



UNITED STATES DEPARTMENT OF EDUCATION

THE SECRETARY

May 2, 1996

Dear Chief State School Officer:

I am writing to inform you of some important developments regarding the Goals 2000: Educate America Act that have occurred as a result of the 1996 Omnibus Appropriations Act, which President Clinton signed into law on April 26, 1996.

Most importantly, Congress, with President Clinton's strong support, has continued its bipartisan support for this very important program. In FY 1996, Goals 2000 is funded at \$350 million, just slightly less than current funding levels. These funds will be available to states beginning July 1. For your information, I have enclosed a table that shows the allotment for each state.

Second, Congress passed a package of amendments to the Goals 2000 Act as part of this appropriations bill. These amendments were authored by Senator Arlen Specter. Senator Specter's amendments were offered to respond to concerns raised in states that were not participating in Goals 2000. As Senator Specter said when he introduced the amendments in October 1995, "It is my view that there are no excessive intrusions at the present time. But in order to eliminate any concern about that issue, it was my thought that legislation might ease the concerns of some in the country who think there are too many intrusions."

I strongly believe that Goals 2000 is already being effectively implemented in most states and could continue to be implemented without any changes to the legislation. I also recognize that some provisions in Goals 2000 have been widely misunderstood.

I supported Senator Specter's objective in introducing his legislation and found the amendments he proposed acceptable. They make adjustments in the operation of Goals 2000, without in any way altering its fundamental purpose of helping local communities and states improve student achievement. They honor the fundamental principles on which Goals 2000 is based:

challenging academic standards for all students as the basis for state and local education improvement strategies, state and local control of education, broad-based involvement in education reform, and accountability for results.

I have enclosed a brief summary of these amendments, as well as the specific legislative language. Briefly, these amendments:

- o eliminate the authority to establish the National Education Standards and Improvement Council (NESIC), which was never established;
- o eliminate all references to opportunity-to-learn standards;
- o maintain the requirement that states and local school districts participating in Goals 2000 establish broad-based planning panels, while eliminating more detailed requirements for their composition or operation;
- o provide states with an alternative to federal review and approval of state education improvement plans, while maintaining appropriate accountability;
- o permit local school districts in states that were not participating in the Goals 2000 program as of October 20, 1995 to apply directly to the U.S. Department of Education for part of a state's share of Goals 2000 funds, subject to the approval of the state education agency; and
- o clarify that Goals 2000 does not require outcomes-based education, school-based health clinics, or other controversial practices.

In addition, Senator Hatfield authored an amendment to the Goals 2000 Act that authorizes an additional six states to participate in the Ed-Flex demonstration program. As you know, this program enables me to delegate to state education agencies the authority to waive statutory and regulatory requirements in selected federal education programs. Six states -- Kansas, Massachusetts, Ohio, Oregon, Texas and Vermont -- have already been selected for this program. Unlike the initial selection, there is no requirement that the next six states be divided evenly between small and large states. As in the past, states must have an approved Goals 2000 plan in order to be eligible to participate.

Page 3

In the near future, the Office of Elementary and Secondary Education will provide more specific guidance on the implementation of these provisions. Until then, if you or your staff have any questions regarding the implications of these amendments to Goals 2000, please call Mike Cohen, my Senior Advisor on Education Reform, at (202) 401-3385.

Yours sincerely,


Richard W. Riley

Enclosures

AMENDMENTS TO GOALS 2000: EDUCATE AMERICA ACT
1996 Omnibus Appropriations Act

o Authorization of Six Additional ED-Flex States

The Secretary of Education is authorized to select an additional six states to participate in the ED-Flex demonstration program. This program allows the Secretary to delegate to state education agencies the authority to waive statutory and regulatory requirements in most federal education programs. State agencies may then waive federal requirements for local districts and schools if these requirements interfere with state or local approaches to improving student achievement.

States must have an approved Goals 2000 education improvement plan in order to be eligible to apply for Ed-Flex.

Kansas, Massachusetts, Ohio, Oregon, Texas and Vermont are currently participating in Ed-Flex.

o Repeal of the National Education Standards and Improvement Council

The provisions in Goals 2000 to establish the National Education Standards and Improvement Council (NESIC) are repealed. The Council would have been responsible for reviewing and approving voluntary national standards. No state would be required to use standards certified by NESIC, and no federal funding could be tied to the use of standards recognized by NESIC.

At the request of Secretary Riley and the members of the National Education Goals Panel, President Clinton agreed last year not to appoint members to NESIC, pending Congressional action to repeal the authority to establish NESIC.

o Elimination of Opportunity-to-Learn Standards

The authority to establish voluntary model national opportunity-to-learn standards and the requirement that states describe the "standards or strategies" to provide all students an opportunity-to-learn the content in state academic standards have been repealed.

o Elimination of Specific Panel Composition Requirements

The specific requirements governing the composition of the Goals 2000 state planning panels and local planning panels have been eliminated. The Act now provides simply that state plans must be developed by a broad-based state panel in cooperation with the state education agency and the governor.

o Establishment of Alternative to Federal Approval of State Education Improvement Plan Based on Increased Accountability to the Public in Each State

States are required to complete the development of an education improvement plan, based on challenging academic standards, in order to be eligible for continued funding after two years of participation in Goals 2000. As initially enacted, Goals 2000 provided that this plan be reviewed by a nonfederal panel of educators, business leaders and others involved in education reform, and approved by the Secretary of Education based on a recommendation of this panel.

States may continue to rely on this procedure. As an alternative to submitting its education improvement plan to the Secretary, a state may instead:

(1) submit an assurance from the Governor and the chief state school officer that it has a completed plan that meets the requirements of the Goals 2000 Act;

(2) make its education improvement plan, and the indicators it will use to judge progress in implementing the plan, widely available to the public within the state; and

(3) report annually to the public on progress the state is making in meeting its indicators of progress.

Twenty states have already completed state education improvement plans and submitted them to the U.S. Department of Education for review. Each of these states has received approval of its plan, and none has been required to change its plan in order to gain approval. States have benefitted from feedback and the interaction with an external review panel comprised of experts who become familiar with the state plan.

o Direct Grants to Local Education Agencies in Nonparticipating States

Local education agencies in any state that was not participating in Goals 2000 as of October 20, 1995 may, with the approval of the state education agency, apply directly to the U.S. Department of Education for a portion of their state's Goals 2000 allotment.

States covered by this provision will be notified in the next several days of the procedures that will be used to administer the local grants program. There will be only a brief period for state education agencies to determine whether to approve local participation in Goals 2000, because of the need to complete a grants competition by September 30, the end of the fiscal year.

- o Clarification regarding Outcomes-Based Education, School-Based Health Clinics, or Social Services

The amendments expressly state that Goals 2000 may not be construed to require a state, local education agency, or a school, as a condition of receiving Goals 2000 assistance, to provide --

- (1) outcomes-based education;
- (2) school-based health clinics, or social services.

- o Clarification on Use of Funds for Technology

The amendments clarify that Goals 2000 funds may be used for the acquisition of technology and the use of technology-enhanced curricula and instruction.

subjected to female genital mutilation (whether in the United States or in their countries of origin), including a specification of the number of girls under the age of 18 who have been subjected to such mutilation.

(2) Identify communities in the United States that practice female genital mutilation, and design and carry out outreach activities to educate individuals in the communities on the physical and psychological health effects of such practice. Such outreach activities shall be designed and implemented in collaboration with representatives of the ethnic groups practicing such mutilation and with representatives of organizations with expertise in preventing such practice.

(3) Develop recommendations for the education of students of schools of medicine and osteopathic medicine regarding female genital mutilation and complications arising from such mutilation. Such recommendations shall be disseminated to such schools.

(c) For purposes of this section the term "female genital mutilation" means the removal or infibulation (or both) of the whole or part of the clitoris, the labia minor, or the labia major.

(d) The Secretary of Health and Human Services shall commence carrying out this section not later than 90 days after the date of enactment of this Act.

TITLE VI—ADDITIONAL APPROPRIATIONS

SEC. 601. In addition to amounts otherwise provided in this Act, the following amounts are hereby appropriated as specified for the following appropriation accounts: Health Care Financing Administration, "Program Management", \$396,000,000; and Office of the Secretary, "Office of Inspector General", \$22,330,000, together with not to exceed \$20,670,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

SEC. 602. Appropriations and funds made available pursuant to section 601 of this Act shall be available until enactment into law of a subsequent appropriation for fiscal year 1996 for any project or activity provided for in section 601.

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 (5)—

(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(a) of such Act (20 U.S.C. 5886(a)) 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 clause (ii)) by striking "voluntary national student performance standards, and voluntary natural 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)"; and

(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 (3)(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 (e)—

(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 (z) as clauses (v) through (iz), 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 (20 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)".

SBC. 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:

This Act may be cited as the "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996".

(e) DIRECT GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

(1) IN GENERAL.—Notwithstanding subsection (c), if a State educational agency was not par-

ticipating 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.

SBC. 704. ALTERNATIVE TO SECRETARIAL APPROVAL OF STATE PLANS.

(a) STATE IMPROVEMENT PLANS.—Section 305(n) of the Goals 2000: Educate America Act (20 U.S.C. 5885(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

(H) 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)(4).

(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 305(n)(4), before include".

(c) SECRETARY'S REVIEW OF APPLICATIONS.—Section 307(d)(1) of such Act (20 U.S.C. 5887(d)(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 305(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 305(n)(4), each".

SBC. 704. 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:

SBC. 704. 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.

(c) For programs, projects or activities in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996, provided as follows, to be effective as if it had been enacted into law as the regular appropriations Act:

AN ACT Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes

TITLE I

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans as authorized by law (38 U.S.C. 107, chapters 11, 13, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106; chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540-548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198); \$16,331,561,000, to remain available until expended: Provided, That not to exceed \$25,180,000 of the amount appropriated shall be reimbursed to "General operating expenses" and "Medical care" for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the "Compensation and pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical facilities revolving fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized by the Veterans' Benefits Act of 1992 (38 U.S.C. chapter 55): Provided further, That \$12,000,000 previously transferred from "Compensation and pensions" to "Medical facilities revolving fund" shall be transferred to this heading.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), \$1,345,300,000, to remain available until expended: Provided, That funds shall be available to pay any court order, court award or any compromise settlement arising from litigation involving the vocational training program authorized by section 18 of Public Law 96-77, as amended.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities,

EDUCATION REFORM

Goals 2000: State and Local Education Systemic Improvement

State or Outlying Area	1995 Appro. for 1996	1996 Estimate for 1997	1997 Request for 1998
Alabama	\$5,941,766	\$5,675,986	\$7,895,690
Alaska	1,547,345	1,437,296	2,015,509
Arizona	5,450,582	5,038,557	7,220,860
Arkansas	3,650,495	3,434,819	4,800,139
California	42,111,705	39,211,219	54,798,617
Colorado	4,288,514	3,922,624	5,585,002
Connecticut	3,460,756	3,149,595	4,453,445
Delaware	1,291,544	1,242,928	1,742,164
Florida	15,861,034	14,713,635	20,880,761
Georgia	8,959,402	8,515,014	12,097,369
Hawaii	1,381,641	1,307,668	1,830,605
Idaho	1,568,397	1,478,175	2,072,739
Illinois	15,992,571	15,050,826	20,965,086
Indiana	6,557,145	6,280,894	8,734,445
Iowa	3,219,618	3,077,877	4,261,417
Kansas	3,193,916	3,099,621	4,350,864
Kentucky	5,775,274	5,549,490	7,709,898
Louisiana	7,968,128	7,642,099	10,577,254
Maine	1,647,540	1,535,403	2,147,204
Maryland	5,379,938	5,016,113	7,070,017
Massachusetts	6,990,859	6,242,461	8,845,858
Michigan	14,371,488	13,653,547	19,081,265
Minnesota	5,377,078	5,062,092	7,103,635
Mississippi	5,094,972	4,864,881	6,746,306
Missouri	6,525,935	6,132,073	8,574,360
Montana	1,560,150	1,459,914	2,044,513
Nebraska	1,986,104	1,834,350	2,661,199
Nevada	1,419,052	1,303,042	1,868,241
New Hampshire	1,290,294	1,232,612	1,728,084
New Jersey	8,792,536	7,904,169	11,130,562
New Mexico	2,782,261	2,610,240	3,691,669
New York	27,112,295	25,358,328	35,384,032
North Carolina	7,745,087	7,280,313	10,327,046
North Dakota	1,340,576	1,259,984	1,765,253
Ohio	14,833,684	14,226,873	19,844,608
Oklahoma	4,396,613	4,176,732	5,822,424
Oregon	4,012,392	3,799,963	5,312,803
Pennsylvania	15,529,194	14,464,447	20,258,933
Rhode Island	1,480,004	1,359,668	1,902,901
South Carolina	4,710,359	4,511,625	6,263,574
South Dakota	1,412,549	1,309,917	1,836,220
Tennessee	6,387,802	5,999,453	8,432,635
Texas	29,228,278	27,187,479	38,181,903
Utah	2,587,039	2,452,958	3,429,258
Vermont	1,272,847	1,225,743	1,717,476
Virginia	6,658,924	6,200,305	8,704,627
Washington	6,328,974	6,056,946	8,492,110
West Virginia	2,799,259	2,788,423	3,829,992
Wisconsin	6,582,097	6,320,177	8,806,412
Wyoming	1,262,907	1,224,150	1,715,593
Distict of Columbia	1,523,409	1,353,218	1,895,093
Puerto Rico	9,608,968	9,064,078	12,632,327
American Samoa	184,247	173,864	247,560
Northern Marianas	102,549	96,770	137,787
Guam	194,658	183,688	261,548
Virgin Islands	380,157	358,733	510,788
Palau	102,549	79,187	52,791
Marshall Islands	102,549	96,770	137,787
Micronesia	302,433	285,389	406,357
BIA & Alaska Federation of Natives	2,249,558	2,125,600	3,005,382
Subtotal, Outlying Area, BIA, & AFN	3,618,700	3,400,000	4,760,000
Peer Review		300,000	
Total	361,870,000	340,000,000	476,000,000



UNITED STATES DEPARTMENT OF EDUCATION

THE SECRETARY

May 2, 1996

Dear Chief State School Officer:

I am writing to inform you of some important developments regarding the Goals 2000: Educate America Act that have occurred as a result of the 1996 Omnibus Appropriations Act, which President Clinton signed into law on April 26, 1996.

Most importantly, Congress, with President Clinton's strong support, has continued its bipartisan support for this very important program. In FY 1996, Goals 2000 is funded at \$350 million, just slightly less than current funding levels. These funds will be available to states beginning July 1. For your information, I have enclosed a table that shows the allotment for each state.

Second, Congress passed a package of amendments to the Goals 2000 Act as part of this appropriations bill. These amendments were authored by Senator Arlen Specter. Senator Specter's amendments were offered to respond to concerns raised in states that were not participating in Goals 2000. As Senator Specter said when he introduced the amendments in October 1995, "It is my view that there are no excessive intrusions at the present time. But in order to eliminate any concern about that issue, it was my thought that legislation might ease the concerns of some in the country who think there are too many intrusions."

I strongly believe that Goals 2000 is already being effectively implemented in most states and could continue to be implemented without any changes to the legislation. I also recognize that some provisions in Goals 2000 have been widely misunderstood.

I supported Senator Specter's objective in introducing his legislation and found the amendments he proposed acceptable. They make adjustments in the operation of Goals 2000, without in any way altering its fundamental purpose of helping local communities and states improve student achievement. They honor the fundamental principles on which Goals 2000 is based:

challenging academic standards for all students as the basis for state and local education improvement strategies, state and local control of education, broad-based involvement in education reform, and accountability for results.

I have enclosed a brief summary of these amendments, as well as the specific legislative language. Briefly, these amendments:

- o eliminate the authority to establish the National Education Standards and Improvement Council (NESIC), which was never established;
- o eliminate all references to opportunity-to-learn standards;
- o maintain the requirement that states and local school districts participating in Goals 2000 establish broad-based planning panels, while eliminating more detailed requirements for their composition or operation;
- o provide states with an alternative to federal review and approval of state education improvement plans, while maintaining appropriate accountability;
- o permit local school districts in states that were not participating in the Goals 2000 program as of October 20, 1995 to apply directly to the U.S. Department of Education for part of a state's share of Goals 2000 funds, subject to the approval of the state education agency; and
- o clarify that Goals 2000 does not require outcomes-based education, school-based health clinics, or other controversial practices.

In addition, Senator Hatfield authored an amendment to the Goals 2000 Act that authorizes an additional six states to participate in the Ed-Flex demonstration program. As you know, this program enables me to delegate to state education agencies the authority to waive statutory and regulatory requirements in selected federal education programs. Six states -- Kansas, Massachusetts, Ohio, Oregon, Texas and Vermont -- have already been selected for this program. Unlike the initial selection, there is no requirement that the next six states be divided evenly between small and large states. As in the past, states must have an approved Goals 2000 plan in order to be eligible to participate.

Page 3

In the near future, the Office of Elementary and Secondary Education will provide more specific guidance on the implementation of these provisions. Until then, if you or your staff have any questions regarding the implications of these amendments to Goals 2000, please call Mike Cohen, my Senior Advisor on Education Reform, at (202) 401-3385.

Yours sincerely,


Richard W. Riley

Enclosures

AMENDMENTS TO GOALS 2000: EDUCATE AMERICA ACT
1996 Omnibus Appropriations Act

- o Authorization of Six Additional ED-Flex States
The Secretary of Education is authorized to select an additional six states to participate in the ED-Flex demonstration program. This program allows the Secretary to delegate to state education agencies the authority to waive statutory and regulatory requirements in most federal education programs. State agencies may then waive federal requirements for local districts and schools if these requirements interfere with state or local approaches to improving student achievement.

States must have an approved Goals 2000 education improvement plan in order to be eligible to apply for Ed-Flex.

Kansas, Massachusetts, Ohio, Oregon, Texas and Vermont are currently participating in Ed-Flex.

- o Repeal of the National Education Standards and Improvement Council
The provisions in Goals 2000 to establish the National Education Standards and Improvement Council (NESIC) are repealed. The Council would have been responsible for reviewing and approving voluntary national standards. No state would be required to use standards certified by NESIC, and no federal funding could be tied to the use of standards recognized by NESIC.

At the request of Secretary Riley and the members of the National Education Goals Panel, President Clinton agreed last year not to appoint members to NESIC, pending Congressional action to repeal the authority to establish NESIC.

- o Elimination of Opportunity-to-Learn Standards
The authority to establish voluntary model national opportunity-to-learn standards and the requirement that states describe the "standards or strategies" to provide all students an opportunity-to-learn the content in state academic standards have been repealed.
- o Elimination of Specific Panel Composition Requirements
The specific requirements governing the composition of the Goals 2000 state planning panels and local planning panels have been eliminated. The Act now provides simply that state plans must be developed by a broad-based state panel in cooperation with the state education agency and the governor.

o Establishment of Alternative to Federal Approval of State Education Improvement Plan Based on Increased Accountability to the Public in Each State

States are required to complete the development of an education improvement plan, based on challenging academic standards, in order to be eligible for continued funding after two years of participation in Goals 2000. As initially enacted, Goals 2000 provided that this plan be reviewed by a nonfederal panel of educators, business leaders and others involved in education reform, and approved by the Secretary of Education based on a recommendation of this panel.

States may continue to rely on this procedure. As an alternative to submitting its education improvement plan to the Secretary, a state may instead:

(1) submit an assurance from the Governor and the chief state school officer that it has a completed plan that meets the requirements of the Goals 2000 Act;

(2) make its education improvement plan, and the indicators it will use to judge progress in implementing the plan, widely available to the public within the state; and

(3) report annually to the public on progress the state is making in meeting its indicators of progress.

Twenty states have already completed state education improvement plans and submitted them to the U.S. Department of Education for review. Each of these states has received approval of its plan, and none has been required to change its plan in order to gain approval. States have benefitted from feedback and the interaction with an external review panel comprised of experts who become familiar with the state plan.

o Direct Grants to Local Education Agencies in Nonparticipating States

Local education agencies in any state that was not participating in Goals 2000 as of October 20, 1995 may, with the approval of the state education agency, apply directly to the U.S. Department of Education for a portion of their state's Goals 2000 allotment.

States covered by this provision will be notified in the next several days of the procedures that will be used to administer the local grants program. There will be only a brief period for state education agencies to determine whether to approve local participation in Goals 2000, because of the need to complete a grants competition by September 30, the end of the fiscal year.

o Clarification regarding Outcomes-Based Education, School-Based Health Clinics, or Social Services

The amendments expressly state that Goals 2000 may not be construed to require a state, local education agency, or a school, as a condition of receiving Goals 2000 assistance, to provide --

- (1) outcomes-based education;
- (2) school-based health clinics, or social services.

o Clarification on Use of Funds for Technology

The amendments clarify that Goals 2000 funds may be used for the acquisition of technology and the use of technology-enhanced curricula and instruction.

subjected to female genital mutilation (whether in the United States or in their countries of origin), including a specification of the number of girls under the age of 18 who have been subjected to such mutilation.

(2) Identify communities in the United States that practice female genital mutilation, and design and carry out outreach activities to educate individuals in the communities on the physical and psychological health effects of such practice. Such outreach activities shall be designed and implemented in collaboration with representatives of the ethnic groups practicing such mutilation and with representatives of organizations with expertise in preventing such practice.

(3) Develop recommendations for the education of students of schools of medicine and osteopathic medicine regarding female genital mutilation and complications arising from such mutilation. Such recommendations shall be disseminated to such schools.

(c) For purposes of this section the term "female genital mutilation" means the removal or infibulation (or both) of the whole or part of the clitoris, the labia minor, or the labia major.

(d) The Secretary of Health and Human Services shall commence carrying out this section not later than 90 days after the date of enactment of this Act.

TITLE VI—ADDITIONAL APPROPRIATIONS

SEC. 601. In addition to amounts otherwise provided in this Act, the following amounts are hereby appropriated as specified for the following appropriation accounts: Health Care Financing Administration, "Program Management", \$396,000,000; and Office of the Secretary, "Office of Inspector General", \$22,330,000, together with not to exceed \$20,670,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

SEC. 602. Appropriations and funds made available pursuant to section 601 of this Act shall be available until enactment into law of a subsequent appropriation for fiscal year 1996 for any project or activity provided for in section 601.

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 subsection (ii)) by striking "voluntary natural student performance standards, and voluntary natural 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)"; and

(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 361 of the Improving America's Schools Act of 1994 (Public Law 103-382), is amended by striking "213(a)" and inserting "203(a)(2)".

SBC. 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:

This Act may be cited as the "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996".

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

"(1) IN GENERAL.—Notwithstanding subsection (c), if a State educational agency was not par-

ticipating 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 total educational agency or other factors as a basis for awarding grants under this subsection."

SBC. 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".

SBC. 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. 390. 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."

(c) For programs, projects or activities in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996, provided as follows, to be effective as if it had been enacted into law as the regular appropriations Act:

AN ACT Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes

TITLE I

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans as authorized by law (38 U.S.C. 107, chapters 11, 13, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2506); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106; chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540-548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198); \$18,331,561,000, to remain available until expended: Provided, That not to exceed \$25,180,000 of the amount appropriated shall be reimbursed to "General operating expenses" and "Medical care" for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the "Compensation and pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical facilities revolving fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized by the Veterans' Benefits Act of 1992 (38 U.S.C. chapter 55): Provided further, That \$12,000,000 previously transferred from "Compensation and pensions" to "Medical facilities revolving fund" shall be transferred to this heading.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), \$1,345,300,000, to remain available until expended: Provided, That funds shall be available to pay any court order, court award or any compromise settlement arising from litigation involving the vocational training program authorized by section 18 of Public Law 96-77, as amended.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities,

EDUCATION REFORM

Goals 2000: State and Local Education Systemic Improvement

State or Outlying Area	1995 Appro. for 1996	1996 Estimate for 1997	1997 Request for 1998
Alabama	\$5,941,766	\$5,675,986	\$7,895,690
Alaska	1,547,345	1,437,296	2,015,509
Arizona	5,450,582	5,038,557	7,220,860
Arkansas	3,650,495	3,434,819	4,800,139
California	42,111,705	39,211,219	54,798,617
Colorado	4,288,514	3,922,624	5,585,002
Connecticut	3,460,756	3,149,595	4,453,445
Delaware	1,291,544	1,242,928	1,742,164
Florida	15,861,034	14,713,635	20,880,761
Georgia	8,959,402	8,515,014	12,097,369
Hawaii	1,381,641	1,307,668	1,830,605
Idaho	1,568,397	1,478,175	2,072,739
Illinois	15,992,571	15,050,826	20,965,086
Indiana	6,557,145	6,280,894	8,734,445
Iowa	3,219,618	3,077,877	4,261,417
Kansas	3,193,916	3,099,621	4,350,864
Kentucky	5,775,274	5,549,490	7,709,898
Louisiana	7,968,128	7,642,099	10,577,254
Maine	1,647,540	1,535,403	2,147,204
Maryland	5,379,938	5,016,113	7,070,017
Massachusetts	6,990,859	6,242,461	8,845,858
Michigan	14,371,488	13,653,547	19,081,265
Minnesota	5,377,078	5,062,092	7,103,635
Mississippi	5,094,972	4,864,881	6,746,306
Missouri	6,525,935	6,132,073	8,574,360
Montana	1,560,150	1,459,914	2,044,513
Nebraska	1,986,104	1,834,350	2,661,199
Nevada	1,419,052	1,303,042	1,868,241
New Hampshire	1,290,294	1,232,612	1,728,084
New Jersey	8,792,536	7,904,169	11,130,562
New Mexico	2,782,261	2,610,240	3,691,669
New York	27,112,295	25,358,328	35,384,032
North Carolina	7,745,087	7,280,313	10,327,046
North Dakota	1,340,576	1,259,984	1,765,253
Ohio	14,833,684	14,226,873	19,844,608
Oklahoma	4,396,613	4,176,732	5,822,424
Oregon	4,012,392	3,799,963	5,312,803
Pennsylvania	15,529,194	14,454,447	20,258,933
Rhode Island	1,480,004	1,359,668	1,902,901
South Carolina	4,710,359	4,511,625	6,263,574
South Dakota	1,412,549	1,309,917	1,836,220
Tennessee	6,387,802	5,999,453	8,432,635
Texas	29,228,278	27,187,479	38,181,903
Utah	2,587,039	2,452,958	3,429,258
Vermont	1,272,847	1,225,743	1,717,476
Virginia	6,658,924	6,200,305	8,704,627
Washington	6,328,974	5,056,946	8,492,110
West Virginia	2,799,259	2,788,423	3,829,992
Wisconsin	6,582,097	6,320,177	8,806,412
Wyoming	1,262,907	1,224,150	1,715,593
District of Columbia	1,523,409	1,353,218	1,895,093
Puerto Rico	9,608,968	9,064,078	12,632,327
American Samoa	184,247	173,864	247,560
Northern Marianas	102,549	96,770	137,787
Guam	194,658	183,688	261,548
Virgin Islands	380,157	358,733	510,788
Palau	102,549	79,187	52,791
Marshall Islands	102,549	96,770	137,787
Micronesia	302,433	285,389	406,357
BIA & Alaska Federation of Natives	<u>2,249,558</u>	<u>2,125,600</u>	<u>3,005,382</u>
Subtotal, Outlying Area, BIA, & AFN	3,618,700	3,400,000	4,760,000
Peer Review		300,000	
Total	361,870,000	340,000,000	476,000,000



UNITED STATES DEPARTMENT OF EDUCATION

THE SECRETARY

May 2, 1996

Dear Governor:

I am writing to inform you of some important developments regarding the Goals 2000: Educate America Act that have occurred as a result of the 1996 Omnibus Appropriations Act, which President Clinton signed into law on April 26, 1996.

Most importantly, Congress, with President Clinton's strong support, has continued its bipartisan support for this very important program. In FY 1996, Goals 2000 is funded at \$350 million, just slightly less than current funding levels. These funds will be available to states beginning July 1. For your information, I have enclosed a table that shows the allotment for each state.

Second, Congress passed a package of amendments to the Goals 2000 Act as part of this appropriations bill. These amendments were authored by Senator Arlen Specter. Senator Specter's amendments were offered to respond to concerns raised in states that were not participating in Goals 2000. As Senator Specter said when he introduced the amendments in October 1995, "It is my view that there are no excessive intrusions at the present time. But in order to eliminate any concern about that issue, it was my thought that legislation might ease the concerns of some in the country who think there are too many intrusions."

I strongly believe that Goals 2000 is already being effectively implemented in most states and could continue to be implemented without any changes to the legislation. I also recognize that some provisions in Goals 2000 have been widely misunderstood.

I supported Senator Specter's objective in introducing his legislation and found the amendments he proposed acceptable. They make adjustments in the operation of Goals 2000, without in any way altering its fundamental purpose of helping local communities and states improve student achievement. They honor the fundamental principles on which Goals 2000 is based:

challenging academic standards for all students as the basis for state and local education improvement strategies, state and local control of education, broad-based involvement in education reform, and accountability for results.

I have enclosed a brief summary of these amendments, as well as the specific legislative language. Briefly, these amendments:

- o eliminate the authority to establish the National Education Standards and Improvement Council (NESIC), which was never established;
- o eliminate all references to opportunity-to-learn standards;
- o maintain the requirement that states and local school districts participating in Goals 2000 establish broad-based planning panels, while eliminating more detailed requirements for their composition or operation;
- o provide states with an alternative to federal review and approval of state education improvement plans, while maintaining appropriate accountability;
- o permit local school districts in states that were not participating in the Goals 2000 program as of October 20, 1995 to apply directly to the U.S. Department of Education for part of a state's share of Goals 2000 funds, subject to the approval of the state education agency; and
- o clarify that Goals 2000 does not require outcomes-based education, school-based health clinics, or other controversial practices.

In addition, Senator Hatfield authored an amendment to the Goals 2000 Act that authorizes an additional six states to participate in the Ed-Flex demonstration program. As you know, this program enables me to delegate to state education agencies the authority to waive statutory and regulatory requirements in selected federal education programs. Six states -- Kansas, Massachusetts, Ohio, Oregon, Texas and Vermont -- have already been selected for this program. Unlike the initial selection, there is no requirement that the next six states be divided evenly between small and large states. As in the past, states must have an approved Goals 2000 plan in order to be eligible to participate.

Page 3

In the near future, the Office of Elementary and Secondary Education will provide more specific guidance on the implementation of these provisions. Until then, if you or your staff have any questions regarding the implications of these amendments to Goals 2000, please call Mike Cohen, my Senior Advisor on Education Reform, at (202) 401-3385.

Yours sincerely,

A handwritten signature in cursive script that reads "Dick Riley". The signature is written in dark ink and is positioned above the printed name.

Richard W. Riley

Enclosures

AMENDMENTS TO GOALS 2000: EDUCATE AMERICA ACT
1996 Omnibus Appropriations Act

o Authorization of Six Additional ED-Flex States

The Secretary of Education is authorized to select an additional six states to participate in the ED-Flex demonstration program. This program allows the Secretary to delegate to state education agencies the authority to waive statutory and regulatory requirements in most federal education programs. State agencies may then waive federal requirements for local districts and schools if these requirements interfere with state or local approaches to improving student achievement.

States must have an approved Goals 2000 education improvement plan in order to be eligible to apply for Ed-Flex.

Kansas, Massachusetts, Ohio, Oregon, Texas and Vermont are currently participating in Ed-Flex.

o Repeal of the National Education Standards and Improvement Council

The provisions in Goals 2000 to establish the National Education Standards and Improvement Council (NESIC) are repealed. The Council would have been responsible for reviewing and approving voluntary national standards. No state would be required to use standards certified by NESIC, and no federal funding could be tied to the use of standards recognized by NESIC.

At the request of Secretary Riley and the members of the National Education Goals Panel, President Clinton agreed last year not to appoint members to NESIC, pending Congressional action to repeal the authority to establish NESIC.

o Elimination of Opportunity-to-Learn Standards

The authority to establish voluntary model national opportunity-to-learn standards and the requirement that states describe the "standards or strategies" to provide all students an opportunity-to-learn the content in state academic standards have been repealed.

o Elimination of Specific Panel Composition Requirements

The specific requirements governing the composition of the Goals 2000 state planning panels and local planning panels have been eliminated. The Act now provides simply that state plans must be developed by a broad-based state panel in cooperation with the state education agency and the governor.

o Establishment of Alternative to Federal Approval of State Education Improvement Plan Based on Increased Accountability to the Public in Each State

States are required to complete the development of an education improvement plan, based on challenging academic standards, in order to be eligible for continued funding after two years of participation in Goals 2000. As initially enacted, Goals 2000 provided that this plan be reviewed by a nonfederal panel of educators, business leaders and others involved in education reform, and approved by the Secretary of Education based on a recommendation of this panel.

States may continue to rely on this procedure. As an alternative to submitting its education improvement plan to the Secretary, a state may instead:

(1) submit an assurance from the Governor and the chief state school officer that it has a completed plan that meets the requirements of the Goals 2000 Act;

(2) make its education improvement plan, and the indicators it will use to judge progress in implementing the plan, widely available to the public within the state; and

(3) report annually to the public on progress the state is making in meeting its indicators of progress.

Twenty states have already completed state education improvement plans and submitted them to the U.S. Department of Education for review. Each of these states has received approval of its plan, and none has been required to change its plan in order to gain approval. States have benefitted from feedback and the interaction with an external review panel comprised of experts who become familiar with the state plan.

o Direct Grants to Local Education Agencies in Nonparticipating States

Local education agencies in any state that was not participating in Goals 2000 as of October 20, 1995 may, with the approval of the state education agency, apply directly to the U.S. Department of Education for a portion of their state's Goals 2000 allotment.

States covered by this provision will be notified in the next several days of the procedures that will be used to administer the local grants program. There will be only a brief period for state education agencies to determine whether to approve local participation in Goals 2000, because of the need to complete a grants competition by September 30, the end of the fiscal year.

o Clarification regarding Outcomes-Based Education, School-Based Health Clinics, or Social Services

The amendments expressly state that Goals 2000 may not be construed to require a state, local education agency, or a school, as a condition of receiving Goals 2000 assistance, to provide --

- (1) outcomes-based education;
- (2) school-based health clinics, or social services.

o Clarification on Use of Funds for Technology

The amendments clarify that Goals 2000 funds may be used for the acquisition of technology and the use of technology-enhanced curricula and instruction.

(E), (F), or (G)" and inserting "subparagraph (D), (E), or (F)"; and

(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)(3)(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)".

SBC. 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:

This Act may be cited as the "Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996".

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

"(1) **IN GENERAL.**—Notwithstanding subsection (c), if a State educational agency was not par-

ticipating 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 total educational agency or other factors as a basis for awarding grants under this subsection."

SBC. 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

"(H) 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)(H)."

(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".

SBC. 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:

SBC. 390. 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."

(c) For programs, projects or activities in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996, provided as follows, to be effective as if it had been enacted into law as the regular appropriations Act:

AN ACT Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes

TITLE I

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans as authorized by law (38 U.S.C. 107, chapters 11, 13, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 50 U.S.C. App. 540-548; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198); \$18,331,561,000, to remain available until expended: Provided, That not to exceed \$25,180,000 of the amount appropriated shall be reimbursed to "General operating expenses" and "Medical care" for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the "Compensation and pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical facilities revolving fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized by the Veterans' Benefits Act of 1996 (38 U.S.C. chapter 55): Provided further, That \$12,000,000 previously transferred from "Compensation and pensions" to "Medical facilities revolving fund" shall be transferred to this heading.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), \$1,345,300,000, to remain available until expended: Provided, That funds shall be available to pay any court order, court award or any compromise settlement arising from litigation involving the vocational training program authorized by section 18 of Public Law 98-77, as amended.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities,

subjected to female genital mutilation (whether in the United States or in their countries of origin), including a specification of the number of girls under the age of 18 who have been subjected to such mutilation.

(2) Identify communities in the United States that practice female genital mutilation, and design and carry out outreach activities to educate individuals in the communities on the physical and psychological health effects of such practice. Such outreach activities shall be designed and implemented in collaboration with representatives of the ethnic groups practicing such mutilation and with representatives of organizations with expertise in preventing such practice.

(3) Develop recommendations for the education of students of schools of medicine and osteopathic medicine regarding female genital mutilation and complications arising from such mutilation. Such recommendations shall be disseminated to such schools.

(c) For purposes of this section the term "female genital mutilation" means the removal or infibulation (or both) of the whole or part of the clitoris, the labia minor, or the labia major.

(d) The Secretary of Health and Human Services shall commence carrying out this section not later than 90 days after the date of enactment of this Act.

TITLE VI—ADDITIONAL APPROPRIATIONS

SEC. 601. In addition to amounts otherwise provided in this Act, the following amounts are hereby appropriated as specified for the following appropriation accounts: Health Care Financing Administration, "Program Management", \$396,000,000; and Office of the Secretary, "Office of Inspector General", \$22,330,000, together with not to exceed \$20,670,000 to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

SEC. 602. Appropriations and funds made available pursuant to section 601 of this Act shall be available until enactment into law of a subsequent appropriation for fiscal year 1996 for any project or activity provided for in section 601.

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(f) of such Act (20 U.S.C. 5822(f)) 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)(7)—

(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 clause (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)"; and

(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 533 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

EDUCATION REFORM

Goals 2000: State and Local Education Systemic Improvement

State or Outlying Area	1995 Appro. for 1996	1996 Estimate for 1997	1997 Request for 1998
Alabama	\$5,941,766	\$5,675,986	\$7,895,690
Alaska	1,547,345	1,437,296	2,015,509
Arizona	5,450,582	5,038,557	7,220,860
Arkansas	3,650,495	3,434,819	4,800,139
California	42,111,705	39,211,219	54,798,617
Colorado	4,288,514	3,922,624	5,585,002
Connecticut	3,460,756	3,149,595	4,453,445
Delaware	1,291,544	1,242,928	1,742,164
Florida	15,861,034	14,713,635	20,880,761
Georgia	8,959,402	8,515,014	12,097,369
Hawaii	1,381,641	1,307,668	1,830,605
Idaho	1,568,397	1,478,175	2,072,739
Illinois	15,992,571	15,050,826	20,965,086
Indiana	6,557,145	6,280,894	8,734,445
Iowa	3,219,618	3,077,877	4,261,417
Kansas	3,193,916	3,099,621	4,350,864
Kentucky	5,775,274	5,549,490	7,709,898
Louisiana	7,968,128	7,642,099	10,577,254
Maine	1,647,540	1,535,403	2,147,204
Maryland	5,379,938	5,016,113	7,070,017
Massachusetts	6,990,859	6,242,461	8,845,858
Michigan	14,371,488	13,653,547	19,081,265
Minnesota	5,377,078	5,062,092	7,103,635
Mississippi	5,094,972	4,864,881	6,746,306
Missouri	6,525,935	6,132,073	8,574,360
Montana	1,560,150	1,459,914	2,044,513
Nebraska	1,986,104	1,834,350	2,661,199
Nevada	1,419,052	1,303,042	1,868,241
New Hampshire	1,290,294	1,232,612	1,728,084
New Jersey	8,792,536	7,904,169	11,130,562
New Mexico	2,782,261	2,610,240	3,691,669
New York	27,112,295	25,358,328	35,384,032
North Carolina	7,745,087	7,280,313	10,327,046
North Dakota	1,340,576	1,259,984	1,765,253
Ohio	14,833,684	14,226,873	19,844,608
Oklahoma	4,396,613	4,176,732	5,822,424
Oregon	4,012,392	3,799,963	5,312,803
Pennsylvania	15,529,194	14,464,447	20,258,933
Rhode Island	1,480,004	1,359,668	1,902,901
South Carolina	4,710,359	4,511,625	6,263,574
South Dakota	1,412,549	1,309,917	1,836,220
Tennessee	6,387,802	5,999,453	8,432,635
Texas	29,228,278	27,187,479	38,181,903
Utah	2,587,039	2,452,958	3,429,258
Vermont	1,272,847	1,225,743	1,717,476
Virginia	6,658,924	6,200,305	8,704,627
Washington	6,328,974	6,056,946	8,492,110
West Virginia	2,799,259	2,788,423	3,829,992
Wisconsin	6,582,097	6,320,177	8,806,412
Wyoming	1,262,907	1,224,150	1,715,593
District of Columbia	1,523,409	1,353,218	1,895,093
Puerto Rico	9,608,968	9,064,078	12,632,327
American Samoa	184,247	173,864	247,560
Northern Marianas	102,549	96,770	137,787
Guam	194,658	183,688	261,548
Virgin Islands	380,157	358,733	510,788
Palau	102,549	79,187	52,791
Marshall Islands	102,549	96,770	137,787
Micronesia	302,433	285,389	406,357
BIA & Alaska Federation of Natives	2,249,558	2,125,600	3,005,382
Subtotal, Outlying Area, BIA, & AFN	3,618,700	3,400,000	4,760,000
Peer Review		300,000	
Total	361,870,000	340,000,000	476,000,000



UNITED STATES DEPARTMENT OF EDUCATION

THE SECRETARY

May 2, 1996

Dear Chief State School Officer:

I am writing to inform you of some important developments regarding the Goals 2000: Educate America Act that have occurred as a result of the 1996 Omnibus Appropriations Act, which President Clinton signed into law on April 26, 1996.

Most importantly, Congress, with President Clinton's strong support, has continued its bipartisan support for this very important program. In FY 1996, Goals 2000 is funded at \$350 million, just slightly less than current funding levels. These funds will be available to states beginning July 1. For your information, I have enclosed a table that shows the allotment for each state.

Second, Congress passed a package of amendments to the Goals 2000 Act as part of this appropriations bill. These amendments were authored by Senator Arlen Specter. Senator Specter's amendments were offered to respond to concerns raised in states that were not participating in Goals 2000. As Senator Specter said when he introduced the amendments in October 1995, "It is my view that there are no excessive intrusions at the present time. But in order to eliminate any concern about that issue, it was my thought that legislation might ease the concerns of some in the country who think there are too many intrusions."

I strongly believe that Goals 2000 is already being effectively implemented in most states and could continue to be implemented without any changes to the legislation. I also recognize that some provisions in Goals 2000 have been widely misunderstood.

I supported Senator Specter's objective in introducing his legislation and found the amendments he proposed acceptable. They make adjustments in the operation of Goals 2000, without in any way altering its fundamental purpose of helping local communities and states improve student achievement. They honor the fundamental principles on which Goals 2000 is based:

challenging academic standards for all students as the basis for state and local education improvement strategies, state and local control of education, broad-based involvement in education reform, and accountability for results.

I have enclosed a brief summary of these amendments, as well as the specific legislative language. Briefly, these amendments:

- o eliminate the authority to establish the National Education Standards and Improvement Council (NESIC), which was never established;
- o eliminate all references to opportunity-to-learn standards;
- o maintain the requirement that states and local school districts participating in Goals 2000 establish broad-based planning panels, while eliminating more detailed requirements for their composition or operation;
- o provide states with an alternative to federal review and approval of state education improvement plans, while maintaining appropriate accountability;
- o permit local school districts in states that were not participating in the Goals 2000 program as of October 20, 1995 to apply directly to the U.S. Department of Education for part of a state's share of Goals 2000 funds, subject to the approval of the state education agency; and
- o clarify that Goals 2000 does not require outcomes-based education, school-based health clinics, or other controversial practices.

In addition, Senator Hatfield authored an amendment to the Goals 2000 Act that authorizes an additional six states to participate in the Ed-Flex demonstration program. As you know, this program enables me to delegate to state education agencies the authority to waive statutory and regulatory requirements in selected federal education programs. Six states -- Kansas, Massachusetts, Ohio, Oregon, Texas and Vermont -- have already been selected for this program. Unlike the initial selection, there is no requirement that the next six states be divided evenly between small and large states. As in the past, states must have an approved Goals 2000 plan in order to be eligible to participate.

Page 3

In the near future, the Office of Elementary and Secondary Education will provide more specific guidance on the implementation of these provisions. Until then, if you or your staff have any questions regarding the implications of these amendments to Goals 2000, please call Mike Cohen, my Senior Advisor on Education Reform, at (202) 401-3385.

Yours sincerely,


Richard W. Riley

Enclosures

AMENDMENTS TO GOALS 2000: EDUCATE AMERICA ACT
1996 Omnibus Appropriations Act

o Authorization of Six Additional ED-Flex States

The Secretary of Education is authorized to select an additional six states to participate in the ED-Flex demonstration program. This program allows the Secretary to delegate to state education agencies the authority to waive statutory and regulatory requirements in most federal education programs. State agencies may then waive federal requirements for local districts and schools if these requirements interfere with state or local approaches to improving student achievement.

States must have an approved Goals 2000 education improvement plan in order to be eligible to apply for Ed-Flex.

Kansas, Massachusetts, Ohio, Oregon, Texas and Vermont are currently participating in Ed-Flex.

o Repeal of the National Education Standards and Improvement Council

The provisions in Goals 2000 to establish the National Education Standards and Improvement Council (NESIC) are repealed. The Council would have been responsible for reviewing and approving voluntary national standards. No state would be required to use standards certified by NESIC, and no federal funding could be tied to the use of standards recognized by NESIC.

At the request of Secretary Riley and the members of the National Education Goals Panel, President Clinton agreed last year not to appoint members to NESIC, pending Congressional action to repeal the authority to establish NESIC.

o Elimination of Opportunity-to-Learn Standards

The authority to establish voluntary model national opportunity-to-learn standards and the requirement that states describe the "standards or strategies" to provide all students an opportunity-to-learn the content in state academic standards have been repealed.

o Elimination of Specific Panel Composition Requirements

The specific requirements governing the composition of the Goals 2000 state planning panels and local planning panels have been eliminated. The Act now provides simply that state plans must be developed by a broad-based state panel in cooperation with the state education agency and the governor.

o Establishment of Alternative to Federal Approval of State Education Improvement Plan Based on Increased Accountability to the Public in Each State

States are required to complete the development of an education improvement plan, based on challenging academic standards, in order to be eligible for continued funding after two years of participation in Goals 2000. As initially enacted, Goals 2000 provided that this plan be reviewed by a nonfederal panel of educators, business leaders and others involved in education reform, and approved by the Secretary of Education based on a recommendation of this panel.

States may continue to rely on this procedure. As an alternative to submitting its education improvement plan to the Secretary, a state may instead:

(1) submit an assurance from the Governor and the chief state school officer that it has a completed plan that meets the requirements of the Goals 2000 Act;

(2) make its education improvement plan, and the indicators it will use to judge progress in implementing the plan, widely available to the public within the state; and

(3) report annually to the public on progress the state is making in meeting its indicators of progress.

Twenty states have already completed state education improvement plans and submitted them to the U.S. Department of Education for review. Each of these states has received approval of its plan, and none has been required to change its plan in order to gain approval. States have benefitted from feedback and the interaction with an external review panel comprised of experts who become familiar with the state plan.

o Direct Grants to Local Education Agencies in Nonparticipating States

Local education agencies in any state that was not participating in Goals 2000 as of October 20, 1995 may, with the approval of the state education agency, apply directly to the U.S. Department of Education for a portion of their state's Goals 2000 allotment.

States covered by this provision will be notified in the next several days of the procedures that will be used to administer the local grants program. There will be only a brief period for state education agencies to determine whether to approve local participation in Goals 2000, because of the need to complete a grants competition by September 30, the end of the fiscal year.

- o Clarification regarding Outcomes-Based Education, School-Based Health Clinics, or Social Services

The amendments expressly state that Goals 2000 may not be construed to require a state, local education agency, or a school, as a condition of receiving Goals 2000 assistance, to provide --

- (1) outcomes-based education;
- (2) school-based health clinics, or social services.

- o Clarification on Use of Funds for Technology

The amendments clarify that Goals 2000 funds may be used for the acquisition of technology and the use of technology-enhanced curricula and instruction.

subjected to female genital mutilation (whether in the United States or in their countries of origin), including a specification of the number of girls under the age of 18 who have been subjected to such mutilation.

(2) Identify communities in the United States that practice female genital mutilation, and design and carry out outreach activities to educate individuals in the communities on the physical and psychological health effects of such practice. Such outreach activities shall be designed and implemented in collaboration with representatives of the ethnic groups practicing such mutilation and with representatives of organizations with expertise in preventing such practice.

(3) Develop recommendations for the education of students of schools of medicine and osteopathic medicine regarding female genital mutilation and complications arising from such mutilation. Such recommendations shall be disseminated to such schools.

(c) For purposes of this section the term "female genital mutilation" means the removal or infibulation (or both) of the whole or part of the clitoris, the labia minor, or the labia major.

(d) The Secretary of Health and Human Services shall commence carrying out this section not later than 90 days after the date of enactment of this Act.

TITLE VI—ADDITIONAL APPROPRIATIONS

SEC. 601. In addition to amounts otherwise provided in this Act, the following amounts are hereby appropriated as specified for the following appropriation accounts: Health Care Financing Administration, "Program Management", \$396,000,000; and Office of the Secretary, "Office of Inspector General", \$22,330,000, together with not to exceed \$20,670,000 to be transferred and expended as authorized by section 201(p)(1) of the Social Security Act from the Hospital Insurance Trust Fund and the Supplemental Medical Insurance Trust Fund.

SEC. 602. Appropriations and funds made available pursuant to section 601 of this Act shall be available until enactment into law of a subsequent appropriation for fiscal year 1996 for any project or activity provided for in section 601.

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—

(i) 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)"; and

(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 (vi); 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 361 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:

"This Act may be cited as the 'Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996'."

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

"(1) IN GENERAL.—Notwithstanding subsection (c), if a State educational agency was not par-

ticipating 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 total 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. 706. 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."

(c) For programs, projects or activities in the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996, provided as follows, to be effective as if it had been enacted into law as the regular appropriations Act:

AN ACT Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1996, and for other purposes

TITLE I

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans as authorized by law (38 U.S.C. 107, chapters 11, 13, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of Article IV of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 21, 51, 53, 55, and 61; 50 U.S.C. App. 540-546; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198); \$18,331,561,000, to remain available until expended: Provided, That not to exceed \$25,180,000 of the amount appropriated shall be reimbursed to "General operating expenses" and "Medical care" for necessary expenses in implementing those provisions authorized in the Omnibus Budget Reconciliation Act of 1990, and in the Veterans' Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55), the funding source for which is specifically provided as the "Compensation and pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical facilities revolving fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized by the Veterans' Benefits Act of 1992 (38 U.S.C. chapter 55): Provided further, That \$12,000,000 previously transferred from "Compensation and pensions" to "Medical facilities revolving fund" shall be transferred to this heading.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), \$1,345,300,000, to remain available until expended: Provided, That funds shall be available to pay any court order, court award or any compromise settlement arising from litigation involving the vocational training program authorized by section 18 of Public Law 94-77, as amended.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities,

EDUCATION REFORM

Goals 2000: State and Local Education Systemic Improvement

State or Outlying Area	1995 Appro. for 1996	1996 Estimate for 1997	1997 Request for 1998
Alabama	\$5,941,766	\$5,675,986	\$7,895,690
Alaska	1,547,345	1,437,296	2,015,509
Arizona	5,450,582	5,038,557	7,220,860
Arkansas	3,650,495	3,434,819	4,800,139
California	42,111,705	39,211,219	54,798,617
Colorado	4,288,514	3,922,624	5,585,002
Connecticut	3,460,756	3,149,595	4,453,445
Delaware	1,291,544	1,242,928	1,742,164
Florida	15,861,034	14,713,635	20,880,761
Georgia	8,959,402	8,515,014	12,097,369
Hawaii	1,381,641	1,307,668	1,830,605
Idaho	1,568,397	1,478,175	2,072,739
Illinois	15,992,571	15,050,826	20,965,086
Indiana	6,557,145	6,280,894	8,734,445
Iowa	3,219,618	3,077,877	4,261,417
Kansas	3,193,916	3,099,621	4,350,864
Kentucky	5,775,274	5,549,490	7,709,898
Louisiana	7,968,128	7,642,099	10,577,254
Maine	1,647,540	1,535,403	2,147,204
Maryland	5,379,938	5,016,113	7,070,017
Massachusetts	6,990,859	6,242,461	8,845,858
Michigan	14,371,488	13,653,547	19,081,265
Minnesota	5,377,078	5,062,092	7,103,635
Mississippi	5,094,972	4,864,881	6,746,306
Missouri	6,525,935	6,132,073	8,574,360
Montana	1,560,150	1,459,914	2,044,513
Nebraska	1,986,104	1,834,350	2,661,199
Nevada	1,419,052	1,303,042	1,868,241
New Hampshire	1,290,294	1,232,612	1,728,084
New Jersey	8,792,536	7,904,169	11,130,562
New Mexico	2,782,261	2,610,240	3,691,669
New York	27,112,295	25,358,328	35,384,032
North Carolina	7,745,087	7,280,313	10,327,046
North Dakota	1,340,576	1,259,984	1,765,253
Ohio	14,833,684	14,226,873	19,844,608
Oklahoma	4,396,613	4,176,732	5,822,424
Oregon	4,012,392	3,799,963	5,312,803
Pennsylvania	15,529,194	14,464,447	20,258,933
Rhode Island	1,480,004	1,359,668	1,902,901
South Carolina	4,710,359	4,511,625	6,263,574
South Dakota	1,412,549	1,309,917	1,836,220
Tennessee	6,387,802	5,999,453	8,432,635
Texas	29,228,278	27,187,479	38,181,903
Utah	2,587,039	2,452,958	3,429,258
Vermont	1,272,847	1,225,743	1,717,476
Virginia	6,658,924	6,200,305	8,704,627
Washington	6,328,974	6,056,946	8,492,110
West Virginia	2,799,259	2,788,423	3,829,992
Wisconsin	6,582,097	6,320,177	8,806,412
Wyoming	1,262,907	1,224,150	1,715,593
District of Columbia	1,523,409	1,353,218	1,895,093
Puerto Rico	9,608,968	9,064,078	12,632,327
American Samoa	184,247	173,864	247,560
Northern Marianas	102,549	96,770	137,787
Guam	194,658	183,688	261,548
Virgin Islands	380,157	358,733	510,788
Palau	102,549	79,187	52,791
Marshall Islands	102,549	96,770	137,787
Micronesia	302,433	285,389	406,357
BIA & Alaska Federation of Natives	2,249,558	2,125,600	3,005,382
Subtotal, Outlying Area, BIA, & AFN	3,618,700	3,400,000	4,760,000
Peer Review		300,000	
Total	361,870,000	340,000,000	476,000,000



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

May 7, 1996

Honorable Edward Richardson
Superintendent of Education
Alabama Department of Education
Gordon Persons Building
50 North Ripley Street
Montgomery, Alabama 36130-2101

Dear Superintendent Richardson:

Last week Secretary Riley wrote to inform you of a number of amendments to Goals 2000 that were enacted as part of the Omnibus Appropriations Act of 1996. I am writing now because one of the amendments has particular and immediate implications for Alabama.

Local education agencies in states not participating in Goals 2000 as of October 20, 1995 may now apply directly to the U.S. Department of Education for a portion of the state's allotment of Goals 2000 funds, subject to the approval of the state education agency.

Even though Alabama applied for and received initial funding under Goals 2000, and notwithstanding your decision in late 1995 not to terminate formally Alabama's participation in Goals 2000, in my judgment Alabama was not in fact participating in Goals 2000 as of October 20, 1995. This conclusion is based on the following: (1) the initial funds had not been released to local school districts as of that date; (2) no state planning panel had been appointed; and (3) there was no process for developing the state's education improvement plan in place as of October 20. Further, these conditions have not changed since October 20, 1995.

If this conclusion or the information on which it is based is inaccurate, please contact me immediately. However, if you concur that Alabama was not participating in Goals 2000 as of October 20, 1995, then Alabama now faces three clear options with respect to Goals 2000.

400 MARYLAND AVE., S.W. WASHINGTON, D.C. 20202-8100

Our mission is to ensure equal access to education and to promote educational excellence throughout the Nation.

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- o **Actively participate in Goals**, by expending the funds the State has already received, initiating a process for developing a state education improvement plan, and appointing of a state planning panel. If a plan has already been developed, the State need not initiate a process for developing a new one. An existing plan can also meet the requirements of Goals 2000. These steps will also enable Alabama to apply for the \$5,941,766 of Fiscal year 1995 Goals 2000 funds that have been available since July 1, 1995. The deadline for applying for these funds is June 30, 1996. In addition, once a statewide education improvement plan has been completed, Alabama will be eligible to apply for an additional \$5,681,050, which Congress has already appropriated and which will be available starting on July 1, 1996.
- o **Continue nonparticipation in Goals 2000.** No state is required to participate in Goals 2000, and Alabama may exercise its option not to participate. The Fiscal Year 1994 funds already awarded to Alabama will revert to the U.S. Treasury if they are not obligated by September 30, 1996. If Alabama does not apply for the \$5,941,766 by June 30, 1996 (or exercise the third option below), these funds will be reallocated to other states that are participating in Goals 2000.
- o **Approve of local school district participation in Goals 2000, while the state does not participate.** Under this option, local school districts in Alabama would apply directly to the U.S. Department of Education for a portion of the Fiscal Year 1995 Goals 2000 allotment now available to the state. If this option is selected, the state education agency would no longer be able to obligate the initial funding it has already received, since the withholding of these funds from local school districts is a factor in determining that Alabama is not participating in Goals 2000. Instead, these Fiscal Year 1994 funds would be returned to the U.S. Treasury.

In general, local school districts receiving the funds would be required to use them for the development and/or implementation of a comprehensive education improvement plan that is focused on preparing students to meet state or local academic standards, and is consistent with the state's overall plan for education improvement.

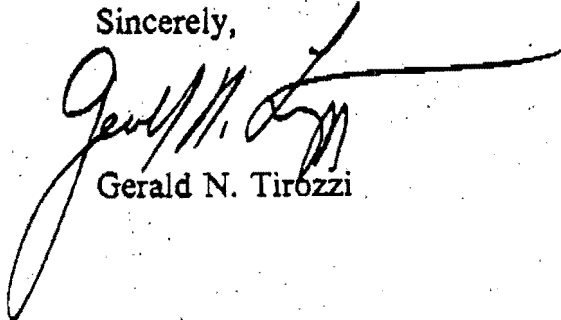
The Fiscal Year 1995 funds available for this program must be awarded to local school districts by September 30, 1996. In order to give local school districts adequate notice and time to prepare applications, and to provide adequate time for review of these proposals, this competition will have to begin immediately. Therefore, if Alabama intends to select this option, you will need to provide me, no later than May 17, 1996, with written notification of state education agency approval for local school districts to apply to the U.S. Department of Education for Goals 2000 funds. This notification may be faxed to me at (202) 205-0303. While this is a very short time period for such an important decision, the late enactment of the appropriations bill leaves us with no alternative.

It is my hope that, as a result of the recent changes in Goals 2000, students and schools in Alabama will be able to benefit from these funds that are available to help improve teaching and learning.

While this last option effectively provides resources to local education agencies to support education improvements aimed at challenging academic standards, I believe that state participation in Goals 2000 provides the most solid foundation for advancing statewide education improvement. This approach, consistent with the initial design of Goals 2000 better enables Goals 2000 resources to be used in concert with a state's approach to education reform and permits the state education agency to establish priorities for the use of these funds. The final choice among the three options, of course, rests with the state education agency. As you make this decision, please consider that Congress has already appropriated \$13,224,782 million for your state under the Goals 2000 Act, to support your state's school reform initiatives.

If you or your staff have any questions regarding this new provision in Goals 2000, please feel free to call Tom Fagan of my staff at (202) 401-0039.

Sincerely,



Gerald N. Tirozzi

cc: Governor Fob James, Jr.

**UNITED STATES DEPARTMENT OF EDUCATION****OFFICE OF ELEMENTARY AND SECONDARY EDUCATION****THE ASSISTANT SECRETARY****May 7, 1996**

**Honorable Frank Keating
Governor of Oklahoma
State Capitol, Room 212
Oklahoma City, Oklahoma 73105**

Dear Governor Keating:

Last week Secretary Riley wrote to inform you of a number of amendments to Goals 2000 that were enacted as part of the Omnibus Appropriations Act of 1996. I am writing now to State Superintendent of Public Instruction Sandy Garrett and to you because one of the amendments has particular and immediate implications for Oklahoma.

Local education agencies in states not participating in Goals 2000 as of October 20, 1995 may now apply directly to the U.S. Department of Education for a portion of the state's allotment of Goals 2000 funds, subject to the approval of the state education agency.

Even though Oklahoma applied for and received initial funding under Goals 2000, in my judgment Oklahoma was not in fact participating in Goals 2000 as of October 20, 1995. This conclusion is based on my understanding of the circumstances in Oklahoma as follows: (1) the initial funds had not been released to local school districts as of that date; (2) no state planning panel had been appointed; and (3) there was no process for developing the state's education improvement plan in place as of October 20. Further, these conditions have not changed since October 20, 1995.

I have asked Sandy Garrett to contact me immediately if this conclusion or the information on which it is based is inaccurate. However, if she concurs that Oklahoma was not participating in Goals 2000 as of October 20, 1995, then Oklahoma now faces three clear options with respect to Goals 2000.

- o Actively participate in Goals 2000**, by expending the funds the State has already received, initiating a process for developing a state education improvement plan and appointing a state planning panel. These steps will also enable Oklahoma to apply for the \$4,396,613 of Fiscal Year 1995 Goals 2000 funds that have been available since July 1, 1995. The deadline for applying for these funds is June 30, 1996. In addition, once a statewide education improvement plan has been completed, Oklahoma will be eligible to apply for an additional \$4,180,547, which Congress has already appropriated and which will be available starting on July 1, 1996.
- o Continue nonparticipation in Goals 2000.** No state is required to participate in Goals 2000, and Oklahoma may exercise its option not to participate. The Fiscal Year 1994 funds already awarded to Oklahoma will revert to the U.S. Treasury if they are not obligated by September 30, 1996. If Oklahoma does not apply for the \$4,396,613 of Fiscal Year 1995 funds by June 30, 1996 (or exercise the third option below), these funds will be reallocated to other states that are participating in Goals 2000.
- o Approve of local education agency district participation in Goals 2000, while the state does not participate.** Under this option, local school districts in Oklahoma would apply directly to the U.S. Department of Education for a portion of the Fiscal Year 1995 Goals 2000 allotment now available to the state. If this option is selected, the state education agency would no longer be able to obligate the initial funding it has already received, since the withholding of these funds from local school districts is a factor in determining that Oklahoma is not participating in Goals 2000. Instead, these Fiscal Year 1994 funds would be returned to the U.S. Treasury.

In general, local school districts receiving the funds would be required to use them for the development and/or implementation of a comprehensive education improvement plan that is focused on preparing students to meet state or local academic standards, and is consistent with the state's overall plan for education improvement.

The Fiscal Year 1995 funds available for this program must be awarded to local school districts by September 30, 1996. In order to give local school districts adequate notice and time to prepare applications, and to provide adequate time for review of these proposals, this competition will have to begin immediately. Therefore, if Oklahoma intends to select this option, you will need to provide me, no later than May 17, 1996, with written notification of state education agency approval for local school districts to apply to the U.S. Department of Education for Goals 2000 funds. The notification may be faxed to me at (202) 205-0303. While this is a very short time period for such

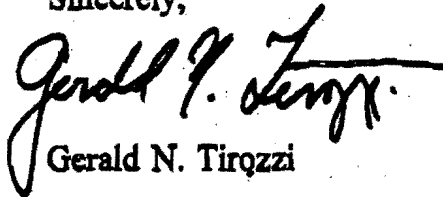
an important decision, the late enactment of the appropriations bill leaves us with no alternative.

It is my hope that, as a result of the recent changes in Goals 2000, students and schools in Oklahoma will be able to benefit from these funds that are available to help improve teaching and learning.

While this last option effectively provides resources to local education agencies to support education improvements aimed at challenging academic standards, I believe that state participation in Goals 2000 provides the most solid foundation for advancing statewide education improvement. This approach, consistent with the initial design of Goals 2000 better enables Goals 2000 resources to be used in concert with a state's approach to education reform and permits the state education agency to establish priorities for the use of these funds. The final choice among the three options, of course, rests with the state education agency. As you make this decision, please consider that Congress has already appropriated \$9,731,068 million for your state under the Goals 2000 Act, to support your state's school reform initiatives.

If you or your staff have any questions regarding this new provision in Goals 2000, please feel free to call Tom Fagan at (202) 401-0039.

Sincerely,



Gerald N. Tiruzzi



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

May 7, 1996

Honorable Sandy Garrett
Superintendent of Public Instruction
State Department of Education
Hodge Education Building
2500 North Lincoln Boulevard
Oklahoma City, Oklahoma 73105-4599

Dear Sandy:

Last week Secretary Riley wrote to inform you of a number of amendments to Goals 2000 that were enacted as part of the Omnibus Appropriations Act of 1996. I am writing now because one of the amendments has particular and immediate implications for Oklahoma.

Local education agencies in states not participating in Goals 2000 as of October 20, 1995 may now apply directly to the U.S. Department of Education for a portion of the state's allotment of Goals 2000 funds, subject to the approval of the state education agency.

Even though Oklahoma applied for and received initial funding under Goals 2000, in my judgment Oklahoma was not in fact participating in Goals 2000 as of October 20, 1995. This conclusion is based on my understanding of the circumstances in Oklahoma as follows: (1) the initial funds had not been released to local school districts as of that date; (2) no state planning panel had been appointed; and (3) there was no process for developing the state's education improvement plan in place as of October 20. Further, these conditions have not changed since October 20, 1995.

If this conclusion or the information on which it is based is inaccurate, please contact me immediately. However, if you concur that Oklahoma was not participating in Goals 2000 as of October 20, 1995, then Oklahoma now faces three clear options with respect to Goals 2000.

- o Actively participate in Goals 2000**, by expending the funds the State has already received, initiating a process for developing a state education improvement plan and appointing a state planning panel. These steps will also enable Oklahoma to apply for the \$4,396,613 of Fiscal Year 1995 Goals 2000 funds that have been available since July 1, 1995. The deadline for applying for these funds is June 30, 1996. In addition, once a statewide education improvement plan has been completed, Oklahoma will be eligible to apply for an additional \$4,180,547, which Congress has already appropriated and which will be available starting on July 1, 1996.
- o Continue nonparticipation in Goals 2000.** No state is required to participate in Goals 2000, and Oklahoma may exercise its option not to participate. The Fiscal Year 1994 funds already awarded to Oklahoma will revert to the U.S. Treasury if they are not obligated by September 30, 1996. If Oklahoma does not apply for the \$4,396,613 of Fiscal Year 1995 funds by June 30, 1996 (or exercise the third option below), these funds will be reallocated to other states that are participating in Goals 2000.
- o Approve of local education agency district participation in Goals 2000, while the state does not participate.** Under this option, local school districts in Oklahoma would apply directly to the U.S. Department of Education for a portion of the Fiscal Year 1995 Goals 2000 allotment now available to the state. If this option is selected, the state education agency would no longer be able to obligate the initial funding it has already received, since the withholding of these funds from local school districts is a factor in determining that Oklahoma is not participating in Goals 2000. Instead, these Fiscal Year 1994 funds would be returned to the U.S. Treasury.

In general, local school districts receiving the funds would be required to use them for the development and/or implementation of a comprehensive education improvement plan that is focused on preparing students to meet state or local academic standards, and is consistent with the state's overall plan for education improvement.

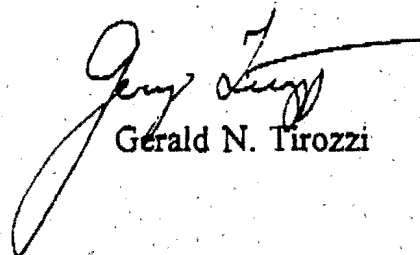
The Fiscal Year 1995 funds available for this program must be awarded to local school districts by September 30, 1996. In order to give local school districts adequate notice and time to prepare applications, and to provide adequate time for review of these proposals, this competition will have to begin immediately. **Therefore, if Oklahoma intends to select this option, you will need to provide me, no later than May 17, 1996, with written notification of state education agency approval for local school districts to apply to the U.S. Department of Education for Goals 2000 funds.** The notification may be faxed to me at (202) 205-0303. While this is a very short time period for such an important decision, the late enactment of the appropriations bill leaves us with no alternative.

It is my hope that, as a result of the recent changes in Goals 2000, students and schools in Oklahoma will be able to benefit from these funds that are available to help improve teaching and learning.

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If you or your staff have any questions regarding this new provision in Goals 2000, please feel free to call Tom Fagan at (202) 401-0039.

Sincerely,



Gerald N. Tirozzi

ERNEST J. ISTOOK, JR.
9TH DISTRICT, OKLAHOMA

COMMITTEE
APPROPRIATIONS
SUBCOMMITTEE
TREASURY, POSTAL SERVICE AND
GENERAL GOVERNMENT
VICE CHAIRMAN,
LABOR, HHS, AND EDUCATION
NATIONAL SECURITY

AT LARGE WYO
REPUBLICAN POLICY COMMITTEE

Congress of the United States
House of Representatives
Washington, DC 20515-3605

May 2, 1996

Sandy Garrett
OK Supt of Public Instruction
2500 N. Lincoln
Oklahoma City, OK 73105

Dear Madam Superintendent:

You have a new opportunity to use Goals 2000 funds on something more important than bureaucracy. The final Fiscal Year 1996 Appropriations bill, signed into law on April 26th, 1996, P.L. 104-134, contains new language to give you far greater flexibility over the use of Goals 2000 funds. Schools in your state may now spend up to 100% of their Goals 2000 funds to purchase computers or other technology, so long as it promotes the school's education improvement goals.

The new language was inserted at my request during the final House-Senate conference on the bill. An attached letter from Bill Goodling (Chairman, House Committee on Economic & Educational Opportunities), John Porter (Chairman, House Appropriations Subcommittee on Labor, Health & Human Services, & Education), Randy "Duke" Cunningham (Chairman, Subcommittee on Early Childhood, Youth & Families), and me elaborates on this new opportunity.

I believe the \$350 million appropriated to Goals 2000 for FY96 can do far more good if used to put more computers in more classrooms, rather than perpetuate the controversial Goals 2000. Furthermore, because Goals 2000 may be terminated soon (the House voted to end all funding), it makes more sense to use the money for the capital expenses of computer technology, rather than for multi-year studies and education bureaucrats. This also makes far more money available right now for computers as the \$250 million which President Clinton has requested to be specially appropriated for Fiscal Year 1997.

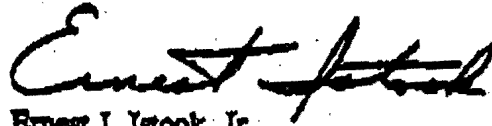
I also attached a summary of the other Goals 2000 revisions which were also part of the bill, as requested by Senator Arlen Specter (R-PA), who chairs the Senate Appropriations Subcommittee on Labor, HHS, and Education. He and I worked together on all of these changes, and I am grateful for that cooperation.

I am sure that many Oklahomans will ask that you publicly answer a very simple question: "Will you apply all of your Goals 2000 money toward something we all agree upon -- putting computers in our classrooms -- or will you instead spend it on the same tired and bureaucratic programs with which the taxpayers are fed up?" I suspect they will think this is a crystal-clear and easy decision to make.

115 CANNON BUILDING
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(405) 943-8888
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FIRST COUNTY PLACE
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BARTLESVILLE, OK 74003
(918) 336-8888
FAX (918) 336-8748
5TH & GRAND
PORTER CITY, OK 74851
(405) 743-8772
FAX (405) 743-7048
ISTOOK@HOU.SEN.gov

If you need further information, please call Dr. Bill Duncan at my office in Washington at (202) 225-2132.

Very truly yours,



Ernest J. Istook, Jr.
Member of Congress

EJI/wad

Attachments: Letter from Chairman Goodling, et. al.
Summary of Goals 2000 Changes

Summary of Goals 2000 Changes to Omnibus Fiscal Year 1996 Appropriations bill

1. Allows a school to spend up to 100% of its Goals 2000 funds to purchase technology, such as computers, when the purchase promotes the school's education improvement goals. (See attached letter from Chairman Goodling for an explanation.)
2. Permits school districts, in States that elect not to participate in the Goals 2000 program, prior to October 1995, (VA, NH, AL, MT) to apply directly to the Secretary of Education for Goals 2000 funding, but only if the State Education Agency approves.
3. Eliminates the requirement that States submit their improvement plans to the Secretary of Education for approval allowing the State instead to self-certify.
4. Deletes the requirement for the composition of State and local panels that develop State and local improvement plans.
5. Eliminates the National Standards and Improvement Council.
6. Removes the requirement that States are compelled to develop Opportunity-to-Learn standards.
7. 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.
8. 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.

Congress of the United States
House of Representatives
Washington, DC 20515

May 2, 1996

The Honorable Richard Riley
Secretary
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Dear Secretary Riley:

On April 25, President Clinton signed into law H.R. 3019 to provide funds for Federal programs for the remainder of FY 1997. This new law contains important changes to the Goals 2000 program.

The Goals 2000 education law (20 U.S.C. 3801 et seq.) has been changed to explicitly allow purchase of computers and computer-related technology to help bring America's classrooms into the information age. The language in PL 104-134 reads:

(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."

The public law now reads:

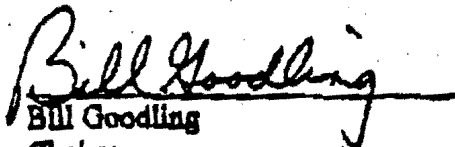
"(i) in subsequent years, [LEAs] shall use sub-grant funds for any activities approved by the State educational agency which are reasonably related to carrying out the State or local improvement plans which may include the establishment of innovative new public schools and the acquisition of technology 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 meet the needs of their particular student population and help all students meet State content standards and State student performance standards."

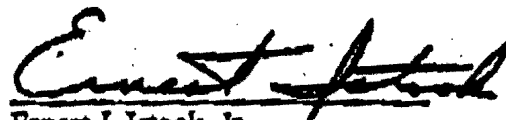
By inserting the "acquisition of technology and use of technology-enhanced curricula and instruction" into the permanent Goals 2000 law, the purchase of computers is

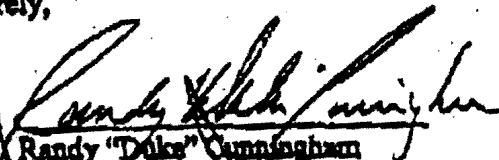
now a clearly permissible use of Goals 2000 funds. If a school wishes to use 100% of its funds for purchasing computers and computer technology, this new law permits that if the technology is related to carrying out the local improvement plan and the State Education Agency approves it. The law makes it explicitly clear that a school can use 15% of its funds for this purpose. In order to use the balance of its funds, (the other 85%) the school improvement plan must include the need for computers. For example, a school, in order to meet the State's math standards, could determine it needs a mathematics self-guided computer course. The school could choose the course, computers, network, and Internet connections for this course and include the equipment as part of its school improvement plan. Once purchased, the school could use the equipment for any other computer courses it wishes to pursue (in addition to the math course) that help students meet the State academic standards. One purpose of these changes is to give local school officials more flexibility in deciding how to use education funds to best meet the needs of their students.

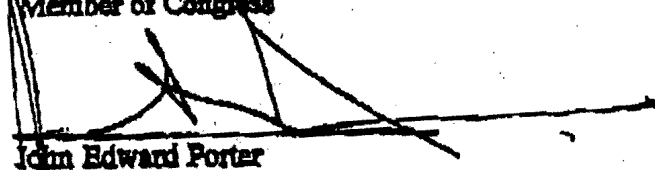
We appreciate your cooperation in ensuring that this amendment will be implemented so that schools can use Goals 2000 funds to purchase technology in order to meet their local improvement plan.

Sincerely,


Bill Goodling
Chairman


Ernest J. Istook, Jr.
Member of Congress


Randy "Duke" Cunningham
Member of Congress


John Edward Porter
Chairman



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

THE ASSISTANT SECRETARY

May 7, 1996

Honorable Elizabeth M. Twomey
Commissioner of Education
State Department of Education
101 Pleasant Street
State Office Park South
Concord, New Hampshire 03301

Dear Betty:

Last week Secretary Riley wrote to inform you of a number of amendments to Goals 2000 that were enacted as part of the Omnibus Appropriations Act of 1996. I am writing now because one of the amendments has particular and immediate implications for New Hampshire.

Local education agencies in states not participating in Goals 2000 as of October 20, 1995 may now apply directly to the U.S. Department of Education for a portion of the state's allotment of Goals 2000 funds, subject to the approval of the state education agency.

Because New Hampshire has never participated in Goals 2000, this provision clearly applies to local school districts in New Hampshire and to the state education agency. New Hampshire now faces three clear options with respect to Goals 2000:

- o **Begin participation in Goals 2000.** As you know, the amendments that Secretary Riley informed you of last week were developed by Senator Specter, in large part in response to concerns he heard about Goals 2000 from educators and state officials in New Hampshire. If those amendments satisfactorily address those concerns, it is still possible for New Hampshire to participate in Goals 2000. New Hampshire is eligible to receive \$1,290,294 of Fiscal Year 1995 Goals 2000 funds that have been available to you since July 1, 1995. The deadline for submitting an application for 1995 funds is June 30, 1996. In addition, Congress has appropriated additional funds for Fiscal Year 1996. Thus, New Hampshire will be eligible for an additional \$1,233,712 on July 1, 1996.

- o **Continue to not participate in Goals 2000.** No state is required to participate in Goals 2000, and New Hampshire may continue to exercise its right not to. As was the case last year, if the state does not apply for Year 2 funds by June 30, 1996 (or exercise the third option below), those funds will be reallocated to the other, participating states.
- o **Approve of local education agency participation in Goals 2000, while the state continues not to participate.** Under this option, local school districts in New Hampshire would apply directly to the U.S. Department of Education for a portion of the Fiscal Year 1995 allotment now available to the state.

In general, local school districts receiving the funds would be required to use them for the development and/or implementation of a comprehensive education improvement plan that is focused on preparing students to meet state or local academic standards, and is consistent with the state's overall plan for education improvement.

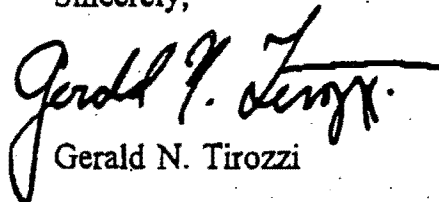
The Fiscal Year 1995 funds available for this program must be awarded to local school districts by September 30, 1996. In order to give local school districts adequate notice and time to prepare applications, and to provide adequate time for review of these proposals, this competition will have to begin immediately. **Therefore, if New Hampshire intends to select this option, you will need to provide me, no later than May 17, 1996, with written notification of state education agency approval for local school districts to apply to the U.S. Department of Education for Goals 2000 funds.** This notification may be faxed to me at (202) 205-0303. While this is a very short time period for such an important decision, the late enactment of the appropriations bill leaves us with no alternative.

It is my hope that, as a result of the recent changes in Goals 2000, students and schools in New Hampshire will be able to benefit from these funds that are available to help improve teaching and learning.

While this last option effectively provides resources to local education agencies to support education improvements aimed to challenging academic standards, I believe that state participation in Goals 2000 provides the most solid foundation for advancing statewide education improvement. This approach, consistent with the initial design of Goals 2000 better enables Goals 2000 resources to be used in concert with a state's approach to education reform, and permits the state education agency to establish priorities for the use of these funds. The final choice among the three options, of course, rests with the state education agency. As you make this decision, please consider that Congress has already appropriated \$2,524,006 million for your state under the Goals 2000 Act, to support your state's school reform initiatives.

If you or your staff have any questions regarding this new provision in Goals 2000, please feel free to call Tom Fagan of my staff at (202) 401-0039.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gerald N. Tirozzi". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Gerald N. Tirozzi

cc: Governor Stephen Merrill
Ovide M. Lamontagne

**UNITED STATES DEPARTMENT OF EDUCATION****OFFICE OF ELEMENTARY AND SECONDARY EDUCATION****THE ASSISTANT SECRETARY**

May 7, 1996

Honorable William C. Boshier, Jr.
Superintendent of Public Instruction
State Department of Education
101 North 14th Street
Richmond, Virginia 23216-2120

Dear Bill:

I was sorry to learn of your decision to resign as Virginia's Superintendent, but wish you the best as you move to your new post.

Last week Secretary Riley wrote to inform you of a number of amendments to Goals 2000 that were enacted as part of the Omnibus Appropriations Act of 1996. I am writing now because one of the amendments has particular and immediate implications for Virginia.

Local education agencies in states not participating in Goals 2000 as of October 20, 1995 may now apply directly to the U.S. Department of Education for a portion of the state's allotment of Goals 2000 funds, subject to the approval of the state education agency.

Because Virginia has never participated in Goals 2000, this provision clearly applies to local education agencies in Virginia and to the state education agency. Virginia now faces three clear options with respect to Goals 2000:

- o **Begin participation in Goals 2000.** As you know, the amendments that Secretary Riley informed you of last week were intended by Congress to respond to concerns with Goals 2000. If those amendments satisfactorily address concerns raised in Virginia, it is still possible for the State to participate in Goals 2000. Virginia is eligible to receive \$6,658,924 of Fiscal Year 1995 Goals 2000 funds that have been available since July 1, 1995. The deadline for submitting an application for 1995 funds is June 30, 1996. In addition, Congress has appropriated additional funds for Fiscal Year 1996. Thus, Virginia will be eligible for an additional \$6,205,836 on July 1, 1996.

- o **Continue to not participate in Goals 2000.** No state is required to participate in Goals 2000, and Virginia may continue to exercise its right not to. As was the case last year, if the State does not apply for funds by June 30, 1996 (or exercise the third option below), those funds will be reallocated to the other, participating states.
- o **Approve of local school district participation in Goals 2000, while the state continues not to participate.** Under this option, local school districts in Virginia would apply directly to the U.S. Department of Education for a portion of the Fiscal Year 1995 Goals 2000 allotment now available to the state.

In general, local school districts receiving the funds would be required to use them for the development and/or implementation of a comprehensive education improvement plan that is focused on preparing students to meet state or local academic standards, and is consistent with the state's overall plan for education improvement.

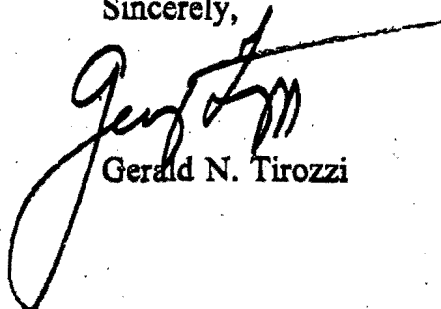
The Fiscal Year 1995 funds available for this program must be awarded to local school districts by September 30, 1996. In order to give local school districts adequate notice and time to prepare applications, and to provide adequate time for review of these proposals, this competition will have to begin immediately. **Therefore, if Virginia intends to select this option, you will need to provide me, no later than May 17, 1996, with written notification of state education agency approval for local school districts to apply to the U.S. Department of Education for Goals 2000 funds.** This notification may be faxed to me at (202) 205-0303. While this is a very short time period for such an important decision, the late enactment of the appropriations bill leaves us with no alternative.

It is my hope that, as a result of the recent changes in Goals 2000, students and schools in Virginia will be able to benefit from these funds that are available to help improve teaching and learning.

While this last option effectively provides resources to local education agencies to support education improvements aimed at challenging academic standards, I believe that state participation in Goals 2000 provides the most solid foundation for advancing statewide education improvement. This approach, consistent with the initial design of Goals 2000 better enables Goals 2000 resources to be used in concert with a state's approach to education reform and permits the state education agency to establish priorities for the use of these funds. The final choice among the three options, of course, rests with the state education agency. As you make this decision, please consider that Congress has already appropriated \$12,864,760 million for your state under the Goals 2000 Act, to support your state's school reform initiatives.

If you or your staff have any questions regarding this new provision in Goals 2000, please feel free to call Tom Fagan at (202) 401-0039.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gerald N. Tirozzi", with a long horizontal line extending from the end of the signature.

Gerald N. Tirozzi

cc: Governor George Allen
Michelle Easton

Dear Chief:

I am writing to inform you of some important, positive, developments regarding the Goals 2000: Educate America Act, which have occurred as a result of the FY 96 appropriations bill that President Clinton signed into law on April 2x, 1996.

Most importantly, as a result of the same bipartisan support and cooperation that has been characteristic of Goals 2000, Congress has continued its financial support for this very important program. In FY 96, Goals 2000 is funded at \$350 million, just slightly less than current funding. These funds will be available to states beginning July 1.

Second, Congress passed a package of amendments to the Goals 2000 Act as part of this appropriations bill. These amendments were authored by Sen. Specter, and I have agreed to them. They were designed by Sen. Specter to respond to concerns raised in states that have not participated in Goals 2000, or where the continued participation is in some question. They make adjustments in the operation of Goals 2000, without in any way altering its fundamental purpose, or the principals on which it is designed. As Senator Specter indicated when he introduced the amendments, "... (I think goals is fine the way it is, but I am happy to make some changes to reassure those who are concerned...) Briefly, these amendments:

- o Eliminate the National Education Standards and Improvement Council
- o Eliminate national, voluntary opportunity-to-learn standards as well as the requirement that state education improvement plans address opportunity-to-learn standards;
- o Maintain the requirement that states and local school districts participating in Goals 2000 establish broad-based planning panels, while eliminating more detailed requirements for their composition or operation;
- o Provide states with an alternative to federal review and approval of state education improvement plans while maintaining accountability;
- o Permits local school districts in states that were not participating as of Oct. 20, 1995 to apply directly to the U.S. Department of Education for the state's share of Goals 2000 funds, subject to the approval of the state education agency;
- o Clarify that Goals 2000 does not require outcomes-based

education, school based health clinics, or other practices.

Attached is a fact sheet that describes these provisions in more detail, as well as the legislative language.

In addition, Sen. Hatfield authored an amendment to the Goals 2000 Act that authorizes an additional six states to participate in the Ed-Flex demonstration program. As you know, this program enables me to delegate the authority to waive statutory and regulatory requirements in selected federal education programs to state education agencies. Six states-- Oregon, Massachusetts, Kansas, Ohio, Texas and Vermont--have already been selected for this program. Now, an addition six can be added. As in the past, states must have an approved Goals 2000 plan in order to be eligible to participate.

In the near future, the Office of Elementary and Secondary Education will be providing more specific guidance on how these new provisions will be administered. Until then, if you have any questions regarding the implications of these adjustments to the Goals 2000 program, please feel free to call Mike Cohen, my Senior Advisor on Education Reform at (202) 401-3070.

Sincerely

RWR

Draft

AMENDMENTS TO GOALS 2000: EDUCATE AMERICA ACT
1996 Omnibus Appropriations Act

o **Authorization of Six Additional ED-Flex States**

The Secretary of Education is authorized to select an additional six states to participate in the ED-Flex Demonstration Program. This program allows the Secretary to delegate to state education agencies the authority to waive statutory and regulatory requirements in most federal education programs. State agencies can then waive federal requirements for local school districts if these requirements interfere with state or local approaches to improving student achievement.

States must have an approved Goals 2000 education improvement plan in order to be eligible to apply for Ed-Flex.

Kansas, Massachusetts, Ohio, Oregon, Texas and Vermont are currently participating in Ed-Flex.

o **Repeal of the National Education Standards and Improvement Council**

The provisions in Goals 2000 that establish the National Education Standards and Improvement Council (NESIC) are repealed. The Council would have been responsible for reviewing and approving voluntary national standards. No state would be required to use standards certified by NESIC, and no federal funding could be tied to the use of standards recognized by NESIC.

At the request of Secretary Riley and the members of the National Education Goals Panel, President Clinton agreed last year not to appoint members to NESIC, pending Congressional action to repeal the authority to establish NESIC.

o **Elimination of Opportunity-to-Learn Standards**

The authority to establish voluntary model national opportunity-to-learn standards, and the requirement that states describe the "standards or strategies" to provide all students an opportunity-to-learn the content in state academic standards, have been repealed.

o Specific Panel Composition Requirements Eliminated

The specific requirements governing the composition of the Goals 2000 state planning panels and local planning panels have been eliminated. The Act now provides simply that state plans must be developed by a broad-based state panel in cooperation with the state education agency and the governor.

o Establishment of Alternative to Federal Approval of State Education Improvement Plan Based on Increased Accountability to the Public In Each State

States are required to complete the development of an education improvement plan, based on challenging academic standards, in order to be eligible for continued funding after two years of participation in Goals 2000. As initially enacted, this plan was reviewed by a nonfederal review panel of educators, business leaders and others involved in education reform, and was approved by the Secretary of Education based on a recommendation of this panel.

States may continue to rely on this procedure. As an alternative to submitting its education improvement plan to the Secretary, a state may instead:

(1) submit an assurance from the Governor and the chief state school officer that it has a completed plan that meets the requirements of the Goals 2000 Act;

(2) make its education improvement plan, and the indicators it will use to judge progress in implementing the plan, widely available to the public within the state;

(3) report annually to the public on progress the state is making in meeting its indicators of progress.

Twenty states have already completed state education reform plans and submitted them to the U.S. Department of Education for review. Each of these states has received approval of its plan, and none has been required to change its plan in

order to gain approval. States have benefitted from feedback and the interaction with an external review panel comprised of experts who become familiar with the state plan.

o Direct Grants to Local Education Agencies in Nonparticipating States

Local education agencies in any state that was not participating in Goals 2000 as of October 20, 1995 may, with the approval of the state education agency, apply directly to the U.S. Department of Education for a portion of their state's Goals 2000 allotment.

States covered by this provision will be notified in the next several days of the procedures that will be used to administer the local grants program. There will be only a brief period for state education agencies to determine whether to approve of local participation on Goals 2000, because of the need to complete a grants competition by September 30, the end of the fiscal year.

o Clarification that Goals 2000 does not mandate outcomes-based education, school-based health clinics, or social services

The amendments expressly state that Goals 2000 may not be construed to require a state, local education agency, or a school, as a condition of receiving Goals 2000 assistance, to provide --

- (1) outcomes-based education
- (2) school-based health clinics or social services.

o Clarification that Goals 2000 funds may be used for technology

The amendments clarify that Goals 2000 funds may be used for the acquisition of technology and the use of technology-enhanced curricula and instruction.

May 1, 1996

AMENDMENTS TO GOALS 2000: EDUCATE AMERICA ACT
1996 Omnibus Appropriations Act

o **Authorization of Six Additional ED-Flex States**

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States may continue to rely on this procedure. As an alternative to submitting its education improvement plan to the Secretary, a state may instead:

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May 1, 1996