eligible local educational agencies to carry out
10 local authorized activities described in section 1605(b).

11 “(b) RESERVATION AND ALLOTMENTS.—

12 “(1) RESERVATION.—From amounts appro-
13 priated under section 1608 for each fiscal year, the
14 Secretary shall reserve $\frac{1}{2}$ of 1 percent of such
15 amount for payments to the Secretary of the Inte-
16 rior for activities approved by the Secretary, con-
17 sistent with this subpart, in elementary schools and
18 secondary schools operated or supported by the Bu-
19 reau of Indian Affairs, on the basis of their respec-
20 tive needs for assistance under this part.

21 “(2) ALLOTMENTS.—

22 “(A) IN GENERAL.—From the amounts
23 appropriated under section 1608 for each fiscal
24 year that remain after making the reservation
25 under paragraph (1), the Secretary shall allot

1 to each State having an application approved
2 under section 1604 an amount that bears the
3 same relationship to the remainder as the
4 school age population served by eligible local
5 educational agencies in the State bears to the
6 school age population served by eligible local
7 educational agencies in all States.

8 “(B) DATA.—In determining the school
9 age population under subparagraph (A), the
10 Secretary shall use the most recent data avail-
11 able from the Bureau of the Census.

12 “(c) DIRECT AWARDS TO ELIGIBLE LOCAL EDU-
13 CATIONAL AGENCIES.—

14 “(1) NONPARTICIPATING STATE.—If a State
15 educational agency for a fiscal year elects not to par-
16 ticipate in a program under this section, or does not
17 have an application approved under section 1604, an
18 eligible local educational agency in such State desir-
19 ing a grant under this part for the fiscal year shall
20 apply directly to the Secretary to receive a grant
21 under this subsection.

22 “(2) DIRECT AWARDS.—The Secretary may
23 award, on a competitive basis, the amount the State
24 educational agency is eligible to receive under sub-
25 section (b)(2) directly to eligible local educational

1 agencies in the State desiring a grant under para-
2 graph (1):

3 ~~“(3) ADMINISTRATIVE FUNDS.—~~An eligible
4 local educational agency that receives a direct grant
5 under this subsection may use not more than 1 per-
6 cent of the grant funds for the administrative costs
7 of carrying out this part in the first year the agency
8 receives a grant under this subsection and 0.5 per-
9 cent for such costs in the second and each suc-
10 ceeding such year.

11 ~~“(d) MATCHING REQUIREMENT.—~~Each eligible local
12 educational agency receiving a grant under subsection (c)
13 or section 1605(a) shall contribute resources with respect
14 to the local authorized activities to be assisted under this
15 part in cash or in kind, from non-Federal sources, in an
16 amount equal to the Federal funds awarded under the
17 grant.

18 ~~“(e) LIMITATION ON OTHER FEDERAL FUNDING.—~~
19 Funds received under this part by a State educational
20 agency or eligible local educational agency shall not be
21 taken into consideration in determining the eligibility for,
22 or amount of, any other Federal funding awarded to such
23 agencies.

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1 **"SEC. 1604. APPLICATIONS.**

2 “(a) IN GENERAL.—Each State educational agency
3 desiring a grant under section 1603 and eligible local edu-
4 cational agency desiring a grant under section 1603(c)
5 shall submit an application to the Secretary at such time,
6 in such manner, and accompanied by such information as
7 the Secretary may require.

8 “(b) CONTENTS.—Each application submitted under
9 subsection (a) shall—

10 “(1) specify annual, measurable performance
11 goals and objectives, at a minimum, with respect
12 to—

13 “(A) increased student academic achieve-
14 ment;

15 “(B) decreased gaps in achievement be-
16 tween minority and non-minority students, and
17 between economically disadvantaged and non-
18 economically disadvantaged students; and

19 “(C) other factors that the State edu-
20 cational agency or eligible local educational
21 agency may choose to measure;

22 “(2) describe how the State educational agency
23 or eligible local educational agency will hold local
24 educational agencies and elementary schools or sec-
25 ondary schools receiving funds under this part ac-

1 countable for meeting the annual, measurable goals
2 and objectives;

3 ~~“(3) describe how the State educational agency~~
4 or eligible local educational agency will provide tech-
5 nical assistance for a local educational agency, an el-
6 elementary school, or a secondary school that does not
7 meet the annual, measurable goals and objectives;
8 and;

9 “(4) describe how the State educational agency
10 or eligible local educational agency will take action
11 against a local educational agency, an elementary
12 school, or a secondary school, if the local educational
13 agency or school fails, over 2 consecutive years, to
14 meet the annual, measurable goals and objectives. &f

15 ~~“SEC. 1605. WITHIN STATE ALLOCATIONS; and~~

16 ~~“(a) ALLOCATIONS.—The State educational agency~~
17 shall award grants under this part to eligible local edu-
18 cational agencies within the State according to a formula
19 developed by the State educational agency and approved

20 ~~“(b) GRANT DISTRIBUTION.—The State educational agency~~

21 ~~“(c) USES OF FUNDS.—Grant funds awarded to eli-~~
22 gible local educational agencies or made available to ele-
23 mentary schools and secondary schools under this section
24 shall be used for:

25 ~~“(1) to develop or improve the curriculum of the~~

1 “(1) educational technology, including software
2 and hardware;

3 “(2) professional development;

4 “(3) technical assistance;

5 “(4) recruitment and retention of fully qualified
6 *and highly qualified principals*
7 teachers as defined in title II;

8 “(5) parental involvement activities; or

9 “(6) academic enrichment or other education
10 programs.

11 “(c) RESERVATION OF ADMINISTRATIVE FUNDS.—

12 “(1) FIRST YEAR.—For the first year that a
13 State educational agency receives a grant under this
14 part, the agency—

15 “(A) shall use not less than 99 percent of
16 the grant funds to award grants to eligible local
17 educational agencies in the State; and

18 “(B) may use not more than 1 percent for
19 State activities and the administrative costs of
20 carrying out this part.

21 “(2) SUCCEEDING YEARS.—For the second and
22 each succeeding year that a State educational agen-
23 cy receives a grant under this part, the agency—

24 “(A) shall use not less than 99.5 percent
25 of the grant funds to award grants to eligible
26 local educational agencies in the State; and

1 “(B) may use not more than 0.5 percent of
2 the grant funds for State activities and the ad-
3 ministrative costs of carrying out this part.”

4 “SEC. 1603. ACCOUNTABILITY.”

5 The Secretary, at the end of the third year that a
6 State educational agency or an eligible local educational
7 agency receiving a direct award under section 1603(c) par-
8 ticipates in the program under this part shall permit only
9 those State educational agencies and eligible local edu-
10 cational agencies that meet their annual, measurable goals
11 and objectives for 2 consecutive years to receive grant
12 funds for the fourth or fifth fiscal years of the program
13 under this part. (2)

14 “SEC. 1604. REPORTING.”

15 “(a) STATE REPORTS. Each State educational
16 agency that receives a grant under this part shall provide
17 an annual report to the Secretary. The report shall
18 describe—

19 “(1) the method the State educational agency
20 uses to award grants to eligible local educational
21 agencies and to provide assistance to elementary
22 schools and secondary schools under this part.”

23 “(2) how eligible local educational agencies and
24 elementary schools and secondary schools within the

1 State used the grant funds provided under this part;
2 and

3 “(3) the degree to which progress has been
4 made toward meeting the annual, measurable goals
5 and objectives described in the State application.

6 “(b) REPORTS FROM ELIGIBLE LOCAL EDU-
7 CATIONAL AGENCIES.—Each eligible local educational
8 agency receiving a grant under section 1603(c) shall pro-
9 vide an annual report to the Secretary. Such report shall
10 describe—

11 “(1) how such agency used the grant funds pro-
12 vided under this part;

13 “(2) the degree to which progress has been
14 made toward meeting the annual, measurable goals
15 and objectives described in the eligible local edu-
16 cational agency’s application; and

17 “(3) how the local educational agency coordi-
18 nated funds received under this part with other Fed-
19 eral, State, and local funds.

20 “(c) REPORT TO CONGRESS.—The Secretary shall
21 prepare and submit to Congress an annual report setting
22 forth the information provided to the Secretary pursuant
23 to subsections (a) and (b).

24 “(d) STUDY.—The Comptroller General of the United
25 States shall conduct a study regarding the impact of as-

1 assistance provided under this part on student achievement,
2 and shall submit such study to Congress.

3 **"SEC. 1608. AUTHORIZATION OF APPROPRIATIONS.**

4 "There are authorized to be appropriated to carry out
5 this part \$300,000,000 for fiscal year 2001 and such sums
6 as may be necessary for each of the 4 succeeding fiscal
7 years."

8 **PART G—GENERAL PROVISIONS**

9 **SEC. 181. FEDERAL REGULATIONS.**

10 Section 1701(b)(4) (20 U.S.C. 6511(b)(4)) (as redes-
11 ignated by section 161(2)) is amended by striking "July
12 1, 1995" and inserting "May 1, 2000".

13 **SEC. 182. STATE ADMINISTRATION.**

14 Section 1703 (20 U.S.C. 6513) (as redesignated by
15 section 161(2)) is amended by striking subsection (c).

16 **TITLE II—TEACHER AND PRIN-**
17 **CIPAL QUALITY, PROFES-**
18 **SIONAL DEVELOPMENT, AND**
19 **CLASS SIZE**

20 **SEC. 201. TEACHER AND PRINCIPAL QUALITY, PROFES-**
21 **SIONAL DEVELOPMENT, AND CLASS SIZE.**

22 Title II (20 U.S.C. 6601 et seq.) is amended to read
23 as follows:

1 **“TITLE II—TEACHER AND PRIN-**
2 **CIPAL QUALITY, PROFES-**
3 **SIONAL DEVELOPMENT, AND**
4 **CLASS SIZE**

5 **“SEC. 2001. PURPOSE.**

6 “The purpose of this title is to provide grants to
7 State educational agencies and local educational agencies
8 in order to assist their efforts to increase student academic
9 achievement through such strategies as improving teacher
10 and principal quality, increasing professional development,
11 and decreasing class size.

12 **“SEC. 2002. DEFINITIONS.**

13 “In this title:

14 “(1) **FULLY QUALIFIED.**—The term ‘fully quali-
15 fied’ means—

16 “(A) in the case of an elementary school
17 teacher (other than a teacher teaching in a pub-
18 lic charter school), a teacher who, at a
19 minimum—

20 “(i) has obtained State certification
21 (which may include certification obtained
22 through alternative means), or a State li-
23 cense, to teach in the State in which the
24 teacher teaches;

1 “(ii) holds a bachelor’s degree from
2 an institution of higher education; and

3 “(iii) demonstrates subject matter
4 knowledge, teaching knowledge, and the
5 teaching skills required to teach effectively
6 reading, writing, mathematics, science, so-
7 cial studies, and other elements of a liberal
8 arts education; and

9 “(B) in the case of a secondary school
10 teacher (other than a teacher teaching in a pub-
11 lic charter school), a teacher who, at a
12 minimum—

13 “(i) has obtained State certification
14 (which may include certification obtained
15 through alternative means), or a State li-
16 cense, to teach in the State in which the
17 teacher teaches;

18 “(ii) holds a bachelor’s degree from
19 an institution of higher education;

20 “(iii) demonstrates a high level of
21 competence in all subject areas in which
22 the teacher teaches through—

23 “(I) completion of an academic
24 major (or courses totaling an equiva-
25 lent number of credit hours) in each

1 of the subject areas in which the
2 teacher provides instruction; or

3 “(II) achievement of a high level
4 of performance in other professional
5 employment experience in subject
6 areas relevant to the subject areas in
7 which the teacher provides instruc-
8 tion; and

9 “(iv) achieves a high level of perform-
10 ance on rigorous academic subject area
11 tests administered by the State in which
12 the teacher teaches.

13 “(2) INSTITUTION OF HIGHER EDUCATION.—
14 The term ‘institution of higher education’ means an
15 institution of higher education, as defined in section
16 101 of the Higher Education Act of 1965, that—

17 “(A) has not been identified as low per-
18 forming under section 208 of the Higher Edu-
19 cation Act of 1965; and

20 “(B) is in full compliance with the public
21 reporting requirements described in section 207
22 of the Higher Education Act of 1965.

23 “(3) OUTLYING AREA.—The term ‘outlying
24 area’ means the United States Virgin Islands,

1 Guam, American Samoa, and the Commonwealth of
2 the Northern Mariana Islands.

3 “(4) POVERTY LINE.—The term ‘poverty line’
4 means the poverty line (as defined by the Office of
5 Management and Budget, and revised annually in
6 accordance with section 673(2) of the Community
7 Services Block Grant Act) applicable to a family of
8 the size involved, for the most recent year.

9 “(5) SCHOOL-AGE POPULATION.—The term
10 ‘school-age population’ means the population aged 5
11 through 17, as determined on the basis of the most
12 recent satisfactory data.

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

16 **“PART A—TEACHER AND PRINCIPAL QUALITY**
17 **AND PROFESSIONAL DEVELOPMENT**

18 **“SEC. 2011. PROGRAM AUTHORIZED.**

19 “(a) GRANTS AUTHORIZED.—The Secretary shall
20 award a grant, from allotments made under subsection
21 (b), to each State having a State plan approved under sec-
22 tion 2013, to enable the State to raise the quality of, and
23 provide professional development opportunities for, public
24 elementary school and secondary school teachers, prin-
25 cipals, and administrators.

1 “(b) RESERVATIONS AND ALLOTMENTS.—

2 “(1) RESERVATIONS.—From the amount appro-
3 priated under section 2023 to carry out this part for
4 each fiscal year, the Secretary shall reserve—

5 “(A) $\frac{1}{2}$ of 1 percent of such amount for
6 payments to the Bureau of Indian Affairs for
7 activities, approved by the Secretary, consistent
8 with this part;

9 “(B) $\frac{1}{2}$ of 1 percent of such amount for
10 payments to outlying areas, to be allotted in ac-
11 cordance with their respective needs as deter-
12 mined by the Secretary, for activities, approved
13 by the Secretary, consistent with this part; and

14 “(C) such sums as may be necessary to
15 continue to support any multiyear partnership
16 program award made under ^{Parts A, C, and D of} this title ~~and title~~
17 ^{title IV of} ~~the~~ and under the Goals 2000: Educate Amer-
18 ica Act (as such titles and Act were in effect on
19 the day preceding the date of enactment of the
20 Public Education Reinvestment, Reinvention,
21 and Responsibility Act) until the termination of
22 the multiyear award.

23 “(2) STATE ALLOTMENTS.—From the amount
24 appropriated under section 2023 for a fiscal year
25 and remaining after the Secretary makes reserva-

1 tions under paragraph (1), the Secretary shall allot
2 to each State having a State plan approved under
3 section 2013 the sum of—

4 “(A) an amount that bears the same rela-
5 tionship to 50 percent of the remainder as the
6 school-age population from families with in-
7 comes below the poverty line in the State bears
8 to the school-age population from families with
9 incomes below the poverty line in all States; and

10 “(B) an amount that bears the same rela-
11 tionship to 50 percent of the remainder as the
12 school-age population in the State bears to the
13 school-age population in all States.

14 “(c) STATE MINIMUM.—For any fiscal year, no State
15 shall be allotted under this section an amount that is less
16 than $\frac{1}{2}$ of 1 percent of the total amount allotted to all
17 States under subsection (b)(2).

18 “(d) HOLD-HARMLESS AMOUNTS.—For fiscal year
19 2001, notwithstanding subsection (b)(2), the amount al-
20 lotted to each State under this section shall be not less
21 than 100 percent of the total amount the State was allot-
22 ted under ^{Part B of} this title and title VI, and under section 304(b)
23 of the Goals 2000: Educate America Act (as such titles
24 and Act were in effect on the day preceding the date of
25 enactment of the Public Education Reinvestment, Re-

1 invention, and Responsibility Act) for the preceding fiscal
2 year.

3 “(e) RATABLE REDUCTIONS.—If the sums made
4 available under subsection (b)(2) for any fiscal year are
5 insufficient to pay the full amounts that all States are eli-
6 gible to receive under subsection (d) for such year, the
7 Secretary shall ratably reduce such amounts for such year.

8 **“SEC. 2012. WITHIN STATE ALLOCATION.**

9 “(a) IN GENERAL.—Each State educational agency
10 for a State receiving a grant under section 2011(a) shall—

11 “(1) set aside 10 percent of the grant funds to
12 award educator partnership grants under section
13 2021;

14 “(2) set aside not more than 5 percent of the
15 grant funds to carry out activities described the
16 State plan submitted under section 2013; and

17 “(3) using the remaining 85 percent of the
18 grant funds, make subgrants by allocating to each
19 local educational agency in the State the sum of—

20 “(A) an amount that bears the same rela-
21 tionship to 60 percent of the remainder as the
22 school-age population from families with in-
23 comes below the poverty line in the area served
24 by the local educational agency bears to the
25 school-age population from families with in-

1 comes below the poverty line in the area served
2 by all local educational agencies in the State;
3 and

4 “(B) an amount that bears the same rela-
5 tionship to 40 percent of the remainder as the
6 school-age population in the area served by the
7 local educational agency bears to the school-age
8 population in the area served by all local edu-
9 cational agencies in the State.

10 “(b) HOLD-HARMLESS AMOUNTS.—

11 “(1) FISCAL YEAR 2001.—For fiscal year 2001,
12 notwithstanding subsection (a), the amount allocated
13 to each local educational agency under this section
14 shall be not less than 100 percent of the total
15 amount the local educational agency was allocated
16 under this title and title VI, and under section 304
17 or 309 of the Goals 2000: Educate America Act (as
18 such titles and such Act were in effect on the day
19 preceding the date of enactment of the Public Edu-
20 cation Reinvestment, Reinvention, and Responsibility
21 Act) for fiscal year 2000.

22 “(2) FISCAL YEAR 2002.—For fiscal year 2002,
23 notwithstanding subsection (a), the amount allocated
24 to each local educational agency under this section
25 shall be not less than 85 percent of the amount allo-

1 cated to the local educational agency under this sec-
2 tion for fiscal year 2001.

3 “(3) FISCAL YEARS 2003–2005.—For each of fis-
4 cal years 2003 through 2005, notwithstanding sub-
5 section (a), the amount allocated to each local edu-
6 cational agency under this section shall be not less
7 than 70 percent of the amount allocated to the local
8 educational agency under this section for the pre-
9 vious fiscal year.

10 “(c) RATABLE REDUCTIONS.—If the sums made
11 available under subsection (a)(3) for any fiscal year are
12 insufficient to pay the full amounts that all local edu-
13 cational agencies are eligible to receive under subsection
14 (b) for such year, the State educational agency shall rat-
15 ably reduce such amounts for such year.

16 **“SEC. 2013. STATE PLANS.**

17 “(a) PLAN REQUIRED.—

✓ 18 “(1) IN GENERAL.—¹The State educational
19 agency for each State desiring a grant under this
20 part shall submit a State plan, developed in con-
21 sultation with the entity or agency, if other than the
22 State educational agency, that is responsible for
23 teacher certification or licensing in the State, to the
24 Secretary at such time, in such manner, and accom-

“(A) COMPREHENSIVE STATE PLAN.—

panied by such information as the Secretary may require, and

“(2) CONSOLIDATED PLAN.—A State plan submitted under paragraph (1) may be submitted as part of a consolidated plan under section 8302.

“(b) CONTENTS.—Each plan submitted under subsection (a) shall—

“(1) describe how the State is taking reasonable steps to—

“(A) reform teacher certification, recertification, or licensure requirements to ensure that—

“(i) teachers have the necessary teaching skills and academic content knowledge in the academic subjects in which the teachers are assigned to teach;

“(ii) such requirements are aligned with the challenging State content standards;

“(iii) teachers have the knowledge and skills necessary to help students meet the challenging State student performance standards;

“(iv) such requirements take into account the need, as determined by the

TEACHER CERTIFICATION OR LICENSURE. —
 (B) The entity, or agency, if other than the State educational agency, that is responsible for teacher certification or licensing in the State, shall develop, in consultation with the State educational agency, and submit to the State educational agency the portion(s) of the State plan described in (A) that address teacher certification or licensure.

1 State, for greater access to, and participa-
2 tion in, the teaching profession by individ-
3 uals from historically underrepresented
4 groups; and

5 “(v) teachers have the necessary tech-
6 nological skills to integrate more effectively
7 technology in the teaching of content re-
8 quired by State and local standards in all
9 academic subjects in which the teachers
10 provide instruction;

11 “(B) develop and implement rigorous test-
12 ing procedures for all teachers to ensure that
13 the teachers have teaching skills and academic
14 content knowledge necessary to teach effectively
15 the content called for by State and local stand-
16 ards in all academic subjects in which the
17 teachers provide instruction;

18 “(C) establish, expand, or improve alter-
19 native routes to State certification of teachers,
20 especially in the areas of mathematics and
21 science, for highly qualified individuals with a
22 baccalaureate degree, including mid-career pro-
23 fessionals from other occupations, paraprofes-
24 sionals, former military personnel, and recent
25 college or university graduates who have

1 records of academic distinction and who dem-
2 onstrate the potential to become highly effective
3 teachers;

4 “(D) reduce emergency teacher certifi-
5 cation;

6 “(E) develop and implement effective pro-
7 grams, and provide financial assistance, to as-
8 sist local educational agencies, elementary
9 schools, and secondary schools in effectively re-
10 cruiting and retaining fully qualified teachers
11 and principals, particularly in schools that have
12 the lowest proportion of fully qualified teachers
13 or the highest proportion of low-performing stu-
14 dents;

15 “(F) provide professional development pro-
16 grams that meet the requirements described in
17 section 2019;

18 “(G) provide programs that are designed
19 to assist new teachers during their first 3 years
20 of teaching, such as mentoring programs that—

21 “(i) provide mentoring to new teach-
22 ers from veteran teachers with expertise in
23 the same subject matter as the new teach-
24 ers are teaching;

1 “(ii) provide mentors time for activi-
2 ties such as coaching, observing, and as-
3 sisting teachers who are being mentored;
4 and

5 “(iii) use standards or assessments
6 that are consistent with the State’s student
7 performance standards and the require-
8 ments for professional development activi-
9 ties described in section 2019 in order to
10 guide the new teachers;

11 “(H) provide technical assistance to local
12 educational agencies in developing and imple-
13 menting activities described in section 2018;
14 and

15 “(I) ensure that programs in core aca-
16 demic subjects, particularly in mathematics and
17 science, will take into account the need for
18 greater access to, and participation in, such
19 core academic subjects by students from histori-
20 cally underrepresented groups, including fe-
21 males, minorities, individuals with limited
22 English proficiency, the economically disadvan-
23 taged, and individuals with disabilities, by in-
24 corporating pedagogical strategies and tech-

1 niques that meet such students' educational
2 needs;

3 “(2) describe the activities for which assistance
4 is sought under the grant, and how such activities
5 will improve students' academic achievement and
6 close academic achievement gaps of low-income, mi-
7 nority, and limited English proficient students;

8 “(3) describe how the State will establish an-
9 nual numerical performance objectives under section
10 2014 for improving the qualifications of teachers
11 and the professional development of teachers, prin-
12 cipals, and administrators;

13 “(4) contain an assurance that the State con-
14 sulted with local educational agencies, education-re-
15 lated community groups, nonprofit organizations,
16 parents, teachers, school administrators, local school
17 boards, institutions of higher education in the State,
18 and content specialists in establishing the perform-
19 ance objectives described in section 2014;

20 “(5) describe how the State will hold local edu-
21 cational agencies, elementary schools, and secondary
22 schools accountable for meeting the performance ob-
23 jectives described in section 2014 and for reporting
24 annually on the local educational agencies' and

1 schools' progress in meeting the performance objec-
2 tives;

3 “(6) describe how the State will ensure that a
4 local educational agency receiving a subgrant under
5 section 2012 will comply with the requirements of
6 this part;

7 “(7) provide an assurance that the State will
8 require each local educational agency, elementary
9 school, or secondary school receiving funds under
10 this part to report publicly the local educational
11 agency's or school's annual progress with respect to
12 the performance objectives described in section
13 2014; and

14 “(8) describe how the State will coordinate pro-
15 fessional development activities authorized under
16 this part with professional development activities
17 provided under other Federal, State, and local pro-
18 grams, including programs authorized under titles I
19 and III and, where appropriate, the Individuals with
20 Disabilities Education Act and the Carl D. Perkins
21 Vocational and Technical Education Act of 1998.

22 “(c) SECRETARY APPROVAL.—The Secretary shall,
23 using a peer review process, approve a State plan if the
24 plan meets the requirements of this section.

25 “(d) DURATION OF THE PLAN.—

1 “(1) IN GENERAL.—Each State plan shall—

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

4 “(B) be periodically reviewed and revised
5 by the State, as necessary, to reflect changes to
6 the State’s strategies and programs carried out
7 under this part.

8 “(2) ADDITIONAL INFORMATION.—If a State
9 receiving a grant under this part makes significant
10 changes to the State plan, such as the adoption of
11 new performance objectives, the State shall submit
12 information regarding the significant changes to the
13 Secretary.

14 **“SEC. 2014. PERFORMANCE OBJECTIVES.**

15 “(a) IN GENERAL.—Each State receiving a grant
16 under this part shall establish annual numerical perform-
17 ance objectives with respect to progress in improving the
18 qualifications of teachers and the professional development
19 of teachers, principals, and administrators. For each an-
20 nual numerical performance objective established, the
21 State shall specify an incremental percentage increase for
22 the objective to be attained for each of the fiscal years
23 for which the State receives a grant under this part, rel-
24 ative to the preceding fiscal year.

1 “(b) REQUIRED OBJECTIVES.—At a minimum, the
2 annual numerical performance objectives described in sub-
3 section (a) shall include an incremental increase in the
4 percentage of—

5 “(1) classes in core academic subjects that are
6 being taught by teachers who have degrees from in-
7 stitutions of higher education, and who are fully cer-
8 tified or licensed by the State in the academic sub-
9 jects that the teachers are assigned to teach;

10 “(2) new teachers^{and principals} receiving professional devel-
11 opment support, including mentoring^{for teachers}, during the
12 teachers' first 3 years of teaching;

13 “(3) teachers, principals, and administrators
14 participating in high quality professional develop-
15 ment programs that are consistent with section
16 2019; and

17 “(4) fully qualified teachers teaching in the
18 State, to ensure that all teachers teaching in such
19 State are fully qualified by December 31, 2005.

20 “(c) REQUIREMENT FOR FULLY QUALIFIED TEACH-
21 ERS.—Each State receiving a grant under this part shall
22 ensure that all public elementary school and secondary
23 school teachers in the State are fully qualified not later
24 than December 31, 2005.

25 “(d) ACCOUNTABILITY.—

1 “(1) IN GENERAL.—Each State receiving a
2 grant under this part shall be held accountable for—

3 “(A) meeting the State’s annual numerical
4 performance objectives; and

5 “(B) meeting the reporting requirements
6 described in section 4401.

7 “(2) SANCTIONS.—Any State that fails to meet
8 the requirement described in paragraph (1)(A) shall
9 be subject to sanctions under section 7001.

10 “(e) SPECIAL RULE.—Notwithstanding any other
11 provision of law, the provisions of subsection (e) shall not
12 supersede State laws governing public charter schools.

13 “(f) COORDINATION.—Each State that receives a
14 grant under this part and a grant under section 202 of
15 the Higher Education Act of 1965 shall coordinate the
16 activities the State carries out under such section 202 with
17 the activities the State carries out under this section.

18 **“SEC. 2015. OPTIONAL ACTIVITIES.**

19 “Each State receiving a grant under section 2011(a)
20 may use the grant funds—

21 “(1) to develop and implement a system to
22 measure the effectiveness of specific professional de-
23 velopment programs and strategies;

24 “(2) to increase the portability of teacher pen-
25 sions and reciprocity of teaching certification or li-

1 censure among States, except that no reciprocity
2 agreement developed under this section may lead to
3 the weakening of any State teacher certification or
4 licensing requirement;

5 “(3) to reform tenure systems;

6 “(4) to develop or assist local educational agen-
7 cies in the development and utilization of proven, in-
8 novative strategies to deliver intensive professional
9 development programs that are cost effective and
10 easily accessible, such as programs offered through
11 the use of technology and distance learning;

12 “(5) to provide assistance to local educational
13 agencies for the development and implementation of
14 innovative professional development programs that
15 train teachers to use technology to improve teaching
16 and learning and that are consistent with the re-
17 quirements of section 2019;

18 “(6) to provide professional development to en-
19 able teachers to ensure that female students, minor-
20 ity students, limited English proficient students, stu-
21 dents with disabilities, and economically disadvan-
22 taged students have the full opportunity to achieve
23 challenging State content and performance stand-
24 ards in the core academic subjects;

1 “(7) to increase the number of women, minori-
2 ties, and individuals with disabilities who teach in
3 the State and who are fully qualified and provide in-
4 struction in core academic subjects in which such in-
5 dividuals are underrepresented; and

6 “(8) to increase the number of highly qualified
7 women, minorities, and individuals from other
8 underrepresented groups who are involved in the ad-
9 ministration of elementary schools and secondary
10 schools within the State.

11 **“SEC. 2016. STATE ADMINISTRATIVE EXPENSES.**

12 “Each State receiving a grant under section 2011(a)
13 may use not more than 5 percent of the amount set aside
14 in section 2012(a)(2) for the cost of—

15 “(1) planning and administering the activities
16 described in section 2013(b); and

17 “(2) making subgrants to local educational
18 agencies under section 2012.

19 **“SEC. 2017. LOCAL PLANS.**

20 “(a) IN GENERAL.—Each local educational agency
21 desiring a grant from the State under section 2012(a)(3)
22 shall submit a local plan to the State educational agency—

23 “(1) at such time, in such manner, and accom-
24 panied by such information as the State educational
25 agency may require; and

1 “(2) that describes how the local educational
2 agency will coordinate the activities for which assist-
3 ance is sought under this part with other programs
4 carried out under this Act, or other Acts, as appro-
5 priate.

6 “(b) LOCAL PLAN CONTENTS.—The local plan de-
7 scribed in subsection (a) shall, at a minimum—

8 “(1) describe how the local educational agency
9 will use the grant funds to meet the State perform-
10 ance objectives for teacher qualifications and profes-
11 sional development described in section 2014;

12 “(2) describe how the local educational agency
13 will hold elementary schools and secondary schools
14 accountable for meeting the requirements described
15 in this part;

16 “(3) contain an assurance that the local edu-
17 cational agency will target funds to elementary
18 schools and secondary schools served by the local
19 educational agency that—

20 “(A) have the lowest proportion of fully
21 qualified teachers; and

22 “(B) are identified for school improvement
23 under section 1116;

24 “(4) describe how the local educational agency
25 will coordinate professional development activities

1 authorized under section 2018(a) with professional
2 development activities provided through other Fed-
3 eral, State, and local programs, including those au-
4 thorized under titles I and III and, where applicable,
5 the Individuals with Disabilities Education Act and
6 the Carl D. Perkins Vocational and Technical Edu-
7 cation Act of 1998; and

8 “(5) describe how the local educational agency
9 has collaborated with teachers, principals, parents,
10 and administrators in the preparation of the local
11 plan.

12 **“SEC. 2018. LOCAL ACTIVITIES.**

13 “(a) IN GENERAL.—Each local educational agency
14 receiving a grant under section 2012(a)(3) shall use the
15 grant funds to—

16 “(1) support professional development activities,
17 consistent with section 2019, for—

18 “(A) teachers, in at least the areas of
19 reading, mathematics, and science; and

20 “(B) teachers, principals, and administra-
21 tors in order to provide such individuals with
22 the knowledge and skills to provide ^{all} students, in-
23 cluding female students, minority [^]students, lim-
24 ited English proficient students, students with
25 disabilities, and economically disadvantaged stu-

1 dents, with the opportunity to meet challenging
2 State content and student performance stand-
3 ards;

4 “(2) provide professional development to teach-
5 ers, principals, and administrators to enhance the
6 use of technology within elementary schools and sec-
7 ondary schools in order to deliver more effective cur-
8 ricula instruction;

9 “(3) recruit and retain fully qualified teachers
10 and highly qualified principals, particularly for ele-
11 mentary schools and secondary schools located in
12 areas with high percentages of low-performing stu-
13 dents and students from families below the poverty
14 line;

15 “(4) recruit and retain fully qualified teachers
16 and high quality principals to serve in the elemen-
17 tary schools and secondary schools with the highest
18 proportion of low-performing students, such as
19 through—

20 “(A) mentoring programs for newly hired
21 teachers, including programs provided by mas-
22 ter teachers, and for newly hired principals; and

23 “(B) programs that provide other incen-
24 tives, including financial incentives, to retain—

1 “(i) teachers who have a record of
2 success in helping low-performing students
3 improve those students’ academic success;
4 and

5 “(ii) principals who have a record of
6 improving the performance of all students,
7 or significantly narrowing the gaps be-
8 tween minority students and nonminority
9 students, and economically disadvantaged
10 students and noneconomically disadvan-
11 taged students, within the elementary
12 schools or secondary schools served by the
13 principals; and

14 “(5) provide professional development that in-
15 corporates effective strategies, techniques, methods,
16 and practices for meeting the educational needs of
17 diverse groups of students, including female stu-
18 dents, minority students, students with disabilities,
19 limited English proficient students, and economically
20 disadvantaged students.

21 “(b) OPTIONAL ACTIVITIES.—Each local educational
22 agency receiving a grant under section 2012(a)(3) may
23 use the subgrant funds—

24 “(1) to provide a signing bonus or other finan-
25 cial incentive, such as differential pay for—

1 “(A) a teacher to teach in an academic
2 subject for which there exists a shortage of fully
3 qualified teachers within the elementary school
4 or secondary school in which the teacher teach-
5 es or within the elementary schools and sec-
6 ondary schools served by the local educational
7 agency; or

8 “(B) a highly qualified principal in a
9 school in which there is a large percentage of
10 children—

11 “(i) from low-income families; or

12 “(ii) with high percentages of low-per-
13 formance scores on State assessments;

14 “(2) to establish programs that—

15 “(A) recruit professionals into teaching
16 from other fields and provide such professionals
17 with alternative routes to teacher certification,
18 especially in the areas of mathematics, science,
19 and English language arts; and

20 “(B) provide increased teaching and ad-
21 ministration opportunities for fully qualified fe-
22 males, minorities, individuals with disabilities,
23 and other individuals underrepresented in the
24 teaching or school administration professions;

1 “(3) to establish programs and activities that
2 are designed to improve the quality of the teacher
3 and principal force, such as innovative professional
4 development programs (which may be provided
5 through partnerships, including partnerships with
6 institutions of higher education), and including pro-
7 grams that—

8 “(A) train teachers and principals to uti-
9 lize technology to improve teaching and learn-
10 ing; and

11 “(B) are consistent with the requirements
12 of section 2019;

13 “(4) for tenure reform;

14 “(5) to provide collaboratively designed per-
15 formance pay systems for teachers and principals
16 that encourage teachers and principals to work to-
17 gether to raise student performance;

18 “(6) to establish professional development pro-
19 grams that provide instruction in how to teach chil-
20 dren with different learning styles, particularly chil-
21 dren with disabilities and children with special learn-
22 ing needs (including children who are gifted and tal-
23 ented);

24 “(7) to establish professional development pro-
25 grams that provide instruction in how best to dis-

1 cipline children in the classroom, and to identify
2 early and appropriate interventions to help children
3 described in paragraph (6) learn;

4 “(8) to provide professional development pro-
5 grams that provide instruction in how to teach char-
6 acter education in a manner that—

7 “(A) reflects the values of parents, teach-
8 ers, and local communities; and

9 “(B) incorporates elements of good char-
10 acter, including honesty, citizenship, courage,
11 justice, respect, personal responsibility, and
12 trustworthiness;

13 “(9) to provide scholarships or other incentives
14 to assist teachers in attaining national board certifi-
15 cation;

16 “(10) to support activities designed to provide
17 effective professional development for teachers of
18 limited English proficient students; and

19 “(11) to establish other activities designed—

20 “(A) to improve professional development
21 for teachers, principals, and administrators that
22 are consistent with section 2019; and

23 “(B) to recruit and retain fully qualified
24 teachers and highly qualified principals.

1 “(c) ADMINISTRATIVE EXPENSES.—Each local edu-
2 cational agency receiving a grant under section 2012(a)(3)
3 may use not more than 1.5 percent of the grant funds
4 for any fiscal year for the cost of administering activities
5 under this part.

6 **“SEC. 2019. PROFESSIONAL DEVELOPMENT FOR TEACHERS.**

7 “(a) LIMITATION RELATING TO CURRICULUM AND
8 CONTENT AREAS.—

9 “(1) IN GENERAL.—Except as provided in para-
10 graph (2), a local educational agency may not use
11 grant funds allocated under section 2012(a)(3) to
12 support a professional development activity for a
13 teacher that is not—

14 “(A) directly related to the curriculum for
15 which and content areas in which the teacher
16 provides instruction; or

17 “(B) designed to enhance the ability of the
18 teacher to understand and use the State’s chal-
19 lenging content standards for the academic sub-
20 ject in which the teacher provides instruction.

21 “(2) EXCEPTION.—Paragraph (1) shall not
22 apply to professional development activities that pro-
23 vide instruction in methods of disciplining children.

1 “(b) PROFESSIONAL DEVELOPMENT ACTIVITY.—A
2 professional development activity carried out under this
3 part shall—

4 “(1) be measured, in terms of progress de-
5 scribed in section 2014(a), using the specific per-
6 formance indicators established by the State in ac-
7 cordance with section 2014;

8 “(2) be tied to challenging State or local con-
9 tent standards and student performance standards;

10 “(3) be tied to scientifically based research
11 demonstrating the effectiveness of such activities in
12 increasing student achievement or substantially in-
13 creasing the knowledge and teaching skills of teach-
14 ers;

15 “(4) be of sufficient intensity and duration
16 (such as not to include 1-day or short-term work-
17 shops and conferences) to have a positive and lasting
18 impact on teachers’ performance in the classroom,
19 except that this paragraph shall not apply to an ac-
20 tivity that is 1 component described in a long-term
21 comprehensive professional development plan estab-
22 lished by a teacher and the teacher’s supervisor, and
23 based upon an assessment of the needs of the teach-
24 er, the teacher’s students, and the local educational
25 agency;

1 “(5) be developed with extensive participation
2 of teachers, principals, parents, administrators, and
3 local school boards of elementary schools and sec-
4 ondary schools to be served under this part, and in-
5 stitutions of higher education in the State, and, with
6 respect to any professional development program de-
7 scribed in paragraph (6) or (7) of section 2018(b),
8 shall, if applicable, be developed with extensive co-
9 ordination with, and participation of, professionals
10 with expertise in such type of professional develop-
11 ment;

12 “(6) to the extent appropriate, provide training
13 for teachers regarding using technology and applying
14 technology effectively in the classroom to improve
15 teaching and learning concerning the curriculum and
16 academic content areas, in which those teachers pro-
17 vide instruction; and

18 “(7) be directly related to the content areas in
19 which the teachers provide instruction and the State
20 content standards.

21 “(c) ACCOUNTABILITY.—

22 “(1) IN GENERAL.—A State shall notify a local
23 educational agency that the agency may be subject
24 to the action described in paragraph (3) if, after any
25 fiscal year, the State determines that the programs

1 or activities funded by the agency under this part
2 fail to meet the requirements of subsections (a) and
3 (b).

4 “(2) TECHNICAL ASSISTANCE.—A local edu-
5 cational agency that has received notification pursu-
6 ant to paragraph (1) may request technical assist-
7 ance from the State and an opportunity for such
8 local educational agency to comply with the require-
9 ments of subsections (a) and (b).

10 “(3) STATE EDUCATIONAL AGENCY ACTION.—If
11 a State educational agency determines that a local
12 educational agency failed to carry out the local edu-
13 cational agency’s responsibilities under this section,
14 the State educational agency shall take such action
15 as the agency determines to be necessary, consistent
16 with this section, to provide, or direct the local edu-
17 cational agency to provide, high-quality professional
18 development for teachers, principals, and adminis-
19 trators.

20 **“SEC. 2020. PARENTS’ RIGHT TO KNOW.**

21 “Each local educational agency receiving a grant
22 under section 2012(a)(3) shall meet the reporting require-
23 ments with respect to teacher qualifications described in
24 section 4401(h).

1 **"SEC. 2021. STATE REPORTS AND GAO STUDY.**

2 “(a) STATE REPORTS.—Each State educational
3 agency receiving a grant under this part shall annually
4 provide a report to the Secretary describing—

5 “(1) the progress the State is making in in-
6 creasing the percentages of fully qualified teachers
7 in the State to ensure that all teachers are fully
8 qualified not later than December 31, 2005, includ-
9 ing information regarding—

10 “(A) the percentage increase over the pre-
11 vious fiscal year in the number of fully qualified
12 teachers teaching in elementary schools and
13 secondary schools served by local educational
14 agencies receiving funds under title I; and

15 “(B) the percentage increase over the pre-
16 vious fiscal year in the number of core classes
17 being taught by fully qualified teachers in ele-
18 mentary schools and secondary schools being
19 served under title I;

20 “(2) the activities undertaken by the State edu-
21 cational agency and local educational agencies in the
22 State to attract and retain fully qualified teachers,
23 especially in geographic areas and content subject
24 areas in which a shortage of such teachers exist; and

25 “(3) the approximate percentage of Federal,
26 State, local, and nongovernmental resources being

1 expended to carry out activities described in para-
2 graph (2).

3 “(b) GAO STUDY.—Not later than September 30,
4 2004, the Comptroller General of the United States shall
5 prepare and submit to the Committee on Education and
6 the Workforce of the House of Representatives and the
7 Committee on Health, Education, Labor, and Pensions of
8 the Senate a study setting forth information regarding the
9 progress of States’ compliance in increasing the percent-
10 age of fully qualified teachers, as defined in section
11 2002(1), for fiscal years 2000 through 2003.

12 **“SEC. 2021. EDUCATOR PARTNERSHIP GRANTS.**

13 “(a) SUBGRANTS.—

14 “(1) IN GENERAL.—A State receiving a grant
15 under section 2011(a) shall award subgrants, on a
16 competitive basis, from amounts made available
17 under section 2012(a)(1), to local educational agen-
18 cies, elementary schools, or secondary schools that
19 have formed educator partnerships, for the design
20 and implementation of programs that will enhance
21 professional development opportunities for teachers,
22 principals, and administrators, and will increase the
23 number of fully qualified teachers.

24 “(2) ALLOCATIONS.—A State awarding sub-
25 grants under this subsection shall allocate the

1 subgrant funds on a competitive basis and in a man-
2 ner that results in an equitable distribution of the
3 subgrant funds by geographic areas within the
4 State.

5 “(3) ADMINISTRATIVE EXPENSES.—Each edu-
6 cator partnership receiving a subgrant under this
7 subsection may use not more than 5 percent of the
8 subgrant funds for any fiscal year for the cost of
9 planning and administering programs under this sec-
10 tion.

11 “(b) EDUCATOR PARTNERSHIPS.—An educator part-
12 nership described in subsection (a) includes a cooperative
13 arrangement between—

14 “(1) a public elementary school or secondary
15 school (including a charter school), or a local edu-
16 cational agency; and

17 “(2) 1 or more of the following:

18 “(A) An institution of higher education.

19 “(B) An educational service agency.

20 “(C) A public or private not-for-profit edu-
21 cation organization.

22 “(D) A for-profit education organization.

23 “(E) An entity from outside the traditional
24 education arena, including a corporation or con-
25 sulting firm.

1 “(c) USE OF FUNDS.—An educator partnership re-
2 ceiving a subgrant under this section shall use the
3 subgrant funds for—

4 “(1) developing and enhancing of professional
5 development activities for teachers in core academic
6 subjects to ensure that the teachers have content
7 knowledge in the academic subjects in which the
8 teachers provide instruction;

9 “(2) developing and providing assistance to
10 local educational agencies and elementary schools
11 and secondary schools for sustained, high-quality
12 professional development activities for teachers, prin-
13 cipals, and administrators, that—

14 “(A) ensure that teachers, principals, and
15 administrators are able to use State content
16 standards, performance standards, and assess-
17 ments to improve instructional practices and
18 student achievement; and

19 “(B) may include intensive programs de-
20 signed to prepare a teacher who participates in
21 such a program to provide professional develop-
22 ment instruction to other teachers within the
23 participating teacher’s school;

1 “(3) increasing the number of fully qualified
2 teachers available to provide high-quality education
3 to limited English proficient students by—

4 “(A) working with institutions of higher
5 education that offer degree programs, to attract
6 more people into such programs, and to prepare
7 better new, English language teachers to pro-
8 vide effective language instruction to limited
9 English proficient students; and

10 “(B) supporting development and imple-
11 mentation of professional development pro-
12 grams for language instruction teachers to im-
13 prove the language proficiency of limited
14 English proficient students;

15 “(4) developing and implementing professional
16 development activities for principals and administra-
17 tors to enable the principals and administrators to
18 be effective school leaders and to improve student
19 achievement on challenging State content and stu-
20 dent performance standards, including professional
21 development relating to—

22 “(A) leadership skills;

23 “(B) recruitment, assignment, retention,
24 and evaluation of teachers and other staff;

1 “(C) effective instructional practices, in-
2 cluding the use of technology; and

3 “(D) parental and community involvement;
4 and

5 “(5) providing activities that enhance profes-
6 sional development opportunities for teachers, prin-
7 cipals, and administrators or will increase the num-
8 ber of fully qualified teachers.

9 “(d) APPLICATION REQUIRED.—Each educator part-
10 nership desiring a subgrant under this section shall submit
11 an application to the appropriate State educational agency
12 at such time, in such manner, and accompanied by such
13 information as the State educational agency may reason-
14 ably require.

15 “(e) COORDINATION.—Each educator partnership
16 that receives a subgrant under this section and a grant
17 under section 203 of the Higher Education Act of 1965
18 shall coordinate the activities carried out under such sec-
19 tion 203 with any related activities carried out under this
20 section.

21 **“SEC. 2023. AUTHORIZATION OF APPROPRIATIONS.**

22 “There are authorized to be appropriated to carry out
23 this part \$1,600,000,000 for fiscal year 2001 and such
24 sums as may be necessary for each of the 4 succeeding
25 fiscal years.

1 **“PART B—CLASS SIZE REDUCTION**

2 **“SEC. 2031. FINDINGS.**

3 “Congress makes the following findings:

4 “(1) Rigorous research has shown that students
5 attending small classes in the early grades make
6 more rapid educational gains than students in larger
7 classes, and that those gains persist through at least
8 the eighth grade.

9 “(2) The benefits of smaller classes are greatest
10 for lower-achieving, minority, poor, and inner-city
11 children, as demonstrated by a study that found that
12 urban fourth graders in smaller-than-average classes
13 were $\frac{3}{4}$ of a school year ahead of their counterparts
14 in larger-than-average classes.

15 “(3) Teachers in small classes can provide stu-
16 dents with more individualized attention, spend more
17 time on instruction and less time on other tasks, and
18 cover more material effectively, and are better able
19 to work with parents to further their children’s edu-
20 cation, than teachers in large classes.

21 “(4) Smaller classes allow teachers to identify
22 and work with students who have learning disabili-
23 ties sooner than is possible with larger classes, po-
24 tentially reducing those students’ needs for special
25 education services in the later grades.

1 “(5) The National Research Council report,
2 ‘Preventing Reading Difficulties in Young Children’,
3 recommends reducing class sizes, accompanied by
4 providing high-quality professional development for
5 teachers, as a strategy for improving student
6 achievement in reading.

7 “(6) Efforts to improve educational outcomes
8 by reducing class sizes in the early grades are likely
9 to be successful only if well-qualified teachers are
10 hired to fill additional classroom positions, and if
11 teachers receive intensive, ongoing professional de-
12 velopment.

13 “(7) Several States and school districts have
14 begun serious efforts to reduce class sizes in the
15 early elementary school grades, but those efforts
16 may be impeded by financial limitations or difficul-
17 ties in hiring highly qualified teachers.

18 “(8) The Federal Government can assist in
19 those efforts by providing funding for class size re-
20 ductions in grades 1 through 3, and by helping to
21 ensure that both new and current teachers who are
22 moving into smaller classrooms are well prepared.

1 **"SEC. 2032. PURPOSE.**

2 "The purpose of this part is to help States and local
3 educational agencies recruit, train, and hire 100,000 addi-
4 tional teachers in order to—

5 "(1) reduce nationally class size in grades 1
6 through 3 to an average of 18 students per regular
7 classroom; and

8 "(2) improve teaching in the early elementary
9 school grades so that all students can learn to read
10 independently and well by the end of the third
11 grade.

12 **"SEC. 2033. ALLOTMENTS TO STATES.**

13 "(a) RESERVATIONS FOR THE OUTLYING AREAS AND
14 THE BUREAU OF INDIAN AFFAIRS.—From the amount
15 appropriated under section 2042 for any fiscal year, the
16 Secretary shall reserve a total of not more than 1 percent
17 to make payments to—

18 "(1) outlying areas, on the basis of their respec-
19 tive needs, for activities, approved by the Secretary,
20 consistent with this part; and

21 "(2) the Secretary of the Interior for activities
22 approved by the Secretary of Education, consistent
23 with this part, in schools operated or supported by
24 the Bureau of Indian Affairs, on the basis of their
25 respective needs.

26 **"(b) ALLOTMENTS TO STATES.—**

1 “(1) IN GENERAL.—From the amount appro-
2 priated under section 2042 for a fiscal year and re-
3 maining after the Secretary makes reservations
4 under subsection (a), the Secretary shall make
5 grants by allotting to each State having a State ap-
6 plication approved under section 2034(c) an amount
7 that bears the same relationship to the remainder as
8 the greater of the amounts that the State received
9 in the preceding fiscal year under sections 1122 and
10 2202(b) (as such sections were in effect on the day
11 preceding the date of enactment of the Public Edu-
12 cation Reinvestment, Reinvention, and Rededication
13 Act) bears to the total of the greater amounts that
14 all States received under such sections for the pre-
15 ceding fiscal year.

16 “(2) RATABLE REDUCTION.—If the sums made
17 available under paragraph (1) for any fiscal year are
18 insufficient to pay the full amounts that all States
19 are eligible to receive under paragraph (1) for such
20 year, the Secretary shall ratably reduce such
21 amounts for such year.

22 “(3) REALLOTMENT.—If any State chooses not
23 to participate in the program carried out under this
24 part, or fails to submit an approvable application
25 under this part, the Secretary shall realLOT the

1 amount that such State would have received under
2 paragraphs (1) and (2) to States having applications
3 approved under section 2034(c), in accordance with
4 paragraphs (1) and (2).

5 **“SEC. 2034. APPLICATIONS.**

6 “(a) **APPLICATIONS REQUIRED.**—The State edu-
7 cational agency for each State desiring a grant under this
8 part shall submit an application to the Secretary at such
9 time, in such form, and containing such information as
10 the Secretary may require.

11 “(b) **CONTENTS.**—The application shall include—

12 “(1) a description of the State’s goals for using
13 funds under this part to reduce average class sizes
14 in regular classrooms in grades 1 through 3, includ-
15 ing a description of class sizes in those classrooms,
16 for each local educational agency in the State (as of
17 the date of submission of the application);

18 “(2) a description of how the State educational
19 agency will allocate program funds made available
20 through the grant within the State;

21 “(3) a description of how the State will use
22 other funds, including other Federal funds, to re-
23 duce class sizes and to improve teacher quality and
24 reading achievement within the State; and

1 “(4) an assurance that the State educational
2 agency will submit to the Secretary such reports and
3 information as the Secretary may reasonably re-
4 quire.

5 “(c) APPROVAL OF APPLICATIONS.—The Secretary
6 shall approve a State application submitted under this sec-
7 tion if the application meets the requirements of this sec-
8 tion and holds reasonable promise of achieving the purpose
9 of this part.

10 **“SEC. 2035. WITHIN-STATE ALLOCATIONS.**

11 “(a) ALLOCATIONS TO LOCAL EDUCATIONAL AGEN-
12 CIES.—Each State receiving a grant under this part for
13 any fiscal year may reserve not more than 1 percent of
14 the grant funds for the cost of administering this part
15 and, using the remaining funds, shall make subgrants by
16 allocating to each local educational agency in the State
17 the sum of—

18 “(1) an amount that bears the same relation-
19 ship to 80 percent of the remainder as the school-
20 age population from families with incomes below the
21 poverty line in the area served by the local edu-
22 cational agency bears to the school-age population
23 from families with incomes below the poverty line in
24 the area served by all local educational agencies in
25 the State; and

“(2) an amount that bears the same relationship to 20 percent of the remainder as the enrollment of the school-age population in public and private nonprofit elementary schools and secondary schools in the area served by the local educational agency bears to the enrollment of the school-age population in public and private nonprofit elementary schools and secondary schools in the area served by all local educational agencies in the State.

10 “(b) REALLOCATION.—If any local educational agen-
11 cy chooses not to participate in the program carried out
12 under this part, or fails to submit an approvable applica-
13 tion under this part, the State educational agency shall
14 reallocate the amount such local educational agency would
15 have received under subsection (a) to local educational
16 agencies having applications approved under section
17 2036(b), in accordance with subsection (a).

18 **“SEC. 2036. LOCAL APPLICATIONS.**

19 “(a) IN GENERAL.—Each local educational agency
20 desiring a subgrant under section 2035(a) shall submit an
21 application to the appropriate State educational agency at
22 such time, in such form, and containing such information
23 as the State educational agency may require, including a
24 description of the local educational agency’s program to

- 1 reduce class sizes by hiring additional highly qualified
- 2 teachers.

3 “(b) APPROVAL OF APPLICATIONS.—The State edu-
4 cational agency shall approve a local agency application
5 submitted under subsection (a) if the application meets
6 the requirements of subsection (a) and holds reasonable
7 promise of achieving the purpose of this part.

8 **"SEC. 2037. USES OF FUNDS.**

9 “(a) ADMINISTRATIVE EXPENSES.—Each local edu-
10 cational agency receiving a subgrant under section
11 2035(a) may use not more than 3 percent of the subgrant
12 funds for any fiscal year for the cost of administering this
13 part.

14 “(b) RECRUITMENT, TEACHER TESTING, AND PRO-
15 FESSIONAL DEVELOPMENT.—

16 “(1) IN GENERAL.—Each local educational
17 agency receiving subgrant funds under this section
18 shall use such subgrant funds to carry out effective
19 approaches to reducing class size with fully qualified
20 teachers who are certified within the State (includ-
21 ing teachers certified through State or local alter-
22 native routes) and who demonstrate competency in
23 the areas in which the teachers provide instruction,
24 to improve educational achievement for both regular
25 and special needs children, with particular consider-

1 ation given to reducing class size in the early ele-
2 mentary grades.

3 “(2) LOCAL ACTIVITIES.—

4 “(A) IN GENERAL.—Each local educational
5 agency receiving subgrant funds under this sec-
6 tion may use such subgrant funds for—

7 “(i) recruiting (including through the
8 use of signing bonuses, and other financial
9 incentives), hiring, and training fully quali-
10 fied regular and special education teachers
11 (which may include hiring special edu-
12 cation teachers to team-teach with regular
13 teachers in classrooms that contain both
14 children with disabilities and non-disabled
15 children) and teachers of special-needs
16 children, who are certified within the
17 State, including teachers who are certified
18 through State or local alternative routes,
19 have a bachelor’s degree, and demonstrate
20 the general knowledge, teaching skills, and
21 subject matter knowledge required to teach
22 in the content areas in which the teachers
23 provide instruction;

24 “(ii) testing new teachers for aca-
25 demic content knowledge and satisfaction

1 of State certification requirements con-
2 sistent with title II of the Higher Edu-
3 cation Act of 1965; and

4 “(iii) providing professional develop-
5 ment (which may include such activities as
6 promoting retention and mentoring) to
7 teachers, including special education teach-
8 ers and teachers of special-needs children,
9 in order to meet the goal of ensuring that
10 all instructional staff have the subject mat-
11 ter knowledge, teaching knowledge, and
12 teaching skills necessary to teach effec-
13 tively in the content area or areas in which
14 they provide instruction, consistent with
15 title II of the Higher Education Act of
16 1965.

17 “(B) LIMITATIONS.—

18 “(i) IN GENERAL.—Except as pro-
19 vided in clause (ii), a local educational
20 agency may use not more than a total of
21 25 percent of the award received under
22 this section for activities described in sub-
23 paragraph (A)(ii) and (iii).

24 “(ii) ED-FLEX.—

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1 “(I) WAIVER.—A local edu-
2 cational agency located in a State des-
3 ignated as an Ed-Flex Partnership
4 State under section 4(a)(1)(B) of the
5 Education Flexibility Partnership Act
6 of 1999, and in which 10 percent or
7 more of teachers in elementary
8 schools, as defined by section
9 8101(14), have not met applicable
10 State and local certification require-
11 ments (including certification through
12 State or local alternative routes), or if
13 such requirements have been waived,
14 may apply to the State educational
15 agency for a waiver that would permit
16 the agency to use more than 25 per-
17 cent of the funds it receives under this
18 section for activities described in sub-
19 paragraph (A)(iii) for the purpose of
20 helping teachers to become certified.

21 “(II) APPROVAL.—If the State
22 educational agency approves the local
23 educational agency’s application for a
24 waiver under subclause (I), the local
25 educational agency may use the funds

1 subject to the waiver for activities de-
2 scribed in subparagraph (A)(iii) that
3 are needed to ensure that at least 90
4 percent of the teachers in elementary
5 schools within the State are certified.

6 “(C) ADDITIONAL USES.—

7 “(i) IN GENERAL.—A local edu-
8 cational agency that has already reduced
9 class size in the early grades to 18 or less
10 children (or has already reduced class size
11 to a State or local class size reduction goal
12 that was in effect on the day before the en-
13 actment of the Department of Education
14 Appropriations Act, 2000, if that State or
15 local educational agency goal is 20 or
16 fewer children) may use funds received
17 under this section—

18 “(I) to make further class size
19 reductions in grades kindergarten
20 through 3;

21 “(II) to reduce class size in other
22 grades; or

23 “(III) to carry out activities to
24 improve teacher quality, including
25 professional development.

1 “(ii) PROFESSIONAL DEVELOP-
2 MENT.—If a local educational agency has
3 already reduced class size in the early
4 grades to 18 or fewer children and intends
5 to use funds provided under this Part to
6 carry out professional development activi-
7 ties, including activities to improve teacher
8 quality, then the State shall make the
9 award under section 2035 to the local edu-
10 cational agency.

11 “(c) SPECIAL RULE.—Notwithstanding subsection
12 (b), if the award to a local educational agency under sec-
13 tion 2035 is less than the starting salary for a new fully
14 qualified teacher teaching in a school served by that agen-
15 cy, and such teacher is certified within the State (which
16 may include certification through State or local alternative
17 routes), has a bachelor’s degree, and demonstrates the
18 general knowledge, teaching skills, and subject matter
19 knowledge required to teach in the content areas the
20 teacher is assigned to provide instruction, then the agency
21 may use grant funds under this part to—

22 “(1) help pay the salary of a full- or part-time
23 teacher hired to reduce class size, which may be in
24 combination with other Federal, State, or local
25 funds; or

1 “(2) pay for activities described in subsection
2 (b), which may be related to teaching in smaller
3 classes.

4 **“SEC. 2038. PRIVATE SCHOOLS.**

5 “If a local educational agency uses funds made avail-
6 able under this Part for professional development activi-
7 ties, the local educational agency shall ensure the equitable
8 participation of private nonprofit elementary schools and
9 secondary schools in such activities.

10 **“SEC. 2039. TEACHER SALARIES AND BENEFITS.**

11 “ A local educational agency may use grant funds
12 provided under this part—

13 “(1) except as provided in paragraph (2), to in-
14 crease the salaries of, or provide benefits (other than
15 participation in professional development and enrich-
16 ment programs) to, teachers only if such teachers
17 were hired under this part; and

18 “(2) to pay the salaries of teachers hired under
19 section 307 of the Department of Education Appro-
20 priations Act of 1999 who, not later than the begin-
21 ning of the 2001-2002 school year, are fully quali-
22 fied, as defined in section 2002(1).

23 **“SEC. 2040. STATE REPORT REQUIREMENTS.**

24 “(a) **REPORT ON ACTIVITIES.**—A State educational
25 agency receiving funds under this part shall submit a re-

1 port to the Secretary providing information about the ac-
2 tivities in the State assisted under this part.

3 “(b) REPORT TO PARENTS.—Each State educational
4 agency and local educational agency receiving funds under
5 this part shall publicly issue a report to parents of children
6 who attend schools assisted under this part describing—

7 “(1) the agency’s progress in reducing class
8 size;

9 “(2) the agency’s progress in increasing the
10 percentage of classes in core academic areas that are
11 taught by fully qualified teachers who are certified
12 within the State and demonstrate competency in the
13 content areas in which the teachers provide instruc-
14 tion; and

15 “(3) the impact, if any, that hiring additional
16 highly qualified teachers and reducing class size has
17 had on increasing student academic achievement in
18 schools served by the agency.

19 “(c) PROFESSIONAL QUALIFICATIONS REPORT.—
20 Upon the request of a parent of a child attending a school
21 receiving assistance under this part, such school shall pro-
22 vide the parent with information regarding the profes-
23 sional qualifications of their child’s teacher.

1 **"SEC. 2041. SUPPLEMENT NOT SUPPLANT.**

2 "Each local educational agency receiving grant funds
3 under this part shall use such funds only to supplement,
4 and not to supplant, State and local funds that, in the
5 absence of such funds, would otherwise be spent for activi-
6 ties under this part.

7 **"SEC. 2042. AUTHORIZATION OF APPROPRIATIONS.**

8 "For the purpose of carrying out this part, there are
9 authorized to be appropriated \$1,400,000,000 for fiscal
10 year 2001, and such sums as may be necessary for each
11 of the 4 succeeding fiscal years."

12 **TITLE III—LANGUAGE MINORITY**
13 **STUDENTS AND INDIAN, NA-**
14 **TIVE HAWAIIAN, AND ALASKA**
15 **NATIVE EDUCATION**

16 **SEC. 301. LANGUAGE MINORITY STUDENTS.**

17 Title III (20 U.S.C. 6801 et seq.) is amended—

18 (1) by amending the heading for title III to
19 read as follows:

20 **"TITLE III—LANGUAGE MINOR-**
21 **ITY STUDENTS AND INDIAN,**
22 **NATIVE HAWAIIAN, AND ALAS-**
23 **KA NATIVE EDUCATION";**

24 (2) by repealing section 3101 (20 U.S.C. 6801)
25 and part A (20 U.S.C. 6811 et seq.); and

1 (3) by inserting after the heading for title III
2 (as amended by paragraph (1)) the following:

3 **“Subtitle A—Language Minority**
4 **Students**

5 **“SEC. 3101. FINDINGS, POLICY, AND PURPOSE.**

6 “(a) FINDINGS.—Congress makes the following find-
7 ings:

8 “(1)(A) Educating limited English proficient
9 students is an urgent goal for many local edu-
10 cational agencies, but that goal is not being
11 achieved.

12 “(B) Each year, 640,000 limited English pro-
13 ficient students are not served by any sort of pro-
14 gram targeted to the students’ unique needs.

15 “(C) In 1998, only 15 percent of local edu-
16 cational agencies that applied for funding under en-
17 hancement grants and comprehensive school grants
18 received such funding.

19 “(2)(A) The school dropout rate for Hispanic
20 students, the largest group of limited English pro-
21 ficient students, is approximately 25 percent, and is
22 approximately 46 percent for Hispanic students born
23 outside of the United States.

24 “(B) A United States Department of Education
25 report regarding school dropout rates states that

1 language difficulty 'may be a barrier to participation
2 in United States schools'.

3 "(C) Reading ability is a key predictor of grad-
4 uation and academic success.

5 "(3) Through fiscal year 1999, bilingual edu-
6 cation capacity and demonstration grants—

7 "(A) have spread funding too broadly to
8 make an impact on language instruction edu-
9 cational programs implemented by State edu-
10 cational agencies and local educational agencies;
11 and

12 "(B) have lacked concrete performance
13 measures.

14 "(4)(A) Since 1979, the number of limited
15 English proficient children in schools in the United
16 States has doubled, and demographic trends indicate
17 the population of limited English proficient children
18 will continue to increase.

19 "(B) Language-minority Americans speak vir-
20 tually all world languages plus many that are indige-
21 nous to the United States.

22 "(C) The rich linguistic diversity language-mi-
23 nority students bring to America's classrooms en-
24 hances the learning environment for all students and

1 should be valued for the significant, positive impact
2 such diversity has on the entire school environment.

3 “(D) Parent and community participation in
4 educational language programs for limited English
5 proficient students contributes to program effective-
6 ness.

7 “(E) The Federal Government, as reflected in
8 title VI of the Civil Rights Act of 1964 (42 U.S.C.
9 2000d et seq.) and section 204(f) of the Equal Edu-
10 cation Opportunities Act of 1974 (20 U.S.C. 1703),
11 has a special and continuing obligation to ensure
12 that States and local educational agencies take ap-
13 propriate action to provide equal educational oppor-
14 tunities to limited English proficient children and
15 youth.



16 “(F) The Federal Government also, as exempli-
17 fied by programs authorized under ^{this title} ~~title VII~~ (as such
18 ~~title was in effect on the day preceding the date of~~
19 ~~enactment of the Public Education Reinvestment~~
20 ~~Reinvention and Responsibility Act~~), has a special
21 and continuing obligation to assist States and local
22 educational agencies to develop the capacity to pro-
23 vide programs of instruction that offer limited
24 English proficient children and youth equal edu-
25 cational opportunities.

1 “(5) Limited English proficient children and
2 youth face a number of challenges in receiving an
3 education that will enable them to participate fully
4 in American society, including—

5 “(A) disproportionate attendance in high-
6 poverty schools, as demonstrated by the fact
7 that, in 1994, 75 percent of limited English
8 proficient students attended schools in which as
9 least half of all students were eligible for free
10 or reduced-price meals;

11 “(B) the limited ability of parents of such
12 children and youth to participate fully in the
13 education of their children because of the par-
14 ents’ own limited English proficiency;

15 “(C) a shortage of teachers and other staff
16 who are professionally trained and qualified to
17 serve such children and youth; and

18 “(D) lack of appropriate performance and
19 assessment standards that distinguish between
20 language and academic achievement so that
21 there is equal accountability on the part of
22 State educational agencies and local educational
23 agencies for the achievement of limited English
24 proficient students in academic content while
25 acquiring English language skills.

1 “(b) POLICY.—Congress declares it to be the policy
2 of the United States that in order to ensure equal edu-
3 cational opportunity for all children and youth, and to pro-
4 mote educational excellence, the Federal Government
5 should—

6 “(1) assist State educational agencies, local
7 educational agencies, and community-based organi-
8 zations to build their capacity to establish, imple-
9 ment, and sustain programs of instruction and
10 English language development for children and
11 youth of limited English proficiency;

12 “(2) hold State educational agencies and local
13 educational agencies accountable for increases in
14 English proficiency and core content knowledge
15 among limited English proficient students; and

16 “(3) promote parental and community partici-
17 pation in limited English proficiency programs.

18 “(c) PURPOSE.—The purpose of this subtitle is to as-
19 sist all limited English proficient students so that those
20 students can achieve proficiency in core academic content,
21 meet the same rigorous standards for academic perform-
22 ance expected of all elementary school and secondary
23 school students, and succeed in our Nation’s society, by—

24 “(1) streamlining existing language instruction
25 programs into a performance-based grant for State

1 and local educational agencies to help limited
2 English proficient students become proficient in
3 English;

4 “(2) increasing significantly the amount of Fed-
5 eral assistance to local educational agencies serving
6 such students while requiring that State educational
7 agencies and local educational agencies demonstrate
8 annual improvements in the English proficiency of
9 such students from the preceding fiscal year; and

10 “(3) providing State educational agencies and
11 local educational agencies with the flexibility to im-
12 plement instructional programs based on scientific
13 research that the agencies believe to be the most ef-
14 fective for teaching English.

15 **“SEC. 3102. DEFINITIONS.**

16 “Except as otherwise provided, for purposes of this
17 subtitle:

18 “(1) LIMITED ENGLISH PROFICIENT STU-
19 DENT.—The term ‘limited English proficient stu-
20 dent’ means an individual aged 5 through 17 en-
21 rolled in an elementary school or secondary school—

22 “(A) who—

23 “(i) was not born in the United States
24 or whose native language is a language
25 other than English; or

1 “(ii) is a Native American or Alaska
2 Native, or who is a native resident of the
3 outlying areas and comes from an environ-
4 ment where a language other than English
5 has had a significant impact on such indi-
6 vidual’s level of English language pro-
7 ficiency; or

8 “(iii) is migratory and whose native
9 language is other than English, and who
10 comes from an environment where a lan-
11 guage other than English is dominant; and

12 “(B) who has sufficient difficulty speaking,
13 reading, writing, or understanding the English
14 language, and whose difficulties may deny such
15 individual the opportunity to learn successfully
16 in classrooms where the language of instruction
17 is English or to participate fully in our society.

18 “(2) LANGUAGE INSTRUCTION EDUCATIONAL
19 PROGRAM.—The term ‘language instruction edu-
20 cational program’ means an instructional course in
21 which a limited English proficient student is placed
22 for the purpose of becoming proficient in the
23 English language.

24 “(3) SPECIALLY QUALIFIED AGENCY.—The
25 term ‘specially qualified agency’ means a local edu-

1 cational agency in a State that does not participate
2 in a program under this subtitle for a fiscal year.

3 “(4) STATE.—The term ‘State’ means each of
4 the several States of the United States, the District
5 of Columbia, and the Commonwealth of Puerto Rico.

6 **“SEC. 3103. PROGRAM AUTHORIZED.**

7 “(a) GRANTS AUTHORIZED.—The Secretary shall
8 award grants, from allotments under subsection (b), to
9 each State having a State plan approved under section
10 3105(c), to enable the State to help limited English pro-
11 ficient students become proficient in English.

12 “(b) RESERVATIONS AND ALLOTMENTS.—

13 “(1) RESERVATIONS.—From the amount appro-
14 priated under section 3110 to carry out this subtitle
15 for each fiscal year, the Secretary shall reserve—

16 “(A) $\frac{1}{2}$ of 1 percent of such amount for
17 payments to the Secretary of the Interior for
18 activities approved by the Secretary, consistent
19 with this subtitle, in schools operated or sup-
20 ported by the Bureau of Indian Affairs, on the
21 basis of their respective needs for assistance
22 under this subtitle; and

23 “(B) $\frac{1}{2}$ of 1 percent of such amount for
24 payments to outlying areas, to be allotted in ac-
25 cordance with their respective needs as deter-

1 mined by the Secretary, for activities, approved
2 by the Secretary, consistent with this subtitle.

3 “(2) STATE ALLOTMENTS.—From the amount
4 appropriated under section 3110 for any of the fiscal
5 years 2001 through 2005 that remains after making
6 reservations under paragraph (1), the Secretary
7 shall allot to each State having a State plan ap-
8 proved under section 3105(c) an amount that bears
9 the same relationship to the remainder as the num-
10 ber of limited English proficient students in the
11 State bears to the number of limited English pro-
12 ficient students in all States.

13 “(3) DATA.—For the purpose of determining
14 the number of limited English proficient students in
15 a State and in all States for each fiscal year, the
16 Secretary shall use—

17 “(A) data available from the Bureau of the
18 Census; and

19 “(B) data submitted to the Secretary by
20 the States to determine the number of limited
21 English proficient students in a State and in all
22 States.

23 “(4) HOLD-HARMLESS AMOUNTS.—For fiscal
24 year 2001, and for each of the 4 succeeding fiscal
25 years, notwithstanding paragraph (2), the total

1 amount allotted to each State under this subsection
2 shall be not less than 85 percent of the total amount
3 the State was allotted under ^{parts A and B of} title VII (as such title
4 was in effect on the day preceding the date of enact-
5 ment of the Public Education Reinvestment, Re-
6 invention, and Responsibility Act).

7 “(c) DIRECT AWARDS TO SPECIALLY QUALIFIED
8 AGENCIES.—

9 “(1) NON-PARTICIPATING STATE.—If a State
10 educational agency for a fiscal year elects not to par-
11 ticipate in a program under this subtitle, or does not
12 have an application approved under section 3105(c),
13 a specially qualified agency in such State desiring a
14 grant under this subtitle for the fiscal year shall
15 apply directly to the Secretary to receive a grant
16 under this subsection.

17 “(2) DIRECT AWARDS.—The Secretary may
18 award, on a competitive basis, the amount the State
19 educational agency is eligible to receive under sub-
20 section (b)(2) directly to specially qualified agencies
21 in the State desiring a grant under paragraph (1)
22 and having an application approved under section
23 3105(c).

24 “(3) ADMINISTRATIVE FUNDS.—A specially
25 qualified agency that receives a direct grant under



1 this subsection may use not more than 1 percent of
2 the grant funds for the administrative costs of car-
3 rying out this subtitle in the first year the agency
4 receives a grant under this subsection and 0.5 per-
5 cent for such costs in the second and each suc-
6 ceeding such year.

7 **“SEC. 3104. WITHIN-STATE ALLOCATIONS.**

8 “(a) GRANT AWARDS.—Each State educational agen-
9 cy receiving a grant under section 3103(a) shall use 95
10 percent of the grant funds to award subgrants, from allot-
11 ments under subsection (b), to local educational agencies
12 in the State to carry out the activities described in section
13 3107.

14 “(b) ALLOTMENT FORMULA.—Each State edu-
15 cational agency receiving a grant under this subtitle shall
16 award a grant to each local educational agency in the
17 State having a plan approved under section 3106 in an
18 amount that bears the same relationship to the amount
19 of funds appropriated under section 3110 as the school-
20 age population of limited English proficient students in
21 schools served by the local educational agency bears to the
22 school-age population of limited English proficient stu-
23 dents in schools served by all local educational agencies
24 in the State.

25 “(c) RESERVATIONS.—

1 “(1) STATE ACTIVITIES.—Each State edu-
2 cational agency receiving a grant under this subtitle
3 may reserve not more than 5 percent of the grant
4 funds to carry out activities described in the State
5 plan submitted under section 3105.

6 “(2) ADMINISTRATIVE EXPENSES.—From the
7 amount reserved under paragraph (1), a State edu-
8 cational agency may use not more than 2 percent for
9 the planning costs and administrative costs of car-
10 rying out the activities described in the State plan
11 and providing grants to local educational agencies.

12 **“SEC. 3105. STATE AND SPECIALLY QUALIFIED AGENCY**
13 **PLAN.**

14 “(a) PLAN REQUIRED.—Each State educational
15 agency and specially qualified agency desiring a grant
16 under this subtitle shall submit a plan to the Secretary
17 at such time, in such manner and accompanied by such
18 information as the Secretary may require.

19 “(b) CONTENTS.—Each State plan submitted under
20 subsection (a) shall—

21 “(1) describe how the State or specially quali-
22 fied agency will—

23 “(A) establish standards and benchmarks
24 for English language development that are

1 aligned with the State content and student per-
2 formance standards described in section 1111;

3 “(B) develop high-quality, annual assess-
4 ments to measure English language proficiency,
5 including proficiency in the 4 recognized do-
6 mains of speaking, listening, reading, and writ-
7 ing; and

8 “(C) develop annual performance objec-
9 tives, based on the English language develop-
10 ment standards described in subparagraph (A),
11 to raise the level of English proficiency of each
12 limited English proficient student;

13 “(2) contain an assurance that the State edu-
14 cational agency or specially qualified agency con-
15 sulted with local educational agencies, education-re-
16 lated community groups and nonprofit organizations,
17 parents, teachers, school administrators, and
18 English language instruction specialists, in the set-
19 ting of the performance objectives;

20 “(3) describe how—

21 “(A) in the case of a State educational
22 agency, the State educational agency will hold
23 local educational agencies and elementary
24 schools and secondary schools accountable for—

1 “(i) meeting the English proficiency
2 performance objectives described in section
3 3109; and

4 “(ii) making adequate yearly progress
5 with limited English proficient students in
6 the ^{subject} areas of ~~mathematics and science~~ ^{core content knowledge} as
7 described in section 1111; and

8 “(B) in the case of a specially qualified
9 agency, the agency will hold elementary schools
10 and secondary schools accountable for meeting
11 the ^{English proficiency} performance objectives; ^{described in section 3109; and}

12 “(4) describe the activities for which assistance
13 is sought, and how the activities will increase the
14 speed and effectiveness with which students learn
15 English;

16 “(5) in the case of a State educational agency,
17 describe how local educational agencies in the State
18 will be given the flexibility to teach English—

19 “(A) using language instruction curriculum
20 that is scientifically research based; and

21 “(B) in the manner the local educational
22 agencies determine to be the most effective; and

23 “(6) describe how—

24 “(A) in the case of a State educational
25 agency, the State educational agency will pro-

making adequate
yearly progress
with limited
English proficie
students in
the areas of
mathematics
and science as
described in
Section 1111
of core
content knowledge
subject
areas as
described
in Section 1111.

1 vide technical assistance to local educational
2 agencies and elementary schools and secondary
3 schools for the purposes of identifying and im-
4 plementing English language instruction edu-
5 cational programs and curricula that are sci-
6 entifically research based; and

7 “(B) in the case of a specially qualified
8 agency, the specially qualified agency will pro-
9 vide technical assistance to elementary schools
10 and secondary schools served by the specially
11 qualified agency for the purposes of identifying
12 and implementing English language instruction
13 educational programs and curricula that are
14 scientifically research based.

15 “(c) APPROVAL.—The Secretary, using a peer review
16 process, shall approve a State plan or a specially qualified
17 agency plan if the plan meets the requirements of this sec-
18 tion, and holds reasonable promise of achieving the pur-
19 pose described in section 3101(c).

20 “(d) DURATION OF THE PLAN.—

21 “(1) IN GENERAL.—Each State plan or spe-
22 cially qualified agency plan shall—

23 “(A) remain in effect for the duration of
24 the State’s or specially qualified agency’s par-
25 ticipation under this subtitle; and;

1 “(B) be periodically reviewed and revised
2 by the State or specially qualified agency, as
3 necessary, to reflect changes in the State’s or
4 specially qualified agency’s strategies and pro-
5 grams under this subtitle.

6 “(2) ADDITIONAL INFORMATION.—If the State
7 educational agency or specially qualified agency
8 makes significant changes in its plan, such as the
9 adoption of new performance objectives or assess-
10 ment measures, the State educational agency or spe-
11 cially qualified agency shall submit such information
12 to the Secretary.

13 “(e) CONSOLIDATED PLAN.—A State plan submitted
14 under subsection (a) may be submitted as part of a con-
15 solidated plan under section 8302.

16 “(f) SECRETARY ASSISTANCE.—Pursuant to section
17 7004(a)(3), the Secretary shall provide assistance, if re-
18 quired, in the development of English language develop-
19 ment standards and English language proficiency assess-
20 ments.

21 **“SEC. 3106. LOCAL PLANS.**

22 “(a) PLAN REQUIRED.—Each local educational agen-
23 cy desiring a grant from the State educational agency
24 under section 3104(a) shall submit a plan to the State
25 educational agency at such time, in such manner, and ac-

1 compared by such information as the State educational
2 agency may require.

3 “(b) CONTENTS.—Each local educational agency plan
4 submitted under subsection (a) shall—

5 “(1) describe how the local educational agency
6 shall use the grant funds to meet the English pro-
7 ficiency performance objective described in section
8 3109;

9 “(2) describe how the local educational agency
10 will hold elementary schools and secondary schools
11 accountable for meeting the performance objectives;

12 “(3) contain an assurance that the local edu-
13 cational agency consulted with elementary schools
14 and secondary schools, education-related community
15 groups and nonprofit organizations, institutions of
16 higher education, parents, language instruction
17 teachers, school administrators, and English lan-
18 guage instruction specialists, in developing the local
19 educational agency plan; and

20 “(4) contain an assurance that the local edu-
21 cational agency will use the disaggregated results of
22 the student assessments required under section
23 1111(b)(4), and other measures or indicators avail-
24 able to the agency, to review annually the progress
25 of each school served by the agency under this part

1 and under title I to determine whether the schools
2 are making the annual progress necessary to ensure
3 that limited English proficient students attending
4 the schools will meet the proficient State content
5 and student performance standard within 10 years
6 of enactment of the Public Education Reinvestment,
7 Reinvention, and Responsibility Act.

8 **“SEC. 3107. USES OF FUNDS.**

9 “(a) ADMINISTRATIVE EXPENSES.—Each local edu-
10 cational agency receiving a grant under section 3104 may
11 use not more than 1 percent of the grant funds for any
12 fiscal year for the cost of administering this subtitle.

13 “(b) ACTIVITIES.—Each local educational agency re-
14 ceiving grant funds under section 3104 shall use the grant
15 funds that are not used under subsection (a)—

16 “(1) to increase limited English proficient stu-
17 dents’ proficiency in English by providing high-qual-
18 ity English language instruction programs, such as
19 bilingual education programs and transitional edu-
20 cation or English immersion education programs,
21 that are—

22 “(A) tied to scientifically based research
23 demonstrating the effectiveness of the programs
24 in increasing English proficiency; and

1 “(B) approved by the State educational
2 agency;

3 “(2) to provide high-quality professional devel-
4 opment activities for teachers of limited English pro-
5 ficient students that are—

6 “(A) designed to enhance the ability of
7 such teachers to understand and use curricula,
8 assessment measures, and instructional strate-
9 gies for limited English proficient students;

10 “(B) tied to scientifically based research
11 demonstrating the effectiveness of such pro-
12 grams in increasing students’ English pro-
13 ficiency or substantially increasing the knowl-
14 edge and teaching skills of such teachers; and

15 “(C) of sufficient intensity and duration
16 (such as not to include 1-day or short-term
17 workshops and conferences) to have a positive
18 and lasting impact on the teacher’s perform-
19 ance in the classroom, except that this para-
20 graph shall not apply to an activity that is 1
21 component of a long-term, comprehensive pro-
22 fessional development plan established by a
23 teacher and the teacher’s supervisor based upon
24 an assessment of the teacher’s and supervisor’s

1 needs, the student's needs, and the needs of the
2 local educational agency;

3 "(3) to identify, acquire, and upgrade curricula,
4 instructional materials, educational software, and as-
5 sessment procedures; and

6 "(4) to provide parent and community partici-
7 pation programs to improve English language in-
8 struction programs for limited English proficient
9 students.

10 **"SEC. 3108. PROGRAM REQUIREMENTS.**

11 "(a) PROHIBITION.—In carrying out this subtitle the
12 Secretary shall neither mandate nor preclude a particular
13 curricular or pedagogical approach to educating limited
14 English proficient students.

15 "(b) SOCIAL PROMOTION REFORMS.—The results of
16 English proficiency determinations under this subtitle
17 shall not be taken into consideration for purposes of social
18 promotion reform plans described in title I.

19 "(c) TEACHER ENGLISH FLUENCY.—Each local edu-
20 cational agency receiving grant funds under section 3104
21 shall certify to the State educational agency that all teach-
22 ers in any language instruction program for limited
23 English proficient students funded under this subtitle are
24 fluent in English.

1 **"SEC. 3109. PERFORMANCE OBJECTIVES.**

2 “(a) IN GENERAL.—Each State educational agency
3 or specifically qualified agency receiving a grant under this
4 subtitle shall develop annual numerical performance objec-
5 tives with respect to helping limited English proficient stu-
6 dents become proficient in English. The objectives shall
7 include incremental percentage increases for each fiscal
8 year a State receives a grant under this subtitle, including
9 increases in the number of limited English proficient stu-
10 dents demonstrating an increase in performance on annual
11 assessments in reading, writing, speaking, and listening
12 comprehension, from the preceding fiscal year.

13 “(b) ACCOUNTABILITY.—Each State educational
14 agency or specially qualified agency receiving a grant
15 under this subtitle shall be held accountable for meeting
16 the annual numerical performance objectives under this
17 subtitle and the adequate yearly progress levels for limited
18 English proficient students under section
19 1111(b)(2)(B)(iv) and (vii). Any State educational agency
20 or specially qualified agency that fails to meet the annual
21 performance objectives shall be subject to sanctions under
22 section 7001.

23 **"SEC. 3110. AUTHORIZATION OF APPROPRIATIONS.**

24 “There are authorized to be appropriated to carry out
25 this subtitle \$1,000,000,000 for fiscal year 2001, and such

1 sums as may be necessary for each of the 4 succeeding
2 fiscal years.

3 **"SEC. 3111. REGULATIONS AND NOTIFICATION.**

4 “(a) REGULATION RULE.—In developing regulations
5 under this subtitle, the Secretary shall consult with State
6 educational agencies, local educational agencies, organiza-
7 tions representing limited English proficient individuals,
8 and organizations representing teachers and other per-
9 sonnel involved in the education of limited English pro-
10 ficient students.

11 “(b) PARENTAL NOTIFICATION.—

12 “(1) IN GENERAL.—Each local educational
13 agency shall notify parents of a student partici-
14 pating in a language instruction educational pro-
15 gram under this subtitle of—

16 “(A) the student’s level of English pro-
17 ficiency, how such level was assessed, the status
18 of the student’s academic achievement, and the
19 implications of the student’s educational
20 strengths and needs for age- and grade-appro-
21 priate academic attainment, promotion, and
22 graduation;

23 “(B) what programs are available to meet
24 the student’s educational strengths and needs,
25 and how such programs differ in content and

1 instructional goals from other language instruc-
2 tion educational programs and, in the case of a
3 student with a disability, how such program
4 meets the objectives of the individualized edu-
5 cation program of such a student; and

6 “(C) the instructional goals of the lan-
7 guage instruction educational program, and
8 how the program will specifically help the lim-
9 ited English proficient student learn English
10 and meet age-appropriate standards for grade
11 promotion and graduation, including—

12 “(i) the characteristics, benefits, and
13 past academic results of the language in-
14 struction educational program and of in-
15 structional alternatives; and

16 “(ii) the reasons the student was iden-
17 tified as being in need of a language in-
18 struction educational program.

19 “(2) OPTION TO DECLINE.—

20 “(A) IN GENERAL.—Each parent described
21 in paragraph (1) shall also be informed that the
22 parent has the option of declining the enroll-
23 ment of their children or youth in a language
24 instruction educational program, and shall be

1 given an opportunity to decline such enrollment
2 if the parent so chooses.

3 “(B) OBLIGATIONS.—A local educational
4 agency shall not be relieved of any of the agen-
5 cy’s obligations under title VI of the Civil
6 Rights Act of 1964 (42 U.S.C. 2000d et seq.)
7 if a parent chooses not to enroll their child in
8 a language instruction educational program.

9 “(3) RECEIPT OF INFORMATION.—A parent de-
10 scribed in paragraph (1) shall receive, in a manner
11 and form understandable to the parent including, if
12 necessary and to the extent feasible, in the native
13 language of the parent, the information required by
14 this subsection. At a minimum, the parent shall
15 receive—

16 “(A) timely information about projects
17 funded under this subtitle; and

18 “(B) if the parent of a participating child
19 so desires, notice of opportunities for regular
20 meetings for the purpose of formulating and re-
21 sponding to recommendations from parents of
22 children assisted under this subtitle.

23 “(4) SPECIAL RULE.—A student shall not be
24 admitted to, or excluded from, any Federally as-
25 sisted language instruction educational program

1 solely on the basis of a surname or language-minor-
2 ity status.

3 “(5) LIMITATIONS ON CONDITIONS.—Nothing
4 in this subtitle shall be construed to authorize an of-
5 ficer or employee of the Federal Government to
6 mandate, direct, or control a State’s, local edu-
7 cational agency’s, elementary school’s, or secondary
8 school’s specific challenging English language devel-
9 opment standards or assessments, curricula, or pro-
10 gram of instruction, as a condition of eligibility to
11 receive grant funds under this subtitle.”.

12 **SEC. 302. EMERGENCY IMMIGRANT EDUCATION PROGRAM.**

13 (a) REPEALS, TRANSFERS, AND REDESIGNATIONS.—
14 Title III (20 U.S.C. 6801 et seq.) is further amended—

15 (1) by repealing part B (20 U.S.C. 6891 et
16 seq.), part C (20 U.S.C. 6921 et seq.), part D (20
17 U.S.C. 6951 et seq.), and part E (20 U.S.C. 6971
18 et seq.);

19 (2) by transferring part C of title VII (20
20 U.S.C. 7541 et seq.) to title III and inserting such
21 part after subtitle A (as inserted by section 301(3));

22 (3) by redesignating the heading for part C of
23 title VII (as transferred by paragraph (2)) as the
24 heading for subtitle B, and redesignating accord-

1 ingly the references to such part as the references to
2 such subtitle; and

3 (4) by redesignating section 7301 through 7309
4 (20 U.S.C. 7541, 7549) (as transferred by para-
5 graph (2)) as sections 3201 through 3209, respec-
6 tively, and redesignating accordingly the references
7 to such sections.

8 (b) AMENDMENTS.—Subtitle B of title III (as so
9 transferred and redesignated) is amended—

10 (1) in section 3205(a)(2) (as redesignated by
11 subsection (a)(4)), by striking “the Goals 2000:
12 Educate America Act.”; and

13 (2) in section 3209 (as redesignated by sub-
14 section (a)(4)), by striking “\$100,000,000” and all
15 that follows through “necessary for” and inserting
16 “such sums as may be necessary for fiscal year 2001
17 and”.

18 **SEC. 303. INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE**
19 **EDUCATION.**

20 (a) REPEALS, TRANSFERS, AND REDESIGNATIONS.—
21 Title III (20 U.S.C. 6801 et seq.) is further amended—

22 (1) by transferring title IX (20 U.S.C. 7801 et
23 seq.) to title III and inserting such title after sub-
24 title B (as inserted by section 302(a)(2));

231

1 (2) by redesignating the heading for title IX (as
2 transferred by paragraph (1)) as the heading for
3 subtitle C, and redesignating accordingly the ref-
4 erences to such title as the references to such sub-
5 title;

6 (3) by redesignating sections 9101 and 9102
7 (20 U.S.C. 7801, 7802) (as transferred by para-
8 graph (1)) as sections 3301 and 3302, respectively,
9 and redesignating accordingly the references to such
10 sections;

11 (4) by redesignating sections 9111 through
12 9118 (20 U.S.C. 7811, 7818) (as transferred by
13 paragraph (1)) as sections 3311 through 3318, re-
14 spectively, and redesignating accordingly the ref-
15 erences to such sections;

16 (5) by redesignating sections 9121 through
17 9125 (20 U.S.C. 7831, 7835) (as transferred by
18 paragraph (1)) as sections 3321 through 3325, and
19 redesignating accordingly the references to such sec-
20 tion;

21 (6) by redesignating sections 9131 and 9141
22 (20 U.S.C. 7851, 7861) (as transferred by para-
23 graph (1)) as sections 3331 and 3341, respectively,
24 and redesignating accordingly the references to such
25 sections;

1 (7) by redesignating sections 9151 through
2 9154 (20 U.S.C. 7871, 7874) (as transferred by
3 paragraph (1)) as sections 3351 through 3354, re-
4 spectively, and redesignating accordingly the ref-
5 erences to such sections;

6 (8) by redesignating sections 9161 and 9162
7 (20 U.S.C. 7881, 7882) (as transferred by para-
8 graph (1)) as sections 3361 and 3362, respectively,
9 and redesignating accordingly the references to such
10 sections;

11 (9) by redesignating sections 9201 through
12 9212 (20 U.S.C. 7901, 7912) (as transferred by
13 paragraph (1)) as sections 3401 through 3412, re-
14 spectively, and redesignating accordingly the ref-
15 erences to such sections; and

16 (10) by redesignating sections 9301 through
17 9308 (20 U.S.C. 7931, 7938) (as transferred by
18 paragraph (1)) as sections 3501 through 3508, and
19 redesignating accordingly the references to such sec-
20 tions.

21 (b) AMENDMENTS.—Subtitle C of title III (as so
22 transferred and redesignated) is amended—

23 (1) by amending section 3314(b)(2)(A) (as re-
24 designated by subsection (a)(4)) to read as follows:

1 “(2)(A) is consistent with, and promotes the
2 goals in, the State and local improvement plans
3 under sections 1111 and 1112”;

4 (2) by amending section 3325(e) (as redesignig-
5 nated by subsection (a)(5)) to read as follows:

6 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated such sums as may be
8 necessary to carry out this subpart for fiscal year 2001
9 and each of the 4 succeeding years.”;

10 (3) in section 3361(4)(E) (as redesignated by
11 subsection (a)(8)), by striking “the Act entitled the
12 ‘Improving America’s Schools Act of 1994’” and in-
13 serting “the Public Education Reinvestment, Re-
14 invention, and Responsibility Act”;

15 (4) by amending section 3362 (as redesignated
16 by subsection (a)(8)) to read as follows:

17 **“SEC. 3262. AUTHORIZATION OF APPROPRIATIONS.**

18 “For the purpose of carrying out subparts 1 through
19 5 of this part, there are authorized to be appropriated to
20 the Department of Education such sums as may be nec-
21 essary for fiscal year 2001 and each of the 4 succeeding
22 years.”;

23 (5) in section 3404 (as redesignated by sub-
24 section (a)(9))—

1 (A) in subsection (i), by striking “Improv-
2 ing America’s Schools Act of 1994” and insert-
3 ing “Public Education Reinvestment, Reinven-
4 tion, and Responsibility Act”; and

5 (B) in subsection (j), by striking
6 “\$500,000 for fiscal year 1995, and such sums
7 as may be necessary” and inserting “such sums
8 as may be necessary for fiscal year 2001, and”;

9 (6) in section 3405(c) (as redesignated by sub-
10 section (a)(9)), by striking “\$6,000,000 for fiscal
11 year 1995, and such sums as may be necessary” and
12 inserting “such sums as may be necessary for fiscal
13 year 2001, and”;

14 (7) in section 3406(e) (as redesignated by sub-
15 section (a)(9)), by striking “\$2,000,000 for fiscal
16 year 1995, and such sums as may be necessary” and
17 inserting “such sums as may be necessary for fiscal
18 year 2001, and”;

19 (8) in section 3407(e) (as redesignated by sub-
20 section (a)(9)), by striking “\$1,500,000 for fiscal
21 year 1995, and such sums as may be necessary” and
22 inserting “such sums as may be necessary for fiscal
23 year 2001, and”;

24 (9) in section 3408(c) (as redesignated by sub-
25 section (a)(9)), by striking “\$2,000,000 for fiscal

1 year 1995, and such sums as may be necessary” and
2 inserting “such sums as may be necessary for fiscal
3 year 2001, and”;

(10) in section 3409(d) (as redesignated by subsection (a)(9)), by striking “\$2,000,000 for fiscal year 1995, and such sums as may be necessary” and inserting “such sums as may be necessary for fiscal year 2001, and”;

9 (11) in section 3410(d) (as redesignated by
10 subsection (a)(9)), by striking “\$1,000,000 for fiscal
11 year 1995, and such sums as may be necessary” and
12 inserting “such sums as may be necessary for fiscal
13 year 2001, and”;

(12) in section 3504(c) (as redesignated by sub-
section (a)(10)), by striking “\$5,000,000 for fiscal
year 1995, and such sums as may be necessary” and
inserting “such sums as may be necessary for fiscal
year 2001, and”;

(13) in section 3505(e) (as redesignated by sub-
section (a)(10)), by striking “\$2,000,000 for fiscal
year 1995, and such sums as may be necessary” and
inserting “such sums as may be necessary for fiscal
year 2001, and”; and

(14) in section 3506(d) (as redesignated by
subsection (a)(10)), by striking “\$1,000,000 for fis-

1 cal year 1995, and such sums as may be necessary”
2 and inserting “such sums as may be necessary for
3 fiscal year 2001, and”.

4 **TITLE IV—PUBLIC SCHOOL**
5 **CHOICE**

6 **SEC. 401. PUBLIC SCHOOL CHOICE.**

7 (a) MAGNET SCHOOLS AMENDMENTS.—Section
8 5113(a) (20 U.S.C. 7213(a)) is amended—

9 (1) by striking “\$120,000,000” and inserting
10 “\$130,000,000”; and

11 (2) by striking “1995” and inserting “2001”.

12 (b) CHARTER SCHOOLS AMENDMENTS.—

13 (1) PARALLEL ACCOUNTABILITY.—Section
14 10302 (20 U.S.C. 8062) is amended by adding at
15 the end the following:

16 “(g) PARALLEL ACCOUNTABILITY.—Each State edu-
17 cational agency receiving a grant under this part shall
18 hold charter schools assisted under this part accountable
19 for adequate yearly progress for improving student per-
20 formance under title I ^{and} ~~and accountable~~ as established in
21 the school’s charter, including the use of the same stand-
22 ards ^{and assessments} as established under title I.”.

23 (2) AUTHORIZATION OF APPROPRIATIONS.—

24 Section 10311 (20 U.S.C. 8067) is amended.—

1 (A) by striking “\$100,000,000” and in-
2 serting “\$200,000,000”; and

3 (B) by striking “1999” and inserting
4 “2001”.

5 (c) REPEALS, TRANSFERS AND REDESIGNATIONS.—

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

7 (1) by amending the heading for title IV (20
8 U.S.C. 7101 et seq.) to read as follows:

9 **“TITLE IV—PUBLIC SCHOOL**
10 **CHOICE”;**

11 (2) by amending section 4001 to read as fol-
12 lows:

13 **“SEC. 4001. FINDINGS, POLICY, AND PURPOSE.**

14 **“(a) FINDINGS.—**Congress makes the following find-
15 ings:

16 **“(1)(A)** Charter schools and magnet schools are
17 an integral part of the educational system in the
18 United States.

19 **“(1)(B)** Thirty-four States and the District of
20 Columbia have established charter schools.

21 **“(1)(C)** Magnet schools have been established
22 throughout the United States.

23 **“(1)(D)** A Department of Education evaluation
24 of charter schools shows that 59 percent of charter

1 schools reported that lack of start-up funds posed a
2 difficult or very difficult challenge for the school.

3 “(2) State educational agencies and local edu-
4 cational agencies should hold all schools accountable
5 for the improved performance of all students, includ-
6 ing students attending charter schools and magnet
7 schools, under State standards and student assess-
8 ment measures.

9 “(3) School report cards constitute the key in-
10 formational component used by parents for effective
11 public school choice.

12 “(b) POLICY.—Congress declares it to be the policy
13 of the United States—

14 “(1) to support and stimulate improved public
15 school performance through increased public elemen-
16 tary school and secondary school competition and in-
17 creased Federal financial assistance; and

18 “(2) to provide parents with more choices
19 among public school options.

20 “(c) PURPOSES.—The purposes of this title are as
21 follows:

22 “(1) To consolidate public school choice pro-
23 grams into 1 title.

24 “(2) To increase Federal assistance for magnet
25 schools and charter schools.

1 “(3) To help parents make better and more in-
2 formed choices by—

3 “(A) providing continued support and fi-
4 nancial assistance for magnet schools;

5 “(B) providing continued support and ex-
6 pansion of charter schools and charter school
7 districts; and

8 “(C) providing financial assistance to
9 States and local educational agencies for the de-
10 velopment of local educational agency and
11 school report cards.”;

12 (3) by repealing sections 4002 through 4004
13 (20 U.S.C. 7102, 7104), and part A (20 U.S.C.
14 7111 et seq.), of title IV;

15 (4) by transferring part A of title V (20 U.S.C.
16 7201 et seq.) (as amended by subsection (a)) to title
17 IV and inserting such part A after section 4001;

18 (5) by redesignating sections 5101 through
19 5113 (20 U.S.C. 7201, 7213) (as transferred by
20 paragraph (4)) as sections 4101 through 4113, re-
21 spectively, and by redesignating accordingly the ref-
22 erences to such sections in part A of title IV (as so
23 transferred);

24 (6) by transferring part C of title X (20 U.S.C.
25 8061 et seq.) (as amended by subsection (b)) to title

1 IV and inserting such part C after part A of title
2 IV (as transferred by paragraph (4));

3 (7) by redesignating part C of title IV (as
4 transferred by paragraph (6)) as part B of title IV;
5 and

6 (8) by redesignating sections 10301 through
7 10311 (20 U.S.C. 8061, 8067) (as transferred by
8 paragraph (6)) as sections 4201 through 4211, re-
9 spectively, and by redesignating accordingly the ref-
10 erences to such sections in such part B of title IV
11 (as so transferred and redesignated).

12 **SEC. 402. DEVELOPMENT OF PUBLIC SCHOOL CHOICE PRO-**
13 **GRAMS; REPORT CARDS.**

14 Title IV (20 U.S.C. 7101 et seq.) is further amended
15 by adding at the end the following:

16 **“PART C—DEVELOPMENT OF PUBLIC SCHOOL**
17 **CHOICE PROGRAMS**

18 **“SEC. 4301. GRANTS AUTHORIZED.**

19 “(a) IN GENERAL.—From amounts made available to
20 carry out this part for a fiscal year under section 4305,
21 and not reserved under subsection (b), the Secretary is
22 authorized to award grants, on a competitive basis, to local
23 educational agencies to enable the local educational agen-
24 cies to develop local public school choice programs.

1 “(b) RESERVATION FOR EVALUATION, TECHNICAL
2 ASSISTANCE, AND DISSEMINATION.—From the amount
3 appropriated under section 4305 for any fiscal year, the
4 Secretary may reserve not more than 5 percent to carry
5 out evaluations under subsection (c), to provide technical
6 assistance, and to disseminate information.

7 “(c) EVALUATIONS.—The Secretary may use funds
8 reserved under subsection (b) to carry out 1 or more eval-
9 uations of programs assisted under this part, which shall,
10 at a minimum, address—

11 “(1) how, and the extent to which, the pro-
12 grams supported with funds under this part promote
13 educational equity and excellence; and

14 “(2) the extent to which public schools of choice
15 supported with funds under this part are—

16 “(A) held accountable to the public;

17 “(B) effective in improving public edu-
18 cation; and

19 “(C) open and accessible to all students.

20 “(b) DURATION.—Grants under this part may be
21 awarded for a period not to exceed 3 years.

22 **“SEC. 4302. DEFINITION OF HIGH-POVERTY LOCAL EDU-**
23 **CATIONAL AGENCY.**

24 “‘In this part, the term ‘high-poverty local educational
25 agency’ means a local educational agency in which the per-