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Almas

GOALS 2000 AMENDMENTS

104TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
104-537

MAKING APPROPRIATIONS FOR FISCAL YEAR
1996 TO MAKE A FURTHER DOWNPAYMENT
TOWARD A BALANCED BUDGET, AND FOR
OTHER PURPOSES

CONFERENCE REPORT

TO ACCOMPANY

H.R. 3019



APRIL 25, 1996.—Ordered to be printed

Signed into law on April 26, 1996

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION REFORM

For carrying out activities authorized by titles III and IV of the Goals 2000: Educate America Act and the School-to-Work Opportunities Act, \$530,000,000, of which \$340,000,000 for the Goals 2000: Educate America Act and \$180,000,000 for the School-to-Work Opportunities Act shall become available on July 1, 1996, and remain available through September 30, 1997: Provided, That notwithstanding section 311(e) of Public Law 103-227, the Secretary is authorized to grant up to six additional State education agencies authority to waive Federal statutory or regulatory requirements for fiscal year 1996 and succeeding fiscal years: Provided further, That none of the funds appropriated under this heading shall be obligated or expended to carry out section 304(a)(2)(A) of the Goals 2000: Educate America Act.

TITLE VII—AMENDMENTS TO THE GOALS 2000: EDUCATE AMERICA ACT

SEC. 701. ELIMINATION OF THE NATIONAL EDUCATION STANDARDS AND IMPROVEMENT COUNCIL AND OPPORTUNITY-TO- LEARN STANDARDS.

The Goals 2000: Educate America Act (20 U.S.C. 5801 et seq.) is amended—

- (1) by repealing part B of title II (20 U.S.C. 5841 et seq.);
- (2) by redesignating parts C and D of title II (20 U.S.C. 5861 et seq. and 5871 et seq.) as parts B and C, respectively, of title II; and
- (3) in section 241 (20 U.S.C. 5871)—
 - (A) in subsection (a), by striking “(a) NATIONAL EDUCATION GOALS PANEL.—”; and
 - (B) by striking subsections (b) through (d).

SEC. 702. STATE AND LOCAL EDUCATION SYSTEMIC IMPROVEMENT.

(a) PANEL COMPOSITION; OPPORTUNITY-TO-LEARN STANDARDS; AND SUBMISSION OF PLAN TO THE SECRETARY FOR APPROVAL.—

(1) STATE IMPROVEMENT PLAN.—Section 306 of the Goals 2000: Educate America Act (20 U.S.C. 5886) is amended—

- (A) by amending subsection (b) to read as follows:

“(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.”;
- (B) by striking subsection (d).

(b) LOCAL PANEL COMPOSITION.—Section 309(a)(3)(A) of such Act (20 U.S.C. 5889(a)(3)(A)) is amended—

- (1) in the matter preceding clause (i), by striking “that—” and inserting a semicolon; and
- (2) by striking clauses (i) and (ii).

SEC. 703. TECHNICAL AND CONFORMING AMENDMENTS.

(a) GOALS 2000: EDUCATE AMERICA ACT.—

(1) The table of contents for the Goals 2000: Educate America Act is amended, in the items relating to title II—

- (A) by striking the items relating to part B;
- (B) by striking “PART C” and inserting “PART B”; and
- (C) by striking “PART D” and inserting “PART C”.

(2) Section 2 of such Act (20 U.S.C. 5801) is amended—

- (A) in paragraph (4)—
 - (i) in subparagraph (B), by inserting “and” after the semicolon;
 - (ii) by striking subparagraph (C); and
 - (iii) by redesignating subparagraph (D) as subparagraph (C); and
- (B) in paragraph (6)—

- (i) by striking subparagraph (C); and
 - (ii) by redesignating subparagraphs (D) through (F) as subparagraphs (C) through (E), respectively.
- (3) Section 3(a) of such Act (20 U.S.C. 5802) is amended—
 - (A) by striking paragraph (7); and
 - (B) by redesignating paragraphs (8) through (14) as paragraphs (7) through (13), respectively.

(4) Section 201(3) of such Act (20 U.S.C. 5821(3)) is amended by striking ", voluntary national student performance" and all that follows through "such Council" and inserting "and voluntary national student performance standards".

(5) Section 202(j) of such Act (20 U.S.C. 5822(j)) is amended by striking ", student performance, or opportunity-to-learn" and inserting "or student performance".

(6) Section 203 of such Act (20 U.S.C. 5823) is amended—

(A) in subsection (a)—

(i) by striking paragraphs (2) and (3);

(ii) by redesignating paragraphs (4) through (6) as paragraphs (2) through (4), respectively; and

(iii) by amending paragraph (2) (as redesignated by clause (ii)) to read as follows:

"(2) review voluntary national content standards and voluntary national student performance standards;" and

(B) in subsection (b)(1)—

(i) in subparagraph (A), by inserting "and" after the semicolon;

(ii) in subparagraph (B), by striking "; and" and inserting a period; and

(iii) by striking subparagraph (C).

(7) Section 204(a)(2) of such Act (20 U.S.C. 5824(a)(2)) is amended—

(A) by striking "voluntary national opportunity-to-learn standards,"; and

(B) by striking "described in section 213(f)".

(8) Section 304(a)(2) of such Act (20 U.S.C. 5884(a)(2)) is amended—

(A) in subparagraph (A), by adding "and" after the semicolon;

(B) in subparagraph (B), by striking "; and" and inserting a period; and

(C) by striking subparagraph (C).

(9) Section 306(o) of such Act (20 U.S.C. 5886(o)) is amended by striking "State opportunity-to-learn standards or strategies,".

(10) Section 308 of such Act (20 U.S.C. 5888) is amended—

(A) in subsection (b)(2)—

(i) in the matter preceding clause (i) of subparagraph (A), by striking "State opportunity-to-learn standards,"; and

(ii) in subparagraph (A), by striking "including—" and all that follows through "part B of title II," and inserting "including through consortia of States;" and

(B) in subsection (c), by striking "306(b)(1)" and inserting "306(b)".

(11) For the purpose of expanding the use and availability of computers and computer technology, section 309(a)(6)(A)(ii) of such Act (20 U.S.C. 5889(a)(6)(A)(ii)) is amended by inserting after "new public schools" the following: "and the acquisition of technology and use of technology-enhanced curricula and instruction".

(12) Section 312(b) of such Act (20 U.S.C. 5892(b)) is amended—

(A) by striking paragraph (1); and

(B) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

(13) Section 314(a)(6)(A) of such Act (20 U.S.C. 5894(a)(6)(A)) is amended by striking “certified by the National Education Standards and Improvement Council and”.

(14) Section 315 of such Act (20 U.S.C. 5895) is amended—

(A) in subsection (b)—

(i) in paragraph (1)(C), by striking “, including the requirements for timetables for opportunity-to-learn standards,”;

(ii) by striking paragraph (2);

(iii) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively;

(iv) in paragraph (1)(A), by striking “paragraph (4) of this subsection” and inserting “paragraph (3)”;

(v) in paragraph (2) (as redesignated by clause (iii))—

(I) by striking subparagraph (A);

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively; and

(III) in subparagraph (A) (as redesignated by subclause (II)) by striking “, voluntary national student performance standards, and voluntary national opportunity-to-learn standards developed under part B of title II of this Act” and inserting “and voluntary national student performance standards”;

(vi) in subparagraph (B) of paragraph (3) (as redesignated by clause (iii)), by striking “paragraph (5),” and inserting “paragraph (4),”; and

(vii) in paragraph (4) (as redesignated by clause (ii)), by striking “paragraph (4)” each place it appears and inserting “paragraph (3)”;

(B) in the matter preceding subparagraph (A) of subsection (c)(2)—

(i) by striking “subsection (b)(4)” and inserting “subsection (b)(3)”;

(ii) by striking “and to provide a framework for the implementation of opportunity-to-learn standards or strategies”; and

(C) in subsection (f), by striking “subsection (b)(4)” each place it appears and inserting “subsection (b)(3)”.

(15)(A) Section 316 of such Act (20 U.S.C. 5896) is repealed.

(B) The table of contents for such Act is amended by striking the item relating to section 316.

(16) Section 317 of such Act (20 U.S.C. 5897) is amended—

(A) in subsection (d)(4), by striking “promote the standards and strategies described in section 306(d),”; and

(B) in subsection (e)—

- (i) in paragraph (2), by inserting "and" after the semicolon;
 - (ii) by striking paragraph (3); and
 - (iii) by redesignating paragraph (4) as paragraph (3).
- (17) Section 503 of such Act (20 U.S.C. 5933) is amended—
 - (A) in subsection (b)—
 - (i) in paragraph (1)—
 - (I) in the matter preceding subparagraph (A), by striking "28" and inserting "27";
 - (II) by striking subparagraph (D); and
 - (III) by redesignating subparagraphs (E) through (G) as subparagraphs (D) through (F), respectively;
 - (ii) in paragraphs (2), (3), and (5), by striking "subparagraphs (E), (F), and (G)" each place it appears and inserting "subparagraphs (D), (E), and (F)";
 - (iii) in paragraph (2), by striking "subparagraph (G)" and inserting "subparagraph (F)";
 - (iv) in paragraph (4), by striking "(C), and (D)" and inserting "and (C)"; and
 - (v) in the matter preceding subparagraph (A) of paragraph (5), by striking "subparagraph (E), (F), or (G)" and inserting "subparagraph (D), (E), or (F)"; and
 - (B) in subsection (e)—
 - (i) in paragraph (1)(B), by striking "subparagraph (E)" and inserting "subparagraph (D)"; and
 - (ii) in paragraph (2), by striking "subparagraphs (E), (F), and (G)" and inserting "subparagraphs (D), (E), and (F)".
- (18) Section 504 of such Act (20 U.S.C. 5934) is amended—
 - (A) by striking subsection (f); and
 - (B) by redesignating subsection (g) as subsection (f).
- (b) ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—
 - (1) Section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311) is amended—
 - (A) in subsection (b)(8)(B), by striking "(which may include opportunity-to-learn standards or strategies developed under the Goals 2000: Educate America Act)";
 - (B) in subsection (f), by striking "opportunity-to-learn standards or strategies,";
 - (C) by striking subsection (g); and
 - (D) by redesignating subsection (h) as subsection (g).
 - (2) Section 1116 of such Act (20 U.S.C. 6317) is amended—
 - (A) in subsection (c)—
 - (i) in paragraph (2)(A)(i), by striking all beginning with "which may" through "Act"; and
 - (ii) in paragraph (5)(B)(i)—
 - (I) in subclause (VI), by inserting "and" after the semicolon;
 - (II) in subclause (VII), by striking "and" and inserting a period; and
 - (III) by striking subclause (VIII); and
 - (B) in subsection (d)—

(i) in paragraph (4)(B), by striking all beginning with “, and may” through “Act”; and

(ii) in paragraph (6)(B)(i)—

(I) by striking subclause (IV); and

(II) by redesignating subclauses (V) through (VIII) as subclauses (IV) through (VII), respectively.

(3) Section 1501(a)(2)(B) of such Act (20 U.S.C. 6491(a)(2)(B)) is amended—

(A) by striking clause (v); and

(B) by redesignating clauses (vi) through (x) as clauses (v) through (ix), respectively.

(4) Section 10101(b)(1)(A)(i) of such Act (20 U.S.C. 8001(b)(1)(A)(i)) is amended by striking “and opportunity-to-learn standards or strategies for student learning”.

(5) Section 14701(b)(1)(B)(v) of such Act (20 U.S.C. 8941(b)(1)(B)(v)) is amended by striking “the National Education Goals Panel,” and all that follows through “assessments)” and inserting “and the National Education Goals Panel”.

(c) **GENERAL EDUCATION PROVISIONS ACT.**—Section 428 of the General Education Provisions Act (20 U.S.C. 1228b), as amended by section 237 of the Improving America’s Schools Act of 1994 (Public Law 103–382), is amended by striking “the National Education Standards and Improvement Council,”.

(d) **EDUCATION AMENDMENTS OF 1978.**—Section 1121(b) of the Education Amendments of 1978 (25 U.S.C. 2001(b)), as amended by section 381 of the Improving America’s Schools Act of 1994 (Public Law 103–382), is amended by striking “213(a)” and inserting “203(a)(2)”.

SEC. 704. DIRECT GRANTS TO LOCAL EDUCATIONAL AGENCIES.

Section 304 of the Goals 2000: Educate America Act (20 U.S.C. 5884) is amended by adding at the end the following new 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. 705. ALTERNATIVE TO SECRETARIAL APPROVAL OF STATE PLANS.

(a) **STATE IMPROVEMENT PLANS.**—Section 306(n) of the Goals 2000: Educate America Act (20 U.S.C. 5886(n)) is amended by adding at the end the following new paragraph:

“(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).”

(b) **STATE APPLICATIONS.**—Section 305(c)(2) of such Act (20 U.S.C. 5885(c)(2)) is amended by inserting “except in the case of a State educational agency submitting the information described in section 306(n)(4),” before “include”.

(c) **SECRETARY’S REVIEW OF APPLICATIONS.**—Section 307(b)(1) of such Act (20 U.S.C. 5887(b)(1)) is amended—

(1) in subparagraph (A), by striking “or” after the semicolon;

(2) in subparagraph (B), by striking “and” after the semicolon and inserting “or”; and

(3) by adding at the end the following new subparagraph:

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

(d) **PROGRESS REPORTS.**—The matter preceding paragraph (1) of section 312(a) of such Act (20 U.S.C. 5892(a)) is amended by striking “Each” and inserting “Except in the case of a State educational agency submitting the information described in section 306(n)(4), each”.

SEC. 706. LIMITATIONS.

Title III of the Goals 2000: Educate America Act (20 U.S.C. 5881 et seq.) is further amended by adding at the end the following new section:

"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."*

TITLE III—DEPARTMENT OF EDUCATION

EDUCATION REFORM

The conference agreement includes \$530,000,000 for Education Reform programs. Included in this amount is \$350,000,000 for the Goals 2000: Educate America Act and language, proposed by the House, which prohibits the use of funds for Goals 2000 national programs. Also included is \$180,000,000 for school-to-work programs. The House bill provided \$484,500,000 for Education Reform activities, including a contingent appropriation of \$389,500,000. The Senate amendment provided \$536,000,000 and included \$151,000,000 in fiscal year 1997 funding.

The conference agreement amends the Goals 2000: Educate America Act. Specifically, the agreement includes language in title VII of the bill which:

Permits school districts, in States that elect not to participate in the Goals 2000 program, to apply directly to the Secretary of Education for Goals 2000 funding, if the State education agency approves;

Eliminates the requirement that States submit their improvement plans to the Secretary of Education for approval;

Deletes the requirement for the composition of State and local panels that develop State and local improvement plans;

Eliminates the National Education Standards and Improvement Council;

Removes the requirement for States to develop opportunity-to-learn standards;

Clarifies that no State, local education agency, or school shall be required, as a condition of receiving assistance under this title to provide outcomes-based education, or school-based health clinics; and

Clarifies that nothing in the Goals 2000 legislation will require or permit any State or Federal official to inspect a home, judge how parents raise their children, or remove children from their parents.

The conferees agree that a State education agency must give approval in order for a local educational agency to apply to the Secretary of Education for funding. A State educational agency is permitted to make a blanket approval or disapproval regarding the participation of local education agencies.

Regarding the provision on alternatives to secretarial approval of State plans, the conferees agree that submission of such report and notification of amendments to previous State plans meets the requirements of section 306.

The conferees agree that local education agencies, as part of their school improvement plan, can use their Goals 2000 funds for the acquisition of computer technology and the use of technology-enhanced curricula and instruction. The Department of Education is encouraged to advise States that their Goals 2000 funds may be used for this purpose.

The conference agreement includes a provision, proposed by the Senate, which authorizes the Secretary of Education to grant up to six additional State education agencies authority to waive Federal statutory or regulatory requirements for fiscal year 1996 and succeeding fiscal years. The House bill contained no similar provision.

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FAX COVER SHEET

TO: Sarah Platt Davis

FAX #: 5-3614

FROM: Cheryl

DATE: 3/28

PAGES (including cover): 22

Comments:

1st took Amendment to Labor HHS-Ed.

Any problems?

We're going back into conference
at 9 am. I'll be over
at 5-128.

FILE No. 930 03/29 '96 02:16 ID:

PAGE 2

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Final S.L.C.
Original

AMENDMENT NO. _____

Calendar No. _____

Purpose: To amend the Goals 2000: Educate America Act,
and for other purposes.

IN THE SENATE OF THE UNITED STATES—104th Cong., 1st Sess.

H.R. 3127Making appropriations for the Departments of Labor, Health
and Human Services, and Education, and related agen-
cies, for the fiscal year ending September 30, 1996,
and for other purposes.Referred to the Committee on _____
and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. SPECTER

Viz:

1 At the end of the bill, insert the following new title:

2 **TITLE _____—AMENDMENTS**3 **TO THE GOALS 2000: EDUCATE**4 **AMERICA ACT**5 **SEC. ____01. ELIMINATION OF THE NATIONAL EDUCATION**6 **STANDARDS AND IMPROVEMENT COUNCIL**7 **AND OPPORTUNITY-TO-LEARN STANDARDS.**

8 The Goals 2000: Educate America Act (20 U.S.C.

9 5801 et seq.) is amended—

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1 (1) by repealing part B of title II (20 U.S.C.
2 5841 et seq.);

3 (2) by redesignating parts C and D of title II
4 (20 U.S.C. 5861 et seq. and 5871 et seq.) as parts
5 B and C, respectively, of title II; and

6 (3) in section 241 (20 U.S.C. 5871)—

7 (A) in subsection (a), by striking "(a) NA-
8 TIONAL EDUCATION GOALS PANEL.—"; and

9 (B) by striking subsections (b) through
10 (d).

11 SEC. ____ 02. STATE AND LOCAL EDUCATION SYSTEMIC IM-
12 PROVEMENT.

13 (a) PANEL COMPOSITION; OPPORTUNITY-TO-LEARN
14 STANDARDS; AND SUBMISSION OF PLAN TO THE SEC-
15 RETARY FOR APPROVAL.—

16 (1) STATE IMPROVEMENT PLAN.—Section 306
17 of the Goals 2000: Educate America Act (20 U.S.C.
18 5886) is amended—

19 (A) by amending subsection (b) to read as
20 follows:

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

25 (B) by striking subsection (d);

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1 (C) by striking subsection (n);
2 (D) by amending subsection (p) to read as
3 follows:

4 "(p) AMENDMENTS TO PLAN.—Each State edu-
5 cational agency shall periodically review its State improve-
6 ment plan and revise such plan, as appropriate."; and

7 (E) by striking subsection (q).

8 (2) SECRETARY'S REVIEW OF APPLICATIONS.—
9 Section 307 of such Act (20 U.S.C. 5887) is amend-
10 ed—

11 (A) by amending subsection (a) to read as
12 follows:

13 "(a) FIRST YEAR.—The Secretary shall approve the
14 State educational agency's first year application under
15 section 306(b) if the Secretary determines that such appli-
16 cation meets the requirements of this title."; and

17 (B) in subsection (b), by striking "(1)(A)"
18 and all that follows through "(B) the Sec-
19 retary" and inserting "(1) the Secretary".

20 (b) LOCAL PANEL COMPOSITION.—Section
21 308(a)(3)(A) of such Act (20 U.S.C. 5889(a)(3)(A)) is
22 amended—

23 (1) in the matter preceding clause (i), by strik-
24 ing "that—" and inserting a semicolon; and

25 (2) by striking clauses (i) and (ii).

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(c) LOCAL BYPASS.—Section 304 of such Act (20 D.C. 5884) is amended by adding at the end the following new subsection:

"(e) LOCAL BYPASS.—

"(1) LOCAL GRANTS AUTHORIZED.—Notwithstanding any other provision of law, if a State does not participate in the program authorized under this title, the Secretary is authorized to use the allotment such State would have received under this section to award grants, through a competitive process, to local educational agencies in such State that have applications approved under paragraph (2).

"(2) APPLICATION REQUIRED.—Each local educational agency described in paragraph (1) desiring a grant under such paragraph shall submit an application to the Secretary at such time, in such manner and accompanied by such information, as the Secretary may require. Each such application shall contain assurances that the local educational agency will develop a local improvement plan that meets such requirements applicable to a State educational agency under section 806, and will meet such other requirements applicable to a State educational agency under this title, as the Secretary determines are

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~~1 appropriately applied to a local educational agency~~~~2 under this subsection."~~**3 SEC. 08. TECHNICAL AND CONFORMING AMENDMENTS.****4 (a) GOALS 2000: EDUCATE AMERICA ACT.—**

5 (1) The table of contents for the Goals 2000:
6 Educate America Act is amended, in the items relat-
7 ing to title II—

8 (A) by striking the items relating to part
9 B;

10 (B) by striking "PART C" and inserting
11 "PART B"; and

12 (C) by striking "PART D" and inserting
13 "PART C".

14 (2) Section 2 of such Act (20 U.S.C. 5801) is
15 amended—

16 (A) in paragraph (4)—

17 (i) in subparagraph (B), by inserting
18 "and" after the semicolon;

19 (ii) by striking subparagraph (C); and

20 (iii) by redesignating subparagraph

21 (D) as subparagraph (C); and

22 (B) in paragraph (6)—

23 (i) by striking subparagraph (C); and

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1 (ii) by redesignating subparagraphs
2 (D) through (F) as subparagraphs (C)
3 through (E), respectively.

4 (3) Section 3(a) of such Act (20 U.S.C. 5802)
5 is amended—

6 (A) by striking paragraph (7); and
7 (B) by redesignating paragraphs (8)
8 through (14) as paragraphs (7) through (13),
9 respectively.

10 (4) Section 201(3) of such Act (20 U.S.C.
11 5821(3)) is amended by striking “, voluntary na-
12 tional student performance” and all that follows
13 through “such Council” and inserting “and vol-
14 untary national student performance standards”.

15 (5) Section 202(j) of such Act (20 U.S.C.
16 5822(j)) is amended by striking “, student perform-
17 ance, or opportunity-to-learn” and inserting “or stu-
18 dent performance”.

19 (6) Section 203 of such Act (20 U.S.C. 5823)
20 is amended—

21 (A) in subsection (a)—

22 (i) by striking paragraphs (2) and (3);

23 (ii) by redesignating paragraphs (4)
24 through (6) as paragraphs (2) through (4),
25 respectively; and

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1 (iii) by amending paragraph (2) (as
2 redesignated by clause (ii)) to read as fol-
3 lows:

4 "(2) review voluntary national content stand-
5 ards and voluntary national student performance
6 standards;"; and

7 (B) in subsection (b)(1)—

8 (i) in subparagraph (A), by inserting
9 "and" after the semicolon;

10 (ii) in subparagraph (B), by striking
11 "; and" and inserting a period; and

12 (iii) by striking subparagraph (C).

13 (7) Section 204(a)(2) of such Act (20 U.S.C.
14 5824(a)(2)) is amended—

15 (A) by striking "voluntary national oppor-
16 tunity-to-learn standards;"; and

17 (B) by striking "described in section
18 213(f)".

19 (8) Section 304(a)(2) of such Act (20 U.S.C.
20 5884(a)(2)) is amended—

21 (A) in subparagraph (A), by adding "and"
22 after the semicolon;

23 (B) in subparagraph (B), by striking "
24 and" and inserting a period; and

25 (C) by striking subparagraph (C).

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(9) Section 306(o) of such Act (20 U.S.C. 5886(o)) is amended by striking "State opportunity-to-learn standards or strategies,".

(10) Section 308 of such Act (20 U.S.C. 5888) is amended—

(A) in subsection (b)(2)—

(i) in the matter preceding clause (i) of subparagraph (A), by striking "State opportunity-to-learn standards,"; and

(ii) in subparagraph (A), by striking "including—" and all that follows through "part B of title II;" and inserting "including through consortia of States,"; and

(B) in subsection (c), by striking "306(b)(1)" and inserting "306(b)".

¹² (11) Section 312(b) of such Act (20 U.S.C.

5892(b)) is amended—

(A) by striking paragraph (1); and

(B) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively.

¹³ (12) Section 314(a)(6)(A) of such Act (20 U.S.C. 5894(a)(6)(A)) is amended by striking "certified by the National Education Standards and Improvement Council and".

Section 308(a)(6)(ii) is amended by inserting after new public schools the following "and the acquisition of technology and use of technology - enhanced curricula and instruction."

the purpose of expanding the use and availability of computers and computer technology

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1 ¹⁴ (15) Section 315 of such Act (20 U.S.C. 5895)

2 is amended—

3 (A) in subsection (b)—

4 (i) in paragraph (1)(C), by striking “,
5 including the requirements for timetables
6 for opportunity-to-learn standards,”;

7 (ii) by striking paragraph (2);

8 (iii) by redesignating paragraphs (3)
9 through (5) as paragraphs (2) through (4),
10 respectively;

11 (iv) in paragraph (1)(A), by striking
12 “paragraph (4) of this subsection” and in-
13 serting “paragraph (3)”;

14 (v) in paragraph (2) (as redesignated
15 by clause (iii))—

16 (I) by striking subparagraph (A);

17 (II) by redesignating subpara-
18 graphs (B) and (C) as subparagraphs
19 (A) and (B), respectively; and

20 (III) in subparagraph (A) (as re-
21 designated by subclause (II)) by strik-
22 ing “, voluntary natural student per-
23 formance standards, and voluntary
24 natural opportunity-to-learn standards
25 developed under part B of title II of

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1 this Act" and inserting "and vol-
2 untary national student performance
3 standards";

4 (vi) in subparagraph (B) of paragraph
5 (3) (as redesignated by clause (iii)), by
6 striking "paragraph (5)," and inserting
7 "paragraph (4)."; and

8 (vii) in paragraph (4) (as redesignated
9 by clause (ii)), by striking "paragraph (4)"
10 each place it appears and inserting "para-
11 graph (3)";

12 (B) in the matter preceding subparagraph
13 (A) of subsection (c)(2)—

14 (i) by striking "subsection (b)(4)" and
15 inserting "subsection (b)(3)"; and

16 (ii) by striking "and to provide a
17 framework for the implementation of op-
18 portunity-to-learn standards or strategies";
19 and

20 (C) in subsection (f), by striking "sub-
21 section (b)(4)" each place it appears and insert-
22 ing "subsection (b)(3)".

23 ¹⁵
(14)(A) Section 316 of such Act (20 U.S.C.
24 5896) is repealed.

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1 (B) The table of contents for such Act is
2 amended by striking the item relating to section
3 316. 16

4 (16) Section 317 of such Act (20 U.S.C. 5897)
5 is amended—

6 (A) in subsection (d)(4), by striking “pro-
7 mote the standards and strategies described in
8 section 806(d),”; and

9 (B) in subsection (e)—

10 (i) in paragraph (2), by inserting
11 “and” after the semicolon;

12 (ii) by striking paragraph (3); and

13 (iii) by redesignating paragraph (4) as
14 17 paragraph (8).

15 (16) Section 503 of such Act (20 U.S.C. 5983)
16 is amended—

17 (A) in subsection (b)—

18 (i) in paragraph (1)—

19 (I) in the matter preceding sub-
20 paragraph (A), by striking “28” and
21 inserting “27”;

22 (II) by striking subparagraph
23 (D); and

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1 (III) by redesignating subpara-
2 graphs (E) through (G) as subpara-
3 graphs (D) through (F), respectively;

4 (ii) in paragraphs (2), (3), and (5), by
5 striking "subparagraphs (E), (F), and
6 (G)" each place it appears and inserting
7 "subparagraphs (D), (E), and (F)";

8 (iii) in paragraph (2), by striking
9 "subparagraph (G)" and inserting "sub-
10 paragraph (F)";

11 (iv) in paragraph (4), by striking
12 "(C), and (D)" and inserting "and (C)";
13 and

14 (v) in the matter preceding subpara-
15 graph (A) of paragraph (5), by striking
16 "subparagraph (E), (F), or (G)" and in-
17 serting "subparagraph (D), (E), or (F)";
18 and

19 (B) in subsection (c)—

20 (i) in paragraph (1)(B), by striking
21 "subparagraph (E)" and inserting "sub-
22 paragraph (D)"; and

23 (ii) in paragraph (3), by striking
24 "subparagraphs (E), (F), and (G)" and in-

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1 serting "subparagraphs (D), (E), and
2 (F)"
3 18

3 (17) Section 504 of such Act (20 U.S.C. 5934)
4 is amended—

5 (A) by striking subsection (f); and

6 (B) by redesignating subsection (g) as sub-
7 section (f).

8 (b) ELEMENTARY AND SECONDARY EDUCATION ACT
9 OF 1965.—

10 (1) Section 1111 of the Elementary and Sec-
11 ondary Education Act of 1965 (20 U.S.C. 6311) is
12 amended—

13 (A) in subsection (b)(8)(B), by striking
14 “(which may include opportunity-to-learn stand-
15 ards or strategies developed under the Goals
16 2000: Educate America Act)”;

17 (B) in subsection (f), by striking “oppor-
18 tunity-to-learn standards or strategies,”;

19 (C) by striking subsection (g); and

20 (D) by redesignating subsection (h) as sub-
21 section (g).

22 (2) Section 1116 of such Act (20 U.S.C. 6317)
23 is amended—

24 (A) in subsection (c)—

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1 (i) in paragraph (2)(A)(i), by striking
2 all beginning with “, which may” through
3 “Act”; and

4 (ii) in paragraph (5)(B)(i)—

5 (I) in subclause (VI), by insert-
6 ing “and” after the semicolon;

7 (II) in subclause (VII), by strik-
8 ing “; and” and inserting a period;
9 and

10 (III) by striking subclause (VIII);

11 and

12 (B) in subsection (d)—

13 (i) in paragraph (4)(B), by striking
14 all beginning with “, and may” through
15 “Act”; and

16 (ii) in paragraph (6)(B)(i)—

17 (I) by striking subclause (IV);

18 and

19 (II) by redesignating subclauses
20 (V) through (VIII) as subclauses (IV)
21 through (VII), respectively.

22 (3) Section 1501(a)(2)(B) of such Act (20
23 U.S.C. 6491(a)(2)(B)) is amended—

24 (A) by striking clause (v); and

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1 (B) by redesignating clauses (vi) through
2 (x) as clauses (v) through (ix), respectively.

3 (4) Section 10101(b)(1)(A)(i) of such Act (20
4 U.S.C. 8001(b)(1)(A)(i)) is amended by striking
5 "and opportunity-to-learn standards or strategies for
6 student learning".

7 (5) Section 14701(b)(1)(B)(v) of such Act (20
8 U.S.C. 8941(b)(1)(B)(v)) is amended by striking
9 "the National Education Goals Panel," and all that
10 follows through "assessments)" and inserting "and
11 the National Education Goals Panel".

12 (c) GENERAL EDUCATION PROVISIONS ACT.—Sec-
13 tion 428 of the General Education Provisions Act (20
14 U.S.C. 1228b), as amended by section 237 of the Improv-
15 ing America's Schools Act of 1994 (Public Law 103-382),
16 is amended by striking "the National Education Stand-
17 ards and Improvement Council,".

18 (d) EDUCATION AMENDMENTS OF 1978.—Section
19 1121(b) of the Education Amendments of 1978 (25
20 U.S.C. 2001(b)), as amended by section 381 of the Im-
21 proving America's Schools Act of 1994 (Public Law 103-
22 382), is amended by striking "213(a)" and inserting
23 "203(a)(2)".

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1 SEC. 04. DIRECT GRANTS TO LOCAL EDUCATIONAL
2 AGENCIES.

3 Section 304 of the Goals 2000: Educate America Act
4 (20 U.S.C. 5884) is amended by adding at the end the
5 following new subsection:

6 "(e) DIRECT GRANTS TO LOCAL EDUCATIONAL
7 AGENCIES.—

8 "(1) IN GENERAL.—Notwithstanding subsection

9 (c), if a State educational agency ~~has not participated~~ *is not participating*
10 ~~generally~~ *in the program* under this section ~~on or before~~ *as of* October ~~1995~~ *approves*
11 20, 1995, the Secretary shall use all or a portion of ~~the allotment that the State would have received~~ *(and the State has not yet approved)*
12 the allotment that the State would have received
13 under this section for a fiscal year to award grants
14 to local educational agencies in the State that have
15 approved applications under paragraph (2) for such
16 fiscal year.

17 "(2) APPLICATION.—Any local educational
18 agency that desires to receive a grant under this
19 subsection shall submit an application to the Sec-
20 retary ~~(that is consistent with the purpose of this~~ *provision of PL 103-227*
21 ~~section)~~ *as amended.* The Secretary may establish a deadline for the
22 submission of such applications.

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

*Good shall
notify the
State of such
application,*

OK

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1 **SEC. ____05. ALTERNATIVE TO SECRETARIAL APPROVAL OF**
2 **STATE PLANS.**

3 (a) **STATE IMPROVEMENT PLANS.**—Section 306(n) of
4 the Goals 2000: Educate America Act (20 U.S.C.
5 5886(n)) is amended by adding at the end the following
6 new paragraph:

7 **“(4) ALTERNATIVE SUBMISSION.—**

8 **“(A) IN GENERAL.**—Notwithstanding any
9 other provision of this title, any State edu-
10 cational agency that wishes to receive an allot-
11 ment under this title after the first year such
12 State educational agency receives such an allot-
13 ment may, in lieu of submitting its State im-
14 provement plan for approval by the Secretary
15 under this subsection and section 305(c)(2), or
16 submitting major amendments to the Secretary
17 under subsection (p), provide the Secretary, as
18 part of an application under section 305(c) or
19 as an amendment to a previously approved ap-
20 plication—

21 **“(i) an assurance, from the Governor**
22 **and the chief State school officer of the**
23 **State, that—**

24 **“(I) the State has a plan that**
25 **meets the requirements of this section**

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1 and that is widely available through-
2 out the State; and

3 “(II) any amendments the State
4 makes to the plan will meet the re-
5 quirements of this section; and

6 “(ii) the State’s benchmarks of im-
7 proved student performance and of
8 progress in implementing the plan, and the
9 timelines against which the State’s
10 progress in carrying out the plan can be
11 measured.

12 “(B) ANNUAL REPORT.—Any State edu-
13 cational agency that chooses to use the alter-
14 native method described in paragraph (1) shall
15 annually report to the public summary informa-
16 tion on the use of funds under this title by the
17 State and local educational agencies in the
18 State, as well as the State’s progress toward
19 meeting the benchmarks and timelines de-
20 scribed in subparagraph (A)(ii).”

21 (b) STATE APPLICATIONS.—Section 305(c)(2) of
22 such Act (20 U.S.C. 5885(c)(2)) is amended by inserting
23 “except in the case of a State educational agency submit-
24 ting the information described in section 306(n)(4),” be-
25 fore “include”.

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1 (c) SECRETARY'S REVIEW OF APPLICATIONS.—Sec-
2 tion 307(b)(1) of such Act (20 U.S.C. 5887(b)(1)) is
3 amended—

4 (1) in subparagraph (A), by striking "or" after
5 the semicolon;

6 (2) in subparagraph (B), by striking "and"
7 after the semicolon and inserting "or"; and

8 (3) by adding at the end the following new sub-
9 paragraph:

10 "(C) the State educational agency has sub-
11 mitted the information described in section
12 306(n)(4); and".

13 (d) PROGRESS REPORTS.—The matter preceding
14 paragraph (1) of section 812(a) of such Act (20 U.S.C.
15 5892(a)) is amended by striking "Each" and inserting
16 "Except in the case of a State educational agency submit-
17 ting the information described in section 306(n)(4), each".

18 SEC. ____ OF LIMITATIONS.

19 Title III of the Goals 2000: Educate America Act (20
20 U.S.C. 5881 et seq.) is further amended by adding at the
21 end the following new section:

22 SEC. ____ OF LIMITATIONS.

23 "(a) PROHIBITED CONDITIONS.—Nothing in this Act
24 shall be construed to require a State, a local educational

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1 agency, or a school, as a condition of receiving assistance
2 under this title—

3 “(1) to provide outcomes-based education; or

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

6 “(b) LIMITATION ON GOVERNMENT OFFICIALS.—

7 Nothing in this Act shall be construed to require or permit
8 any Federal or State official to inspect a home, judge how
9 parents raise their children, or remove children from their
10 parents, as a result of the participation of a State, local
11 educational agency, or school in any program or activity
12 carried out under this Act.”.

~~Report Language~~

~~The Department of Education
will inform schools that some
or all of Goals 2000 funding
may be used for The acquisition
of computers + computer technology.~~

The conference agreement
includes a provision which
allow LEA's as part of their
school improvement plan to
use ~~a portion of~~ their Goals
2000 funds for the acquisition
of Technology and the use of
Technology - enhanced Curricula
and instruction.

computer
The Department of Education is ~~strongly~~ encouraged
to advise ~~states~~ ~~that~~ ~~some~~ ~~will~~
that their Goals 2000 funds may be used
for this purpose.

January 2, 1996

TO: Barry White

FR: Mike Cohen

SUBJ: Specter Amendments to Goals 2000

I believe that Sally Christensen is arranging to send you the final version of the Specter amendments today. As you will recall, we have offered Sen. Specter technical drafting assistance on his amendments, and continued this assistance until the amendments were acceptable to us. Further, we have not endorsed these amendments, though we have told Sen. Specter's office that they can indicate that we are not opposed to them. We have also discussed these amendments and our position with Sen. Kennedy's office.

While we believe that the Specter amendments make unnecessary changes to Goals 2000, the Secretary does not believe that they make damaging changes. He believes that it is important to be as supportive as possible to Sen. Specter on these amendments, because of his strong support for Goals 2000 funding. He also believes it is possible that these amendments may take on increasing importance--and increased odds of being enacted into law--during the final negotiations over FY 96 Goals 2000 funding. Simply put, House Republicans may need something like the Specter amendments as cover for putting funds into Goals 2000. If this situation materializes, Administration negotiators should be aware of the content of the amendments, and supportive of their inclusion into final law.

The amendments essentially do the following:

1. **Eliminate the requirements specifying the membership and appointment process of state and local education reform planning panels, while retaining the general requirement for establishing broad-based planning panels.** We have always thought the Goals 2000 Act was slightly prescriptive in this area, and see no loss to the more general approach. This is especially true since more than 40 states already have a planning panel in place, and are not likely to change it in response to this amendment.
2. **Eliminate NESIC.** We have supported this move for nearly a year.
3. **Eliminate opportunity-to-learn standards.** The current provisions are virtually meaningless, and we would have preferred a bill without these standards from the beginning.
4. **Allow local school districts to apply directly to the Secretary for Title III funds, in states that are not participating in Goals 2000 as of October 20, 1995.** The

amendment as drafted applies only to New Hampshire, Virginia and Montana (and possibly to Alabama and California if the Governors of those states succeed in turning back funds the state has already received but not expended). We believe this limited approach provides an appropriate opportunity for local school districts in the affected states, without creating an incentive for additional states to withdraw from Goals 2000.

5. Provide an option for states to substitute enhanced accountability to the public for less accountability to the Secretary. The amendment would make it possible for states to participate in Goals 2000 without the peer review and Secretarial approval of state education reform plans. Instead, a state selecting this option would be required to make its plan--including a set of performance indicators for tracking progress annually--widely available to the public for comment. The governor and chief state school officer would also be required to provide assurances to the Secretary that the state plan meets the requirements of Section 306 of Goals 2000 (the part that describes the contents of the state plan). And the state would be required to report its progress against its performance indicators to the public each year.

The Secretary believes that the reporting requirements effectively keep the governor and chief state school officer accountable to the public for the progress of education reform in the state, and that this will work as effectively as Secretarial review and approval does to maintain the quality and integrity of state education reform plans.

Some 15 states have already been through the review and approval process, and I believe 3 other states have submitted plans and are in the midst of the review process. Of the remaining states, I would guess that at least half would elect the review and approval option if the Specter amendments were enacted into law, though I am not sure of that.

Though not specified in the law, we intend to take two additional steps with states that select this option. First, we will encourage but not require them to undergo the same type of peer review of the state plan as have other states, so they receive independent feedback on their plan. Second, the Secretary will, in all likelihood, comment on the performance indicators of the state's selecting this option.

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amendment as drafted applies only to New Hampshire, Virginia and Montana (and possibly to Alabama and California if the Governors of those states succeed in turning back funds the state has already received but not expended). We believe this limited approach provides an appropriate opportunity for local school districts in the affected states, without creating an incentive for additional states to withdraw from Goals 2000.

5. Provide an option for states to substitute enhanced accountability to the public for less accountability to the Secretary. The amendment would make it possible for states to participate in Goals 2000 without the peer review and Secretarial approval of state education reform plans. Instead, a state selecting this option would be required to make its plan--including a set of performance indicators for tracking progress annually--widely available to the public for comment. The governor and chief state school officer would also be required to provide assurances to the Secretary that the state plan meets the requirements of Section 306 of Goals 2000 (the part that describes the contents of the state plan). And the state would be required to report its progress against its performance indicators to the public each year.

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Though not specified in the law, we intend to take two additional steps with states that select this option. First, we will encourage but not require them to undergo the same type of peer review of the state plan as have other states, so they receive independent feedback on their plan. Second, the Secretary will, in all likelihood, comment on the performance indicators of the state's selecting this option.

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amendment as drafted applies only to New Hampshire, Virginia and Montana (and possibly to Alabama and California if the Governors of those states succeed in turning back funds the state has already received but not expended). We believe this limited approach provides an appropriate opportunity for local school districts in the affected states, without creating an incentive for additional states to withdraw from Goals 2000.

5. Provide an option for states to substitute enhanced accountability to the public for less accountability to the Secretary. The amendment would make it possible for states to participate in Goals 2000 without the peer review and Secretarial approval of state education reform plans. Instead, a state selecting this option would be required to make its plan--including a set of performance indicators for tracking progress annually--widely available to the public for comment. The governor and chief state school officer would also be required to provide assurances to the Secretary that the state plan meets the requirements of Section 306 of Goals 2000 (the part that describes the contents of the state plan). And the state would be required to report its progress against its performance indicators to the public each year.

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Mel Cohen P.2/6
FAX 401-6596
call 401-3385

AMENDMENTS TO THE GOALS 2000: EDUCATE AMERICA ACT

1 DIRECT GRANTS TO LOCAL EDUCATIONAL AGENCIES

2 SEC. 1. Section 304 of the Goals 2000: Educate America Act
3 is amended by adding at the end thereof a new subsection (e) to
4 read as follows:

5 "(e) DIRECT GRANTS TO LOCAL EDUCATIONAL AGENCIES.--(1) If a
6 State is not participating in the program authorized by this
7 title as of October 20, 1995, the Secretary shall use all [or a
8 portion] of the allotment that the State would have received
9 under this section to award grants to local educational agencies
10 in the State⁵ that have approved applications under paragraph (2).

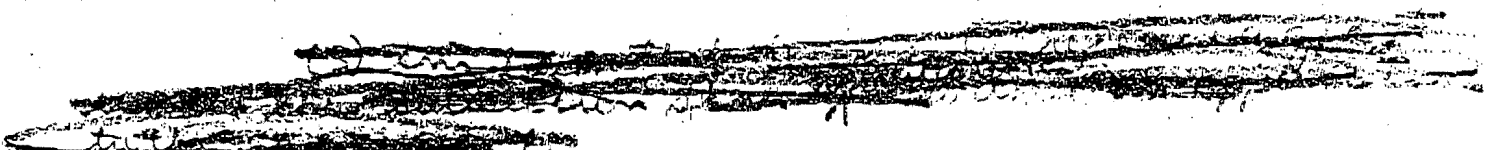
11 "(2) Any local educational agency that desires to
12 receive a grant under this subsection shall submit an application
13 to the Secretary ~~that contains such information as the Secretary~~
14 ~~may require~~, consistent with the purpose of this title. The
15 Secretary may establish a deadline for the submission of such
16 applications.

17 "(3) The Secretary shall ~~use such factors as the~~
18 ~~Secretary determines are appropriate~~, which may ^{use} include relative
19 student enrollments in local educational agencies, to award
20 grants under this subsection."

21 ALTERNATIVE TO SECRETARIAL APPROVAL OF STATE PLANS

22 SEC. 2. (a) STATE IMPROVEMENT PLANS. Section 306 of the
23 Goals 2000: Educate America Act is amended--

24 (1) by redesignating subsections (o), (p), and (q) as
25 subsections (p), (q), and (r), respectively;



(2) by inserting after subsection (n) a new subsection
(o) to read as follows:

"(o) ALTERNATIVE SUBMISSION.--(1) Any State that wishes to receive a grant under this title after its first year of participation may, instead of submitting its State plan for approval by the Secretary under subsection (n) and section 305(c)(2), or submitting major amendments to the Secretary under subsection (q), provide the Secretary, as part of an application under section 305(c) or as an amendment to a previously approved application--

"(A) an assurance from the Governor and the chief State school officer 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 that the State makes to its plan will meet the requirements of this section; and

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

"(2) Any State 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 its local educational agencies, as well as its

progress toward meeting the benchmarks and timelines described in paragraph (1)(B).

~~"(3) The Secretary may comment on the State's benchmarks and timelines and on the State's progress toward meeting them. The Secretary's comments are not binding on the State."~~

(b) STATE APPLICATIONS. Section 305(c)(2) of the Goals 2000: Educate America Act is amended by inserting "except as provided in section 306(o)," before "include".

(c) SECRETARY'S REVIEW OF APPLICATIONS. Section 307(b)(1) of the Goals 2000: Educate America Act is amended--

(1) in subparagraph (A), by striking out "or" at the end thereof;

(2) in subparagraph (B), by striking out "and" after the semicolon and inserting in lieu thereof "or"; and

(3) by adding at the end thereof a new subparagraph (C) to read as follows:

"(C) the State has submitted the information described in section 306(o); and".

(d) PROGRESS REPORTS. Section 312(a) of the Goals 2000: Educate America Act is amended by inserting a comma and "except under section 306(o)," after "under this title".

* * * * *

SUBSIDIARY

(b) STATE APPLICATIONS. Section 305(c)(2) of the Goals 2000: Educate America Act is amended by inserting "except as provided in section 306(o)," before "include".

(c) SECRETARY'S REVIEW OF APPLICATIONS. Section 307(b)(1)(A) of the Goals 2000: Educate America Act is amended by inserting "or the State has submitted the information described in section 306(o)" after "section 306(n)".

LIMITATIONS

SEC. 2. Title III of the Goals 2000: Educate America Act is further amended by adding at the end thereof a new section 320 to read as follows:

"LIMITATIONS

"SEC. 320. (a) PROHIBITED CONDITIONS. No State, local educational agency, or school shall be required, 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; or

"(3) to take any action that would violate ~~for~~ otherwise be inconsistent with State education law for policy".

~~[What does paragraph (3) mean? If State law or policy conflicts with Goals 2000, but the State otherwise complies with the Act, must the Secretary give it money?]~~

"(b) LIMITATION ON GOVERNMENT OFFICIALS. Nothing in this Act shall be read to require or permit any State or Federal

1 official to inspect a home, judge how parents raise their
2 children, or remove children from their parents, as a result of
3 the participation of a State, local educational agency, or school
4 in any program or activity carried out under this Act."

* * * * *

FAX 401-6596

call
401-3355

AMENDMENTS TO THE GOALS 2000: EDUCATE AMERICA ACT

DIRECT GRANTS TO LOCAL EDUCATIONAL AGENCIES

SEC. 1. Section 304 of the Goals 2000: Educate America Act is amended by adding at the end thereof a new subsection (e) to read as follows:

"(e). DIRECT GRANTS TO LOCAL EDUCATIONAL AGENCIES.--(1) If a State is not participating in the program authorized by this title as of October 20, 1995, the Secretary shall use all [or a portion] of the allotment that the State would have received under this section to award grants to local educational agencies in the State ⁽⁵⁾ that have approved applications under paragraph (2).

"(2) Any local educational agency that desires to receive a grant under this subsection shall submit an application to the Secretary ~~that contains such information as the Secretary~~ ^{may require}, consistent with the purpose of this title. The Secretary may establish a deadline for the submission of such applications. *no. Grammatically and logically incorrect. Better to retain, but not a big problem; we can infer this authority.*

"(3) The Secretary shall use such factors ~~as the Secretary determines are appropriate~~, which may include relative student enrollments in local educational agencies, to award grants under this subsection." *As modified, what does "such factors" refer to?*

ALTERNATIVE TO SECRETARIAL APPROVAL OF STATE PLANS

SEC. 2. (a) STATE IMPROVEMENT PLANS. Section 306 of the Goals 2000: Educate America Act is amended--

(1) by redesignating subsections (o), (p), and (q) as subsections (p), (q), and (r), respectively;

(2) by inserting after subsection (n) a new subsection

(o) to read as follows:

"(o) ALTERNATIVE SUBMISSION.--(1) Any State that wishes to receive a grant under this title after its first year of participation may, instead of submitting its State plan for approval by the Secretary under subsection (n) and section 305(c)(2), or submitting major amendments to the Secretary under subsection (q), provide the Secretary, as part of an application under section 305(c) or as an amendment to a previously approved application--

"(A) an assurance from the Governor and the chief State school officer 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 that the State makes to its plan will meet the requirements of this section; and

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

"(2) Any State 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 its local educational agencies, as well as its

progress toward meeting the benchmarks and timelines described in paragraph (1)(B).

~~"(3) The Secretary may comment on the State's benchmarks and timelines and on the State's progress toward meeting them. The Secretary's comments are not binding on the state."~~
OK; the Secretary may do this anyway.

(b) STATE APPLICATIONS. Section 305(c)(2) of the Goals 2000: Educate America Act is amended by inserting, "except as provided in section 306(o)," before "include".

(c) SECRETARY'S REVIEW OF APPLICATIONS. Section 307(b)(1) of the Goals 2000: Educate America Act is amended--

(1) in subparagraph (A), by striking out "or" at the end thereof;

(2) in subparagraph (B), by striking out "and" after the semicolon and inserting in lieu thereof "or"; and

(3) by adding at the end thereof a new subparagraph (C) to read as follows:

"(C) the State has submitted the information described in section 306(o); and".

(d) PROGRESS REPORTS. Section 312(a) of the Goals 2000: Educate America Act is amended by inserting a comma and "except under section 306(o)," after "under this title".

* * * * *

SUBSEQUENT YEARS

(b) STATE APPLICATIONS. Section 305(c)(2) of the Goals 2000: Educate America Act is amended by inserting "except as provided in section 306(o)," before "include".

(c) SECRETARY'S REVIEW OF APPLICATIONS. Section 307(b)(1)(A) of the Goals 2000: Educate America Act is amended by inserting "or the State has submitted the information described in section 306(o)" after "section 306(n)".

OK
NO. This is needed to allow states w/o an approved plan to participate for more than one year.

LIMITATIONS

SEC. 2. Title III of the Goals 2000: Educate America Act is further amended by adding at the end thereof a new section 320 to read as follows:

"LIMITATIONS

"SEC. 320. (a) PROHIBITED CONDITIONS. No State, local educational agency, or school shall be required, 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; ^{or}

"(3) ~~to take any action that would violate for~~
~~otherwise be inconsistent with~~ State education law ^{for} ~~or~~ ^{*}
policy ^{need to discuss.}

~~[What does paragraph (3) mean? If State law or policy conflicts with Goals 2000, but the State otherwise complies with the Act, must the Secretary give it money?]~~

"(b) LIMITATION ON GOVERNMENT OFFICIALS. Nothing in this Act shall be read to require or permit any State or Federal

- 1 official to inspect a home, judge how parents raise their
- 2 children, or remove children from their parents, as a result of
- 3 the participation of a State, local educational agency, or school
- 4 in any program or activity carried out under this Act."

* * * * *

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MARK C. HATFIELD, OREGON, CHAIRMAN

YES OPENING, ALASKA
 THOM COCHRAN, MISSISSIPPI
 ARLEN SPECTER, PENNSYLVANIA
 PETE V. DOMENICI, NEW MEXICO
 PAUL CRAMER, TEXAS
 CHRISTOPHER S. BOND, MISSOURI
 BLAKE GORTON, WASHINGTON
 MITCH MCCONNELL, KENTUCKY
 CONNIE MACK, FLORIDA
 CONRAD BURNS, MONTANA
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J. KEITH KENNEDY, STAFF DIRECTOR
 JAMES M. ENGLISH, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON APPROPRIATIONS

WASHINGTON, DC 20510-8025

NOV 06 1995

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 Ruley

October 27, 1995

Ms. Roberta Boardman ✓
 Office Administrator
 California PTSA
 P.O. Box 15015
 Los Angeles, CA 90015-0100

Dear Ms. Boardman:

I write to you in my capacity as Chairman of the U.S. Senate Appropriations Subcommittee on Labor, Health and Human Services, and Education to get your views on Goals 2000 and on legislation which I have recently introduced to modify that program.

After the U.S. House of Representatives eliminated all funding for the program for fiscal year 1996, the full Appropriations Committee approved my Subcommittee's recommended funding level of \$310 million for the Goals 2000 program. While this was a substantial reduction below the FY'95 appropriations of \$371.8 million, the Subcommittee was forced to cut below the FY'95 amount due to severe budget constraints.

Four states, Alabama, Montana, New Hampshire and Virginia have now declined to participate in the Goals 2000 program.

Governor Wilson has also expressed reservations regarding federal strings attached to the Goals fund and has temporarily blocked the State from using the grant funds.

I would very much appreciate it if you would review my proposed legislation which is enclosed with the summary of that bill and give me your views on the following questions:

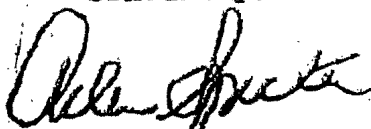
1. Do you believe that Goals 2000 in its present form is an undesirable intrusion on state and local control of education? If so, to the extent that you can be specific on the offensive provisions in Goals 2000?
2. With the modifications of my proposed legislation, would you consider Goals 2000 acceptable? If not, what additional modifications would you suggest?
3. If a state declines to accept funding under Goals 2000, do you agree with the legislative proposal to make the grants directly to local school districts?

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Since we will be considering this issue shortly in the full Senate and in the House and Senate conference committee, I would appreciate your response as promptly as possible.

My best.

Sincerely,



Arlen Specter
Chairman
Subcommittee on Labor,
Health and Human Services,
and Education. and Related Agencies

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SUMMARY OF SENATOR SPECTER'S BILL TO AMEND GOALS 2000

My bill addresses the concerns raised by several States about perceived intrusion of the Federal government into State and local education responsibilities through the Goals 2000: Educate America Act.

On September 12, 1995, I held a hearing on Goals 2000 to discuss some of these concerns and to try to work out some solutions. I heard the perspectives of the Secretary of Education, Richard Riley, and the Chairman of the New Hampshire State Board of Education, Ovide Lamontagne. I think we were successful in establishing some common ground on which to improve Goals 2000.

On September 13, 1995, the Subcommittee on Labor, Health and Human Services and Education, which I chair, marked up the funding bill for fiscal year 1996 and recommended \$310,000,000 for Goals 2000 programs. On September 15, 1995, the Committee on Appropriations agreed with the funding recommendations made by the Subcommittee.

The legislation which I introduced on October 10, 1995, addressed many of the concerns raised about Goals 2000 by strengthening State and local control over the program. I think my bill restores the proper balance between local, State, and Federal responsibilities for education reform.

Specifically, my bill:

- Permits school districts, in States that elect not to participate in the Goals 2000 program, to apply directly to the Secretary of Education for Goals 2000 funding.
- Eliminates the requirement that States submit their plans to the Secretary of Education.
- Removes the authority of the Secretary of Education to review and approve State plans.
- Deletes the requirements for the composition of State and local panels that develop State and local improvement plans.
- Eliminates the National Education Standards and Improvement Council (NESIC), which was to certify national and State standards, and which some viewed as a national school board.
- Removes the requirement for States to develop opportunity-to-learn standards. These standards would specify the educational resources (such as funding, facilities, and materials) deemed necessary for local schools to achieve State or national content and performance standards.

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104TH CONGRESS
1ST SESSION**S. 1301**

To amend the Goals 2000: Educate America Act to eliminate the National Education Standards and Improvement Council and requirements concerning opportunity-to-learn standards, to limit the authority of the Secretary of Education to review and approve State plans, to permit certain local educational agencies to receive funding directly from the Secretary of Education, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 10, 1995

Mr. SPECTER introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To amend the Goals 2000: Educate America Act to eliminate the National Education Standards and Improvement Council and requirements concerning opportunity-to-learn standards, to limit the authority of the Secretary of Education to review and approve State plans, to permit certain local educational agencies to receive funding directly from the Secretary of Education, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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1 “(b) PLAN DEVELOPMENT.—A State improvement
2 plan under this title shall be developed by a broad-based
3 State panel in cooperation with the State educational
4 agency and the Governor.”;

5 (B) by striking subsection (d);

6 (C) by striking subsection (n);

7 (D) by amending subsection (p) to read as

8 follows:

9 “(p) AMENDMENTS TO PLAN.—Each State edu-
10 cational agency shall periodically review its State improve-
11 ment plan and revise such plan, as appropriate.”; and

12 (E) by striking subsection (q).

13 (2) SECRETARY'S REVIEW OF APPLICATIONS.—

14 Section 307 of such Act (20 U.S.C. 5887) is amend-
15 ed—

16 (A) by amending subsection (a) to read as

17 follows:

18 “(a) FIRST YEAR.—The Secretary shall approve the
19 State educational agency's first year application under
20 section 305(b) if the Secretary determines that such appli-
21 cation meets the requirements of this title.”; and

22 (B) in subsection (b), by striking “(1)(A)”

23 and all that follows through “(B) the Sec-
24 retary” and inserting “(1) the Secretary”.

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1 will develop a local improvement plan that meets
2 such requirements applicable to a State educational
3 agency under section 306, and will meet such other
4 requirements applicable to a State educational agen-
5 cy under this title, as the Secretary determines are
6 appropriately applied to a local educational agency
7 under this subsection."

8 SEC. 3. TECHNICAL AND CONFORMING AMENDMENTS.

9 (a) GOALS 2000: EDUCATE AMERICA ACT.—

10 (1) The table of contents for the Goals 2000:
11 Educate America Act is amended, in the items relat-
12 ing to title II—

13 (A) by striking the items relating to part
14 B;

15 (B) by striking "PART C" and inserting
16 "PART B"; and

17 (C) by striking "PART D" and inserting
18 "PART C".

19 (2) Section 2 of such Act (20 U.S.C. 5801) is
20 amended—

21 (A) in paragraph (4)—

22 (i) in subparagraph (B), by inserting
23 "and" after the semicolon;

24 (ii) by striking subparagraph (C); and

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1 (i) by striking paragraphs (2) and (3);

2 (ii) by redesignating paragraphs (4)

3 through (6) as paragraphs (2) through (4),

4 respectively; and

5 (iii) by amending paragraph (2) (as

6 redesignated by clause (ii)) to read as fol-

7 lows:

8 "(2) review voluntary national content stand-

9 ards and voluntary national student performance

10 standards,"; and

11 (B) in subsection (b)(1)—

12 (i) in subparagraph (A), by inserting

13 "and" after the semicolon;

14 (ii) in subparagraph (B), by striking

15 "; and" and inserting a period; and

16 (iii) by striking subparagraph (C).

17 (7) Section 204(a)(2) of such Act (20 U.S.C.

18 5824(a)(2)) is amended—

19 (A) by striking "voluntary national oppor-

20 tunity-to-learn standards,"; and

21 (B) by striking "described in section

22 213(f)".

23 (8) Section 304(a)(2) of such Act (20 U.S.C.

24 5884(a)(2)) is amended—

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9

1 (12) Section 314(a)(6)(A) of such Act (20
2 U.S.C. 5894(a)(6)(A)) is amended by striking "cer-
3 tified by the National Education Standards and Im-
4 provement Council and".

5 (13) Section 315 of such Act (20 U.S.C. 5895)
6 is amended—

7 (A) in subsection (b)—

8 (i) in paragraph (1)(C), by striking
9 "including the requirements for time-
10 tables for opportunity-to-learn standards,";

11 (ii) by striking paragraph (2);

12 (iii) by redesignating paragraphs (3)
13 through (5) as paragraphs (2) through (4),
14 respectively;

15 (iv) in paragraph (1)(A), by striking
16 "paragraph (4) of this subsection" and in-
17 serting "paragraph (3)";

18 (v) in paragraph (2) (as redesignated
19 by clause (iii))—

20 (I) by striking subparagraph (A);

21 (II) by redesignating subpara-
22 graphs (B) and (C) as subparagraphs
23 (A) and (B), respectively; and

24 (III) in subparagraph (A) (as re-
25 designated by subclause (II)) by strik-

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1 (C) in subsection (f), by striking "sub-
2 section (b)(4)" each place it appears and insert-
3 ing "subsection (b)(3)".

4 (14)(A) Section 316 of such Act (20 U.S.C.
5 5896) is repealed.

6 (B) The table of contents for such Act is
7 amended by striking the item relating to section
8 316.

9 (15) Section 317 of such Act (20 U.S.C. 5897)
10 is amended—

11 (A) in subsection (d)(4), by striking "pro-
12 mote the standards and strategies described in
13 section 306(d),"; and

14 (B) in subsection (e)—

15 (i) in paragraph (2), by inserting
16 "and" after the semicolon;

17 (ii) by striking paragraph (3); and

18 (iii) by redesignating paragraph (4) as
19 paragraph (3).

20 (16) Section 503 of such Act (20 U.S.C. 5933)
21 is amended—

22 (A) in subsection (b)—

23 (i) in paragraph (1)—

13

(i) in paragraph (1)(B), by striking "subparagraph (E)" and inserting "subparagraph (D)"; and

(ii) in paragraph (2), by striking "subparagraphs (E), (F), and (G)" and inserting "subparagraphs (D), (E), and (F)".

(17) Section 504 of such Act (20 U.S.C. 5934) is amended—

(A) by striking subsection (f); and

(B) by redesignating subsection (g) as subsection (f).

(b) ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—

(1) Section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311) is amended—

(A) in subsection (b)(8)(B), by striking "(which may include opportunity-to-learn standards or strategies developed under the Goals 2000: Educate America Act)";

(B) in subsection (f), by striking "opportunity-to-learn standards or strategies,";

(C) by striking subsection (g); and

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1 (II) by redesignating subclauses
2 (V) through (VIII) as subclauses (IV)
3 through (VII), respectively.

4 (3) Section 1501(a)(2)(B) of such Act (20
5 U.S.C. 6491(a)(2)(B)) is amended—

6 (A) by striking clause (v); and

7 (B) by redesignating clauses (vi) through
8 (x) as clauses (v) through (ix), respectively.

9 (4) Section 10101(b)(1)(A)(i) of such Act (20
10 U.S.C. 8001(b)(1)(A)(i)) is amended by striking
11 “and opportunity-to-learn standards or strategies for
12 student learning”.

13 (5) Section 14701(b)(1)(B)(v) of such Act (20
14 U.S.C. 8941(b)(1)(B)(v)) is amended by striking
15 “the National Education Goals Panel,” and all that
16 follows through “assessments)” and inserting “and
17 the National Education Goals Panel”.

18 (c) GENERAL EDUCATION PROVISIONS ACT.—Sec-
19 tion 428 of the General Education Provisions Act (20
20 U.S.C. 1228b), as amended by section 237 of the Improv-
21 ing America's Schools Act of 1994 (Public Law 103-382),
22 is amended by striking “the National Education Stand-
23 ards and Improvement Council,”.

24 (d) EDUCATION AMENDMENTS OF 1978.—Section
25 1121(b) of the Education Amendments of 1978 (25