

Goals 2000: Educate America Act Legislative Summary

Overview

The Goals 2000 Act, signed into law March 31, 1994, provides resources to states and communities as they work to improve student academic achievement. States and communities are using Goals 2000 funds to provide teacher training, expand the use of computers in classrooms, raise academic standards, and increase parental and community involvement in education.

Components of the "Goals 2000: Educate America Act"

Title I: The National Education Goals

- This title formalizes in law the original six National Education Goals. These goals concern: readiness for school; increased school graduation rates; student academic achievement and citizenship; mathematics and science performance; adult literacy; and safe, disciplined, and drug-free schools. The Act adds two new goals that encourage parental participation and improved professional development for teachers.
- These goals are what President Bush, the nation's Governors, and the U.S. Congress, hope we will accomplish as a nation by the year 2000. Some states and communities have adopted the original goals, others have adapted them to their own circumstances. Neither the Goals 2000 Act nor any other federal legislation requires states to adopt or implement the National Education Goals as a condition of receiving federal funding.
- Goals 2000 does not require states to adopt National Education Goals. It does not contain any provisions for enforcing or monitoring compliance with the Goals. Attainment of the Goals is completely voluntary.

Title II: National Education Reform Leadership, Standards, and Assessments

- Title II establishes in law a bipartisan National Education Goals Panel, which was originally created by President Bush and the nation's governors in 1990 to monitor the nation's progress toward the National Education Goals. The Goals Panel is comprised of eight Governors, four state legislators, four members of Congress, the Secretary of Education and the President's Domestic Policy Advisor.
- Title II creates the National Education Standards and Improvement Council (NESIC), made up of a bipartisan, broad base of citizens, employees, and educators, to examine and certify voluntary national and state standards submitted on a voluntary basis by states.

and by organizations working on particular academic subjects.

(NOTE: Despite the carefully delineated authority provided to NESIC under the Goals 2000 Act, concerns have been raised about any certification of standards. Upon recommendation of the National Education Goals Panel on January 28, 1995, the Secretary of Education has asked the President not to appoint NESIC. Legislation has passed in the House and is pending in the Senate to eliminate NESIC.)

- Title II authorizes grants to be awarded to states to support the development of voluntary student assessment systems aligned to state standards, and for the development of model opportunity-to-learn standards.

Title III: State and Local Education Improvement

For first-year funding, states were required to submit a brief application to describe how a broad-based citizen panel will develop a plan to improve schools. States also were required describe how subgrants were to be made for local education improvement and better teacher preservice and professional development.

Broad-Based Citizen Involvement in State Improvement Efforts

- Title III requires the Governor and the Chief State School Officer to each appoint half the members of a broad-based school improvement panel. This panel is comprised of teachers, principals, administrators, parents, representatives of business, labor, and higher education, and members of the public, as well as the chair of the state board of education and the chairs of the appropriate authorizing committees of the state legislature.
- This title enables states that already have a broad-based panel in place that has made substantial progress in developing a education improvement plan to request that the Secretary of Education recognize the existing panel.

Comprehensive Improvement Plan Geared to High Standards of Achievement

- Title III provides for the development of a comprehensive improvement plan by the State Planning Panel. The plan must be approved by the state education agency and be consistent with state law.
- Title III allows states with improvement plans already in place to not be required to develop new plans for Goals 2000. The U.S. Secretary of Education may approve plans, or portions of plans, already adopted by the state.

- In order to receive Goals 2000 funds after the first year, states must submit their school improvement plan or an application that indicates they have made substantial progress in its plan development.
- Title III requires that a peer review panel state and local level be formed to review the state improvement plans. The panel, comprised of non-federal educators, employers, parents, and state and local elected officials, offers guidance to states and recommends to the Secretary of Education whether the education improvement plan should be approved.

The purpose of reviewing and approving state education reform plans is to ensure that federal funds are invested only in state education reforms with a reasonable chance of success.

Title III provides that the following strategies be developed:

- Strategies for the development or adoption of student academic standards, assessments, and plans for improving teacher training.
- Strategies to involve parents and the community in helping all students meet challenging state standards and to promote grass-roots, bottom-up involvement in education.
- Strategies for ensuring that all local educational agencies and schools in the state are involved in developing and implementing needed improvements.
- Strategies for improved management and governance, and for promoting accountability for results, flexibility, site-based management, and other principles of high-performance management.
- Strategies for providing all students an opportunity to learn at higher academic levels. While these strategies have to be outlined in the plan, the implementation of the strategies is voluntary.
- Strategies for assisting local educational agencies and schools to meet the needs of school-age students who have dropped out of school.
- Strategies for bringing technology into the classroom to increase learning.

Funds are also available to states to support the development of a state technology plan, to be integrated with the overall reform plan.

Broad-Based Involvement in Local Education Improvement Efforts

- Title III requires each local school district, that applies to the state for Goals 2000 funds to develop a broad consensus regarding a local improvement plan. In order to assist schools in developing and implementing improvements that best meet the particular needs of the schools. The local plan must include strategies for ensuring that students meet higher academic standards.
- Decisions regarding the content of curriculum, assessments, and social services remain local decisions. Section 318 of the Act specifically prohibits federal mandates, direction and control of education.

Waivers and Flexibility

- Title III allows states with approved Goals 2000 plans to request from the Secretary of Education waivers of statutory and regulatory requirements in most other federal education programs, if these requirements interfere with implementation of the state's approach to education improvement. Local school districts and individual schools working on education improvement may similarly request, through their state, waivers, regardless of whether they receive Goals 2000 funds.
- Certain requirements, such as the allocation of funds to school districts, and certain laws, such as civil rights and special education laws, may not be waived.
- Title III also authorizes up to six states to participate in the "Ed-Flex Demonstration Program," in which the Secretary of Education delegates this new waiver authority to the state education agency. This permits state officials to waive federal requirements for local school districts and schools if they impede education reform efforts.

Timetable and Funding

In 1994, \$105 million was appropriated for Goals 2000. Congress appropriated \$372 million for 1995. The Senate Appropriations Committee has proposed \$310 million for 1996 while the House of Representatives eliminated funding for Goals 2000. The President has stated that he will veto any bill that substantially reduces funding for education.

Goals 2000 funds are available to states on a formula basis. (Attachment A)

During the first year of participation, at least 60 percent of each state's funds were awarded to local school districts. Seventy-five percent of those funds went directly to schools.

During years 2-5, at least 90 percent of each state's funds will be awarded to school districts. At least 85 percent of those funds are awarded to schools.

Title IV. Parental Assistance

- Title IV creates parental information and resource centers to increase parents' knowledge about child-rearing and to strengthen partnerships between parents and educators in meeting the educational needs of children.
- Local non-profit agencies serving parents are eligible to receive funds to establish parent resource centers. These grants are awarded independent of state participation in Title III of Goals 2000. Agencies in states not participating in Goals 2000 can and have received grants under this title. Their activities are not necessarily related to the state's Goals 2000 activities.

Title V. National Skill Standards Board

- Title V creates a National Skill Standards Board to support the development and adoption of voluntary occupational skill standards and certification. The Board is responsible for identifying major occupations in the U.S. to facilitate voluntary partnerships to develop skill standards for each occupation. The Board will endorse those skill standards submitted by the partnerships that meet certain criteria.

Title VI. International Education Program

- This title authorizes international exchange activities designed to promote democracy and free market economies. Through grants or contracts awarded by the Secretary, curricula and teacher training programs in civics and economics developed in the United States are made available to eligible countries in Central and Eastern Europe and the former Soviet Union. Two grants were awarded in 1995, one focusing on civics education, the other on economics education.

Title VII.

- Title VII creates the Safe Schools Act of 1994, which provides funds to help local school districts achieve Goals Six of the National Education Goals. Nineteen grants were awarded in 1995 to help schools develop programs to address changes and violence problem.

Title VIII. Minority-focused Civics Education

- This title authorizes the award of grants for seminars in American government and civics for elementary and secondary school teachers and other educators who work with minority and Native American students. The program is to consist of summer institutes followed by inservice training programs during the academic year. No funds have been available for this title.

Title IX. Educational Research and Improvement

- This title, the "Educational Research, Development, Dissemination, and Improvement Act," reauthorizes the Department's research and dissemination unit. It establishes five research institutes, an office for reform assistance, the National Library of Education, a research policies and priorities board, and administrative structures to support them. This title does not directly relate to Goals 2000.

Title X. Miscellaneous

- Sections in this title include authorization for a study on how well students with disabilities are represented in school improvement efforts funded under Goals 2000. The title also contains other provisions unrelated to Goals 2000.

11/29/95

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Overview

The Goals 2000 Act, signed into law March 31, 1994, provides resources to states and communities as they work to improve student academic achievement. States and communities are using Goals 2000 funds to provide quality professional development for teachers, expand the use of computers in classrooms, raise academic standards, and increase parental and community involvement in education.

Components of the "Goals 2000: Educate America Act"

Title I: The National Education Goals

- This title formalizes in law the original six National Education Goals. These goals concern: readiness for school; increased school graduation rates; student academic achievement and citizenship; mathematics and science performance; adult literacy; and safe, disciplined, and drug-free schools. The Act adds two new goals that encourage parental participation and improved professional development for teachers.
- These goals are symbolic expressions of what the President, the nation's Governors, and now the U.S. Congress, hope we will accomplish as a nation by the year 2000. Some states and communities have adopted the original goals, others have adapted them to their own circumstances. Neither the Goals 2000 Act nor any other federal legislation requires states to adopt or implement the National Education Goals as a condition of receiving federal funding.
- The National Education Goals are not mandates, and there are no enforcement or compliance monitoring mechanisms written into law.

Title II: National Education Reform Leadership, Standards, and Assessments

- The bipartisan National Education Goals panel, was originally created by President Bush and the nation's governors in 1990 to monitor the nation's progress toward the National Education Goals. The Goals Panel is comprised of eight Governors, four state legislators, four members of Congress, the Secretary of Education and the President's Domestic Policy Advisor.

- The National Education Standards and Improvement Council is made up of a bipartisan, broad base of citizens, employees, and educators, to examine and certify voluntary national and state standards submitted on a voluntary basis by states and organizations working on particular academic subjects.

(NOTE: Despite the carefully delineated authority provided to NESIC under the Goals 2000 Act, concerns have been raised about any certification of standards. Upon recommendation of the National Education Goals Panel on January 28, 1995, the Secretary of Education has asked the President not to appoint NESIC. Legislation has passed in the House and is pending in the Senate to eliminate NESIC.)

- This title also authorizes grants to support the development of voluntary student assessment systems aligned to state standards, and for the development of model opportunity-to-learn standards. Funds have not been available for the development of model opportunity-to-learn standards. Nine assessment grants have been awarded to a total of twenty-five states to develop or field test new student assessment systems aligned to high standards.

Title III: State and Local Education Improvement

For first-year funding, states submitted a brief application that described how a broad-based citizen panel will develop a plan to improve schools. States have the option to use plans that already have been developed. The application also described how subgrants were to be made for local education improvement and better teacher preservice and continuing professional development.

Broad-Based Citizen Involvement in State Improvement Efforts

- The Governor and the Chief State School Officer each appoint half the members of a broad-based school improvement panel. This panel is comprised of teachers, principals, administrators, parents, representatives of business, labor, and higher education, and members of the public, as well as the chair of the state board of education and the chairs of the appropriate authorizing committees of the state legislature.
- States that already have a broad-based panel in place that has made substantial progress in developing a education improvement plan may request that the Secretary of Education recognize the existing panel.

Comprehensive Improvement Plan Geared to High Standards of Achievement

- The State Planning Panel is responsible for developing a comprehensive reform plan. The plan must be approved by the state education agency and be consistent with state

law.

- States with improvement plans already in place will not have to develop new plans for Goals 2000. The U.S. Secretary of Education may approve plans, or portions of plans, already adopted by the state. To date, six states have submitted preexisting plans: Kentucky, Massachusetts, Ohio, Utah, Michigan, and Oregon. All these plans have been approved.
- In order to receive Goals 2000 funds after the first year, states submit their school improvement plan or an application that indicates they have made substantial progress in its plan development.
- A peer review panel is brought together to review the state improvement plans. This panel, comprised of non-federal educators, employers, parents, and state and local officials, offers guidance to states and recommends to the Secretary of Education whether the education improvement plan should be approved.
- The purpose of reviewing and approving state education reform plans is to ensure that federal funds are invested only in state education reforms with a reasonable chance of success.
- As of November 14, 1995, fourteen states have submitted and had their education improvement plans approved. No state has had their plan rejected, nor has any state been required to modify its plan.

In general, the plans address:

- Strategies for the development or adoption of student academic standards, assessments, and plans for improving the preparation and advanced professional training of teachers.
- Strategies to involve parents and the community in helping all students meet challenging state standards and to promote grass-roots, bottom-up involvement in education.
- Strategies for ensuring that all local educational agencies and schools in the state are involved in developing and implementing needed improvements.
- Strategies for improved management and governance, and for promoting accountability for results, flexibility, site-based management, and other principles of high-performance management.
- Strategies for providing all students an opportunity to learn at higher academic levels. While these strategies have to be outlined in the plan, the implementation of the strategies is voluntary.

- Strategies for assisting local educational agencies and schools to meet the needs of school-age students who have dropped out of school.
- Strategies for bringing technology into the classroom to increase learning.

Funds are also available to states to support the development of a state technology plan, to be integrated with the overall reform plan.

Broad-Based Involvement in Local Education Improvement Efforts

- Each local school district, applying to the state for Goals 2000 funds will be asked to develop a broad consensus regarding a local improvement plan.
- Local districts encourage and assist schools in developing and implementing improvements that best meet the particular needs of the schools. The local plan would include strategies for ensuring that students meet higher academic standards.
- All of these strategies focus on improving student achievement. Decisions regarding the content of curriculum, assessments, and social services remain local decisions. Section 318 of the Act specifically prohibits federal mandates, direction and control of education.

Waivers and Flexibility

- States with approved Goals 2000 plans may request from the Secretary of Education waivers of statutory and regulatory requirements in most other federal education programs, if these requirements interfere with implementation of the state's approach to education improvement. Local school districts and individual schools working on education improvement may similarly request waivers through their state regardless of whether they receive goals 2000 funds.
- Certain requirements, such as the allocation of funds to school districts, and certain laws, such as civil rights and special education laws, may not be waived.
- Up to six states will participate in the "Ed-Flex Demonstration Program," in which the Secretary of Education delegates his waiver authority to the state education agency. This permits state officials to waive federal requirements for local school districts and schools if they impede education reform efforts.
- To date, Oregon, Massachusetts, Kansas, and Ohio have been selected as Ed Flex states.
- Prior to the enactment of Goals 2000, no U.S. Secretary of Education had the authority

to waive any statutory or regulatory requirements for any reason.

Timetable and Funding

In 1994, \$105 million was appropriated for Goals 2000. Congress appropriated \$372 million for 1995. The Senate Appropriations Committee has proposed \$310 million for 1996 while the House of Representatives eliminated funding for Goals 2000. The President has stated that he will veto any bill that substantially reduces funding for education.

Goals 2000 funds are available to states on a formula basis. Attached is a chart with the state funding levels for 1994 and 1995.

During the first year of participation, at least 60 percent of each state's funds were awarded to local school districts. Seventy-five percent of those funds went directly to schools.

During years 2-5, at least 90 percent of each state's funds will be awarded to school districts. At least 85 percent of those funds are awarded to schools.

Title IV. Parental Assistance

- This title creates parental information and resource centers to increase parents' knowledge about child-rearing and to strengthen partnerships between parents and educators in meeting the educational needs of children.
- Local non-profit agencies serving parents are eligible to receive funds to establish parent resource centers. These grants are awarded independent of state participation in Title III of Goals 2000. Agencies in states not participating in Goals 2000 can and have received grants under this title. Their activities are not necessarily related to the state's Goals 2000 activities.
- Twenty-eight parent resource centers were funded by the U.S. Department of Education in 1995.

Title V. National Skill Standards Board

- This title creates a National Skill Standards Board to support the development and adoption of voluntary occupational skill standards and certification. The Board is responsible for identifying major occupations in the U.S. to facilitate voluntary partnerships to develop skill standards for each occupation. The Board will endorse those skill standards submitted by the partnerships that meet certain criteria.

Other Provisions Contained in PL 103-227, but not related to Goals 2000

Title VI. International Education Program

- This title authorizes international exchange activities designed to promote democracy and free market economies. Through grants or contracts awarded by the Secretary, curricula and teacher professional development programs in civics and economics developed in the United States are made available to eligible countries in Central and Eastern Europe and the former Soviet Union. Two grants were awarded in 1995, one focusing on civics education, the other on economics education.

Title VII. Safe Schools

- Title VII creates the Safe Schools Act of 1994, which provides funds to help local school districts achieve Goal Six of the National Education Goals. Nineteen grants were awarded in 1995 to help schools develop programs to address drugs and violence.

Title VIII. Minority-focused Civics Education

- This title authorizes the award of grants for seminars in American government and civics for elementary and secondary school teachers and other educators who work with minority and Native American students. The program consists of summer institutes followed by inservice training programs during the academic year. No funds have been made available for this title.

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Goals 2000 - Title III

State	FY 1994 Final Allotment	FY 1995 Final Allotment
TOTAL, 52 STATES:	\$91,480,000	\$358,251,300
ALABAMA	1,604,625	\$5,941,766
ALASKA	460,574	1,547,345
ARIZONA	1,364,600	5,450,582
ARKANSAS	993,175	3,650,495
CALIFORNIA	10,514,198	42,111,705
COLORADO	1,086,789	4,288,514
CONNECTICUT	962,265	3,460,756
DELAWARE	406,278	1,291,544
FLORIDA	4,022,211	15,861,034
GEORGIA	2,358,215	8,959,402
HAWAII	417,745	1,381,641
IDAHO	458,232	1,568,397
ILLINOIS	4,138,448	15,992,571
INDIANA	1,737,392	6,557,145
IOWA	888,162	3,219,618
KANSAS	865,991	3,193,916
KENTUCKY	1,479,642	5,775,274
LOUISIANA	2,064,025	7,968,128
MAINE	506,617	1,647,540
MARYLAND	1,450,703	5,379,938
MASSACHUSETTS	1,884,961	6,990,859
MICHIGAN	3,622,852	14,371,488
MINNESOTA	1,389,913	5,377,078
MISSISSIPPI	1,361,751	5,094,972
MISSOURI	1,694,086	6,525,935
MONTANA	449,712	1,560,150
NEBRASKA	568,280	1,986,104
NEVADA	410,679	1,419,052
NEW HAMPSHIRE	0	1,290,294
NEW JERSEY	2,445,502	8,792,536
NEW MEXICO	742,764	2,782,261
NEW YORK	7,166,140	27,112,295
NORTH CAROLINA	2,060,116	7,745,087
NORTH DAKOTA	406,852	1,340,576
OHIO	3,711,499	14,833,684
OKLAHOMA	1,155,879	4,396,613
OREGON	1,048,333	4,012,392
PENNSYLVANIA	4,070,640	15,529,194
RHODE ISLAND	442,901	1,480,004
SOUTH CAROLINA	1,276,721	4,710,359
SOUTH DAKOTA	427,589	1,412,549
TENNESSEE	1,680,252	6,387,802
TEXAS	7,286,644	29,228,278
UTAH	710,199	2,587,039
VERMONT	407,301	1,272,847
VIRGINIA	0	6,658,924
WASHINGTON	1,583,754	6,328,974
WEST VIRGINIA	779,620	2,799,259
WISCONSIN	1,685,573	6,582,097
WYOMING	370,640	1,262,907
DISTRICT OF COLUMBIA	477,300	1,523,409
PUERTO RICO	2,381,661	9,608,968

Goals 2000: Educate America Act

Purpose, §2. Sets out the same 7 purposes for the bill as the Administration's proposal (adding promoting the use of technology in purpose six). Adds as an eighth purpose, assisting every elementary and secondary school receiving funds under the Act to actively involve parents and families and provide parents with skills to advocate for their children.

Definitions, §3. Defines "all children" and "all students" similar to the Administration's definition of "all students" (adds dropouts). Defines "opportunity-to-learn standards" in terms of assessing the sufficiency of resources, practices and conditions. Defines "State" to include the "outlying areas", and the "outlying areas" to include the Freely Associated States (the Marshall Islands and Micronesia). Also defines "State assessment".

Title I - National Education Goals

Purpose, §101. Sets out as the purpose of this title the establishment of National Education Goals.

National Education Goals, §102. Sets out 8 National Education Goals and the objectives for each Goal. Adopts 4 of the original NGA Goals (School Readiness, School Completion, Mathematics and Science, Adult Literacy and Lifelong Learning), revises two other NGA Goals (Student Achievement and Citizenship (adding civics, government, and economics as challenging subject matter and an objective that all students have access to physical and health education) and Safe, Disciplined, and Drug-free Schools (adding firearms and alcohol and an objective that every school should work to eliminate sexual harassment)), and adds two new Goals (Teacher Education and Professional Development, School and Home Partnership).

Title II - National Education Reform Leadership, Standards, and Assessments

Part A - National Education Goals Panel

Purpose, §201. Sets out the purpose of the title, similar to the Administration's proposal. However, deletes, as a purpose "approving" voluntary national content and student performance standards and national opportunity-to-learn (OTL) standards. Instead has Goals Panel (GP) "reviewing" such standards and criteria with the option of disapproving them not later than 90 days after their receipt.

Establishment, §202(a). Establishes the GP within the Executive Branch to advise the President, Secretary, and Congress.

Composition, §202(b). Requires 18 members: 2 Presidential

appointees; 8 Governors (5 from the opposite political party as the President); 4 members of Congress (one each appointed by the majority and minority leader of each House); and 4 members of State legislatures (2 of whom have to be of the same political party as the President).

Special Appointment Rule, §202(c). The Chair and Vice Chair of the National Governors Association appoint Governors to the GP. Provides for allowing the current GP members to continue serving. Requires, to extent feasible, that membership be geographically diverse and representative of national racial, ethnic, and gender diversity.

Terms, §202(d). Provides that Presidential appointees serve at the pleasure of the President, and that Governors, Congressional appointees, and State legislators serve for 2 years.

Date of Appointment, §202(e). Requires member appointments not later than 60 days after enactment.

Initiation, §202(f). Permits the GP to begin its duties when 10 members are appointed.

Vacancies, §202(g). Provides for filling vacancies.

Travel, §202(h). Provides for travel expenses, including per diem.

Chair, §202(i). GP members to select Chair from among the members; Chair serves 1 year term, alternating between political parties.

Conflict of interest, §202(j). Prohibits a GP member who is an elected State official from participating in GP consideration of such State's content and performance or OTL standards.

Ex Officio Members, §202(k). Requires the Secretary to serve as a nonvoting ex officio GP member (unless the President has made the Secretary one of the two Presidential appointees).

Duties, §203. Reports on progress of the Nation and States towards the Goals; promising and effective actions; and State OTL standards and strategies and the progress of States that are implementing such standards. Submits nominations to the President for NESIC. Reviews, after taking public comment into consideration, NESIC criteria for the certification of State content, performance, OTL standards and assessments and voluntary national content, performance, OTL standards certified by NESIC, with an option of disapproving such criteria and standards by a 2/3's majority vote not later than 90 days after their receipt. Provides consensus building on achieving the Goals. Submits an annual report (not called a National Report Card) that contains certain information to be presented in a form understandable to parents and the public.

Powers, §204. Similar to the Administration's proposal (provides for hearings; information gathering; use of postal services, gifts, facilities and services; and administrative and support services). Doesn't contain the authority to accept and use gifts.

Administrative Provisions, §205. Similar to the Administration's proposal (setting forth provisions on meetings, quorum, voting, and public access). However, requires the GP to operate by consensus in reaching final decisions (and requires, if voting is necessary, that final decisions be made by 3/4 of those present and voting).

Director and Staff; Experts and Consultants, §206. Provides for the appointment and pay of a Director and staff, and the hiring of experts and consultants, and the detailing of Federal personnel.

Early Childhood Assessment, §207. Requires the GP to support and report on the work of its Resources and Technical Planning Groups on School Readiness (RTPG) to improve methods of assessing readiness that would lead to alternatives to currently used early childhood assessments. Requires the RTPG to undertake certain activities (including developing a model of elements that address early childhood development needs).

Part B - National Education Standards and Improvement Council

Purpose, §211. Very similar to the Administration's proposed purposes. States that State content, performance, and OTL can be certified if they are comparable or higher in rigor and quality to certified national standards. States that State assessments can be certified if they are aligned with and support certified state content standards and are valid, reliable, and consistent (doesn't use term "fair") with relevant, nationally recognized professional and technical standards for assessments.

Establishment, §212(a). Establishes the National Education Standards and Improvement Council (NESIC) in the Executive Branch.

Composition, §212(b). Requires 19 members, appointed by President. Requires 1 member to be a representative of postsecondary institutions, 1 from organized labor, and 1 from business who is also a member of the National Skill Standards Board.

Seven members are to be appointed from nominations by the Secretary (2 professional educators; 2 from the public; 2 from education experts; and 1 from business, labor, or higher education). A total of twelve members (1 from each of the qualification categories) are to be appointed from nominations by the Speaker of the House, the majority leader of the Senate, and

the GP.

Qualifications, §212(c). Provides a list of groups from which NESIC members must come: professional educators; representatives of business, industry, and post-secondary educational institutions; the public; and education experts.

Requires the Secretary to nominate 21 individuals (3 professional educators; 6 from the public; 6 from education experts; and 6 from business, labor, or higher education); the Speaker to nominate 12 individuals (3 from each of the qualification categories); the majority leader of the Senate to nominate 12 individuals (3 from each of the qualification categories); and the GP to nominate 12 individuals (3 from each of the qualification categories).

Not less than 1/3 of those nominated and appointed must have expertise or background in the educational needs of children from low-income families, from minority backgrounds, limited English proficiency, or have disabilities. To the extent feasible: (1) NESIC membership is to reflect U.S. geographic, racial, ethnic, gender, and disability diversity; and (2) nominations and appointments are to be divided equally between the two major political parties.

Terms, §212(d). Establishes 3 year terms and prohibits more than 2 consecutive terms. Requires the Secretary, by lot, to establish the initial rotation so that terms are staggered.

Date of Appointment, §212(e). Requires appointment of members within 120 days of enactment.

Initiation, §212(f). Requires NESIC duties to be carried out after all 19 members appointed.

Retention, §212(g). Requires members to attend at least 2/3 of the scheduled meetings per year to keep their appointment.

Vacancy, §212(h). Provides for filling vacancies.

Compensation, §212(i). Authorizes compensation, not to exceed GS-15 level, for members who are not full time Federal employees.

Conflict of Interest, §212(j). Prohibits: (1) a NESIC member from concurrently serving on the GP; (2) a NESIC member from participating in NESIC consideration of their own State's standards and assessments.

Requires the officer responsible for granting waivers under §208(b)(3) of the Ethics in Government Act to submit to the Senate and House education committees a copy of the waiver. Requires NESIC to develop, and submit to the Senate and House

education committees, procedures for dealing with participation in matters that affects the members' financial interest.

Travel, §212(k). Provides for travel expenses.

Officers, §212(l). Provides that officers shall be selected by and from members for 1 year terms.

Duties, §213. Voluntary National Content Standards, §213(a). Requires NESIC to identify and certify voluntary national content and student performance standards and submit such certified standards to the GP for review, with GP having the option of disapproving them by a 2/3 vote of the full membership within 90 days.

Requires NESIC to identify and develop criteria for certifying voluntary national content and student performance standards and, before applying them, submit such criteria to the GP for review, with GP having the option of disapproving them by a 2/3 vote of the full membership within 90 days. Requires the criteria to address certain factors.

Requires NESIC, in developing criteria, to work with other appropriate entities. Requires NESIC to develop a process for periodically reviewing certified content, performance, and OTL standards.

Voluntary State Content Standards, §213(b). Requires NESIC to certify State content and student performance standards, voluntarily presented by a State or group of States, if they are comparable or higher in rigor and quality to NESIC certified national content and performance standards.

Voluntary National OTL Standards, §213(c). Requires NESIC to certify voluntary national OTL standards and forward such certified standards to the GP for review, with GP having the option of disapproving them by a 2/3 vote of the full membership within 90 days. Authorizes NESIC to consider proposals from groups than those receiving OTL Development Grants (§219).

Requires certified OTL standards to address certain elements. These elements are similar to those proposed by the Administration, except elements on the extent to which school facilities provide a safe and secure environment and have requisite resources and the extent to which schools utilize policies, curricula, and practices ensuring nondiscrimination based on gender. Also, requires such standards to address the capability of teachers to meet the diverse learning needs in each content area for all students.

Requires NESIC to identify what countries with rigorous content standards do and develop criteria for certifying national and

State OTL standards. Requires NESIC, before using such criteria, to forward them to GP for review, with GP having the option of disapproving them by a 2/3 vote of the full membership within 90 days.

Requires NESIC to assist in developing national OTL standards by consortia receiving OTL Development Grants (§219) by: (1) recommending priorities and selection criteria for the OTL Development Grant Program; and (2) coordinating with such consortia.

Voluntary State OTL standards, §213(d). Authorizes NESIC to certify State OTL standards, presented voluntarily, using the criteria developed, if such standards are comparable or higher in rigor and quality to the national OTL standards.

General, §213(e). Authorizes NESIC to certify national content, performance, and OTL standards if they are sufficiently general to be used by any State without restricting State and local control of curriculum and prerogatives regarding instructional methods to be used.

State assessments, §213(f). Authorizes NESIC, using national assessment criteria, to certify State assessments for periods not to exceed 5 years, if the State assessments are aligned with certified State content standards. Provides a list of purposes for which State assessments are certified. Authorizes certification only if: (1) State can demonstrate that all students have been prepared in the content; (2) assessments won't be used for certain high-stakes purposes for 5 years from Act's enactment; (3) State submits description of assessment's purposes, methodologies, test instruments, measures used to evaluate student performance, and evidence of validity, alignment with State content standards, and consistency with national professional and technical standards; and (4) such assessments include all students. Requires NESIC, at State's request, to review and give guidance prior to State's submission.

Requires NESIC to develop and, no sooner than 3 nor later than 4 years after enactment, use criteria for certification of State assessments. Requires NESIC to forward criteria to GP for review before using them, with the GP having the option of disapproving them by a 2/3 vote of the full membership within 90 days.

Requires such criteria to address the extent to which State assessments are: (1) aligned with a State's or group of States' certified content standards; and (2) used for the purpose for which they are valid, reliable, and free of discrimination and consistent with national professional and technical standards. Requires NESIC, prior to certifying criteria, to seek public comment.

Requires NESIC in determining assessment criteria to: (1)

consider standards and criteria developed by others and recent research; (2) recommend needed research; (3) encourage development and field testing; and (4) provide a public forum for debate and consensus building.

Performance of Duties, §213(g). Requires NESIC to: (1) provide a process of broad public input in developing criteria for standards and assessments; (2) work with other Federal and non-Federal agencies working on standards and assessments (and may establish panels); (3) establish cooperative agreements with the National Skill Standard Boards; (4) recommend studies to the Secretary; (5) inform the public; (6) regularly review and update criteria for national standards and assessments; and (7) periodically recertify national standards and State assessments.

Special Rules, §213(h). Provides that: (1) no State shall be required to obtain certification of standards or assessments, or to participate in Title III's grant program, as a condition for participating in any Federal program; and (2) nothing in the Act is to be construed to create a legally enforceable right for any person against a State, LEA, school, based on a NESIC certified standard, assessment, or criteria.

Annual Reports, §214. Require NESIC to report annually to President, Secretary, appropriate committees of Congress, Governors, and GP on its work.

Powers of the Council, §215. Similar to the Administration's proposal (provides for hearings; information gathering; use of postal services, gifts, facilities and services; and administrative and support services). Doesn't contain the authority to accept and use gifts.

Publication for Public Comment, §216. Requires NESIC to transmit proposed national content, student performance, and OTL standards and the proposed certifying criteria for such national and State standards to the Secretary for publication in the Federal Register.

Administrative provisions, §217. Very similar to the Administration's proposal (setting forth provisions on meetings, quorum, voting, and public access).

Director and Staff; Experts and Consultants, §218. Provides for the appointment and pay of a Director and staff, and the hiring of experts and consultants, and the detailing of Federal personnel.

Opportunity to Learn Development Grants, §219. Authorizes the Secretary to award grants to consortia of individuals and organizations to develop national OTL standards and a list of model programs. To the extent possible, requires a consortium to

include certain categories of individuals. Requires a consortium to provide for more than one draft of the OTL standards. Requires that: (1) 1/3 of the members of a consortium be individuals with expertise or background in the educational needs and assessments of low-income, minority, LEP, or disabled children; and (2) a consortium reflect U.S. geographic, racial, ethnic, and gender diversity. Requires a consortium to submit a report to the Secretary.

Assessment development and evaluation grants, §220. Authorizes grants to SEAs, LEAs, or consortia of such agencies to help with the cost of developing, field testing, and evaluating State assessments. Requires the Secretary to reserve a portion of this program's appropriations for grants to SEAs and LEAs for developing assessments in languages other than English and for disabled students. Requires recipients to examine the validity, reliability of the State assessment; ensure consistency with relevant, nationally recognized professional and technical standards; and pay special attention to how State assessment treats all students. Restates the 5-year prohibition on high-stakes State assessments.

Evaluation, §221. Requires the Secretary, from Title III's reservation of funds for leadership and peer review activities, to make a grant, not to exceed \$500,000, to either the National Academy of Sciences or the National Academy of Education to evaluate and report, by January 1, 1998, on specified work of the GP and NESIC.

Part C - Leadership in Educational Technology

Purpose, §231. Sets out the purposes of the part.

Federal Leadership, §232. Requires the Secretary, in consultation with Federal, State, local, and private entities, to develop and publish, within 12 months, a national long range technology plan (with certain content requirements) to promote the use of technology in education. Also requires the Secretary to provide assistance to States to plan effectively for the use of technology in schools in accordance with §317 (State planning grants).

Office of Educational Technology, §233. Amends the Department of Education Organization Act to establish an Office of Education Technology, with a Director who reports directly to the Secretary. Requires the Director to review all ED programs and training functions to promote increase use of technology and review relevant programs to coordinate with the national technology plan.

Uses of Funds, §234. Requires the Secretary to use funds appropriated pursuant to §241(d) (the authorization for the Assessment Development and Evaluation Grants under §219) for activities un-

der this part. Provides a non-exclusive list of such activities (including technical assistance, consultation, R&D, development and evaluation of software and model strategies, conferences, dissemination activities, and a biennial assessment on uses of education technology in elementary and secondary education).

Non-Federal Share, §234. Authorizes the Secretary to require grantees and contractees under this part to share the cost of the grant or contract (up to 50%), in cash or in-kind contributions.

Office of Training Technology Transfer, §236. Transfers and establishes the Office of Training Technology in the Office of Educational Technology.

Part D - Authorization of Appropriations

National Education Goals Panel, §221(a). Authorizes \$3 million for FY 94, and such sums for each of 4 succeeding FYs to carry out Part A.

Nation Education Standards and Improvement Council, §221(b). Authorizes \$3 million for FY 94, and such sums for each of 4 succeeding FYs to carry out Part B.

Opportunity-to-Learn Development Grant, §221(c). Authorizes \$2 million for FY 94, and such sums for FY 95 to carry out §219.

Assessment Development and Evaluation Grants, §221(d). Authorizes \$5 million for FY 94, and such sums for each of 4 succeeding FYs to carry out §220.

Goals 2000: Educate America Act Legislative Summary

Overview

The Goals 2000 Act, signed into law March 31, 1994, provides resources to states and communities as they work to improve student academic achievement. States and communities are using Goals 2000 funds to provide quality teacher training, expand the use of computers in classrooms, raise academic standards, and increase parental and community involvement in education.

Components of the "Goals 2000: Educate America Act"

Title I: The National Education Goals

- This title formalizes in law the original six National Education Goals. These goals concern: readiness for school; increased school graduation rates; student academic achievement and citizenship; mathematics and science performance; adult literacy; and safe, disciplined, and drug-free schools. The Act adds two new goals that encourage parental participation and improved professional development for teachers.
- These goals are symbolic expressions of what the President, the nation's Governors, and now the U.S. Congress, hope we will accomplish as a nation by the year 2000. Some states and communities have adopted the original goals, others have adapted them to their own circumstances. Neither the Goals 2000 Act nor any other federal legislation requires states to adopt or implement the National Education Goals as a condition of receiving federal funding.
- The National Education Goals are not mandates, and there are no enforcement or compliance monitoring mechanisms written into law.

Title II: National Education Reform Leadership, Standards, and Assessments

- Establishes in law the bipartisan National Education Goals Panel, which was originally created by President Bush and the nation's governors in 1990 to monitor the nation's progress toward the National Education Goals. The Goals Panel is comprised of eight Governors, four state legislators, four members of Congress, the Secretary of Education and the President's Domestic Policy Advisor.
- Creates the National Education Standards and Improvement Council, made up of a bipartisan, broad base of citizens, employees, and educators, to examine and certify voluntary national and state standards submitted on a voluntary basis by states and by organizations working on particular academic subjects.

(NOTE: Despite the carefully delineated authority provided to NESIC under the Goals 2000 Act, concerns have been raised about any certification of standards. Upon recommendation of the National Education Goals Panel on January 28, 1995, the Secretary of Education has asked the President not to appoint NESIC. Legislation has passed in the House and is pending in the Senate to eliminate NESIC.)

- Authorizes grants to support the development of voluntary student assessment systems aligned to state standards, and for the development of model opportunity-to-learn standards. Funds have not been available for the development of model opportunity-to-learn standards. Nine assessment grants have been awarded to a total of twenty-five states to develop or field test new student assessment systems aligned to high standards.

Title III: State and Local Education Improvement

For first-year funding, states submitted a brief application that described how a broad-based citizen panel will develop a plan to improve schools, or that a state would use a plan it has already developed. The application also described how subgrants were to be made for local education improvement and better teacher preservice and professional development.

Broad-Based Citizen Involvement in State Improvement Efforts

- The Governor and the Chief State School Officer each appoint half the members of a broad-based school improvement panel. This panel is comprised of teachers, principals, administrators, parents, representatives of business, labor, and higher education, and members of the public, as well as the chair of the state board of education and the chairs of the appropriate authorizing committees of the state legislature.
- States that already have a broad-based panel in place that has made substantial progress in developing a education improvement plan may request that the Secretary of Education recognize the existing panel.

Comprehensive Improvement Plan Geared to High Standards of Achievement

- The State Planning Panel is responsible for developing a comprehensive reform plan. The plan must be approved by the state education agency and be consistent with state law.
- States with improvement plans already in place will not have to develop new plans for Goals 2000. The U.S. Secretary of Education may approve plans, or portions of plans, already adopted by the state. To date, six states have submitted preexisting plans: Kentucky, Massachusetts, Ohio, Utah, Michigan, and Oregon. All these plans have been approved.

- In order to receive Goals 2000 funds after the first year, states submit their school improvement plan or an application that indicates they have made substantial progress in its plan development.
- A peer review panel is brought together to review the state improvement plans. This panel, comprised of non-federal educators, employers, parents, and state and local officials, offers guidance to states and recommends to the Secretary of Education whether the education improvement plan should be approved.
- The purpose of reviewing and approving state education reform plans is to ensure that federal funds are invested only in state education reforms with a reasonable chance of success.
- As of November 14, 1995, fourteen states have submitted and had their education improvement plans approved. No state has had their plan rejected, nor has any state been required to modify its plan.

In general, the plans address:

- Strategies for the development or adoption of student academic standards, assessments, and plans for improving teacher training.
- Strategies to involve parents and the community in helping all students meet challenging state standards and to promote grass-roots, bottom-up involvement in education.
- Strategies for ensuring that all local educational agencies and schools in the state are involved in developing and implementing needed improvements.
- Strategies for improved management and governance, and for promoting accountability for results, flexibility, site-based management, and other principles of high-performance management.
- Strategies for providing all students an opportunity to learn at higher academic levels. While these strategies have to be outlined in the plan, the implementation of the strategies is voluntary.
- Strategies for assisting local educational agencies and schools to meet the needs of school-age students who have dropped out of school.
- Strategies for bringing technology into the classroom to increase learning.

Funds are also available to states to support the development of a state technology plan, to be integrated with the overall reform plan.

Broad-Based Involvement in Local Education Improvement Efforts

- Each local school district, that applies to the state for Goals 2000 funds, will be asked to develop a broad consensus regarding a local improvement plan.
- Local districts encourage and assist schools in developing and implementing improvements that best meet the particular needs of the schools. The local plan would include strategies for ensuring that students meet higher academic standards.
- All of these strategies focus on improving student achievement. Decisions such as those regarding the content of curriculum, assessments, and if social services will be provided students, remain local decisions. Section 318 of the Act specifically prohibits federal mandates, direction and control of education.

Waivers and Flexibility

- States with approved Goals 2000 plans may request from the Secretary of Education waivers of statutory and regulatory requirements in most other federal education programs, if these requirements interfere with implementation of the state's approach to education improvement. Local school districts and individual schools working on education improvement may similarly request, through their state, waivers, regardless of whether they receive Goals 2000 funds.
- Certain requirements, such as the allocation of funds to school districts, and certain laws, such as civil rights and special education laws, may not be waived.
- Up to six states will participate in the "Ed-Flex Demonstration Program," in which the Secretary of Education delegates his waiver authority to the state education agency. This permits state officials to waive federal requirements for local school districts and schools if they impede education reform efforts.
- To date, Oregon, Massachusetts, Kansas, and Ohio have been selected as Ed Flex states.
- Prior to the enactment of Goals 2000, no U.S. Secretary of Education had the authority to waive any statutory or regulatory requirements for any reason.

Timetable and Funding

In 1994, \$105 million was appropriated for Goals 2000. Congress appropriated \$372 million for 1995. The Senate Appropriations Committee has proposed \$310 million for 1996 while the House of Representatives eliminated funding for Goals 2000. The President has stated that he will veto any bill that substantially reduces funding for education.

Goals 2000 funds are available to states on a formula basis. Attached is a chart with the state funding levels for 1994 and 1995.

During the first year of participation, at least 60 percent of each state's funds were awarded to local school districts. Seventy-five percent of those funds went directly to schools.

During years 2-5, at least 90 percent of each state's funds will be awarded to school districts. At least 85 percent of those funds are awarded to schools.

Title IV. Parental Assistance

- This title creates parental information and resource centers to increase parents' knowledge about child-rearing and to strengthen partnerships between parents and educators in meeting the educational needs of children.
- Local non-profit agencies serving parents are eligible to receive funds to establish parent resource centers. These grants are awarded independent of state participation in Title III of Goals 2000. Agencies in states not participating in Goals 2000 can and have received grants under this title. Their activities are not necessarily related to the state's Goals 2000 activities.
- Twenty-eight parent resource centers have been funded by the U.S. Department of Education in 1995.

Title V. National Skill Standards Board

- This title creates a National Skill Standards Board to support the development and adoption of voluntary occupational skill standards and certification. The Board is responsible for identifying major occupations in the U.S. to facilitate voluntary partnerships to develop skill standards for each occupation. The Board will endorse those skill standards submitted by the partnerships that meet certain criteria.

Other Provisions Contained in PL 103-227, but not related to Goals 2000

Title VI. International Education Program

- This title authorizes international exchange activities designed to promote democracy and free market economies. Through grants or contracts awarded by the Secretary, curricula and teacher training programs in civics and economics developed in the United States are made available to eligible countries in Central and Eastern Europe and the former Soviet Union. Two grants were awarded in 1995, one focusing on civics education, the other on economics education.

Title VIII. Minority-focused Civics Education

- This title authorizes the award of grants for seminars in American government and civics for elementary and secondary school teachers and other educators who work with minority and Native American students. The program is to consist of summer institutes followed by inservice training programs during the academic year. No funds have been available for this title.

Title IX. Educational Research and Improvement

- This title, the "Educational Research, Development, Dissemination, and Improvement Act," reauthorizes the Department's research and dissemination unit. It establishes five research institutes, an office for reform assistance, the National Library of Education, a research policies and priorities board, and administrative structures to support them. This title does not directly relate to Goals 2000.

Title X. Miscellaneous

- Sections in this title include authorization for a study on how well students with disabilities are represented in school improvement efforts funded under Goals 2000. The title also contains other provisions unrelated to Goals 2000.

11/14/95

GOALS 2000 -- TITLE III
1994 and 1995 Allocations; 1996 Request

October 13, 1995

STATE	FY 1994 Revised Allocation (Without NH and VA)	FY 1995 Allocation (Post-Rescission)	FY 1996 President's Budget
TOTAL (52 STATES)	91,480,000	358,251,300	686,200,000
ALABAMA	1,601,966	\$5,941,766	\$11,572,558
ALASKA	459,903	1,547,345	3,130,816
ARIZONA	1,362,358	5,450,582	10,277,500
ARKANSAS	991,579	3,650,495	7,023,053
CALIFORNIA	10,524,929	42,111,705	80,142,675
COLORADO	1,085,028	4,288,514	7,991,435
CONNECTICUT	960,721	3,460,756	6,410,202
DELAWARE	405,701	1,291,544	2,508,160
FLORIDA	4,026,309	15,861,034	29,959,463
GEORGIA	2,360,625	8,959,402	17,343,379
HAWAII	417,148	1,381,641	2,663,114
IDAHO	457,565	1,568,397	3,010,795
ILLINOIS	4,142,656	15,992,571	30,427,858
INDIANA	1,734,498	6,557,145	12,806,626
IOWA	886,746	3,219,618	6,279,586
KANSAS	864,615	3,193,916	6,292,585
KENTUCKY	1,477,200	5,775,274	11,305,908
LOUISIANA	2,066,082	7,968,128	15,587,462
MAINE	505,866	1,647,540	3,135,968
MARYLAND	1,448,309	5,379,938	10,212,398
MASSACHUSETTS	1,881,814	6,990,859	12,799,068
MICHIGAN	3,626,515	14,371,488	27,809,890
MINNESOTA	1,387,624	5,377,078	10,357,667
MISSISSIPPI	1,359,516	5,094,972	9,949,662
MISSOURI	1,691,269	6,525,935	12,494,789
MONTANA	449,712	1,560,150	2,964,944
NEBRASKA	567,422	1,986,104	3,699,538
NEVADA	410,095	1,419,052	2,656,339
NEW HAMPSHIRE	0	1,290,294	2,512,007
NEW JERSEY	2,447,997	8,792,536	16,120,432
NEW MEXICO	741,603	2,782,261	5,334,775
NEW YORK	7,173,261	27,112,295	52,006,386
NORTH CAROLINA	2,062,239	7,745,087	14,818,939
NORTH DAKOTA	406,274	1,340,576	2,574,879
OHIO	3,715,308	14,833,684	29,085,459
OKLAHOMA	1,153,998	4,396,613	8,526,264
OREGON	1,046,640	4,012,392	7,750,101
PENNSYLVANIA	4,074,763	15,529,194	29,487,680
RHODE ISLAND	442,261	1,480,004	2,778,682
SOUTH CAROLINA	1,274,631	4,710,359	9,201,687
SOUTH DAKOTA	426,975	1,412,549	2,675,165
TENNESSEE	1,677,460	6,387,802	12,221,909
TEXAS	7,293,999	29,228,278	55,523,058
UTAH	709,092	2,587,039	4,993,422
VERMONT	406,722	1,272,847	2,505,857
VIRGINIA	0	6,658,924	12,609,058
WASHINGTON	1,581,128	6,328,974	12,386,966
WEST VIRGINIA	778,396	2,799,259	5,671,958
WISCONSIN	1,682,771	6,582,097	12,878,364
WYOMING	370,124	1,262,907	2,501,972
DISTRICT OF COLUMBIA	476,600	1,523,409	2,730,354
PUERTO RICO	2,383,988	9,608,968	18,491,188

GOALS 2000: EDUCATE AMERICA ACT

SEC. 318 PROHIBITION ON FEDERAL MANDATES, DIRECTION, AND CONTROL.

Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, or allocation of State or local resources or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.

SOME GOOD THINGS ABOUT GOALS 2000

- **Waivers:** It allows the Secretary to waive statutory and regulatory requirements of other federal education programs, if they interfere with state or local reforms.
- **Ed-Flex:** This is a demonstration program, open to 6 states, through which the Secretary delegates his waiver authority to the state education agency. This enables the state to waive federal requirements if they interfere with local or state reforms, without approval from Washington. Oregon, Massachusetts, Ohio, and Kansas have already been approved as Ed-Flex states. On Jan. 29, Texas will be announced as the 5th Ed-Flex state.
- **Charter Schools:** Goals 2000 funds can be used to support charter schools (and contracting with private management firms). Massachusetts, Michigan and Minnesota are using Goals 2000 funds to support the start-up of charter schools.
- **Challenging Academic Standards:** Goals 2000 supports efforts at the state and local level to establish challenging academic standards; these standards are determined by states or local communities, they are not federal or federally-approved standards.
- **Parent Involvement:** A significant number of states and local school districts are using their Goals 2000 funds to promote increased parental involvement in learning, through such approaches as family learning nights, homework hotlines, loaning parents portable computers to use at home, etc.
- **Technology:** A significant number of states and local school districts are using Goals 2000 funds to promote the use of technology in schools, as part of more comprehensive education reforms. Many of these efforts involve either providing training for teachers, or using technology to increase parental involvement.

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Draft

Dear Secretary Riley:

I was pleased to learn of your decision today to designate Texas as an Ed-Flex state under the Goals 2000 Act. This step lends support to my efforts in Texas to improve our schools by cutting regulations, reducing bureaucracy and empowering local schools.

Our Academics 2000 program in Texas, the centerpiece of our education reforms, is aimed at improving reading in the early grades. I am convinced that we can give our children a better future if we help them to master reading, the most basic skill, by the time they reach 4th grade.

Goals 2000 is helping us to this, by providing the funds and the flexibility to support our own education reform strategy. I appreciate your efforts to improved education throughout the country, and your support of my efforts to do the same in Texas.

**Talking Points for Mike Cohen
Texas Ed-Flex Announcement**

- On behalf of Secretary of Education Richard Riley, I am pleased to announce today that Texas has been selected as one of 6 states to be designated as an "Ed-Flex" state. This historic demonstration program, part of the Goals 2000 program, will allow the Texas Commissioner of Education to waive statutory and regulatory requirements in many federal education programs, if these requirements interfere with the way an individual school, school district, or the entire state, is trying to improve teaching and learning. These waivers can be given without seeking approval of any federal officials in Washington. The power to wave these federal requirements will reside here in Austin.
- Ed-Flex will lend support to the effort Texas has initiated to cut regulation, reduce bureaucracy and empower individual schools through S.B. 1, the landmark education reform legislation enacted with bipartisan support as a result of Gov. Bush's leadership.
- Both Goals 2000 and S.B. 1 share a common vision--empowering people at the grass roots level to improve their own schools through higher academic standards, greater flexibility for schools, and accountability for results. Removing regulations that are roadblocks to reform is an important step to realizing this vision.
- The impetus for Ed-Flex, and for other steps to provide greater flexibility in federal education programs, can be tied directly back to the 1989 Charlottesville Education Summit between then-President George Bush and the nation's governors. At that Summit the Administration and the governors agreed, on a bipartisan basis, to work with the Congress to provide the Secretary of Education with the authority to waive federal rules and regulations if they interfered with state education reforms.
- It took a long time, and a lot of hard work by two Administrations and by governors and members of Congress in both parties, to secure this flexibility. This kind of bipartisan effort, at the state and the federal level, is essential if we are to provide the longterm leadership and support necessary to improve our schools.
- In light of the initial impetus provided by President Bush, and in light of the leadership Governor Bush has provided here in Texas, it seems particularly fitting to award this Ed-Flex partnership to Gov. Bush, and I am proud to be part of this.

Goals 2000: Educate America Act

Title III -- State and Local Education Systemic Improvement

**(As Amended by the Improving America's
Schools Act of 1994 and the
Omnibus Consolidated Rescissions and
Appropriations Act of 1996)**

TITLE III—STATE AND LOCAL EDUCATION SYSTEMIC IMPROVEMENT

SEC. 301. FINDINGS.

The Congress finds that—

(1) all students can learn and achieve to high standards and must realize their potential if the United States is to prosper;

(2) the reforms in education from 1977 through 1992 have achieved some good results, but such reform efforts often have been limited to a few schools or to a single part of the educational system;

(3) leadership must come from teachers, related services personnel, principals, and parents in individual schools, and from policymakers at the local, State, tribal, and national levels, in order for lasting improvements in student performance to occur;

(4) simultaneous top-down and bottom-up education reform is necessary to spur creative and innovative approaches by individual schools to help all students achieve internationally competitive standards;

(5) strategies must be developed by communities and States to support the revitalization of all local public schools by fundamentally changing the entire system of public education through comprehensive, coherent, and coordinated improvement in order to increase student learning;

(6) parents, teachers, and other local educators, and business, community, and tribal leaders must be involved in developing systemwide improvement strategies that reflect the needs of their individual communities;

(7) State and local education improvement efforts must incorporate strategies for providing all students and families with coordinated access to appropriate social services, health care, nutrition, and early childhood education, and child care to remove preventable barriers to learning and enhance school readiness for all students;

(8) States and local educational agencies, working together, must immediately set about developing and implementing such systemwide improvement strategies if our Nation is to educate all children to meet their full potential and achieve the National Education Goals described in title I;

(9) State and local systemic improvement strategies must provide all students with effective mechanisms and appropriate paths to the work force as well as to higher education;

(10) businesses should be encouraged—

(A) to enter into partnerships with schools;

(B) to provide information and guidance to schools based on the needs of area businesses for properly educated graduates in general and on the need for particular workplace skills that the schools may provide;

(C) to provide necessary education and training materials and support; and

(D) to continue the lifelong learning process throughout the employment years of an individual;

(11) schools should provide information to businesses regarding how the business community can assist schools in meeting the purposes of this Act;

(12) institutions of higher education should be encouraged to enter into partnerships with schools to provide information and guidance to schools on the skills and knowledge graduates need in order to enter and successfully complete postsecondary education, and schools should provide information and guidance to institutions of higher education on the skills, knowledge, and preservice training teachers need, and the types of professional development educators need in order to meet the purposes of this Act;

(13) the appropriate and innovative use of technology, including distance learning, can be very effective in helping to provide all students with the opportunity to learn and meet high standards;

(14) Federal funds should be targeted to support State and local initiatives, and to leverage State and local resources for designing and implementing systemwide education improvement plans;

(15) all students are entitled to participate in a broad and challenging curriculum and to have access to resources sufficient to address other education needs; and

(16) quality education management services are being utilized by local educational agencies and schools through contractual agreements among local educational agencies or schools and businesses providing quality education management services.

SEC. 302. PURPOSE.

(a) **PURPOSE.**—It is the purpose of this title to improve the quality of education for all students by improving student learning through a long-term, broad-based effort to promote coherent and coordinated improvements in the system of education throughout the Nation at the State and local levels.

(b) **CONGRESSIONAL INTENT.**—This title provides new authorities and funding for the Nation's school systems without replacing or reducing funding for existing Federal education programs. It is the intention of the Congress that no State or local educational agency will reduce its funding for education or for education reform on account of receiving any funds under this title.

SEC. 303. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$400,000,000 for the fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998, to carry out this title.

SEC. 304. ALLOTMENT OF FUNDS.

(a) **RESERVATIONS OF FUNDS.**—From funds appropriated under section 303, the Secretary—

(1) shall reserve a total of one percent to provide assistance, in amounts determined by the Secretary—

(A) to the outlying areas;

(B) to the Secretary of the Interior to benefit Indian students in schools operated or funded by the Bureau; and

(C) to the Alaska Federation of Natives in cooperation with the Alaska Native Education Council to benefit Alaska Native students; and

(2) may reserve a total of not more than 5 percent for—

(A) national leadership activities under sections 313 and 314; and

(B) the costs of peer review of State improvement plans and applications under this title.

(b) **STATE ALLOTMENTS.**—From the amount appropriated under section 303 and not reserved under subsection (a) in each fiscal year the Secretary shall make allotments to State educational agencies as follows:

(1) 50 percent of such amount shall be allocated in accordance with the relative amounts each State would have received under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 for the preceding fiscal year if funds under such chapter in such preceding fiscal year were not reserved for the outlying areas.

(2) 50 percent of such amount shall be allocated in accordance with the relative amounts each State would have received under part A of chapter 2 of title I of the Elementary and Secondary Education Act of 1965 for the preceding fiscal year if funds under such chapter in such preceding fiscal year were not reserved for the outlying areas.

(c) **REALLOTMENTS.**—If the Secretary determines that any amount of a State educational agency's allotment for any fiscal year under subsection (b) will not be needed for such fiscal year by the State, the Secretary shall reallocate such amount to other State educational agencies that need additional funds, in such manner as the Secretary determines is appropriate.

(d) **MAINTENANCE OF EFFORT.**—Each recipient of funds under this title, in utilizing the proceeds of an allotment received under this title, shall maintain the expenditures of such recipient for the activities assisted under this title at a level equal to not less than the level of such expenditures maintained by such recipient for the fiscal year preceding the fiscal year for which such allotment is received, except that the Secretary may reduce, temporarily or permanently, the level of expenditures required by this subsection if the Secretary determines that such recipient has justifiable reasons for a reduction in the level of expenditures required by this subsection.

(e) **DIRECT GRANTS TO LOCAL EDUCATIONAL AGENCIES.**—

(1) **IN GENERAL.**—Notwithstanding subsection (c), if a State educational agency was not participating in the program under this section as of October 20, 1995, and the State educational agency approves, the Secretary shall use all or a portion of the allotment that the State would have received under this section for a fiscal year to award grants to local educational agencies in the State that have approved applications under paragraph (2) for such fiscal year.

(2) **APPLICATION.**—Any local educational agency that desires to receive a grant under this subsection shall submit an application to the Secretary that is consistent with the provisions of this Act and shall notify the State educational agency of such application in accordance with paragraph (1). The Secretary may establish a deadline for the submission of such applications.

(3) **AWARD BASIS.**—The Secretary may use the student enrollment of a local educational agency or other factors as a basis for awarding grants under this subsection.

SEC. 305. STATE APPLICATIONS.

(a) APPLICATION.—

(1) IN GENERAL.—Each State educational agency that desires to receive an allotment under this title shall submit an application to the Secretary at such time and in such manner as the Secretary may determine.

(2) ADDITIONAL INFORMATION.—In addition to the information described in subsections (b) and (c), each such application shall include—

(A) an assurance that the State educational agency will cooperate with the Secretary in carrying out the Secretary's responsibilities under section 312, and will comply with reasonable requests of the Secretary for data related to the State's progress in developing and implementing its State improvement plan under this section 306;

(B) an assurance that State law provides adequate authority to carry out each component of the State's improvement plan developed, or to be developed under section 306, or that such authority will be sought;

(C) an assurance that the State content standards and State student performance standards developed for student achievement are not less rigorous than such standards used prior to the date of enactment of this Act;

(D) an assurance that the State will provide for broad public participation in the planning process; and

(E) such other assurances and information as the Secretary may require.

(b) FIRST YEAR.—A State educational agency's application for the first year of assistance under this title shall—

(1) describe the process by which the State educational agency will develop a State improvement plan that meets the requirements of section 306; and

(2) describe how the State educational agency will use funds received under this title for such year, including how such agency will make subgrants to local educational agencies in accordance with section 309(a), and how such agency will use funds received under this title for education preservice programs and professional development activities in accordance with section 309(b).

(c) SUBSEQUENT YEARS.—A State educational agency's application for the second year of assistance under this title shall—

(1) cover the second through fifth years of the State's participation;

(2) except in the case of a State educational agency submitting the information described in section 306(n)(4),

include a copy of the State's improvement plan that meets the requirements of section 306, or if the State improvement plan is not complete, a statement of the steps the State will take to complete the plan and a schedule for doing so; and

(3) include an explanation of how the State educational agency will use funds received under this title, including how such agency will make subgrants to local educational agencies in accordance with section 309(a), and how such agency will use such funds received under this title for education preservice programs and professional development activities in accordance with section 309(b).

SEC. 306. STATE IMPROVEMENT PLANS.

(a) **BASIC SCOPE OF PLAN.**—Except as provided in section 305(c)(2) and consistent with the requirements of this section, any State educational agency that wishes to receive an allotment under this title after its first year of participation shall develop and implement a State improvement plan for the improvement of elementary and secondary education in the State.

(b) **PLAN DEVELOPMENT.**—A State improvement plan under this title shall be developed by a broad-based State panel in cooperation with the State educational agency and the Governor.

(c) **TEACHING, LEARNING, STANDARDS, AND ASSESSMENTS.**—Each State educational agency, with broad-based classroom teacher input, shall establish and include in its State improvement plan strategies for meeting the National Education Goals by improving teaching and learning and students' mastery of basic and advanced skills in core content areas, such as English, mathematics, science (including physics), history, geography, foreign languages, the arts, civics and government, and economics. Such strategies—

(1) shall include—

(A) a process for developing or adopting State content standards and State student performance standards for all students, which process shall include coordinating the standards developed pursuant to section 115 of the Carl D. Perkins Vocational and Applied Technology Education Act;

(B) a process for developing and implementing valid, nondiscriminatory, and reliable State assessments—

(i) which assessments shall—

(I) be aligned with such State's content standards;

(II) involve multiple measures of student performance;

(III) provide for—

(aa) the participation in such assessments of all students with diverse learning needs; and

(bb) the adaptations and accommodations necessary to permit such participation;

(IV) be consistent with relevant, nationally recognized professional and technical standards for such assessments;

(V) be capable of providing coherent information about student attainments relative to the State content standards; and

(VI) support effective curriculum and instruction; and

(ii) which process shall provide for monitoring the implementation of such assessments and the impact of such assessments on improved instruction for all students;

(C) a process for aligning State or local curricula, instructional materials, and State assessments with the State content standards and State student performance standards; and

(D) a process for familiarizing teachers with the State content standards and State student performance standards and developing the capability of teachers to provide high quality instruction within the content areas described in the matter preceding paragraph (1) of this subsection;

(2) may include strategies such as—

(A) a process for providing assistance and support to local educational agencies and schools to strengthen the capacity of such agencies and schools to provide all students the opportunity to increase educational achievement and meet State content standards and State student performance standards;

(B) assessing the effectiveness and equity of the school finance program of the State to identify disparities in the resources available to each local educational agency and school in such State and how such disparities affect the ability of the State educational agency and local educational agencies to develop and implement plans under this title;

(C) a process for developing, selecting, or recommending instructional materials, including gender equitable and multicultural materials, and technology to support and assist local educational agencies and schools to provide all students the opportunity to meet State content standards and State student performance standards;

(D) a process for providing appropriate and effective professional development, including the use of technology, distance learning, and gender-equitable methods, necessary for teachers, school administrators, and others to help all students meet State content standards and State student performance standards; and

(E) a process for improving the State's system of teacher and school administrator preparation and licensure, and of continuing professional development programs, including the use of technology at both the State and local levels, so that all teachers, related services personnel, and administrators develop the subject matter and pedagogical expertise needed to prepare all students to meet State content standards and State student performance standards.

(e) **GOVERNANCE, ACCOUNTABILITY AND MANAGEMENT.**—Each State improvement plan shall establish strategies for improved governance, accountability and management of the State's education system, such as—

(1) aligning responsibility, authority, and accountability throughout the education system, so that decisions regarding the means for achieving State content standards and State student performance standards are made closest to the learners; and

(2) creating an integrated and coherent approach to recruiting, retaining and supporting the continued professional development of teachers (including vocational teachers), and other educators, giving special attention to the recruitment into and retention of qualified minorities in the education profession;

(f) **PARENTAL AND COMMUNITY SUPPORT AND INVOLVEMENT.**—Each State improvement plan shall describe strategies for how the State educational agency will involve parents and other community representatives in planning, designing, and implementing the State improvement plan, including strategies such as—

(1) focusing public and private community resources and public school resources on prevention and early intervention to address the needs of all students by identifying and removing unnecessary regulations and obstacles to coordination; and

(2) increasing the access of all students to social services, health care, nutrition, related services, and child care services, and locating such services in schools, cooperating service agencies, community-based centers, or other convenient sites designed to provide "one-stop shopping" for parents and students.

(g) **MAKING THE IMPROVEMENTS SYSTEMWIDE.**—To help provide all students throughout the State the opportunity to meet State standards, each State improvement plan shall describe strategies, such as strategies that—

(1) provide for the availability of curricular materials, learning technologies, including distance learning, and professional development in a manner that ensures equal access by all local educational agencies in the State; and

(2) develop partnerships with Indian tribes and schools funded by the Bureau, where appropriate, to improve consistency and compatibility in curriculum among public elementary and secondary schools, and such schools funded by the Bureau at all grade levels.

(h) **PROMOTING BOTTOM-UP REFORM.**—Each State improvement plan shall include strategies for ensuring that comprehensive, systemic reform is promoted from the bottom up in communities, local educational agencies, and schools, as well as guided by coordination and facilitation from State leaders, including strategies such as—

(1) providing flexibility to individual schools and local educational agencies to enable such schools and agencies to adapt and integrate State content standards into courses of study appropriate for individual schools and communities; and

(2) facilitating the provision of waivers from State rules and regulations that impede the ability of local educational agencies or schools to carry out local improvement plans.

(i) **DROPOUT STRATEGIES.**—Each State improvement plan shall include strategies for assisting local educational agencies and schools to enable such agencies and schools—

(1) to meet the needs of school-aged children who have dropped out of school;

(2) to bring such children into the education system; and

(3) to help such students meet State content standards and State student performance standards.

(j) **COORDINATION WITH SCHOOL-TO-WORK PROGRAMS.**—If a State has received Federal assistance for the purpose of planning for, expanding, or establishing a school-to-work program, then a State shall include in the State improvement plan a description of how such school-to-work program will be incorporated into the school reform efforts of the State. In particular, the State improvement plan shall include a description of how secondary schools will be modified in order to provide career guidance, the integration of academic and vocational education, and work-based learning, if such programs are proposed in the State's school-to-work plan.

(k) **BENCHMARKS AND TIMELINES.**—Each State improvement plan shall include specific benchmarks of improved student performance and of progress in implementing such plan, and timelines against which the progress of the State in carrying out such plan, including the elements described in subsections (c) through (j), can be measured.

(l) **COORDINATING STRATEGIES.**—Each State plan shall include strategies for coordinating the integration of academic and vocational instruction pursuant to the Carl D. Perkins Vocational and Applied Technology Education Act.

(m) **PROGRAM IMPROVEMENT AND ACCOUNTABILITY.**—Each State improvement plan shall describe—

(1) how the State will monitor progress toward implementing the State and local improvement plans; and

(2) procedures the State plans to use, consistent with State law, to improve schools that are not meeting the State content standards voluntarily adopted by the State within the established timelines.

(n) **PEER REVIEW AND SECRETARIAL APPROVAL.**—

(1) **IN GENERAL.**—(A) The Secretary shall review, within a reasonable period of time, each State improvement plan prepared under this section, and each application submitted under section 305, through a peer review process involving the assistance and advice of State and local education policymakers, educators, classroom teachers, related services personnel, experts on educational innovation and improvement, parents, advocates, and other appropriate individuals. Such peer review process shall be representative of the diversity of the United States with regard to geography, race, ethnicity, gender and disability characteristics. Such peer review process shall include at least 1 site visit to each State, except during the period when a State improvement plan is being developed.

(B) Notwithstanding the provisions of subparagraph (A), in the first year that a State educational agency submits an application for development of a State improvement plan under this title the Secretary shall not be required to—

(i) review such application through a peer review process; and

(ii) conduct a site visit.

(2) **APPROVAL.**—The Secretary shall approve a State improvement plan if such plan is submitted to the Secretary not later than 2 years after the date the State educational agency receives its first allotment under section 304(b), and when the Secretary determines, after considering the peer reviewers' comment, that such plan—

(A) reflects a widespread commitment within the State;

(B) holds reasonable promise of helping all students to achieve at the high levels called for by this Act;

(C) meets the requirements of subsections (a) through (k); and

(D) allows local schools, local educational agencies and communities the flexibility to implement local improvement plans in a manner which reflects local needs and requirements in order to promote a 'bottom up' system of school reform.

(3) **DISAPPROVAL.**—The Secretary shall not disapprove a State improvement plan, or any State application submitted under section 305, before offering the State—

(A) an opportunity to revise such plan or application; and

(B) a hearing.

(4) **ALTERNATIVE SUBMISSION.**—

(A) **IN GENERAL.**—Notwithstanding any other provision of this title, any State educational agency that wishes

to receive an allotment under this title after the first year such State educational agency receives such an allotment may, in lieu of submitting its State improvement plan for approval by the Secretary under this subsection and section 305(c)(2), or submitting major amendments to the Secretary under subsection (p), provide the Secretary, as part of an application under section 305(c) or as an amendment to a previously approved application—

(i) an assurance, from the Governor and the chief State school officer of the State, that—

“(I) the State has a plan that meets the requirements of this section and that is widely available throughout the State; and

“(II) any amendments the State makes to the plan will meet the requirements of this section; and

(ii) the State's benchmarks of improved student performance and of progress in implementing the plan, and the timelines against which the State's progress in carrying out the plan can be measured.

(B) **ANNUAL REPORT.**—Any State educational agency that chooses to use the alternative method described in paragraph (1) shall annually report to the public summary information on the use of funds under this title by the State and local educational agencies in the State, as well as the State's progress toward meeting the benchmarks and timelines described in subparagraph (A)(ii).

(o) **REGULAR REVIEW.**—Each State improvement plan shall include a process for periodically reviewing and updating any State content standards, State student performance standards, and State assessments.

(p) **AMENDMENTS TO PLAN.**—

(1) **IN GENERAL.**—Each State educational agency shall periodically review its State improvement plan and revise such plan, as appropriate, in accordance with the process described in subsection (b).

(2) **REVIEW.**—The Secretary shall review any major amendment to a State improvement plan and shall not disapprove any such amendment before offering a State educational agency—

(A) an opportunity to revise such amendment; and

(B) a hearing.

(q) **PREEXISTING STATE PLANS AND PANELS.**—

(1) **IN GENERAL.**—If a State has developed a comprehensive and systemic State improvement plan to help all students meet State standards or any component of such plan, that meets the intent and purposes of this section, then the Secretary may approve such plan or component notwithstanding that such plan was not developed in accordance with subsection (b) if the Secretary determines that such approval would further the purposes of State systemic education improvement; and

(2) **SPECIAL RULE.**—(A) If, before the date of enactment of this Act, a State has made substantial progress in developing a plan that meets the intent and purposes of this section, but was developed by a panel that does not meet the requirements of paragraphs (1) through (3) of subsection (b), the Secretary

may, at the request of the Governor and the State educational agency, treat such panel as meeting the requirements of this title if the Secretary determines that there has been statewide involvement of educators, parents, students, advocacy groups, and other interested members of the public in the development of the plan.

SEC. 307. SECRETARY'S REVIEW OF APPLICATIONS; PAYMENTS.

(a) **FIRST YEAR.**—The Secretary shall approve the State educational agency's first year application under section 305(b) if the Secretary determines that—

(1) such application meets the requirements of this title; and

(2) there is a substantial likelihood that the second year application of the State educational agency under section 305(c) will provide for the development and implementation of a State improvement plan that complies with section 306.

(b) **SECOND THROUGH FIFTH YEARS.**—The Secretary shall approve the State educational agency's second year application under section 305(c)(1) for the second through fifth years of participation only if—

(1)(A) the Secretary has approved the State improvement plan under section 306(n);

(B) the Secretary determines that the State has made substantial progress in developing its State improvement plan and will implement such plan not later than the end of the second year of participation; or

(C) the State educational agency has submitted the information described in section 306(n)(4); and

(2) the application meets the other requirements of this title.

(c) **PAYMENTS.**—For any fiscal year for which a State has an approved application under this title, the Secretary shall provide an allotment to the State educational agency in the amount determined under section 304(b).

SEC. 308. STATE USE OF FUNDS.

(a) **FIRST YEAR.**—In the first year for which a State educational agency receives an allotment under this title, such agency—

(1) if the amount made available under section 303 for such year is equal to or greater than \$50,000,000, shall use at least 60 percent of such allotted funds to award subgrants—

(A) in accordance with section 309(a), to local educational agencies for the development or implementation of local improvement plans; and

(B) in accordance with section 309(b), to improve educator preservice programs and for professional development activities consistent with the State improvement plan;

(2) if the amount made available under section 303 for such year is less than \$50,000,000, may use such funds for the subgrants described in paragraph (1); and

(3) shall use any such allotted funds not used in accordance with paragraphs (1) and (2) to develop, revise, expand, or implement a State improvement plan described in section 306.

(b) **SUCCEEDING YEARS.**—Each State educational agency that receives an allotment under this title for any year after the first year of such agency receives assistance under this title shall—

(1) use at least 90 percent of such allotment to make subgrants—

(A) in accordance with section 309(a), to local educational agencies for the implementation of the State improvement plan and of local improvement plans; and

(B) in accordance with section 309(b), to improve educator preservice programs and for professional development activities that are consistent with the State improvement plan; and

(2) use the remainder of such assistance for State activities designed to implement its State improvement plan, such as—

(A) supporting the development or adoption of State content standards and State student performance standards, and State assessments linked to such standards, including through consortia of States;

(B) supporting the implementation of high-performance management and organizational strategies, such as site-based management, shared decisionmaking, or quality management principles, to promote effective implementation of such plan;

(C) supporting the development and implementation, at the local educational agency and school building level, of improved human resource development systems for recruiting, selecting, mentoring, supporting, evaluating and rewarding educators;

(D) providing special attention to the needs of minority, limited-English proficient, disabled, and female students, including instructional programs and activities that encourage such students in elementary and secondary schools to aspire to enter and complete post-secondary education or training;

(E) supporting innovative and proven methods of enhancing a teacher's ability to identify student learning needs, and motivating students to develop higher order thinking skills, discipline, and creative resolution methods;

(F) supporting the development, at the State or local level, of performance-based accountability and incentive systems for schools;

(G) outreach to and training for parents, tribal officials, organizations serving young children, classroom teachers, related services personnel, and other educators, and the public, related to education improvement;

(H) providing technical assistance and other services to increase the capacity of local educational agencies and schools to develop and implement systemic local improvement plans, implement new State assessments, and develop curricula consistent with the State content standards and State student performance standards;

(I) promoting public magnet schools, public "charter schools", and other mechanisms for increasing choice among public schools, including information and referral programs which provide parents with information on available choices;

(J) supporting activities relating to the planning of, and evaluation of, projects under which local educational agencies or schools contract with private management organizations to reform a school;

(K) supporting intergenerational mentoring programs;

(L) supporting the development, at the State or local level, of school-based programs that restore discipline and reduce violence in schools and communities, such as community mobilization programs; and

(M) collecting and analyzing data.

(c) **LIMIT ON ADMINISTRATIVE COSTS.**—A State educational agency that receives an allotment under this title in any fiscal year shall use not more than 4 percent of such allotment in such year, or \$100,000, whichever is greater, for administrative expenses, which administrative expenses shall not include the expenses related to the activities of the panel established under section 306(b).

(d) **SPECIAL RULE.**—Any new public school established under this title—

(1) shall be nonsectarian;

(2) shall not be affiliated with a nonpublic sectarian school or religious institution; and

(3) shall operate under the authority of a State educational agency or local educational agency.

SEC. 309. SUBGRANTS FOR LOCAL REFORM AND PROFESSIONAL DEVELOPMENT.

(a) **SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.**—

(1) **IN GENERAL.**—(A) Each State educational agency shall make subgrants, through a competitive process to carry out the authorized activities described in paragraph (4), to local educational agencies (or consortia of such agencies) in accordance with section 308.

(B) In making such subgrants, the State educational agency shall award not less than 1 subgrant in each fiscal year to an urban local educational agency and not less than 1 subgrant in each fiscal year to a rural local educational agency, where appropriate, except that this provision shall not apply to the District of Columbia. An education service agency may serve as a fiscal agent for a rural local educational agency.

(C) Each such subgrant shall be for a project of sufficient duration and of sufficient size, scope, and quality to carry out the purpose of this title effectively.

(2) **APPLICATION REQUIRED.**—(A) A local educational agency desiring to receive a subgrant under this subsection for the development of a local improvement plan shall submit an application to the State educational agency. Such application shall contain assurances that the local educational agency intends to develop a local improvement plan that meets the requirements of this section.

(B) A local educational agency only shall be eligible to receive a subgrant under this subsection to develop a local improvement plan for one fiscal year.

(3) **PLAN REQUIRED.**—Each local educational agency desiring to receive a subgrant under this subsection to implement a local improvement plan shall submit a local improvement plan to the State educational agency. Each such plan shall—

(A) be developed by a broad-based panel;

(B) address districtwide education improvement, directed at enabling all students to meet the State content standards and State student performance standards, including specific goals and benchmarks, reflect the priorities of the State improvement plan (either approved or under development) and include a strategy for—

- (i) ensuring that all students have a fair opportunity to learn;
- (ii) improving teaching and learning;
- (iii) improving governance and management;
- (iv) generating, maintaining, and strengthening parental and community involvement; and
- (v) expanding improvements throughout the local educational agency;

(C) promote the flexibility of local schools in developing plans which address the particular needs of their school and community and are consistent with the local improvement plan;

(D) describe a process of broad-based community participation in the development, implementation, and evaluation of the local improvement plan;

(E) describe how the local educational agency will encourage and assist schools to develop and implement comprehensive school improvement plans that—

- (i) focus on helping all students reach State content standards and State student performance standards; and

- (ii) address relevant elements of the local improvement plan of the local educational agency identified in subparagraph (B);

(F) describe how the local educational agency will implement specific programs aimed at ensuring improvements in school readiness and the ability of students to learn effectively at all grade levels by identifying the most pressing needs facing students and their families with regard to social services, health care, nutrition, and child care, and entering into partnerships with public and private nonprofit agencies to increase the access of students and families to coordinated nonsectarian services in a school setting or at a nearby site;

(G) describe how the subgrant funds will be used by the local educational agency, and the procedures to be used to make funds available to schools in accordance with paragraph (6)(A);

(H) identify, with an explanation, any State or Federal requirements that the local educational agency believes impede educational improvement and that such agency requests be waived in accordance with section 311, which requests shall promptly be transmitted to the Secretary by the State educational agency; and

(I) contain such other information as the State educational agency may reasonably require.

(4) **SUBMISSION.**—A local educational agency which has approved a local improvement plan shall submit such plan to the State educational agency for approval together with a description of modifications made by the local educational agency to such plan and any comments from the local panel regarding such plan.

(5) **MONITORING.**—The panel described in paragraph (3)(A), after approval of the local educational agency's application by the State educational agency, shall be informed of progress on such plan by the local educational agency, and the local educational agency shall monitor the implementation and effectiveness of the local improvement plan in close consultation with

teachers, related services personnel, principals, administrators, community members, and parents from schools receiving funds under this title, as well as assure that implementation of the local improvement plan does not result in a significant increase in paperwork for teachers. The panel shall review such plan and based on the progress described in the preceding sentence, determine if revisions to the local improvement plan should be recommended to the local educational agency. The panel shall periodically report such determination to the public.

(6) **AUTHORIZED ACTIVITIES.**—(A) A local educational agency that receives a subgrant under this subsection—

(i) in the first year such agency receives the subgrant shall use—

(I) not more than 25 percent of the subgrant funds to develop a local improvement plan or for any local educational agency activities approved by the State educational agency that are reasonably related to carrying out the State or local improvement plans, which may include the establishment of innovative new public schools; and

(II) not less than 75 percent of the subgrant funds to support individual school improvement initiatives related to providing all students in the school the opportunity to meet State content standards and State student performance standards; and

(ii) in subsequent years, shall use subgrant funds for any activities approved by the State educational agency which are reasonably related to carrying out the State or local improvement plans which may include the establishment of innovative new public schools and the acquisition of technology and use of technology-enhanced curricula and instruction, except that at least

85 percent of such funds shall be made available to individual schools to develop and implement comprehensive school improvement plans which are designed to help all students meet State content standards and State student performance standards.

(B) At least 50 percent of the funds made available by a local educational agency to individual schools under this section in any fiscal year shall be made available to schools with a special need for such assistance, as indicated by a high number or percentage of students from low-income families, low student achievement, or other similar criteria developed by the local educational agency.

(C) A local educational agency may not use more than five percent of the subgrant funds such agency receives in each fiscal year under this title for administrative expenses.

(7) **SPECIAL CONSIDERATION.**—The State educational agency shall give special consideration in awarding a subgrant to—

(A) a consortium of local educational agencies; or

(B) a local educational agency that provides in the application or local improvement plan described in paragraph (2) or (3), respectively, that such subgrant funds will be used to assist a consortium of schools that has developed a plan for school improvement.

(b) SUBGRANTS FOR PRESERVICE TEACHER EDUCATION AND PROFESSIONAL DEVELOPMENT ACTIVITIES.—

(1) IN GENERAL.—(A) Each State educational agency shall make subgrants, through a competitive, peer-reviewed process to a local educational agency, or a consortium of local educational agencies, in cooperation with institutions of higher education, nonprofit organizations, or any combination thereof, in accordance with section 308 to—

(i) improve preservice teacher education programs consistent with the State improvement plan, including how to work effectively with parents and the community; and

(ii) support continuing, sustained professional development activities for educators and school administrators or related services personnel working with educators which will increase student learning in accordance with the State improvement plan.

(B) Each State educational agency awarding subgrants under subparagraph (A) shall give priority to awarding such subgrants to—

(i) a local educational agency or consortium serving a greater number or percentage of disadvantaged students than the statewide average of such number or percentage;

(ii) a local educational agency or consortium that forms partnerships with collegiate educators to establish professional development sites; and

(iii) a local educational agency or consortium that—

(I) focuses on upgrading teachers' knowledge of content areas; or

(II) targets preparation and continued professional development of teachers of students with limited-English proficiency and students with disabilities.

(2) APPLICATION.—Each local educational agency or consortium that desires to receive a subgrant under this subsection shall submit an application to the State educational agency which—

(A) describes how the applicant will use the subgrant to improve teacher preservice and school administrator education programs or to implement educator professional development activities consistent with the State improvement plan;

(B) identifies the criteria to be used by the applicant to judge improvements in preservice education or the effects of professional development activities consistent with the State improvement plan; and

(C) contains any other information that the State educational agency determines is appropriate.

(3) REQUIRED ACTIVITIES.—A recipient of a subgrant under this subsection shall use the subgrant funds for activities supporting—

(A) the improvement of preservice teacher education and school administrator programs so that such programs equip educators with the subject matter and pedagogical expertise necessary for preparing all students to meet standards; or

(B) the development and implementation of new and improved forms of continuing and sustained professional development opportunities for teachers, principals, and

other educators at the school or district level that equip educators with such expertise, and with other knowledge and skills necessary for leading and participating in continuous education improvement.

(4) **PERMISSIVE ACTIVITIES.**—A recipient of a subgrant under this subsection may use the subgrant funds for costs related to release time for teachers to participate in professional development activities, which professional development shall include related services personnel as appropriate.

(c) **SPECIAL AWARD RULE.**—

(1) **IN GENERAL.**—Each State educational agency shall award at least 50 percent of subgrant funds under subsection (a) in each fiscal year to local educational agencies that have a greater percentage or number of disadvantaged children than the statewide average such percentage or number for all local educational agencies in the State.

(2) **WAIVER.**—The State educational agency may waive the requirement of paragraph (1) if such agency does not receive a sufficient number of applications to comply with such requirement.

SEC. 310. AVAILABILITY OF INFORMATION AND TRAINING.

(a) **INFORMATION AND TRAINING.**—Proportionate to the number of children in a State or in a local educational agency who are enrolled in private elementary or secondary schools—

(1) a State educational agency or local educational agency which uses funds under this title to develop goals, State content standards or State student performance standards, curricular materials, and State assessments shall, upon request, make information related to such goals, standards, materials, and assessments available to private schools; and

(2) a State educational agency or local educational agency which uses funds under this title for teacher and administrator training shall provide in the State improvement plan described in section 306 for the training of teachers and administrators in private schools located in the geographical area served by such agency.

(b) **WAIVER.**—If, by reason of any provision of law, a State or local educational agency is prohibited from providing for the equitable participation of teachers and administrators from private schools in training programs assisted with Federal funds provided under this title, or if the Secretary determines that a State or local educational agency has substantially failed or is unwilling to provide for such participation, the Secretary shall waive such requirements and shall arrange for the provision of training consistent with State goals and State content standards for such teachers and administrators. Such waivers shall be subject to consultation, withholding, notice, and judicial review in accordance with sections 1020 and 14503 of the Elementary and Secondary Education Act of 1965.

SEC. 311. WAIVERS OF STATUTORY AND REGULATORY REQUIREMENTS.

(a) **WAIVER AUTHORITY.**—

(1) **IN GENERAL.**—Except as provided in subsection (c), the Secretary may waive any statutory or regulatory requirement applicable to any program or Act described in subsection (b) for a State educational agency, local educational agency, or school if—

(A) and only to the extent that, the Secretary determines that such requirement impedes the ability of the

State, or of a local educational agency or school in the State, to carry out the State or local improvement plan;

(B) the State educational agency has waived, or agrees to waive, similar requirements of State law;

(C) in the case of a statewide waiver, the State educational agency—

(i) provides all local educational agencies and parent organizations in the State with notice and an opportunity to comment on the State educational agency's proposal to seek a waiver; and

(ii) submits the local educational agencies' comments to the Secretary; and

(D) in the case of a local educational agency waiver, the local educational agency provides parents, community groups, and advocacy or civil rights groups with the opportunity to comment on the proposed waiver.

(2) APPLICATION.—(A)(i) To request a waiver under paragraph (1), a local educational agency or school that receives funds under this title, or a local educational agency or school that does not receive funds under this title but is undertaking school reform efforts that the Secretary determines are comparable to the activities described in section 306, shall transmit an application for such a waiver to the State educational agency. The State educational agency then shall submit approved applications for waivers under paragraph (1) to the Secretary.

(ii) A State educational agency that receives funds under this title may request a waiver under paragraph (1) by submitting an application for such waiver to the Secretary.

(B) Each application submitted to the Secretary under subparagraph (A) shall—

(i) identify the statutory or regulatory requirements that are requested to be waived and the goals that the State educational agency or local educational agency or school intends to achieve;

(ii) describe the action that the State educational agency has undertaken to remove State statutory or regulatory barriers identified in the application of local educational agencies;

(iii) describe the goals of the waiver and the expected programmatic results if the request is granted;

(iv) describe the numbers and types of students to be impacted by such waiver;

(v) describe a timetable for implementing a waiver; and

(vi) describe the process the State educational agency will use to monitor, on a biannual basis, the progress in implementing a waiver.

(3) TIMELINESS.—The Secretary shall act promptly on a request for a waiver under paragraph (1) and shall provide a written statement of the reasons for granting or denying such request.

(4) **DURATION.**—Each waiver under paragraph (1) shall be for a period not to exceed 4 years. The Secretary may extend such period if the Secretary determines that the waiver has been effective in enabling the State or affected local educational agencies to carry out reform plans.

(b) **INCLUDED PROGRAMS.**—The statutory or regulatory requirements subject to the waiver authority of this section are any such requirements under the following programs or Acts:

(1) Chapter 1 of title I of the Elementary and Secondary Education Act of 1965, including Even Start.

(2) Part A of chapter 2 of title I of the Elementary and Secondary Education Act of 1965.

(3) The Dwight D. Eisenhower Mathematics and Science Education Act.

(4) The Emergency Immigrant Education Act of 1984.

(5) The Drug-Free Schools and Communities Act of 1986.

(6) The Carl D. Perkins Vocational and Applied Technology Education Act. 1/

1/ The Goals 2000: Educate America Act as originally enacted contained references to the programs and Acts listed above. The Improving America's Schools Act of 1994 contained conforming amendments that were intended to replace these references with the appropriate references in the Elementary and Secondary Education Act of 1965 (ESEA), as amended. In a technical drafting error, certain provisions of the ESEA bill were reorganized after the conforming amendments were drafted, without corresponding changes to the conforming amendments.

The programs or Acts for which Goals 2000 waivers are currently authorized are as follows:

(1) Title I of the ESEA -- Helping Disadvantaged Children Meet High Standards;

(2) Title II of the ESEA -- Eisenhower Professional Development;

(3) Title IV of the ESEA -- Safe and Drug-Free Schools and Communities;

(4) Title VI of the ESEA -- Innovative Education Program Strategies;

(5) Title VII, Part C, of the ESEA -- Emergency Immigrant Education; and

(6) The Carl D. Perkins Vocational and Applied Technology Education Act.

(c) **WAIVERS NOT AUTHORIZED.**—The Secretary may not waive any statutory or regulatory requirement of the programs or Acts described in subsection (b)—

(1) relating to—

- (A) maintenance of effort;
- (B) comparability of services;
- (C) the equitable participation of students and professional staff in private schools;
- (D) parental participation and involvement; and
- (E) the distribution of funds to States or to local educational agencies; and

(2) unless the underlying purposes of the statutory requirements of each program or Act for which a waiver is granted continue to be met to the satisfaction of the Secretary.

(d) **TERMINATION OF WAIVERS.**—The Secretary shall periodically review the performance of any State, local educational agency, or school for which the Secretary has granted a waiver under subsection (a)(1) and shall terminate the waiver if the Secretary determines that the performance of the State, the local educational agency, or the school in the area affected by the waiver has been inadequate to justify a continuation of the waiver.

(e) **FLEXIBILITY DEMONSTRATION.**—

(1) **SHORT TITLE.**—This subsection may be cited as the "Education Flexibility Partnership Demonstration Act".

(2) **PROGRAM AUTHORIZED.**—

(A) **IN GENERAL.**—The Secretary may carry out an education flexibility demonstration program under which the Secretary authorizes not more than 6 State educational agencies serving eligible States to waive statutory or regulatory requirements applicable to 1 or more programs or Acts described in subsection (b), other than requirements described in subsection (c), for the State educational agency or any local educational agency or school within the State. 2/

(B) **AWARD RULE.**—In carrying out subparagraph (A), the Secretary shall select for participation in the demonstration program described in subparagraph (A) three State educational agencies serving eligible States that each have a population of 3,500,000 or greater and three State educational agencies serving eligible States that each have

2/ The following language was included in the 1996 Omnibus Appropriations Act, authorizing the Secretary to designate an additional six Ed-Flex States:

"Provided, that notwithstanding section 311(e) of Public Law 103-227, the Secretary is authorized to grant up to six additional State educational agencies authority to waive Federal statutory or regulatory requirements for fiscal year 1996 and succeeding fiscal years".

a population of less than 3,500,000, determined in accordance with the most recent decennial census of the population performed by the Bureau of the Census.

(C) **DESIGNATION.**—Each eligible State participating in the demonstration program described in subparagraph (A) shall be known as an "Ed-Flex Partnership State".

(3) **ELIGIBLE STATE.**—For the purpose of this subsection the term "eligible State" means a State that—

(A) has developed a State improvement plan under section 306 that is approved by the Secretary; and

(B) waives State statutory or regulatory requirements relating to education while holding local educational agencies or schools within the State that are affected by such waivers accountable for the performance of the students who are affected by such waivers.

(4) **STATE APPLICATION.**—(A) Each State educational agency desiring to participate in the education flexibility demonstration program under this subsection shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Each such application shall demonstrate that the eligible State has adopted an educational flexibility plan for the State that includes—

(i) a description of the process the State educational agency will use to evaluate applications from local educational agencies or schools requesting waivers of—

(I) Federal statutory or regulatory requirements described in paragraph (2)(A); and

(II) State statutory or regulatory requirements relating to education; and

(ii) a detailed description of the State statutory and regulatory requirements relating to education that the State educational agency will waive.

(B) The Secretary may approve an application described in subparagraph (A) only if the Secretary determines that such application demonstrates substantial promise of assisting the State educational agency and affected local educational agencies and schools within such State in carrying out comprehensive educational reform and otherwise meeting the purposes of this Act, after considering—

(i) the comprehensiveness and quality of the educational flexibility plan described in subparagraph (A);

(ii) the ability of such plan to ensure accountability for the activities and goals described in such plan;

(iii) the significance of the State statutory or regulatory requirements relating to education that will be waived; and

(iv) the quality of the State educational agency's process for approving applications for waivers of Federal statutory or regulatory requirements described in paragraph (2)(A) and for monitoring and evaluating the results of such waivers.

(5) **LOCAL APPLICATION.**—(A) Each local educational agency or school requesting a waiver of a Federal statutory or regulatory requirement described in paragraph (2)(A) and any rel-

evant State statutory or regulatory requirement from a State educational agency shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require. Each such application shall—

(i) indicate each Federal program affected and the statutory or regulatory requirement that will be waived;

(ii) describe the purposes and overall expected results of waiving each such requirement;

(iii) describe for each school year specific, measurable, educational goals for each local educational agency or school affected by the proposed waiver; and

(iv) explain why the waiver will assist the local educational agency or school in reaching such goals.

(B) A State educational agency shall evaluate an application submitted under subparagraph (A) in accordance with the State's educational flexibility plan described in paragraph (4)(A).

(C) A State educational agency shall not approve an application for a waiver under this paragraph unless—

(i) the local educational agency or school requesting such waiver has developed a local reform plan that is applicable to such agency or school, respectively; and

(ii) the waiver of Federal statutory or regulatory requirements described in paragraph (2)(A) will assist the local educational agency or school in reaching its educational goals.

(6) MONITORING.—Each State educational agency participating in the demonstration program under this subsection shall annually monitor the activities of local educational agencies and schools receiving waivers under this subsection and shall submit an annual report regarding such monitoring to the Secretary.

(7) DURATION OF FEDERAL WAIVERS.—(A) The Secretary shall not approve the application of a State educational agency under paragraph (4) for a period exceeding 5 years, except that the Secretary may extend such period if the Secretary determines that such agency's authority to grant waivers has been effective in enabling such State or affected local educational agencies or schools to carry out their local reform plans.

(B) The Secretary shall periodically review the performance of any State educational agency granting waivers of Federal statutory or regulatory requirements described in paragraph (2)(A) and shall terminate such agency's authority to grant such waivers if the Secretary determines, after notice and opportunity for hearing, that such agency's performance has been inadequate to justify continuation of such authority.

(f) ACCOUNTABILITY.—In deciding whether to extend a request for a waiver under subsection (a)(1), or a State educational agency's authority to issue waivers under subsection (e), the Secretary shall review the progress of the State educational agency, local educational agency, or school affected by such waiver or authority to determine if such agency or school has made progress toward achiev-

ing the desired results described in the application submitted pursuant to subsection (a)(2)(B)(iii) or (e)(5)(A)(ii).

(g) **PUBLICATION.**—A notice of the Secretary's decision to grant waivers under subsection (a)(1) and to authorize State educational agencies to issue waivers under subsection (e) shall be published in the Federal Register and the Secretary shall provide for the dissemination of such notice to State educational agencies, interested parties, including educators, parents, students, advocacy and civil rights organizations, other interested parties, and the public.

SEC. 312. PROGRESS REPORTS.

(a) **STATE REPORTS TO THE SECRETARY.**—Except in the case of a State educational agency submitting the information described in section 306(n)(4), each State educational agency that receives funds under this title shall annually report to the Secretary regarding—

- (1) progress in meeting State goals and plans;
- (2) proposed State activities for the succeeding year; and
- (3) in summary form, the progress of local educational agencies in meeting local goals and plans and increasing student learning.

(b) **SECRETARY'S REPORTS TO CONGRESS.**—By April 30, 1996, and every 2 years thereafter, the Secretary shall submit a report to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate describing—

- (1) the activities assisted under, and outcomes of, allotments under this title; and
- (2) the effect of waivers granted under section 311, including—

(A) a listing of all State educational agencies, local educational agencies and schools seeking and receiving waivers;

(B) a summary of the State and Federal statutory or regulatory requirements that have been waived, including the number of waivers sought and granted under each such statutory or regulatory requirement;

(C) a summary of waivers that have been terminated, including a rationale for the terminations; and

(D) recommendations to the Congress regarding changes in statutory or regulatory requirements, particularly those actions that should be taken to overcome Federal statutory or regulatory impediments to education reform.

SEC. 313. TECHNICAL AND OTHER ASSISTANCE REGARDING SCHOOL FINANCE EQUITY.

(a) TECHNICAL ASSISTANCE.—

(1) **IN GENERAL.**—From funds reserved in each fiscal year under section 304(a)(2)(A), the Secretary is authorized to make grants to, and enter into contracts and cooperative agreements with, State educational agencies and other public and private agencies, institutions, and organizations to provide technical assistance to State and local educational agencies to assist such agencies in achieving a greater degree of equity in the distribution of financial resources for education among local educational agencies in the State.

(2) **ACTIVITIES.**—A grant, contract or cooperative agreement under this section may support technical assistance activities, such as—

(A) the establishment and operation of a center or centers for the provision of technical assistance to State and local educational agencies;

(B) the convening of conferences on equalization of resources within local educational agencies, within States, and among States; and

(C) obtaining advice from experts in the field of school finance equalization.

(b) **DATA.**—Each State educational agency or local educational agency receiving assistance under the Elementary and Secondary Education Act of 1965 shall provide such data and information on school finance as the Secretary may require to carry out this section.

(c) **MODELS.**—The Secretary is authorized, directly or through grants, contracts, or cooperative agreements, to develop and disseminate models and materials useful to States in planning and implementing revisions of the school finance systems of such States.

SEC. 314. NATIONAL LEADERSHIP.

(a) **TECHNICAL ASSISTANCE AND INTEGRATION OF STANDARDS.**—From funds reserved in each fiscal year under section 304(a)(2)(A), the Secretary may, directly or through grants or contracts—

(1) provide technical assistance to States, local educational agencies, and tribal agencies developing or implementing school improvement plans, in a manner that ensures that such assistance is broadly available;

(2) gather data on, conduct research on, and evaluate systemic education improvement and how such improvement affects student learning, including the programs assisted under this title;

(3) disseminate research findings and other information on outstanding examples of systemic education improvement in States and local communities through existing dissemination systems within the Department of Education, including through publications, electronic and telecommunications mediums, conferences, and other means;

(4) provide grants to tribal divisions of education for coordination efforts between school reform plans developed for schools funded by the Bureau and public schools described in section 306(g)(2), including tribal activities in support of such plans;

(5) support national demonstration projects that unite local and State educational agencies, institutions of higher education, government, business, and labor in collaborative arrangements in order to make educational improvements system-wide; and

(6) support model projects to integrate multiple content standards, if—

(A) such standards are approved by the National Goals Panel for different subject areas, in order to provide balanced and coherent instructional programs for all students; and

(B) such projects are appropriate for a wide range of diverse circumstances, localities (including both urban and rural communities), and populations.

(b) RESERVATION OF FUNDS.—

(1) **IN GENERAL.**—The Secretary shall use at least 50 percent of the funds reserved each year under section 304(a)(2)(A) to make grants, in accordance with the provisions of section 309(a) that the Secretary determines appropriate, and provide technical and other assistance to urban and rural local educational agencies with large numbers or concentrations of students who are economically disadvantaged or who have limited English proficiency, to assist such agencies in developing and implementing local school improvement plans, except that any school that received funds under section 309(a) shall not receive assistance pursuant to this paragraph other than technical assistance.

(2) **SURVEY.**—The Secretary shall use not less than \$1,000,000 of the funds reserved for fiscal year 1994 under section 304(a)(2)(A) to replicate coordinated services programs that have been found to be successful in helping students and families and improving student outcomes, and shall disseminate information about such programs to schools that plan to develop coordinated services programs.

(c) **ADMINISTRATION.**—Any activities assisted under this section that involve research shall be administered through the Office of Educational Research and Improvement.

SEC. 315. ASSISTANCE TO THE OUTLYING AREAS AND TO THE SECRETARY OF THE INTERIOR.

(a) OUTLYING AREAS.—

(1) **IN GENERAL.**—Funds reserved for outlying areas under section 304(a)(1)(A) shall be distributed among such areas by the Secretary according to relative need of such areas.

(2) **INAPPLICABILITY OF PUBLIC LAW 95-134.**—The provisions of Public Law 95-134, permitting the consolidation of grants to the insular areas, shall not apply to funds received by such areas under this title.

(b) SECRETARY OF THE INTERIOR.—

(1) **IN GENERAL.**—The funds reserved for the Secretary of the Interior under section 304(a)(1)(B) shall be made in a payment which shall be pursuant to an agreement between the Secretary and the Secretary of the Interior containing such assurances and terms as the Secretary determines shall best achieve the provisions of this section and this Act. The agreement shall, at a minimum, contain assurances that—

(A) a panel, as set forth in paragraph (4) of this subsection, shall be established;

(B) a reform and improvement plan, designed to increase student learning and assist students in meeting the National Education Goals, meeting the requirements pertaining to State improvement plans required in section 306 and providing for the fundamental restructuring and improvement of elementary and secondary education in schools funded by the Bureau, shall be developed by such panel; and

(C) the provisions and activities required under such State improvement plans, shall be carried out in the same time frames and under the same conditions stipulated for the States in sections 305 and 306, provided that for these purposes, the term "local educational agencies" shall be interpreted to mean "schools funded by the Bureau".

(2) **PLAN SPECIFICS.**—The reform and improvement plan shall include, in addition to the requirements described above, specific provisions for—

(A) review and incorporation of the National Education Goals and the voluntary national content standards and voluntary national student performance standards; provided that such review shall include the issues of cultural and language differences; and

(B) provision for coordination of the efforts of the Bureau with the efforts for school improvement of the States and local educational agencies in which the schools funded by the Bureau are located, including the development of the partnerships outlined in section 306(g)(2) of the Act.

(3) **PANEL.**—(A) To carry out the provisions of this section, and to develop the plan for system-wide reform and improvement required under the agreement required under paragraph (1), the Secretary of the Interior shall establish a panel coordinated by the Assistant Secretary of the Interior for Indian Affairs. Such panel shall consist of—

(i) the Director of the Office of Indian Education Programs of the Bureau and two heads of other divisions of such Bureau as the Assistant Secretary shall designate;

(ii) a designee of the Secretary of Education; and

(iii) a representative nominated by each of the following:

(I) The organization representing the majority of teachers and professional personnel in schools operated by the Bureau.

(II) The organization representing the majority of nonteaching personnel in schools operated by the Bureau, if not the same organization as in subclause (I).

(III) School administrators of schools operated by the Bureau.

(IV) Education line officers located in Bureau area or agency offices serving schools funded by the Bureau.

(V) The organization representing the majority of contract or grant schools funded by the Bureau not serving students on the Navajo reservation.

(VI) The organization representing the majority of contract or grant schools funded by the Bureau serving students on the Navajo reservation.

(VII) The organization representing the school boards required by statute for schools operated by the Bureau not serving students on the Navajo reservation.

(VIII) The organization representing the school boards required by statute for schools funded by the Bureau serving students on the Navajo reservation.

(B) Including the additional members required by paragraph (4), a majority of the members of such panel shall be from the entities designated under subparagraph (A)(iii).

(4) **ADDITIONAL MEMBERS.**—In addition, the members of the panel described in paragraph (3) shall designate for full membership on the panel four additional members—

(A) one of whom shall be a representative of a national organization which represents primarily national Indian education concerns; and

(B) three of whom shall be chairpersons (or their designees) of Indian tribes with schools funded by the Bureau on their reservations (other than those specifically represented by organizations referred to in paragraph (3)), provided that preference for no less than two of these members shall be given to Indian tribes with a significant number of schools funded by the Bureau on their reservations, or with a significant percentage of their children enrolled in schools funded by the Bureau.

(c) BUREAU OF INDIAN AFFAIRS COST ANALYSIS AND STUDIES.—

(1) **IN GENERAL.**—The Secretary of the Interior shall reserve from the funds received pursuant to section 304(a)(1)(B) in the first and second fiscal year for which the Secretary of the Interior receives such funds an amount not to exceed \$500,000 for each such year to provide, through a contract executed, after open solicitation, with an organization or institution having extensive experience in school finance, for an analysis of—

(A) the costs associated with meeting the academic, home-living, and residential standards of the Bureau for each Bureau funded school and annual projections of such costs; and

(B) the feasibility and desirability of changing the method of financing for Bureau funded schools from the weighted student unit formula method in effect on the date of enactment of this Act to a school-based budget system or other alternative system of financial support.

(2) **COST ANALYSIS PURPOSE.**—The purpose of the cost analysis provided for in paragraph (1)(A) shall be to provide the Bureau and the panel described in subsection (b)(3) with baseline data regarding the current state of operations funded by the Bureau.

Such analysis shall evaluate the costs of providing a program in each school operated or supported by the Bureau for the next succeeding academic year and shall be based on—

(A) the standards either published in the Federal Register and effective for schools funded by the Bureau on the date of enactment of the Improving America's Schools Act of 1994, or the State or regional standards in effect on such date for a Bureau funded school;

(B) the best projections of student counts and demographics as provided by the Bureau and as independently reviewed by the organization or institution selected by the Secretary to perform the analysis described in this section; and

(C) the pay and benefit schedules and other personnel requirements for each school operated by the Bureau, as such pay and benefit schedules and requirements existed on the date of enactment of the Improving America's Schools Act of 1994.

(3) **FEASIBILITY STUDY PURPOSE.**—(A) The purpose of the feasibility analysis provided for in paragraph (1)(B) shall be to determine whether it is feasible and desirable for the Bureau to replace or modify the weighted student unit formula system in effect on the date of enactment of this Act.

(B) For the purposes of the feasibility analysis described in paragraph (1)(B), the term 'school-based budget system' means a system based upon an initial determination, at each school site, of the number of students who shall be served at the site,

the needs of those students, the standards which will best meet those needs (including any standards or conditions reflecting local community input and such community's program), the personnel profile necessary to establish such program and the cost (determined on an actual basis) of funding such a program. Such a system shall include procedures to aggregate the determinations for each school site to determine the amount needed to fund all Bureau funded schools, to prepare a budget submission based upon such aggregate, and to provide for a mechanism for distributing such sums as may be appropriated based upon the determination at each school site.

"(4) RESULTS REPORT.—The contractor selected shall be required to report the results of analyses provided for in this section, in aggregate and school-specific form to the chairpersons and ranking minority members of the Committee on Education and Labor and the Committee on Appropriations of the House of Representatives and the Committee on the Indian Affairs and the Committee on Appropriations of the Senate, and to the Secretary of the Interior, not later than six months after the date of enactment of the Improving America's Schools Act of 1994. The contractor shall also be required to provide an estimate of the costs of meeting the academic and residential standards of the Bureau for each Bureau funded school for each of the three succeeding forward-funded fiscal years following the date of submission of such report. The contractor shall provide an estimate of such costs to such persons and members not later than January 1 of each succeeding fiscal year.

(d) SECRETARY OF DEFENSE.—The Secretary shall consult with the Secretary of Defense to ensure that, to the extent practicable, the purposes of this title are applied to the Department of Defense schools.

(e) GRANTS.—The Secretary of the Interior may use not more than one percent of the funds received pursuant to section 304(a)(1)(B) in the first and second fiscal year for which the Secretary of the Interior receives such funds for the purpose of providing grants, if requested by Bureau funded school boards, to enable such school boards to carry out activities of reform planning as such activities are described for States in section 308(b)(2)(J), including the feasibility of becoming a contract school pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.), or a grant school pursuant to section 5204 of the Tribally Controlled Schools Act of 1988.

(f) STUDY.—In cooperation with the panel established in subsection (b)(4), the Secretary of the Interior shall conduct a study to evaluate the feasibility of contracting with a private management firm for the operation of one or more Bureau operated schools to facilitate the achievement of the National Education Goals and the efficient use of funds in the education of Indian children, and to report to the persons identified in subsection (c)(4) and to the panel described in subsection (b)(3) not later than 12 months after the date of enactment of the Improving America's Schools Act of 1994.

SEC. 317. STATE PLANNING FOR IMPROVING STUDENT ACHIEVEMENT THROUGH INTEGRATION OF TECHNOLOGY INTO THE CURRICULUM.

(a) PURPOSE.—It is the purpose of this section to assist each State to plan effectively for improved student learning in all schools through the use of technology as an integral part of the State improvement plan described in section 306.

(b) PROGRAM AUTHORIZED.—

(1) AUTHORITY.—The Secretary shall award grants in accordance with allocations under paragraph (2) to each State educational agency that, as part of its application under section 305, requests a grant to develop (or continue the development of), and submits as part of the State improvement plan described in section 306, a systemic statewide plan to increase the use of state-of-the-art technologies that enhance elementary and secondary student learning and staff development in support of the National Education Goals and State content standards and State student performance standards.

(2) FORMULA.—From the amount appropriated pursuant to the authority of subsection (f) in each fiscal year, each State educational agency with an application approved under section 305 shall receive a grant under paragraph (1) in such year in an amount determined on the same basis as allotments are made to State educational agencies under subsections (b) and (c) of section 304 for such year, except that each such State shall receive at least \$75,000.

(3) OUTLYING AREAS.—(A) From the amount appropriated pursuant to the authority of subsection (f) for fiscal year 1995, the Secretary shall reserve a total of 1 percent to provide assistance under this section—

(i) to the outlying areas; and

(ii) for the Secretary of the Interior to conduct directly or through a contract, systemic technology planning for Bureau-funded schools.

(B) The funds reserved under subparagraph (A) shall be distributed among the outlying areas and the Secretary of the Interior by the Secretary according to the relative need of such areas and schools for assistance under this section.

(c) PLAN OBJECTIVES.—Each State educational agency shall use funds received under this section to develop and, if the Secretary has approved the systemic statewide plan, to implement such plan. Such plan shall have as its objectives—

(1) the promotion of higher student achievement through the use of technology in education;

(2) the participation of all schools and school districts in the State, especially those schools and districts with a high percentage or number of disadvantaged students;

(3) the development and implementation of a cost-effective, high-speed, statewide, interoperable, wide-area-communication educational technology support system for elementary and secondary schools within the State, particularly for such schools in rural areas; and

(4) the promotion of shared usage of equipment, facilities, and other technology resources by adult learners during after-school hours.

(d) PLAN REQUIREMENTS.—At a minimum, each systemic statewide plan shall—

(1) be developed by a task force that—

(A) includes among its members experts in the educational use of technology and representatives of the State panel described in section 306(b); and

(B) ensures that such plan is integrated into the State improvement plan described in section 306;

(2) be developed in collaboration with the Governor, representatives of the State legislature, the State board of education, institutions of higher education, appropriate State agencies, local educational agencies, public and private telecommunication entities, parents, public and school libraries, students, adult literacy providers, and leaders in the field of technology, through a process of statewide grassroots outreach to local educational agencies and schools in the State;

(3) identify and describe the requirements for introducing state-of-the-art technologies into the classroom and school library in order to enhance educational curricula, including the installation and ongoing maintenance of basic connections, hardware and the necessary support materials;

(4) describe how the application of advanced technologies in the schools will enhance student learning, provide greater access to individualized instruction, and help make progress toward the achievement of the National Education Goals;

(5) describe how the ongoing training of educational personnel will be provided;

(6) describe the resources necessary, and procedures, for providing ongoing technical assistance to carry out such plan;

(7) provide for the dissemination on a statewide basis of exemplary programs and practices relating to the use of technology in education;

(8) establish a funding estimate (including a statement of likely funding sources) and a schedule for the development and implementation of such plan;

(9) describe how the State educational agency will assess the impact of implementing such plan on student achievement and aggregate achievement for schools;

(10) describe how the State educational agency and local educational agencies in the State will coordinate and cooperate with business and industry, and with public and private telecommunications entities;

(11) describe how the State educational agency will promote the purchase of equipment by local educational agencies that, when placed in schools, will meet the highest possible level of interoperability and open system design;

(12) describe how the State educational agency will consider using existing telecommunications infrastructure and technology resources;

(13) describe how the State educational agency will apply the uses of technology to meet the needs of children from low-income families;

(14) describe the process through which such plan will be reviewed and updated periodically; and

(15) describe how the State educational agency will facilitate collaboration between State literacy resource centers, local educational agencies, and adult and family literacy providers, to ensure that technology can be used by adult and family literacy providers during after school hours.

(e) **REPORTS.**—Each State educational agency receiving a grant under this section shall submit a report to the Secretary within 1 year of the date such agency submits to the Secretary its systemic statewide plan under this section. Such report shall—

(1) describe the State's progress toward implementation of the provisions of such plan;

(2) describe any revisions to the State's long-range plans for technology; and

(3) include any other information the Secretary deems appropriate.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated \$5,000,000 for fiscal year 1994 to carry out this section.

SEC. 318. PROHIBITION ON FEDERAL MANDATES, DIRECTION, AND CONTROL.

Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, or allocation of State or local resources or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.

SEC. 319. STATE AND LOCAL GOVERNMENT CONTROL OF EDUCATION.

(a) **FINDINGS.**—The Congress finds as follows:

(1) Congress is interested in promoting State and local government reform efforts in education.

(2) In Public Law 96-88 the Congress found that education is fundamental to the development of individual citizens and the progress of the Nation.

(3) In Public Law 96-88 the Congress found that in our Federal system the responsibility for education is reserved respectively to the States and the local school systems and other instrumentalities of the States.

(4) In Public Law 96-88 the Congress declared the purpose of the Department of Education was to supplement and complement the efforts of States, the local school systems, and other instrumentalities of the States, the private sector, public and private educational institutions, public and private nonprofit educational research institutions, community based organizations, parents and schools to improve the quality of education.

(5) With the establishment of the Department of Education, Congress intended to protect the rights of State and local governments and public and private educational institutions in the areas of educational policies and administration of programs and to strengthen and improve the control of such governments and institutions over their own educational programs and policies.

(6) Public Law 96-88 specified that the establishment of the Department of Education shall not increase the authority of the Federal Government over education or diminish the responsibility for education which is reserved to the States and local school systems and other instrumentalities of the States.

(7) Public Law 96-88 specified that no provision of a program administered by the Secretary or by any other officer of the Department of Health, Education, and Welfare shall be construed to authorize the Secretary or any such officer to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, school, or school system, over any accrediting agency or association or over the selection or content of library resources, textbooks, or other instructional materials by any educational institution or school system.

(b) **REAFFIRMATION.**—The Congress agrees and reaffirms that the responsibility for control of education is reserved to the States and local school systems and other instrumentalities of the States and that no action shall be taken under the provisions of this Act by the Federal Government which would, directly or indirectly, impose standards or requirements of any kind through the promulgation of rules, regulations, provision of financial assistance and otherwise, which would reduce, modify, or undercut State and local responsibility for control of education.

SEC. 320. LIMITATIONS.

(a) **PROHIBITED CONDITIONS.**—Nothing in this Act shall be construed to require a State, a local educational agency, or a school, as a condition of receiving assistance under this title—

(1) to provide outcomes-based education; or

(2) to provide school-based health clinics or any other health or social service.

(b) **LIMITATION ON GOVERNMENT OFFICIALS.**—Nothing in this Act shall be construed to require or permit any Federal or State official to inspect a home, judge how parents raise their children, or remove children from their parents, as a result of the participation of a State, local educational agency, or school in any program or activity carried out under this Act.