

1 “(1) shall use funds reserved under section
2 1003(a)(1), but not used under section 1003(a)(2),
3 to carry out this section; and

4 “(2) may use State administrative funds au-
5 thorized under section 1703(c) to carry out this sec-
6 tion.

7 “(e) ALTERNATIVES.—The State educational agency
8 may—

9 “(1) devise additional approaches to providing
10 the technical assistance and support described in
11 subsection (c), such as providing assistance through
12 institutions of higher education, educational service
13 agencies, or other local consortia; and

14 “(2) seek approval from the Secretary to use
15 funds under section 1003(a)(2) for such approaches
16 as part of the State plan.”.

17 **SEC. 111. PARENTAL INVOLVEMENT CHANGES.**

18 (a) LOCAL EDUCATIONAL AGENCY POLICY.—Section
19 1118(a) (20 U.S.C. 6319(a)) is amended—

20 (1) in paragraph (1), by striking “programs,
21 activities, and procedures” and inserting “activities
22 and procedures”;

23 (2) in paragraph (2), by striking subparagraphs
24 (E) and (F) and inserting the following:

1 “(E) conduct, with the involvement of par-
2 ents, an annual evaluation of the content and
3 effectiveness of the parental involvement policy
4 in improving the academic quality of the schools
5 served under this part;

6 “(F) involve parents in the activities of the
7 schools served under this part; and

8 “(G) promote consumer friendly environ-
9 ments within the local educational agency and
10 schools served under this part.”;

11 (3) in paragraph (3), by adding at the end the
12 following new subparagraph:

13 “(C) Not less than 90 percent of the funds re-
14 served under subparagraph (A) shall be distributed
15 to schools served under this part.”.

16 (b) NOTICE.—Section 1118(b)(1) (20 U.S.C.
17 6319(b)(1)) is amended by inserting after the first sen-
18 tence “Parents shall be notified of the policy in a format,
19 and to the extent practicable in a language, that the par-
20 ents can understand.”.

21 (c) PARENTAL INVOLVEMENT.—Section 1118(c)(4)
22 (20 U.S.C. 6319(c)(4)) is amended—

23 (1) in subparagraph (B), by striking “school
24 performance profiles required under section

1 1116(a)(3)” and inserting “school reports described
2 under section 4401”;

3 (2) by redesignating subparagraphs (D) and
4 (E) as subparagraphs (F) and (G), respectively;

5 (3) by inserting after subparagraph (C) the fol-
6 lowing:

7 “(D) notice of the school’s designation as
8 a school in need of improvement under section
9 1116(b), if applicable, and a clear explanation
10 of what such designation means;

11 “(E) notice of corrective action taken
12 against the school under section 1116(c)(9) and
13 1116(d)(12), if applicable, and a clear expla-
14 nation of what such action means;”; and

15 (4) in subparagraph (G) (as redesignated by
16 paragraph (2)), by striking “subparagraph (D)” and
17 inserting “subparagraph (F)”.

18 (d) BUILDING CAPACITY FOR INVOLVEMENT.—Sec-
19 tion 1118(e) (20 U.S.C 6319(e)) is amended—

20 (1) in paragraph (1), by striking “National
21 Educational Goals.”;

22 (2) by redesignating paragraphs (14) and (15)
23 as paragraphs (16) and (17), respectively;

24 (3) by inserting after paragraph (13) the fol-
25 lowing:

1 “(14) may establish a district wide parent advi-
2 sory council to advise on all matters related to pa-
3 rental involvement in programs supported under this
4 part;”; and

5 (4) by redesignating paragraph (5) as para-
6 graph (15) and transferring such paragraph to fol-
7 low paragraph 14 (as redesignated by paragraph
8 (3));

9 (5) by inserting after paragraph (4) the fol-
10 lowing:

11 “(5) shall expand the use of electronic commu-
12 nications among teachers, students, and parents,
13 such as through the use of websites and e-mail com-
14 munications;”;

15 (6) in paragraph (8), by inserting “, to the ex-
16 tent practicable, in a language and format the par-
17 ent can understand” before the semicolon; and

18 (7) in paragraph (15) (as redesignated by para-
19 graph (4)), by striking “shall” and inserting “may”.

20 (e) ACCESSIBILITY.—Section 1118(f) (20 U.S.C.
21 6319(f)) is amended by striking “, including” and all that
22 follows through the period and inserting “and of parents
23 of migratory children, including providing information and
24 school reports required under section 1111 and described

1 in section 4401 in a language and form such parents un-
2 derstand.”.

3 **SEC. 112. QUALIFICATIONS FOR TEACHERS AND PARA-**
4 **PROFESSIONALS.**

5 Title I of the Act (20 U.S.C. 6301 et seq.) is
6 amended—

7 (1) by redesignating section 1119 (20 U.S.C.
8 6320) as section 1119A; and

9 (2) by inserting after section 1118 the fol-
10 lowing:

11 **“SEC. 1119. QUALIFICATIONS FOR TEACHERS AND PARA-**
12 **PROFESSIONALS.**

13 **“(a) IN GENERAL.—**

14 **“(1) PLAN.—**Each State educational agency re-
15 ceiving assistance under this part shall develop and
16 submit to the Secretary a plan to ensure that all
17 teachers teaching within the State are fully quali-
18 fied, as defined in section 2001(1), not later than
19 December 31, 2005. Such plan shall include an as-
20 surance that the State educational agency will re-
21 quire each local educational agency and school re-
22 ceiving funds under this part publicly to report the
23 annual progress with respect to the local educational
24 agency’s and school’s performance in increasing the

1 percentage of classes in core academic areas taught
2 by fully qualified teachers.

3 “(2) SPECIAL RULE.—Notwithstanding any
4 other provision of law, the provisions of this section
5 governing teacher qualifications shall not supersede
6 State laws governing public charter schools.

7 “(b) NEW PARAPROFESSIONALS.—Each local edu-
8 cational agency receiving assistance under this part shall
9 ensure that each paraprofessional hired ^{after Dec 31, 2002} ~~more than 1 year~~
10 ~~after the date of enactment of the Public Education Rein-~~
11 ~~vestment, Reinvention, and Responsibility Act,~~ and work-
12 ing in a program assisted under this part—

13 “(1) has completed at least the ^{equivalent} ~~requisite~~ num-
14 ber of courses at an institution of higher education
15 in the area of elementary education or in the related
16 subject area in which the paraprofessional is work-
17 ing for a minor degree at such institution; and

18 “(2) has obtained an associate’s (or higher) de-

19 gree, or
20 ^{certification (as established in subsection (h))} ~~“(c) EXISTING PARAPROFESSIONALS.—~~ Each local

21 educational agency receiving assistance under this part
22 shall ensure that each paraprofessional working in a pro-
23 gram assisted under this part shall, not later than 3 years
24 after the date of enactment of the Public Education Rein-

*“(i) knowledge of, and the ability to assist in tutoring in reading readiness, writing readiness, and math; or
“(ii) knowledge of, and the ability to assist in tutoring in reading readiness, writing readiness, and math readiness, as appropriate.”*

*“(3) has met a rigorous standard of quality that demonstrates, through formal state certification, through knowledge of, and the ability to assist in tutoring in reading, writing, and math; or
“(i) knowledge of, and the ability to assist in tutoring in reading readiness, writing readiness, and math; or
“(ii) knowledge of, and the ability to assist in tutoring in reading readiness, writing readiness, and math readiness, as appropriate.”*

~~“(c) QUALIFICATIONS.—~~

vestment, Reinvention, and Responsibility Act, satisfy the requirements of subsection (b).

“(d) EXCEPTIONS FOR TRANSLATION AND PARENTAL INVOLVEMENT ACTIVITIES.—Subsections (b) and (c) shall not apply to a paraprofessional—

“(1) who is proficient in English and a language other than English, and who provides services primarily to enhance the participation of children in programs under this part by acting as a translator; or

“(2) whose duties consist solely of conducting parental involvement activities consistent with section 1118 or other school readiness activities that are noninstructional.

“(e) GENERAL REQUIREMENT FOR ALL PARAPROFESSIONALS.—Each local educational agency receiving assistance under this part shall ensure that each paraprofessional working in a program assisted under this part, regardless of the paraprofessional’s hiring date, possesses a secondary school diploma or its recognized equivalent.

“(f) DUTIES OF PARAPROFESSIONALS.—

“(1) IN GENERAL.—Each local educational agency receiving assistance under this part shall ensure that a paraprofessional working in a program

ensure that paraprofessionals demonstrate ^{basic skills} competency in English language arts, mathematics, and literacy.

“(2) STATE ACTION.—
Notwithstanding subsection (c),
Each State educational agency may require an existing paraprofessional to pass appropriate portions of the state assessment administered as the licensing exam for teachers and establish appropriate rules for passage of such portions used.
(b) The State shall provide an assurance that such portions of the state assessment administered and the established passing rules will ensure that paraprofessionals demonstrate basic skills competency in English language arts, mathematics, and literacy.

1 assisted under this part is not assigned a duty in-
2 consistent with this subsection.

3 “(2) AUTHORIZED RESPONSIBILITIES.—A para-
4 professional described in paragraph (1) may be
5 assigned—

6 “(A) to provide 1-on-1 tutoring for eligible
7 students under this part, if the tutoring is
8 scheduled at a time when the student would not
9 otherwise receive instruction from a teacher;

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

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

15 “(D) to conduct parental involvement ac-
16 tivities; *or school readiness activities that are noninstructional*

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

19 “(F) to act as a translator; or

20 “(G) to provide assistance with extra cur-
21 ricular activities which are noninstructional.

22 “(3) LIMITATIONS.—A paraprofessional de-
23 scribed in paragraph (1) *“(A) shall not perform the*
duties of a certified teacher or a substitute.
24 *instructional service normally provided by a certified*
25 *teacher or a substitute to a student.*

✓
*“(B) shall not perform any duty assigned under paragraph (2)
unless under the direct supervision of a fully qualified teacher.*

1 “(g) USES OF FUNDS.—

2 “(1) PROFESSIONAL DEVELOPMENT.—A local
3 educational agency receiving funds under this part
4 may use such funds to support ongoing training and
5 professional development to assist teachers and
6 paraprofessionals in satisfying the requirements of
7 this section.

8 “(2) LIMITATION ON USE OF FUNDS FOR PARA-
9 PROFESSIONALS.—

10 “(A) IN GENERAL.—Beginning on the date
11 of enactment of the Public Education Reinvest-
12 ment, Reinvention, and Responsibility Act, a
13 local educational agency may not use funds re-
14 ceived under this part to fund any paraprofes-
15 sional hired after such date unless—

16 “(i) the hiring is to fill a vacancy cre-
17 ated by the departure of another para-
18 professional funded under this part; or

19 “(ii) the local educational agency can
20 demonstrate that a significant influx of
21 population has substantially increased stu-
22 dent enrollment, ^{or} [^] ~~or~~ increased [^] ~~the~~ need for
23 translators. [^] ~~or~~ [^] ~~assistance~~ [^] ~~with~~ [^] ~~parent involvement activities.~~

24 “(B) EXCEPTION.—Subparagraph (A)
25 shall not apply for ~~1 fiscal year~~ to a local edu-

1 educational agency that can demonstrate to the
 2 State that all ^{core classes} teachers within the area served by
 3 the local educational agency are fully qualified. ^{taught by} teachers
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(h) STATE CERTIFICATION.—
Each State educational agency receiving assistance under this part shall ensure that it has State criteria for the certification of paraprofessionals by Dec 31, 2002; and

“(2) ensure that paraprofessionals hired before Dec 31, 2002 are in high quality development activities that ensure that the paraprofessional has the ability to assist in tutoring in reading, writing, and math; or assist in tutoring in reading readiness, writing readiness and math readiness, as appropriate.”

“(1) IN GENERAL.—In verifying compliance with this section, each local educational agency, at a minimum, shall require that the principal of each elementary school and secondary school operating a program under section 1114 or 1115 annually attest in writing as to whether each such school is in compliance with the requirements of this section.

“(2) AVAILABILITY OF INFORMATION.—Copies of the annual certification described in paragraph (1)—

“(A) shall be maintained at each elementary school and secondary school operating a program under section 1114 or 1115 and at the main office of the local educational agency; and

“(B) shall be available to any member of the general public upon request.”.

SEC. 113. PROFESSIONAL DEVELOPMENT.

Section 1119A (as redesignated by section 112(a)) is amended—

(1) by amending subsection (a) to read as follows:

“(1) IN GENERAL.—In verifying compliance with this section, each local educational agency, at a minimum, shall require that the principal of each elementary school and secondary school operating a program under section 1114 or 1115 annually attest in writing as to whether each such school is in compliance with the requirements of this section.

“(2) AVAILABILITY OF INFORMATION.—Copies of the annual certification described in paragraph (1)—

“(A) shall be maintained at each elementary school and secondary school operating a program under section 1114 or 1115 and at the main office of the local educational agency; and

“(B) shall be available to any member of the general public upon request.”.

SEC. 113. PROFESSIONAL DEVELOPMENT.

Section 1119A (as redesignated by section 112(a)) is amended—

(1) by amending subsection (a) to read as follows:

(1) by amending subsection (a) to read as follows:

1 “(a) PURPOSE.—The purpose of this section is to as-
2 sist each local educational agency receiving assistance
3 under this part in increasing the academic achievement
4 of eligible children (as identified under section
5 1115(b)(1)(B)) (in this section referred to as eligible chil-
6 dren) through improved teacher quality.”;

7 (2) in subsection (b)—

8 (A) by amending paragraph (1) to read as
9 follows:

10 “(1) REQUIRED ACTIVITIES.—Each local edu-
11 cational agency receiving assistance under this part
12 shall provide professional development activities
13 under this section that shall—

14 “(A) give teachers, principals, and admin-
15 istrators the knowledge and skills to provide eli-
16 gible children with the opportunity to meet
17 challenging State or local content standards
18 and student performance standards;

19 “(B) support the recruiting, hiring, and
20 training of fully qualified teachers, including
21 teachers fully qualified through State and local
22 alternative routes;

23 “(C) advance teacher understanding of ef-
24 fective instructional strategies, based on sci-
25 entifically based research, for improving eligible

1 children achievement, at a minimum, in mathe-
2 matics, science, and English language arts;

3 “(D) be directly related to the curricula
4 and content areas in which the teacher provides
5 instruction;

6 “(E) be designed to enhance the ability of
7 a teacher to understand and use the State’s
8 standards for the subject area in which the
9 teacher provides instruction;

10 “(F) be tied to scientifically based research
11 that demonstrates the effectiveness of such pro-
12 fessional development activities or programs in
13 increasing eligible children achievement or sub-
14 stantially increasing the knowledge and teach-
15 ing skills of teachers;

16 “(G) be of sufficient intensity and duration
17 (not to include 1-day or short-term workshops
18 and conferences) to have a positive and lasting
19 impact on the teacher’s performance in the
20 classroom, except that this subparagraph shall
21 not apply to an activity if such activity is one
22 component of a long-term comprehensive pro-
23 fessional development plan established by the
24 teacher and the teacher’s supervisor based upon
25 an assessment of their needs, their eligible chil-

1 dren's needs, and the needs of the local edu-
2 cational agency;

3 “(H) be developed with extensive participa-
4 tion of teachers, principals, parents, administra-
5 tors of schools, and local school boards of
6 schools to be served under this part;

7 “(I) to the extent appropriate, provide
8 training for teachers in the use of technology so
9 that technology and its applications are effec-
10 tively used in the classroom to improve teaching
11 and learning in the curricula and academic con-
12 tent areas in which the teachers provide in-
13 struction;

14 “(J) as a whole, be regularly evaluated for
15 such activities' impact on increased teacher ef-
16 fectiveness and improved student achievement,
17 with the findings of such evaluations used to
18 improve the quality of professional development;
19 and

20 “(K) include strategies for identifying and
21 eliminating gender and racial bias in instruc-
22 tional materials, methods, and practices.”;

23 (B) in paragraph (2)—

1 (i) in subparagraph (A), by inserting
2 “and data to inform and instruct class-
3 room practice” before the semicolon;

4 (ii) by striking subparagraphs (D)
5 and (G);

6 (iii) by redesignating subparagraphs
7 (E), (F), (H), and (I), as subparagraphs
8 (D), (E), (F) and (G), respectively; and

9 (iv) by inserting after subparagraph
10 (G) (as redesignated by clause (iii)) the
11 following new subparagraph:

12 “(H) instruction in the ways that teachers,
13 principals, and guidance counselors can work
14 with parents and students from groups, such as
15 females and minorities, that are underrep-
16 resented in careers in mathematics, science, en-
17 gineering, and technology, to encourage and
18 maintain the interest of such students in those
19 careers.”;

20 (3) by striking subsections (f) through (i); and

21 (4) by adding after subsection (e) the following:

22 “(f) CONSOLIDATION OF FUNDS.—Funds provided
23 under this part that are used for professional development
24 purposes may be consolidated with funds provided under
25 title II of this Act and other sources.

1 “(g) DEFINITION.—The term ‘fully qualified’ has the
2 same meaning given such term in section 2001(1).

3 “(h) SPECIAL RULE.—

4 “(1) IN GENERAL.—No State educational agen-
5 cy shall require a local educational agency or ele-
6 mentary school or secondary school to expend a spe-
7 cific amount of funds for professional development
8 activities under this part.

9 “(2) EXCEPTION.—Paragraph (1) shall not
10 apply with respect to requirements under section
11 1116(d)(9).”.

12 **SEC. 114. FISCAL REQUIREMENTS.**

13 Section 1120A(a) (20 U.S.C. 6322(a)) is amended by
14 striking “section 14501” and inserting “section 8501”.

15 **SEC. 115. COORDINATION REQUIREMENTS.**

16 Section 1120 (20 U.S.C. 6323) is amended—

17 (1) in subsection (a), by striking “to the extent
18 feasible” and all that follows through the period and
19 inserting “in coordination with local Head Start
20 agencies, and if feasible, other early childhood devel-
21 opment programs.”;

22 (2) in subsection (b)—

23 (A) in paragraph (3) by striking “and”
24 after the semicolon;

1 (B) in paragraph (4) by striking the period
2 and inserting “; and”; and

3 (C) by adding at the end, the following:

4 “(5) linking the educational services provided in
5 such local educational agency with the services pro-
6 vided in local Head Start agencies.”.

7 **SEC. 116. GRANTS FOR THE OUTLYING AREAS AND THE**
8 **SECRETARY OF THE INTERIOR.**

9 Section 1121 (20 U.S.C. 6331) is amended to read
10 as follows:

11 **“SEC. 1121. GRANTS FOR THE OUTLYING AREAS AND THE**
12 **SECRETARY OF THE INTERIOR.**

13 “(a) RESERVATION OF FUNDS.—From the amount
14 appropriated for payments to States for any fiscal year
15 under section 1002(a), the Secretary shall reserve a total
16 of 1 percent to provide assistance to—

17 “(1) the outlying areas in the amount deter-
18 mined in accordance with subsection (b); and

19 “(2) the Secretary of the Interior in the amount
20 necessary to make payments pursuant to subsection
21 (d).

22 **“(b) ASSISTANCE TO OUTLYING AREAS.—**

23 “(1) GRANTS AUTHORIZED.—From the amount
24 made available for a fiscal year under subsection (a),
25 the Secretary shall award grants to the outlying

1 areas and freely associated States to carry out the
2 purposes of this part.

3 “(2) COMPETITIVE GRANTS.—For each of fiscal
4 years 2000 and 2001, the Secretary shall ensure
5 that grants are awarded under this subsection on a
6 competitive basis in accordance with paragraph (3).

7 “(3) REQUIREMENTS AND LIMITATION FOR
8 COMPETITIVE GRANTS.—

9 “(A) RECOMMENDATIONS.—The Secretary
10 shall award grants under this subsection on the
11 basis of the recommendations of the Pacific Re-
12 gion Educational Laboratory in Honolulu, Ha-
13 waii.

14 “(B) TERMINATION OF ELIGIBILITY.—
15 Notwithstanding any other provision of law, the
16 freely associated States shall not be eligible to
17 receive funds under this part after September
18 30, 2001.

19 “(C) ADMINISTRATIVE COSTS.—The Sec-
20 retary may provide that not more than 5 per-
21 cent of the amount reserved for grants under
22 this subsection will be used to pay the adminis-
23 trative costs of the Pacific Region Educational
24 Laboratory for services provided under subpara-
25 graph (A).

1 “(4) SPECIAL RULE.—The provisions of Public
2 Law 95–134 (91 Stat. 1159) that permit the con-
3 solidation of grants by the outlying areas shall not
4 apply to funds provided to the freely associated
5 States under this subsection.

6 “(5) FUNDING.—The amount reserved by the
7 Secretary to award grants under this subsection
8 shall not exceed the amount reserved under this sec-
9 tion (as this section existed on the day prior to the
10 date of enactment of the Public Education Reinvest-
11 ment, Reinvention, and Responsibility Act) for the
12 freely associated States for fiscal year 1999.

13 “(6) DEFINITIONS.—In this subsection and
14 subsection (a):

15 “(A) FREELY ASSOCIATED STATES.—The
16 term ‘freely associated States’ means the Re-
17 public of the Marshall Islands, the Federated
18 States of Micronesia, and the Republic of
19 Palau.

20 “(B) OUTLYING AREA.—The term ‘out-
21 lying area’ means the United States Virgin Is-
22 lands, Guam, American Samoa, and the Com-
23 monwealth of the Northern Mariana Islands.

24 “(c) ALLOTMENT TO THE SECRETARY OF THE INTE-
25 RIOR.—

1 “(1) IN GENERAL.—The amount allotted for
2 payments to the Secretary of the Interior under sub-
3 section (a)(2) for any fiscal year shall be, as deter-
4 mined pursuant to criteria established by the Sec-
5 retary, the amount necessary to meet the special
6 educational needs of—

7 “(A) Indian children on reservations served
8 by elementary and secondary schools for Indian
9 children operated or supported by the Depart-
10 ment of the Interior; and

11 “(B) out-of-State Indian children in ele-
12 mentary and secondary schools in local edu-
13 cational agencies under special contracts with
14 the Department of the Interior.

15 “(2) PAYMENTS.—From the amount allotted
16 for payments to the Secretary of the Interior under
17 subsection (a)(2), the Secretary of the Interior shall
18 make payments to local educational agencies, upon
19 such terms as the Secretary determines will best
20 carry out the purposes of this part, with respect to
21 out-of-State Indian children described in paragraph
22 (1). The amount of such payment may not exceed,
23 for each such child, the greater of—

1 “(A) 40 percent of the average per pupil
2 expenditure in the State in which the agency is
3 located; or

4 “(B) 48 percent of such expenditure in the
5 United States.”.

6 **SEC. 117. AMOUNTS FOR GRANTS.**

7 Section 1122 (20 U.S.C. 6332) is amended to read
8 as follows:

9 **“SEC. 1122. AMOUNTS FOR BASIC GRANTS, CONCENTRA-**
10 **TION GRANTS, AND TARGETED GRANTS.**

11 “(a) ALLOCATION FORMULA.—

12 “(1) ALLOCATION TO STATES.—Of the amount
13 appropriated to carry out this part for each of fiscal
14 years 2001 through 2005 (each such year, as appro-
15 priate, shall be referred to in this subsection as the
16 ‘current fiscal year’), the amount to be allocated to
17 States for a fiscal year based on population data for
18 local educational agencies in such States, shall be
19 equal to the sum of—

20 “(A) an amount equal to the sum of—

21 “(i) the amount made available to
22 carry out section 1124 (as such section ex-
23 isted on the day prior to the date of enact-
24 ment of the Public Education Reinvest-

ment, Reinvention, and Responsibility Act)
for fiscal year 1999; and

“(ii) 21.25 percent of the amount, if
any, by which the amount appropriated
under section 1002(a) for the current fis-
cal year exceeds the amount appropriated
under such section (as such section existed
on the day prior to the date of enactment
of the Public Education Reinvestment, Re-
invention, and Responsibility Act) for fiscal
year 1999, to be allocated in accordance
with section 1124;

“(B) an amount equal to the sum of—

“(i) the amount made available to
carry out section 1124A (as such section
existed on the day prior to the date of en-
actment of the Public Education Reinvest-
ment, Reinvention, and Responsibility Act)
for fiscal year 1999; and

“(ii) 3.75 percent of the amount, if
any, by which the amount appropriated
under section 1002(a) for the current fis-
cal year exceeds the amount appropriated
under such section (as such section existed
on the day prior to the date of enactment

1 of the Public Education Reinvestment, Re-
2 invention, and Responsibility Act) for fiscal
3 year 1999, to be allocated in accordance
4 with section 1124A; and

5 “(C) an amount equal to 75 percent of the
6 amount, if any, by which the amount appro-
7 priated under section 1002(a) for the current
8 fiscal year exceeds the amount appropriated
9 under such section (as such section existed on
10 the day prior to the date of enactment of the
11 Public Education Reinvestment, Reinvention,
12 and Responsibility Act) for fiscal year 1999, to
13 be allocated in accordance with section 1125.

14 “(2) ALLOCATION TO LOCAL EDUCATIONAL
15 AGENCIES.—Of the total amounts allocated to a
16 State under this part for each of fiscal years 2001
17 and 2002, 96.5 percent shall be allocated by the
18 State educational agency to local educational agen-
19 cies, and for each of fiscal years 2003 through 2005,
20 95.5 percent shall be allocated to local educational
21 agencies, of which—

22 “(A) 75 percent shall be allocated in ac-
23 cordance with section 1125;

24 “(B) 21.25 percent shall be allocated in ac-
25 cordance with section 1124; and

1 “(C) 3.75 percent shall be allocated in ac-
2 cordance with section 1124A.

3 “(b) ADJUSTMENTS WHERE NECESSITATED BY AP-
4 PROPRIATIONS.—

5 “(1) IN GENERAL.—If the sums available under
6 this part for any fiscal year are insufficient to pay
7 the full amounts that all States and local edu-
8 cational agencies are eligible to receive under sec-
9 tions 1124, 1124A, and 1125 for such fiscal year,
10 the Secretary shall ratably reduce the allocations to
11 such States and local educational agencies, subject
12 to subsections (c) and (d).

13 “(2) ADDITIONAL FUNDS.—If additional funds
14 become available for making payments under sec-
15 tions 1124, 1124A, and 1125 for such fiscal year,
16 allocations that were reduced under paragraph (1)
17 shall be increased on the same basis as they were re-
18 duced.

19 “(c) HOLD-HARMLESS AMOUNTS.—

20 “(1) GRANTS TO STATES.—The total amount
21 allocated to each State under this part in each fiscal
22 year shall not be less than the amount allocated to
23 each State in the preceding fiscal year.

24 “(2) GRANTS TO LOCAL EDUCATIONAL AGEN-
25 CIES.—The total amount allocated to each local edu-

1 cational agency under this part in each fiscal year
2 shall not be less than an amount equal to 85 percent
3 of the amount allocated to each local educational
4 agency in the preceding fiscal year.

5 “(d) Ratable Reductions.—

6 “(1) IN GENERAL.—If the sums made available
7 under this part for any fiscal year are insufficient to
8 pay the full amounts that all States are eligible to
9 receive under subsection (c) for such year, the Sec-
10 retary shall ratably reduce such amounts for such
11 year.

“(2) ADDITIONAL FUNDS.—If additional funds become available for making payments under subsection (c) for such fiscal year, amounts that were reduced under paragraph (1) shall be increased on the same basis as such amounts were reduced.

17 “(e) DEFINITION.—For the purpose of this section
18 and sections 1124, 1124A, and 1125, the term ‘State’
19 means each of the 50 States, the District of Columbia,
20 and the Commonwealth of Puerto Rico.”.

21 SEC. 118. BASIC GRANTS TO LOCAL EDUCATIONAL AGEN-
22 CIES.

23 Section 1124 (20 U.S.C. 6333) is amended to read
24 as follows:

1 **"SEC. 1124. BASIC GRANTS TO LOCAL EDUCATIONAL AGEN-**
2 **CIES.**

3 **"(a) AMOUNT OF GRANTS.—**

4 **"(1) GRANTS FOR LOCAL EDUCATIONAL AGEN-**
5 **CIES AND PUERTO RICO.—**Except as provided in
6 paragraph (3) and in section 1126, the amount of
7 a grant that a local educational agency is eligible to
8 receive under this section for a fiscal year shall be
9 determined by multiplying—

10 **"(A)** the number of children counted under
11 subsection (c); and

12 **"(B)** 40 percent of the average per-pupil
13 expenditure in the State involved, except that
14 the amount determined under this subpara-
15 graph shall not be less than 32 percent or more
16 than 48 percent, of the average per-pupil ex-
17 penditure in the United States.

18 **"(2) CALCULATION OF GRANTS.—**

19 **"(A) ALLOCATIONS TO LOCAL EDU-**
20 **CATIONAL AGENCIES.—**The Secretary shall cal-
21 culate the amount of grants under this section
22 on the basis of the number of children counted
23 under subsection (c) for local educational agen-
24 cies. For purposes of this subparagraph, the
25 Secretary and the Secretary of Commerce shall

1 publicly disclose the reasoning for their deter-
2 minations under subsection (c) in detail.

3 “(B) ALLOCATIONS TO LARGE AND SMALL
4 LOCAL EDUCATIONAL AGENCIES.—

5 “(i) APPLICATION OF PROVISION.—

6 The Secretary shall determine the amount
7 of grant awards under this section for each
8 large or small local educational agency.

9 “(ii) LARGE AGENCIES.—The amount
10 of a grant awarded under this section for
11 each large local educational agency shall be
12 the amount determined by the Secretary
13 under clause (i).

14 “(iii) SMALL AGENCIES.—With re-
15 spect to the amount of a grant awarded
16 under this section to a small local edu-
17 cational agency, the State educational
18 agency may—

19 “(I) provide such grant in an
20 amount determined by the Secretary
21 under clause (i); or

22 “(II) use an alternative method
23 approved by the Secretary to dis-
24 tribute the portion of the State’s total
25 grants under this section that is based

1 on the number of small local edu-
2 cational agencies.

3 “(iv) ALTERNATIVE METHOD.—An al-
4 ternative method approved under clause
5 (iii)(II) shall be based on population data
6 that the State educational agency deter-
7 mines best reflects the current distribution
8 of children in poor families among the
9 State’s small local educational agencies
10 that meet the eligibility criteria of sub-
11 section (b).

12 “(v) APPEALS.—A small local edu-
13 cational agency that is dissatisfied with the
14 determination of its grant amount by the
15 State educational agency under clause
16 (iii)(II), may appeal that determination to
17 the Secretary, who shall respond not later
18 than 45 days after receipt of such appeal.

19 “(vi) DEFINITION.—In this subpara-
20 graph:

21 “(I) LARGE LOCAL EDUCATIONAL
22 AGENCY.—The term ‘large local edu-
23 cational agency’ means a local edu-
24 cational agency serving an area with a
25 total population of 20,000 or more.

“(II) SMALL LOCAL EDUCATIONAL AGENCY.—The term ‘small local educational agency’ means a local educational agency serving an area with a total population of less than 20,000.

7 “(3) PUERTO RICO.—

8 “(A) IN GENERAL.—For each fiscal year,
9 the amount of the grant that the Common-
10 wealth of Puerto Rico shall be eligible to receive
11 under this section shall be determined by multi-
12 plying the number of children counted under
13 subsection (c) for the Commonwealth of Puerto
14 Rico by the product of—

15 “(i) the percentage which the average
16 per pupil expenditure in the Common-
17 wealth of Puerto Rico is of the lowest aver-
18 age per pupil expenditure of any of the 50
19 States; and

20 “(ii) 32 percent of the average per
21 pupil expenditure in the United States.

“(B) MINIMUM PERCENTAGE.—The percentage in subparagraph (A)(i) shall not be less than—

25 “(i) for fiscal year 2000, 75.0 percent;

1 “(ii) for fiscal year 2001, 77.5 per-
2 cent;

3 “(iii) for fiscal year 2002, 80.0 per-
4 cent;

5 “(iv) for fiscal year 2003, 82.5 per-
6 cent; and

7 “(v) for fiscal year 2004, and suc-
8 ceeding fiscal years, 85.0 percent.

9 “(C) LIMITATION.—If the application of
10 subparagraph (B) would result in any of the 50
11 States or the District of Columbia receiving less
12 under this part than the State or District re-
13 ceived under this part for the preceding fiscal
14 year, the percentage shall be the greater of the
15 percentage described in subparagraph (A)(i) or
16 the percentage used for the preceding fiscal
17 year.

18 “(4) DEFINITION.—In this subsection, the term
19 ‘State’ does not include Guam, American Samoa, the
20 Virgin Islands, and the Northern Mariana Islands.

21 “(b) MINIMUM NUMBER OF CHILDREN TO QUAL-
22 IFY.—A local educational agency shall be eligible for a
23 basic grant under this section for any fiscal year only if—

1 “(1) there are 10 or more children counted
2 under subsection (c) with respect to that agency;
3 and

4 “(2) such children make up more than 2 per-
5 cent of the total school-age population in the agen-
6 cy’s jurisdiction.

7 “(c) CHILDREN TO BE COUNTED.—

8 “(1) CATEGORIES OF CHILDREN.—The number
9 of children to be counted for purposes of this section
10 is the aggregate of—

11 “(A) the number of children ages 5 to 17,
12 inclusive, in the school district of the local edu-
13 cational agency involved from families below the
14 poverty level as determined under paragraph
15 (2); and

16 “(B) the number of children (determined
17 under paragraph (4) for either the preceding
18 year as described in that paragraph, or for the
19 second preceding year, as the Secretary finds
20 appropriate) ages 5 to 17, inclusive, in the
21 school district of the local educational agency
22 involved in institutions for neglected and delin-
23 quent children (other than such institutions op-
24 erated by the United States), but not counted
25 pursuant to subpart 1 of part D for the pur-

1 poses of a grant to a State agency, or being
2 supported in foster homes with public funds.

3 “(2) DETERMINATION OF NUMBER OF CHIL-
4 DREN.—

5 “(A) NUMBER OF CHILDREN BELOW THE
6 POVERTY LEVEL.—For purposes of this sub-
7 section, the Secretary shall determine the num-
8 ber of children ages 5 to 17, inclusive, from
9 families below the poverty level on the basis of
10 the most recent satisfactory data, described in
11 paragraph (3), that is available from the De-
12 partment of Commerce.

13 “(B) SPECIAL RULES.—

14 “(i) DISTRICT OF COLUMBIA AND
15 PUERTO RICO.—The District of Columbia
16 and the Commonwealth of Puerto Rico
17 shall be treated as individual local edu-
18 cational agencies for purposes of this para-
19 graph.

20 “(ii) MULTIPLE COUNTIES.—If a local
21 educational agency contains 2 or more
22 counties in their entirety, then each county
23 will be treated as if such county were a
24 separate local educational agency for pur-
25 poses of calculating grants under this part.

1 The total of grants for such counties shall
2 be allocated to such local educational agen-
3 cy and the local educational agency shall
4 distribute to schools in each county within
5 such agency a share of the local edu-
6 cational agency's total grant in an amount
7 that is not less than the county's share of
8 the population counts used to calculate the
9 local educational agency's grant.

10 “(3) POPULATION UPDATES.—

11 “(A) IN GENERAL.—In fiscal year 2001,
12 and every 2 years thereafter, the Secretary shall
13 use updated data on the number of children,
14 ages 5 to 17, inclusive, from families below the
15 poverty level for local educational agencies or
16 counties, as published by the Department of
17 Commerce, unless the Secretary and the Sec-
18 retary of Commerce determine that the use of
19 the updated population data would be inappro-
20 priate or unreliable.

21 “(B) CRITERIA OF POVERTY.—In deter-
22 mining the families which are below the poverty
23 level, the Secretary shall utilize the criteria of
24 poverty used by the Bureau of the Census in
25 compiling the most recent decennial census, in

such form as those criteria have been updated by increases in the Consumer Price Index for all urban consumers, published by the Bureau of Labor Statistics.

“(C) INAPPROPRIATE OR UNRELIABLE DATA.—If the Secretary and the Secretary of Commerce determine that some or all of the data referred to in subparagraph (A) are inappropriate or unreliable, the Secretaries shall publicly disclose the reasons for such determination.

“(D) CASELOAD DATA.—The Secretary shall determine the number of children described in subparagraph (A) and the number of children ages 5 to 17, inclusive, living in institutions for neglected or delinquent children, or being supported in foster homes with public funds, on the basis of the caseload data for the month of October of the year preceding the fiscal year for which the determination is being made (using, in the case of children described in the preceding sentence, the criteria of poverty and the form of such criteria required by such sentence which were determined for the calendar year preceding such month of October)

“(4) OTHER CHILDREN TO BE COUNTED.—
“(A) IN GENERAL.—
For the purposes of this section, the Secretary shall—
(i) determine the number of children ages 5 to 17, inclusive, from families above the poverty level on the basis of the number of such children from families receiving in annual income in excess of the current criteria of poverty for payments under a State program funded under part A of title IV of the Social Security Act; and →

"(i) in making a
 determination under
 clause (i), utilize
 the criteria of
 poverty used by the
 Bureau of the Census
 in compiling the
 most recent decennial
 census for a family
 of 4 in such form
 as those criteria have
 been updated by
 increases in the
 Consumer Price Index
 for all urban consumers,
 published by the
 Bureau of Labor Statistics.

or, to the extent that such data are not avail-
 able to the Secretary before January of the cal-
 endar year in which the Secretary's determina-
 tion is made, then on the basis of the most re-
 cent reliable data available to the Secretary at
 the time of such determination. For the purpose
 of this section, the Secretary shall consider all
 children who are in correctional institutions to
 be living in institutions for delinquent children.

"(E) COLLECTION AND TRANSMISSION OF
 DATA.—The Secretary of Health and Human
 Services shall collect and transmit the informa-
 tion required by this subparagraph to the Sec-
 retary not later than January 1 of each year.

"(F) ESTIMATE.—When requested by the Sec-
 retary, the Secretary of Commerce shall make a spe-
 cial updated estimate of the number of children of
 such ages who are from families below the poverty
 level in each school district, and the Secretary may
 pay (either in advance or by way of reimbursement)
 the Secretary of Commerce the cost of making this
 special estimate. The Secretary of Commerce shall
 give consideration to any request of the chief execu-
 tive of a State for the collection of additional census
 information.

1 “(d) STATE MINIMUM.—Notwithstanding section
2 1122, the aggregate amount allotted for all local edu-
3 cational agencies within a State may not be less than the
4 lesser of—

5 “(1) 0.25 percent of total amount of grants
6 awarded under this section; or

7 “(2) the average of—

8 “(A) one-quarter of 1 percent of the total
9 amount available for such fiscal year under this
10 section; and

11 “(B) the number of children in such State
12 counted under subsection (c) in the fiscal year
13 multiplied by 150 percent of the national aver-
14 age per pupil payment made with funds avail-
15 able under this section for that year.”.

16 **SEC. 119. CONCENTRATION GRANTS.**

17 Section 1124A (20 U.S.C. 6334.) is amended to read
18 as follows:

19 **“SEC. 1124A. CONCENTRATION GRANTS TO LOCAL EDU-
20 CATIONAL AGENCIES.**

21 “(a) ELIGIBILITY FOR AND AMOUNT OF GRANTS.—

22 “(1) ELIGIBILITY.—

23 “(A) IN GENERAL.—Except as otherwise
24 provided in this paragraph, each local edu-
25 cational agency in a State other than Guam,

1 American Samoa, the Virgin Islands, and the
2 Commonwealth of the Northern Mariana Is-
3 lands, that is eligible for a grant under section
4 1124 for any fiscal year shall be eligible for an
5 additional grant under this section for that fis-
6 cal year if the number of children counted
7 under section 1124(c) with respect to the agen-
8 cy exceeds—

9 “(i) 6,500; or

10 “(ii) 15 percent of the total number of
11 children ages 5 through 17, inclusive, in
12 the agency.

13 “(B) MINIMUM AMOUNT.—Notwith-
14 standing section 1122, no State described in
15 subparagraph (A) shall receive an amount
16 under this section that is less than the lesser
17 of—

18 “(i) 0.25 percent of the total amount
19 of grants awarded under this section; or

20 “(ii) the average of—

21 “(I) one-quarter of 1 percent of
22 the amounts made available to carry
23 out this section for such fiscal year;
24 and

25 “(II) the greater of—

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1 “(aa) \$340,000; or

2 “(bb) the number of children in
3 such State counted for purposes
4 of this section in that fiscal year
5 multiplied by 150 percent of the
6 national average per pupil pay-
7 ment made with funds available
8 under this section for that year.

9 “(2) SPECIAL RULE.—For each local edu-
10 cational agency eligible to receive an additional
11 grant under this section for any fiscal year the Sec-
12 retary shall determine the product of—

13 “(A) the number of children counted under
14 section 1124(c) for that fiscal year; and

15 “(B) the quotient resulting from the divi-
16 sion of the amount determined for those agen-
17 cies under section 1124(a)(1) for the fiscal year
18 for which the determination is being made di-
19 vided by the total number of children counted
20 under section 1124(c) for that agency for that
21 fiscal year.

22 “(3) AMOUNT.—The amount of an additional
23 grant for which an eligible local educational agency
24 is eligible under this section for any fiscal year shall
25 be an amount that bears the same ratio to the

1 amount available to carry out this section for that
2 fiscal year as the product determined under para-
3 graph (2) for such local educational agency for that
4 fiscal year bears to the sum of such product for all
5 local educational agencies in the United States for
6 that fiscal year.

7 “(4) LOCAL ALLOCATIONS.—Grant amounts
8 under this section shall be determined in accordance
9 with section 1124(a)(2) and (3).

10 “(b) STATES RECEIVING MINIMUM GRANTS.—With
11 respect to a State that receives a grant for the minimum
12 amount under subsection (a)(1)(B), the State educational
13 agency shall allocate such amount among the local edu-
14 cational agencies in each State either—

15 “(1) in accordance with paragraphs (2) and (4)
16 of subsection (a); or

17 “(2) based on their respective concentrations
18 and numbers of children counted under section
19 1124(c), except that only those local educational
20 agencies with concentrations or numbers of children
21 counted under section 1124(c) that exceed the state-
22 wide average percentage of such children or the
23 statewide average number of such children shall re-
24 ceive any funds on the basis of this paragraph.”.

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 COLUMBLA, 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 Reinvention, 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 sserting “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 “(e) 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) RELATION TO OTHER FEDERAL FUNDING.—~~
19 Funds received under this part by a State educational
20 agency or an 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.

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 ementary 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. +1

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

16 ~~“(a) ALLOCATIONS.—A 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 by the Secretary.

21 ~~“(b) 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

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 teachers ^{and highly qualified principals} as defined in title II;

7 “(5) parental involvement activities; or

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

10 “(c) RESERVATION OF ADMINISTRATIVE FUNDS.—

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

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

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

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

23 “(A) shall use not less than 99.5 percent
24 of the grant funds to award grants to eligible
25 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.

14 **“SEC. 1607. REPORTS.”**

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 sistance 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 (e).

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

“(iii) demonstrates subject matter knowledge, teaching knowledge, and the teaching skills required to teach effectively reading, writing, mathematics, science, social studies, and other elements of a liberal 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;

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

“(I) completion of an academic
major (or courses totaling an equivalent 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.—[^]The 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 (c) 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 ^{ail} 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 disabil-
23 ities 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

1 “(2) an amount that bears the same relation-
2 ship to 20 percent of the remainder as the enroll-
3 ment of the school-age population in public and pri-
4 vate nonprofit elementary schools and secondary
5 schools in the area served by the local educational
6 agency bears to the enrollment of the school-age
7 population in public and private nonprofit elemen-
8 tary schools and secondary schools in the area
9 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.—

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