

106TH CONGRESS
2ND SESSION

S. _____

IN THE SENATE OF THE UNITED STATES

Mr. LIEBERMAN (for himself, Mr. BAYH, Ms. LANDRIEU, Mrs. LINCOLN, Mr. KOHL, introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Elementary and Secondary Education Act of 1965, to reauthorize and make improvements to that Act, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Public Education Rein-
5 vestment, Reinvention, and Responsibility Act (Three
6 R's)".

7 **SEC. 2. REFERENCES.**

8 Except as otherwise expressly provided, whenever in
9 this Act an amendment or repeal is expressed in terms

1 of an amendment to, or repeal of, a section or other provi-
2 sion, the reference shall be considered to be made to a
3 section or other provision of the Elementary and Sec-
4 ondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

5 **SEC. 3. DECLARATION OF PRIORITIES.**

6 Congress declares that our national educational prior-
7 ities are to—

8 (1) introduce real accountability by making
9 public elementary school and secondary school edu-
10 cation funding performance-based rather than a
11 guaranteed source of revenue for States and local
12 educational agencies;

13 (2) require State educational agencies and local
14 educational agencies to establish high student per-
15 formance objectives, and to provide the State edu-
16 cational agencies and local educational agencies with
17 flexibility in using Federal resources to ensure that
18 the performance objectives are met;

19 (3) concentrate Federal funding around a small
20 number of central education goals, including com-
21 pensatory education for disadvantaged children and
22 youth, teacher quality and professional development,
23 programs for limited English proficient students,
24 public school choice programs, ~~and~~ innovative edu-
25 cational programs; *student safety and educational technology*

1 (4) concentrate Federal education funding on
2 impoverished areas where elementary schools and
3 secondary schools are most likely to be in distress;

4 (5) sanction State educational agencies and
5 local educational agencies that consistently fail to
6 meet established benchmarks; and

7 (6) reward State educational agencies, local
8 educational agencies, and elementary schools and
9 secondary schools that demonstrate high perform-
10 ance.

11 **TITLE I—STUDENT** 12 **PERFORMANCE**

13 **SEC. 101. HEADING.**

14 The heading for title I (20 U.S.C. 6301 et seq.) is
15 amended to read as follows:

16 **“TITLE I—STUDENT** 17 **PERFORMANCE”.**

18 **SEC. 102. FINDINGS, POLICY, AND PURPOSE.**

19 Section 1001 (20 U.S.C. 6301) is amended to read
20 as follows:

21 **“SEC. 1001. FINDINGS, POLICY AND PURPOSE.**

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

1 “(1) Despite more than 3 decades of Federal
2 assistance, a sizable achievement gap remains be-
3 tween low-income and middle-class students.

4 “(2) The 1994 reauthorization of the Elemen-
5 tary and Secondary Education Act of 1965 was an
6 important step in focusing our Nation's priorities on
7 closing the achievement gap between poor and afflu-
8 ent students in the United States. The Federal Gov-
9 ernment must continue to build on these improve-
10 ments made in 1994 by holding States and local
11 educational agencies accountable for student achieve-
12 ment.

13 “(3) States can help close this achievement gap
14 by developing challenging curriculum content and
15 student performance standards so that all elemen-
16 tary school and secondary school students perform
17 at an advanced level. States should implement vig-
18 orous and comprehensive student performance as-
19 sessments, such as the National Assessment of Edu-
20 cational Progress (NAEP) so as to measure fully the
21 progress of our Nation's students.

22 “(4) In order to ensure that no child is left be-
23 hind in the new economy, the Federal Government
24 must better target Federal resources on those chil-

1 dren who are most at-risk for falling behind aca-
2 demically.

3 “(5)(A) Title I funds have been targeted on
4 high-poverty areas, but not to the degree they should
5 be as demonstrated by the following:

6 “(B) Although 95 percent of schools with pov-
7 erty levels of 75 percent to 100 percent receive title
8 I funding, 20 percent of schools with poverty levels
9 of 50 to 74 percent do not receive any title I fund-
10 ing.

11 “(C) Only 64 percent of schools with poverty
12 levels in the 35 percent to 49 percent range receive
13 title I funding.

14 “(6) Title I funding should be significantly in-
15 creased and more effectively targeted to ensure that
16 all low-income students have an opportunity to excel
17 academically.

18 “(7) The Federal Government should provide
19 greater decisionmaking authority and flexibility to
20 schools and teachers in exchange for greater respon-
21 sibility for student performance. Federal, State, and
22 local efforts should be focused on raising the aca-
23 demic achievement of all students. Our Nation’s
24 children deserve nothing less than holding account-

1 able those responsible for shaping our childrens' fu-
2 ture and our country's future.

3 “(b) POLICY.—Congress declares that it is the policy
4 of the United States to ensure that all students receive
5 a high-quality education by holding States, local edu-
6 cational agencies, and elementary schools and secondary
7 schools accountable for increased student academic per-
8 formance results, and by facilitating improved classroom
9 instruction.

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

12 “(1) To eliminate the existing 2-tiered edu-
13 cational system, which set lower academic expecta-
14 tions for impoverished students than for affluent
15 students.

16 “(2) To require all States to have challenging
17 content and student performance standards and as-
18 sessment measures in place.

19 “(3) To require all States to ensure adequate
20 yearly progress for all students by establishing an-
21 nual, numerical performance objectives.

22 “(4) To ensure that all title I students receive
23 educational instruction from a fully qualified teach-
24 er.

1 “(5) To support State and local educational
2 agencies in identifying, assisting, and correcting low-
3 performing schools.

4 “(6) To increase Federal funding for part A
5 programs for disadvantaged students in return for
6 increased academic performance of all students.

7 “(7) To target Federal funding to local edu-
8 cational agencies serving the highest percentages of
9 low-income students.”.

10 **SEC. 103. AUTHORIZATION OF APPROPRIATIONS.**

11 Section 1002 (20 U.S.C. 6302) is amended to read
12 as follows:

13 **“SEC. 1002. AUTHORIZATION OF APPROPRIATIONS.**

14 “(a) LOCAL EDUCATIONAL AGENCY GRANTS.—For
15 the purpose of carrying out part A, other than section
16 1120(e), there are authorized to be appropriated
17 \$12,000,000,000 for fiscal year 2001 and such sums as
18 may be necessary for each of the 4 succeeding fiscal years.

19 “(b) EVEN START.—For the purpose of carrying out
20 part B, there are authorized to be appropriated such sums
21 as may be necessary for fiscal year 2001 and each of the
22 4 succeeding fiscal years.

23 “(c) EDUCATION OF MIGRATORY CHILDREN.—For
24 the purpose of carrying out part C, there are authorized

1 to be appropriated such sums as may be necessary for fis-
2 cal year 2001 and each of the 4 succeeding fiscal years.

3 “(d) PREVENTION AND INTERVENTION PROGRAMS
4 FOR YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT
5 RISK OF DROPPING OUT.—For the purpose of carrying
6 out part D, there are authorized to be appropriated such
7 sums as may be necessary for fiscal year 2001 and each
8 of the 4 succeeding fiscal years.

9 “(e) CAPITAL EXPENSES.—For the purpose of car-
10 rying out section 1120(e), there are authorized to be ap-
11 propriated \$15,000,000 for fiscal year 2000, \$15,000,000
12 for fiscal year 2001, and \$5,000,000 for fiscal year 2002.

13 “(f) FEDERAL ACTIVITIES.—For the purpose of car-
14 rying out sections 1501 and 1502, there are authorized
15 to be appropriated such sums as may be necessary for fis-
16 cal year 2001 and each of the 4 succeeding fiscal years.”.

17 **SEC. 104. RESERVATION FOR SCHOOL IMPROVEMENT.**

18 Section 1003 (20 U.S.C. 6303) is amended to read
19 as follows:

20 **“SEC. 1003. RESERVATION FOR SCHOOL IMPROVEMENT.**

21 **“(a) STATE RESERVATIONS.—**

22 **“(1) IN GENERAL.—**Each State educational
23 agency shall reserve 2.5 percent of the amount the
24 State educational agency receives under part A for
25 fiscal years 2001 and 2002, and 3.5 percent of that

1 amount for fiscal years 2003 through 2005, to carry
2 out paragraph (2) and to carry out the State edu-
3 cational agency's responsibilities under sections 1116
4 and 1117, including the State educational agency's
5 statewide system of technical assistance and support
6 for local educational agencies.

7 “(2) USES.—Of the amount reserved under
8 paragraph (1) for any fiscal year, the State edu-
9 cational agency shall make available at least 80 per-
10 cent of such amount directly to local educational
11 agencies.

12 **PART A—IMPROVING BASIC PROGRAMS**

13 **OPERATED BY LOCAL EDUCATIONAL AGENCIES**

14 **SEC. 105. STATE PLANS.**

15 Section 1111 (20 U.S.C. 6311) is amended to read
16 as follows:

17 **“SEC. 1111. STATE PLANS.**

18 **“(a) PLANS REQUIRED.—**

19 **“(1) IN GENERAL.—**Any State educational
20 agency desiring a grant under this part shall submit
21 to the Secretary a plan, developed in consultation
22 with local educational agencies, teachers, pupil serv-
23 ices personnel, administrators (including administra-
24 tors of programs described in other parts of this
25 title), local school boards, other staff, and parents,

1 that satisfies the requirements of this section and
2 that is coordinated with other programs under this
3 Act, the Individuals with Disabilities Education Act,
4 the Carl D. Perkins Vocational and Technical Edu-
5 cation Act of 1998, and the Head Start Act.

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

9 “(b) STANDARDS, ASSESSMENTS, AND ACCOUNT-
10 ABILITY.—

11 “(1) CHALLENGING STANDARDS.—

12 “(A) IN GENERAL.—Each State plan shall
13 demonstrate that the State has adopted chal-
14 lenging content standards and challenging stu-
15 dent performance standards that will be used
16 by the State, and the local educational agencies,
17 and elementary schools and secondary schools,
18 within the State to carry out this part.

19 “(B) UNIFORMITY.—The standards re-
20 quired by subparagraph (A) shall be the same
21 standards that the State applies to all elemen-
22 tary schools and secondary schools within the
23 State and all children attending such schools.

24 “(C) SUBJECTS.—The State shall have
25 such standards for elementary school and sec-

1 ondary school children served under this part in
2 subjects determined by the State, but including
3 at least mathematics, science, and English lan-
4 guage arts, and which shall include the same
5 knowledge, skills, and levels of performance ex-
6 pected of all children.

7 “(D) STANDARDS.—Standards under this
8 paragraph shall include—

9 “(i) challenging content standards in
10 academic subjects that—

11 “(I) specify what children are ex-
12 pected to know and be able to do;

13 “(II) contain coherent and rig-
14 orous content; and

15 “(III) encourage the teaching of
16 advanced skills; and

17 “(ii) challenging student performance
18 standards that—

19 “(I) are aligned with the State’s
20 content standards;

21 “(II) describe 2 levels of high
22 performance, proficient and advanced
23 levels of performance, that determine
24 how well children are mastering the

1 material in the State content stand-
2 ards; and

3 “(III) describe a third level of
4 performance, a basic level of perform-
5 ance, to provide complete information
6 about the progress of the lower per-
7 forming children toward achieving to
8 the proficient and advanced levels of
9 performance.

10 “(E) ADDITIONAL SUBJECTS.—For the
11 subjects in which students will be served under
12 this part, but for which a State is not required
13 under subparagraphs (A), (B), and (C) to de-
14 velop, and has not otherwise developed, chal-
15 lenging content and student performance stand-
16 ards, the State plan shall describe a strategy
17 for ensuring that such students are taught the
18 same knowledge and skills and held to the same
19 expectations as are all children.

20 “(F) SPECIAL RULE.—In the case of a
21 State that allows local educational agencies to
22 adopt more rigorous standards than those set
23 by the State, local educational agencies shall be
24 allowed to implement such standards.

25 “(2) ADEQUATE YEARLY PROGRESS.—

1 “(A) IN GENERAL.—Each State plan shall
2 demonstrate, based on assessments described
3 under paragraph (4), what constitutes adequate
4 yearly progress of—

5 “(i) any school served under this part
6 toward enabling all children to meet the
7 State’s challenging student performance
8 standards;

9 “(ii) any local educational agency that
10 receives funds under this part toward ena-
11 bling all children in schools served by the
12 local educational agency and receiving as-
13 sistance under this part to meet the
14 State’s challenging student performance
15 standards; and

16 “(iii) the State in enabling all children
17 in schools receiving assistance under this
18 part to meet the State’s challenging stu-
19 dent performance standards.

20 “(B) DEFINITION.—Adequate yearly
21 progress shall be defined by the State in a man-
22 ner that—

23 “(i) applies the same high standards
24 of academic performance to all students in
25 the State;

1 “(ii) takes into account the progress
2 of all students in the State and in each
3 local educational agency and school served
4 under section 1114 or 1115;

5 “(iii) uses the State challenging con-
6 tent and challenging student performance
7 standards and assessments described in
8 paragraphs (1) and (4);

9 “(iv) compares separately, within each
10 State, local educational agency, and school,
11 the performance and progress of students,
12 by each major ethnic and racial group, ^{gender} by
13 English proficiency status, and by eco-
14 nomically disadvantaged students as com-
15 pared to students who are not economically
16 disadvantaged (except that such
17 disaggregation shall not be required in a
18 case in which the number of students in a
19 category is insufficient to yield statistically
20 reliable information or the results would
21 reveal individually identifiable information
22 about an individual student);

23 “(v) compares the proportions of stu-
24 dents at the ~~below basic~~ basic, proficient,
25 and advanced levels of performance with

1 the proportions of students at each of the
2 4 performance levels in the same grade in
3 the previous school year;

4 “(vi) endeavors to include other aca-
5 demic measures such as promotion, attend-
6 ance, drop-out rates, completion of college
7 preparatory courses, college admission
8 tests taken, and secondary school comple-
9 tion, except that failure to meet another
10 academic measure, other than student per-
11 formance on State assessments aligned
12 with State standards, shall not provide the
13 sole basis for designating a district or
14 school as in need of improvement;

15 “(vii) includes annual numerical ob-
16 jectives for improving the performance of
17 all groups described in clause (iv) and nar-
18 rowing gaps in performance between these
19 groups in, at least, the areas of mathe-
20 matics and English language arts; and

21 “(viii) includes a timeline for ensuring
22 that each group of students described in
23 clause (iv) meets or exceeds the State’s
24 proficient level of performance on each
25 State assessment used for the purposes of

1 this section and section 1116 not later
2 than 10 years after the date of enactment
3 of the Public Education Reinvestment, Re-
4 invention, and Responsibility Act.

5 “(C) ACCOUNTABILITY.—Each State plan
6 shall demonstrate that the State has developed
7 and is implementing a statewide accountability
8 system that has been or will be effective in en-
9 suring that all local educational agencies, ele-
10 mentary schools, and secondary schools are
11 making adequate yearly progress as defined in
12 section 1111(b)(2)(B). Each State account-
13 ability system shall—

14 “(i) be based on the standards and as-
15 sessments adopted under paragraphs (1)
16 and (4) and take into account the perform-
17 ance of all students required by law to be
18 included in such assessments;

19 “(ii) be the same accountability sys-
20 tem the State uses for all schools or all
21 local educational agencies, if the State has
22 an accountability system for all schools or
23 all local educational agencies;

24 “(iii) provide for the identification of
25 schools or local educational agencies receiv-

1 ing funds under this part that for 2 con-
2 secutive years have exceeded such schools'
3 or agencies' adequate yearly progress goals
4 so that information about the practices
5 and strategies of such schools or agencies
6 can be disseminated to other schools in the
7 local educational agency and in the State
8 and such schools can be considered for re-
9 wards provided under title VII of this Act;

10 “(iv) provide for the identification of
11 schools and local educational agencies in
12 need of improvement, as required by sec-
13 tion 1116, and for the provision of tech-
14 nical assistance, professional development,
15 and other capacity-building as needed, in-
16 cluding those measures specified in sec-
17 tions 1116(d)(9) and 1117, to ensure that
18 schools and local educational agencies so
19 identified have the resources, skills, and
20 knowledge needed to carry out their obliga-
21 tions under sections 1114 and 1115 and to
22 meet the requirements for annual improve-
23 ment described in paragraph (2); and

24 “(v) provide for the identification of
25 schools and local educational agencies for

1 corrective action or actions as required by
2 section 1116, and for the implementation
3 of corrective actions against school and
4 school districts when such actions are re-
5 quired under such section.

6 “(D) ANNUAL IMPROVEMENT FOR
7 STATES.—For a State to make adequate yearly
8 progress under subparagraph (A)(iii), not less
9 than 90 percent of the local educational agen-
10 cies within the State shall meet the State’s cri-
11 teria for adequate yearly progress.

12 “(E) ANNUAL IMPROVEMENT FOR LOCAL
13 EDUCATIONAL AGENCIES.—For a local edu-
14 cational agency to make adequate yearly
15 progress under subparagraph (A)(ii), ^{not less than 90 percent} all of the
16 schools served by the local educational agency
17 shall meet the State’s criteria for adequate
18 yearly progress.

19 “(F) ANNUAL IMPROVEMENT FOR
20 SCHOOLS.—For an elementary school or a sec-
21 ondary school to make adequate yearly progress
22 under subparagraph (A)(i), not less than 90
23 percent of each group of students described in
24 subparagraph (B)(iv) who are enrolled in such
25 school shall take the assessments described in

1 paragraph (4)(D) and in section 612(a)(17)(A)
2 of the Individuals with Disabilities Education
3 Act.

4 “(G) PUBLIC NOTICE AND COMMENT.—

5 “(i) IN GENERAL.—Each State shall
6 submit information in the State plan dem-
7 onstrating that in developing such plan—

8 “(I) the State diligently sought
9 public comment from a range of insti-
10 tutions and individuals in the State
11 with an interest in improved student
12 achievement; and

13 “(II) the State made and will
14 continue to make a substantial effort
15 to ensure that information regarding
16 content standards, performance stand-
17 ards, assessments, and the State ac-
18 countability system is widely known
19 and understood by the public, parents,
20 teachers, and school administrators
21 throughout the State.

22 “(ii) EFFORTS.—The efforts described
23 in clause (i), at a minimum, shall include
24 annual publication of such information and
25 explanatory text to the public through such

1 means as the Internet, the media, and pub-
2 lic agencies. Non-English language shall be
3 used to communicate with parents where
4 appropriate.

5 “(H) REVIEW.—The Secretary shall review
6 information from each State on the adequate
7 yearly progress of schools and local educational
8 agencies within the State required under sub-
9 paragraphs (A) and (B) for the purpose of de-
10 termining State and local compliance with sec-
11 tion 1116.

12 “(3) STATE AUTHORITY.—If a State edu-
13 cational agency provides evidence that is satisfactory
14 to the Secretary that neither the State educational
15 agency nor any other State government official,
16 agency, or entity has sufficient authority under
17 State law to adopt curriculum content and student
18 performance standards, and assessments aligned
19 with such standards, that will be applicable to all
20 students enrolled in the State’s public schools, then
21 the State educational agency may meet the require-
22 ments of this subsection by—

23 “(A) adopting curriculum content and stu-
24 dent performance standards and assessments
25 that meet the requirements of this subsection,

1 on a statewide basis, and limiting the applica-
2 bility of such standards and assessments to stu-
3 dents served under this part; or

4 “(B) adopting and implementing policies
5 that ensure that each local educational agency
6 within a State receiving a grant under this part
7 will adopt curriculum content and student per-
8 formance standards and assessments—

9 “(i) that are aligned with the stand-
10 ards described in subparagraph (A); and

11 “(ii) that meet the criteria in this sub-
12 section and any regulations regarding such
13 standards and assessments that the Sec-
14 retary may publish and that are applicable
15 to all students served by each such local
16 educational agency.

17 “(4) ASSESSMENTS.—Each State plan shall
18 demonstrate that the State has implemented a set of
19 high quality, yearly student assessments that in-
20 clude, at a minimum, assessments in mathematics,
21 science, and English language arts, that will be
22 used, starting not later than the 2000–2001 school
23 year as the primary means of determining the yearly
24 performance of each local educational agency and
25 school served by the State under this title in ena-

1 bling all children to meet the State's challenging
2 content and student performance standards. Such
3 assessments shall—

4 “(A) be the same assessments used to
5 measure the performance of all children, if the
6 State measures the performance of all children;

7 “(B) be aligned with the State's chal-
8 lenging content and student performance stand-
9 ards, and provide coherent information about
10 student attainment of such standards;

11 “(C) be used only for purposes for which
12 such assessments are valid and reliable, and be
13 consistent with relevant, nationally recognized
14 professional and technical standards for such
15 assessments;

16 “(D) measure the performance of students
17 against the challenging State content and stu-
18 dent performance standards, and be adminis-
19 tered not less than once during—

20 “(i) grades 3 through 5;

21 “(ii) grades 6 through 9; and

22 “(iii) grades 10 through 12;

23 “(E) include multiple, up-to-date measures
24 of student performance, including measures

1 that assess higher order thinking skills and un-
2 derstanding;

3 “(F) provide for—

4 “(i) the participation in such assess-
5 ments of all students;

6 “(ii) the reasonable adaptations and
7 accommodations for students with disabil-
8 ities as defined in 602(3) of the Individ-
9 uals with Disabilities Education Act nec-
10 essary to measure the achievement of such
11 students relative to State content and stu-
12 dent performance standards;

13 “(iii) in the case of a student with
14 limited English proficiency, the assessment
15 of such student in the student’s native lan-
16 guage if such a native language assessment
17 is more likely than an English language
18 assessment to yield accurate and reliable
19 information on what that student knows
20 and is able to do; and

21 “(iv) notwithstanding clause (iii), the
22 assessment (using tests written in English)
23 of English language arts of any student
24 who has attended school in the United
25 States (not including the Commonwealth of

1 Puerto Rico) for 3 or more consecutive
2 school years, except if the local educational
3 agency determines, on a case-by-case indi-
4 vidual basis, that assessments in another
5 language and form would likely yield more
6 accurate and reliable information on what
7 such students know and can do, the local
8 educational agency may assess such stu-
9 dents in the appropriate language other
10 than English for 1 additional consecutive
11 year beyond the third consecutive year;
12 and

13 “(G) include students who have attended
14 schools in a local educational agency for a full
15 academic year but have not attended a single
16 school for a full academic year, except that the
17 performance of students who have attended
18 more than 1 school in the local educational
19 agency in any academic year shall be used only
20 in determining the progress of the local edu-
21 cational agency;

22 “(H) provide individual student reports to
23 be submitted to parents, including assessment
24 scores or other information on the attainment
25 of student performance standards; and

1 “(I) enable results to be disaggregated
2 within each State, local educational agency, and
3 school by gender, by each major racial and eth-
4 nic group, by English proficiency status, by mi-
5 grant status, by students with disabilities as
6 compared to nondisabled students, and by eco-
7 nomically disadvantaged students as compared
8 to students who are not economically disadvan-
9 taged.

10 “(5) RIGOROUS CRITERIA.—States are encour-
11 aged to use rigorous criteria assessment measures.

12 “(6) FIRST GRADE LITERACY ASSESSMENT.—In
13 addition to those assessments described in para-
14 graph (4), each State receiving funds under this
15 part shall describe in its State plan what reasonable
16 steps it is taking to assist and encourage local edu-
17 cational agencies—

18 “(A) to measure literacy skills of first
19 graders in schools receiving funds under this
20 part by providing assessments of first graders
21 that are—

22 “(i) developmentally appropriate;

23 “(ii) aligned with State content and
24 student performance standards; and

25 “(iii) scientifically research-based; and

1 “(B) to assist and encourage local edu-
2 cational agencies receiving funds under this
3 part in identifying and taking developmentally
4 appropriate and effective interventions in any
5 school served under this part in which a sub-
6 stantial number of first graders have not dem-
7 onstrated grade-level literacy proficiency by the
8 end of the school year.

9 “(7) LANGUAGE ASSESSMENTS.—Each State
10 plan shall identify the languages other than English
11 and Spanish that are present in the participating
12 student populations in the State, and indicate the
13 languages for which yearly student assessments are
14 not available and are needed. The State may request
15 assistance from the Secretary if linguistically acces-
16 sible assessment measures are needed. Upon request,
17 the Secretary shall assist with the identification of
18 appropriate assessment measures in the needed lan-
19 guages, but shall not mandate a specific assessment
20 or mode of instruction.

21 “(8) ASSESSMENT DEVELOPMENT.—A State
22 shall develop and implement the State assessments,
23 including, at a minimum, mathematics and English
24 language arts, by the 2000–2001 school year.

1 “(9) REQUIREMENT.—Each State plan shall
2 describe—

3 “(A) how the State educational agency will
4 assist each local educational agency and school
5 affected by the State plan to develop the capac-
6 ity to comply with each of the requirements of
7 sections 1114(b), 1115(c), and 1116 that are
8 applicable to such agency or school;

9 “(B) how the State educational agency
10 will—

11 “(i) hold each local educational agency
12 affected by the State plan accountable for
13 improved student performance, including a
14 procedure for—

15 “(I) identifying local educational
16 agencies and schools in need of im-
17 provement; and

18 “(II) assisting local educational
19 agencies and schools identified under
20 subclause (I) to address achievement
21 problems, including ^{thorough} ~~through~~ descrip-
22 tions of the amounts and types of pro-
23 fessional development to be provided
24 instructional staff, the amount of any
25 financial assistance to be provided by

1 the State under section 1003, and the
2 amount of any funds to be provided
3 by other sources and the activities to
4 be provided by those sources; and

5 “(ii) implementing corrective action if
6 assistance is not effective;

7 “(C) how the State educational agency is
8 providing low-performing students additional
9 academic instruction, such as before- and after-
10 school programs and summer academic pro-
11 grams;

12 “(D) such other factors the State considers
13 appropriate to provide students an opportunity
14 to achieve the knowledge and skills described in
15 the State’s challenging content standards;

16 “(E) the specific steps the State edu-
17 cational agency will take or the specific strate-
18 gies the State educational agency will use to en-
19 sure that—

20 “(i) all teachers in both schoolwide
21 programs and targeted assistance pro-
22 grams are fully qualified not later than
23 December 31, 2005; and

24 “(ii) low-income students and minor-
25 ity students are not taught at higher rates

1 than other students by inexperienced,
2 uncertified, or out-of-field teachers; and

3 “(F) the measures the State educational
4 agency will use to evaluate and publicly report
5 the State’s progress in improving the quality of
6 instruction in the schools served by the State
7 educational agency and local educational agen-
8 cies receiving funding under this Act.

9 “(c) OTHER PROVISIONS TO SUPPORT TEACHING
10 AND LEARNING.—Each State plan shall contain assur-
11 ances that—

12 “(1) the State educational agency will work
13 with other agencies, including educational service
14 agencies or other local consortia and institutions to
15 provide technical assistance to local educational
16 agencies and elementary schools and secondary
17 schools to carry out the State educational agency’s
18 responsibilities under this part, including technical
19 assistance in providing professional development
20 under section 1119(A) and technical assistance
21 under section 1117; and

22 “(2)(A) where educational service agencies
23 exist, the State educational agency will consider pro-
24 viding professional development and technical assist-
25 ance through such agencies; and

1 “(B) where educational service agencies do not
2 exist, the State educational agency will consider pro-
3 viding professional development and technical assist-
4 ance through other cooperative agreements, such as
5 through a consortium of local educational agencies;

6 “(3) the State educational agency will use the
7 disaggregated results of the student assessments re-
8 quired under subsection (b)(4), and other measures
9 or indicators available to the State, to review annu-
10 ally the progress of each local educational agency
11 and school served under this part to determine
12 whether each such agency and school is making the
13 annual progress necessary to ensure that all stu-
14 dents will meet the proficient level of performance
15 on the assessments described in subsection (b)(4)
16 within 10 years of the date of enactment of the Pub-
17 lic Education Reinvestment, Reinvention, and Re-
18 sponsibility Act;

19 “(4) the State educational agency will provide
20 the least restrictive and burdensome regulations for
21 local educational agencies and individual elementary
22 schools and secondary schools participating in a pro-
23 gram assisted under this part;

24 “(5) the State educational agency will regularly
25 inform the Secretary and the public in the State of

1 how Federal laws, if any, hinder the ability of States
2 to hold local educational agencies and schools ac-
3 countable for student academic performance;

4 “(6) the State educational agency will encour-
5 age elementary schools and secondary schools to
6 consolidate funds from other Federal, State, and
7 local sources for schoolwide reform in schoolwide
8 programs under section 1114;

9 “(7) the State educational agency will modify or
10 eliminate State fiscal and accounting barriers so
11 that elementary schools and secondary schools can
12 easily consolidate funds from other Federal, State,
13 and local sources for schoolwide programs under sec-
14 tion 1114;

15 “(8) the State educational agency has involved
16 the committee of practitioners established under sec-
17 tion 1703(b) (as redesignated by section 161(2)) in
18 developing and monitoring the implementation of the
19 State plan; and

20 “(9) the State educational agency will inform
21 local educational agencies of the local educational
22 agency’s authority to obtain waivers under title VIII
23 and, if the State is an Ed-Flex Partnership State,
24 waivers under the Education Flexibility Partnership
25 Act of 1999.

1 “(d) PEER REVIEW AND SECRETARIAL APPROVAL.—

2 The Secretary shall—

3 “(1) establish a peer review process to assist in
4 the review of State plans;

5 “(2) only approve a State plan meeting each of
6 the requirements of this section;

7 “(3) if the Secretary determines that the State
8 plan does not meet each of the requirements of sub-
9 section (a), (b), or (c), immediately notify the State
10 of such determination and the reasons for such de-
11 termination;

12 “(4) not disapprove a State plan before—

13 “(A) notifying the State educational agen-
14 cy in writing of the specific deficiencies of the
15 State plan;

16 “(B) offering the State an opportunity to
17 revise the State plan;

18 “(C) providing technical assistance in
19 order to assist the State to meet the require-
20 ments under subsections (a), (b), and (c); and

21 “(D) providing a hearing;

22 “(5) have the authority to disapprove a State
23 plan for not meeting the requirements of this sec-
24 tion, but shall not have the authority to require a
25 State, as a condition of approval of the State plan,

1 to include in, or delete from, such plan 1 or more
2 specific elements of the challenging State content
3 standards or to use specific assessment instruments
4 or items; and

5 “(6) require a State to submit a revised State
6 plan that meets the requirements of this section to
7 the Secretary for approval not later than 1 year
8 after the date of enactment of the Public Education
9 Reinvestment, Reinvention, and Responsibility Act.

10 “(e) DURATION OF THE PLAN.—

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

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

14 “(B) be periodically reviewed and revised
15 by the State, as necessary, to reflect changes in
16 the State’s strategies and programs under this
17 part.

18 “(2) ADDITIONAL INFORMATION.—If the State
19 makes significant changes in its State plan, such as
20 the adoption of new challenging State content stand-
21 ards and State student performance standards, new
22 assessments, or a new definition of adequate yearly
23 progress, the State shall submit such information to
24 the Secretary.

1 “(f) LIMITATION ON CONDITIONS.—Nothing in this
2 part shall be construed to authorize an officer or employee
3 of the Federal Government to mandate, direct, or control
4 a State’s, local educational agency’s, or elementary
5 school’s or secondary school’s specific challenging content
6 or student performance standards, assessments, curricula,
7 or program of instruction, as a condition of eligibility to
8 receive funds under this part.

9 “(g) PENALTIES.—

10 “(1) IN GENERAL.—If a State fails to meet the
11 statutory deadlines for demonstrating that the State
12 has in place challenging content standards and stu-
13 dent performance standards, assessments, a system
14 for measuring and monitoring adequate yearly
15 progress, and a statewide system for holding schools
16 and local educational agencies accountable for mak-
17 ing adequate yearly progress with each group of stu-
18 dents specified in subsection (b)(2)(B)(iv), the State
19 shall be ineligible to receive any administrative funds
20 under section 1703(c) that exceed the amount re-
21 ceived by the State for such purposes in the previous
22 year.

23 “(2) ADDITIONAL FUNDS.—Based on the extent
24 to which challenging content standards and student
25 performance standards, assessments, systems for

1 measuring and monitoring adequate yearly progress,
 2 and a statewide system for holding schools and local
 3 educational agencies accountable for making ade-
 4 quate yearly progress with each group of students
 5 specified in subsection (b)(2)(B)(iv), are not in
 6 place, the Secretary shall withhold additional admin-
 7 istrative funds in such amount as the Secretary de-
 8 termines appropriate, except that for each additional
 9 year that the State fails to comply with such re-
 10 quirements, the Secretary shall withhold not less
 11 than $\frac{1}{5}$ of the amount the State receives for admin-
 12 istrative expenses under section 1703(c).

13 “(3) WAIVER.—Notwithstanding part D of title
 14 VIII, the Education Flexibility Partnership Act of
 15 1999, or any other provision of law, a waiver of this
 16 section shall not be granted, except that a State may
 17 request a 1-time, 1-year waiver to meet the require-
 18 ments of this section.”

not including subsection (h) ✓

19 **SEC. 106. LOCAL EDUCATIONAL AGENCY PLANS.**

20 (a) SUBGRANTS.—Section 1112(a)(1) (20 U.S.C.
 21 6312(a)(1)) is amended by striking “the Goals 2000: Edu-
 22 cate America Act” and all that follows and inserting “the
 23 Individuals with Disabilities Education Act, the Carl D.
 24 Perkins Vocational and Technical Education Act of 1998,
 25 the Head Start Act, and other Acts, as appropriate.”

*“(h) SPECIAL
 RULE ON SCIENCE
 STANDARDS AND
 ASSESSMENTS.—*

*Notwithstanding
 subsection (b) and
 Part D of Title IV,
 no State shall be
 required to meet
 the requirements*

*this title relating to science standards or assessments
 until the beginning of the 2005-2006 school year.*

1 (b) PLAN PROVISIONS.—Section 1112(b) (20 U.S.C.
2 6312(b)) is amended—

3 (1) by striking “Each” and inserting “In order
4 to help low-achieving children achieve high stand-
5 ards, each”;

6 (2) in paragraph (1)—

7 (A) by striking “part” each place it ap-
8 pears and inserting “title”; and

9 (B) in subparagraph (B), by inserting
10 “low-achieving” before “children”;

11 (3) in paragraph (4)—

12 (A) in subparagraph (A)—

13 (i) by striking “program,” and insert-
14 ing “programs and”; and

15 (ii) by striking “, and school-to-work
16 transition programs”; and

17 (B) in subparagraph (B), by striking
18 “under part C” and all that follows through

19 “dropping out” and inserting “under part C,
20 neglected or delinquent youth,”;

21 (4) in paragraph (7), by striking “eligible”;

22 (5) in paragraph (9), by striking the period and
23 inserting a semicolon; and

24 (6) by adding at the end the following new
25 paragraphs:

1 “(10) a description of the actions the local edu-
2 cational agency will take to assist the low-per-
3 forming schools served by the local educational agen-
4 cy, including schools identified under section 1116
5 as in need of improvement; and

6 “(11) a description of how the local educational
7 agency will promote the use of alternative instruc-
8 tional methods, and extended learning time, such as
9 an extended school year, before- and after-school
10 programs, and summer programs.”.

11 (c) ASSURANCES.—Section 1112(c) (20 U.S.C.
12 6312(c)) is amended to read as follows:

13 “(c) ASSURANCES.—

14 “(1) IN GENERAL.—Each local educational
15 agency plan shall provide assurances that the local
16 educational agency will—

17 “(A) specify the steps the local educational
18 agency will take to ensure that all teachers in
19 both schoolwide programs and targeted assist-
20 ance are fully qualified not later than December
21 31, 2005 and the strategies the local edu-
22 cational agency will use to ensure that low-in-
23 come students and minority students are not
24 taught at higher rates than other children by
25 inexperienced, uncertified, or out-of-field teach-

1 ers, and the measures the agency will use to
2 evaluate and publicly report progress in improv-
3 ing the quality of instruction in schools served
4 by the local educational agency and receiving
5 funding under this Act;

6 “(B) reserve not less than 10 percent of
7 the funds the agency receives under this part
8 for high quality professional development, as
9 defined in section 1119, for professional in-
10 struction staff;

11 “(C) provide eligible schools and parents
12 with information regarding schoolwide project
13 authority and the ability of such schools to con-
14 solidate funds from Federal, State, and local
15 sources;

16 “(D) provide technical assistance and sup-
17 port to schoolwide programs;

18 “(E) work in consultation with schools as
19 the schools develop a school plan pursuant to
20 section 1114(b)(2), and assist schools in imple-
21 menting such plans or undertaking activities
22 pursuant to section 1115(c), so that each school
23 can make adequate yearly progress toward
24 meeting the challenging State student perform-
25 ance standards;

1 “(F) use the disaggregated results of the
2 student assessments required under section
3 1111(b)(4), and other measures or indicators
4 available to the agency, to review annually the
5 progress of each school served by the agency
6 and receiving funds under this title to deter-
7 mine whether or not all schools are making the
8 annual progress necessary to ensure that all
9 students will meet the proficient level of per-
10 formance on the assessments described in sec-
11 tion 1111(b)(4) within 10 years of the date of
12 enactment of the Public Education Reinvest-
13 ment, Reinvention, and Responsibility Act;

14 “(G) set and hold schools served by the
15 local educational agency accountable for meet-
16 ing annual numerical goals for improving the
17 performance of all groups of students based on
18 the performance standards set by the State
19 under section 1111(b)(1)(D)(ii);

20 “(H) fulfill the local educational agency’s
21 school improvement responsibilities under sec-
22 tion 1116, including taking corrective actions
23 under section 1116(c)(9);

24 “(I) provide the State educational agency
25 with—

1 “(i) an annual, up-to-date, and accu-
2 rate list of all schools served by the local
3 educational agency that are eligible for
4 school improvement and corrective action;

5 “(ii) the reasons why each school de-
6 scribed in clause (i) was identified for
7 school improvement or corrective action;
8 and

9 “(iii) the specific plans for improving
10 student performance in each of the schools
11 described in clause (i), including the spe-
12 cific numerical achievement goals for the
13 succeeding 2 school years, for each group
14 of students specified in section
15 1111(b)(2)(B)(iv) enrolled in each such
16 school;

17 “(J) provide services to eligible children at-
18 tending private elementary schools and sec-
19 ondary schools in accordance with section 1120,
20 and provide timely and meaningful consultation
21 with private school officials regarding such serv-
22 ices;

23 “(K) take into account the experience of
24 model programs for the educationally disadvan-
25 taged and the findings of relevant scientifically

✓ 1 based research when developing technical assist-
2 ance plans for, and delivering technical assist-
3 ance to schools served by the local educational
4 agency that are receiving funds under this part
5 and are in school improvement or corrective ac-
6 tion;

7 “(L) in the case of a local educational
8 agency that chooses to use funds under this
9 part to provide early childhood development
10 services to low-income children below the age of
11 compulsory school attendance, ensure that such
12 services comply with the performance standards
13 established under section 641A(a) of the Head
14 Start Act;

15 “(M) comply with the requirements of sec-
16 tion 1119 regarding the qualifications of teach-
17 ers and paraprofessionals;

18 “(N) inform eligible schools served by the
19 local educational agency of the agency’s author-
20 ity to obtain waivers on such school’s behalf
21 under title VIII, and if the State is an Ed-Flex
22 Partnership State, under the Education Flexi-
23 bility Partnership Act of 1999; and

24 “(O) coordinate and collaborate, to the ex-
25 tent feasible and necessary as determined by

1 the local educational agency, with other agen-
2 cies providing services to children, youth, and
3 their families.

4 “(2) MODEL PROGRAMS; SCIENTIFICALLY
5 BASED RESEARCH.—In carrying out paragraph
6 (1)(K)—

7 “(A) the Secretary shall consult with the
8 Secretary of Health and Human Services on the
9 implementation of such subparagraph, and shall
10 establish procedures (taking into consideration
11 existing State and local laws and local teacher
12 contracts) to assist local educational agencies to
13 comply with such subparagraph;

14 “(B) the Secretary shall disseminate to
15 local educational agencies the Head Start per-
16 formance standards under section 641A(a) of
17 the Head Start Act upon such standard’s publi-
18 cation; and

19 “(C) local educational agencies affected by
20 such subparagraph shall plan for the implemen-
21 tation of such subparagraph (taking into con-
22 sideration existing State and local laws, and
23 local teacher contracts), including pursuing the
24 availability of other Federal, State, and local

1 funding sources to assist in compliance with
2 such subparagraph.

3 “(3) INAPPLICABILITY.—The provisions of this
4 subsection shall not apply to preschool programs
5 using the Even Start model or to Even Start pro-
6 grams.”.

7 (d) PLAN DEVELOPMENT AND DURATION.—Section
8 1112(d) (20 U.S.C. 6312(d)) is amended to read as fol-
9 lows:

10 “(d) PLAN DEVELOPMENT AND DURATION.—

11 “(1) CONSULTATION.—Each local educational
12 agency plan shall be developed in consultation with
13 teachers, principals, local school boards, administra-
14 tors (including administrators of programs described
15 in other parts of this title), other appropriate school
16 personnel, and parents of children in elementary
17 schools and secondary schools served under this
18 part.

19 “(2) DURATION.—Each plan described in para-
20 graph (1) shall remain in effect for the duration of
21 the local educational agency’s participation under
22 this part.

23 “(3) REVIEW.—Each local educational agency
24 shall periodically review, and as necessary, revise its
25 plan.”.

1 (e) STATE APPROVAL.—Section 1112(e) (20 U.S.C.
2 6312(e)) is amended to read as follows:

3 “(e) PEER REVIEW AND STATE APPROVAL.—

4 “(1) IN GENERAL.—Each local educational
5 agency plan shall be filed according to a schedule es-
6 tablished by the State educational agency.

7 “(2) APPROVAL.—The State educational agency
8 shall establish a peer review process to assist in the
9 review of local educational agency plans. The State
10 educational agency shall approve a local educational
11 agency plan only if the State educational agency de-
12 termines that the local educational agency plan—

13 “(A) will enable elementary schools and
14 secondary schools served by the local edu-
15 cational agency and under this part to help all
16 groups of students specified in section
17 1111(b)(1) meet or exceed the proficient level
18 of performance on the assessments required
19 under section 1111(b)(4) within 10 years of the
20 date of enactment of the Public Education Re-
21 investment, Reinvention, and Responsibility
22 Act; and

23 “(B) meets each of the requirements of
24 this section.

1 “(3) STATE REVIEW.—Each State educational
2 agency shall at least annually review each local agen-
3 cy plan approved under this subsection against the
4 results of the disaggregated assessments required
5 under section 1111(b)(4) for each local educational
6 agency to ensure that the progress of all students in
7 schools served by each local educational agency
8 under this part is adequate to ensure that all stu-
9 dents in the State will meet or exceed the proficient
10 standard level of performance on assessments within
11 10 years of the date of enactment of the Public Edu-
12 cation Reinvestment, Reinvention, and Responsibility
13 Act.

14 “(4) PUBLIC REVIEW.—Each State educational
15 agency will make publicly available each local edu-
16 cational agency plan.”

17 (f) PARENTAL NOTIFICATION AND CONSENT FOR
18 ENGLISH LANGUAGE INSTRUCTION.—Section 1112 (20
19 U.S.C. 6312) is amended by adding at the end the fol-
20 lowing:

21 “(g) PARENTAL NOTIFICATION AND CONSENT FOR
22 ENGLISH LANGUAGE INSTRUCTION.—

23 “(1) NOTIFICATION.—If a local educational
24 agency uses funds under this part to provide English
25 language instruction to limited English proficient

1 students, the local educational agency shall inform a
2 parent or the parents of a child participating in an
3 English language assistance educational program as-
4 sisted under this part of—

5 “(A) the reasons for the identification of
6 the child as being in need of English language
7 instruction;

8 “(B) the child’s level of English pro-
9 ficiency, how such level was assessed, and the
10 status of the child’s academic achievement;

11 “(C) how the English language assistance
12 educational program will specifically help the
13 child learn English and meet age-appropriate
14 standards for grade promotion and graduation;

15 “(D) the specific exit requirements of the
16 English language assistance educational pro-
17 gram;

18 “(E) the expected rate of graduation from
19 the English language assistance educational
20 program into mainstream classes; and

21 “(F) the expected rate of graduation from
22 secondary school if funds under this part are
23 used for children in secondary schools.

24 “(2) CONSENT; PARENTAL RIGHTS.—

“(A) IN GENERAL.—A parent or the parents of a child participating in an English language assistance educational program under this part shall—

part shall

“(i) ^{have the option of} select^{ing} among methods of instruction, if more than one method is offered in the program; and

“(ii) have the right to have their child immediately removed from the program upon their request.

“(B) RECEIPT OF INFORMATION.—A parent or the parents of a child identified for participation in an English language assistance educational program under this part shall receive, in a manner and form understandable to the parent or parents, the information required by this subsection. At a minimum, the parent or parents shall receive—

“(i) timely information about English language assistance educational programs for limited English proficient children assisted under this part; and

“(ii) if a parent of a participating child so desires, notice of opportunities for regular meetings of parents of limited

1 English proficient children participating in
2 English language assistance educational
3 programs under this part for the purpose
4 of formulating and responding to rec-
5 ommendations from such parents.

6 “(3) BASIS FOR ADMISSION OR EXCLUSION.—

7 No student shall be admitted to or excluded from
8 any federally assisted education program solely on
9 the basis of a surname or language minority sta-
10 tus.”.

11 **SEC. 107. SCHOOLWIDE PROGRAMS.**

12 (a) USE OF FUNDS FOR SCHOOLWIDE PROGRAMS.—

13 Section 1114(a) (20 U.S.C. 6314(a)) is amended—

14 (1) in paragraph (1), by striking “school de-
15 scribed in subparagraph (A)” and all that follows
16 through “such families.” the second place it appears
17 and inserting “school that serves an eligible school
18 attendance area in which—

19 “(A) not less than 40 percent of the chil-
20 dren are from low-income families; or

21 “(B) not less than 40 percent of the chil-
22 dren enrolled in the school are from such fami-
23 lies.”; and

24 (2) in paragraph (2)—

1 (A) in subparagraph (A), by striking “sub-
2 sections (c)(1) and (e) of”; and

3 (B) in subparagraph (B), by striking “sub-
4 sections (c)(1) and (e) of”.

5 (b) COMPONENTS OF A SCHOOLWIDE PROGRAM.—

6 Section 1114(b) (20 U.S.C. 6314(b)) is amended—

7 (1) in paragraph (1)—

8 (A) in subparagraph (A), by striking “sec-
9 tion 1111(b)(1)” and inserting “section
10 1111(b)”;

11 (B) in subparagraph (B)—

12 (i) in clause (i), by striking “section
13 1111(b)(1)(D)” and inserting “1111(b)”;

14 (ii) in clause (iii)(II), by inserting
15 “and” after the semicolon;

16 (iii) in clause (iv)(II), by striking “;
17 and” and inserting a period; and

18 (iv) by striking clause (vii); and

19 (C) in subparagraph (G), by striking “sec-
20 tion 1112(b)(1)” and inserting “section 1112”;

21 and

22 (2) in paragraph (2)—

23 (A) in subparagraph (A)—

24 (i) by striking “Improving America’s
25 Schools Act of 1994” and inserting “Pub-

1 lic Education Reinvestment, Reinvention,
2 and Responsibility Act”;

3 (ii) by striking “subsections (c)(1)
4 and (e) of”; and

5 (iii) in clause (iv), by striking “section
6 1111(b)(3)” and inserting “section
7 1111(b)(4)”;

8 (B) in subparagraph (B), by striking
9 “paragraphs (1) and (3) of section 1111(b)”
10 and inserting “paragraphs (1) and (4) of sec-
11 tion 1111(b)”;

12 (C) in subparagraph (C)(i)—

13 (i) in subclause (I), by striking “sub-
14 sections (c) and (e) of”; and

15 (ii) in subclause (II), by striking “Im-
16 proving America’s Schools Act of 1994”
17 and inserting “Public Education Reinvest-
18 ment, Reinvention, and Responsibility
19 Act”.

20 **SEC. 108. SCHOOL CHOICE.**

21 Section 1115A (20 U.S.C. 6316) is amended to read
22 as follows:

23 **“SEC. 1115A. SCHOOL CHOICE.**

24 “(a) CHOICE PROGRAMS.—A local educational agen-
25 cy may use funds under this part, in combination with

1 State, local, and private funds, to develop and implement
2 public school choice programs, for children eligible for as-
3 sistance under this part, that permit parents to select the
4 public school that their child will attend and are consistent
5 with State and local law, policy, and practice related to
6 public school choice and local pupil transfer.

7 “(b) CHOICE PLAN.—A local educational agency that
8 chooses to implement a public school choice program
9 under this section shall first develop a plan that—

10 “(1) contains an assurance that all eligible stu-
11 dents across grade levels served under this part will
12 have equal access to the program;

13 “(2) contains an assurance that the program
14 does not include elementary schools or secondary
15 schools that follow a racially discriminatory policy;

16 “(3) describes how elementary schools or sec-
17 ondary schools will use resources under this part,
18 and from other sources, to implement the plan;

19 “(4) contains an assurance that the plan will be
20 developed with the involvement of parents and others
21 in the community to be served, and individuals who
22 will carry out the plan, including administrators,
23 teachers, principals, and other staff;

24 “(5) contains an assurance that parents of eli-
25 gible students served by the local educational agency

1 will be given prompt notice of the existence of the
2 public school choice program, the program's avail-
3 ability to such parents, and a clear explanation of
4 how the program will operate;

5 “(6) contains an assurance that the public
6 school choice program—

7 “(A) shall include charter schools and any
8 other public elementary school and secondary
9 school; and

10 “(B) shall not include as a ‘receiving
11 school’ an elementary school or a secondary
12 school that—

13 “(i) is or has been identified as a
14 school in, or eligible for, school improve-
15 ment; ^{or corrective action}

16 “(ii) has been in school improvement
17 or corrective action within the last 2 con-
18 secutive academic years; or

19 “(iii) is at risk of being eligible for
20 school improvement within the next school
21 year;

22 “(7) contains an assurance that transportation
23 services or the costs of transportation to and from
24 the public school choice program—

1 “(A) may be provided by the local edu-
2 cational agency with funds under this part and
3 from other sources; and

4 “(B) shall not be provided from funds
5 made available under this part to the local edu-
6 cational agency that exceed 10 percent of such
7 funds; and

8 “(8) contains an assurance that such local edu-
9 cational agency will comply with the other require-
10 ments of this part.”

11 **SEC. 109. ASSESSMENT AND LOCAL EDUCATIONAL AGENCY**
12 **AND SCHOOL IMPROVEMENT.**

13 (a) LOCAL REVIEW.—Section 1116(a) (20 U.S.C.
14 6317(a)) is amended—

15 (1) in paragraph (2), by striking
16 “1111(b)(2)(A)(i)” and inserting “1111(b)(2)(B)”;
17 (2) in paragraph (3)—

18 (A) by striking “individual school perform-
19 ance profiles” and inserting “school report
20 cards”;

21 (B) by striking “1111(b)(3)(I)” and in-
22 serting “1111(b)(4)(I)”;

23 (C) by striking “and” after the semicolon;
24 (3) in paragraph (4), by striking the period and
25 inserting “; and”; and

1 (4) by adding at the end the following:

2 “(5) review the effectiveness of the actions and
3 activities the schools are carrying out under this
4 part with respect to parental involvement assisted
5 under this Act.”.

6 (b) SCHOOL IMPROVEMENT.—Section 1116(c) (20
7 U.S.C. 6317(c)) is amended to read as follows:

8 “(c) SCHOOL IMPROVEMENT.—

9 “(1) IN GENERAL.—A local educational agency
10 shall identify for school improvement any elementary
11 school or secondary school served under this part
12 that—

13 “(A) for 2 consecutive years failed to make
14 adequate yearly progress as defined in the
15 State’s plan under section 1111(b)(2); or

16 “(B) was in, or was eligible for, school im-
17 provement status under this section on the day
18 preceding the date of the enactment of the Pub-
19 lic Education Reinvestment, Reinvention, and
20 Responsibility Act.

21 “(2) TRANSITION.—The 2-year period described
22 in paragraph (1)(A) shall include any continuous pe-
23 riod of time immediately preceding the date of the
24 enactment of the Public Education Reinvestment,
25 Reinvention, and Responsibility Act during which an

1 elementary school or a secondary school did not
2 make adequate yearly progress as defined in the
3 State's plan, as such plan was in effect on the day
4 preceding the date of enactment of the Public Edu-
5 cation Reinvestment, Reinvention and Responsibility
6 Act.

7 “(3) TARGETED ASSISTANCE SCHOOLS.—To de-
8 termine if an elementary school or a secondary
9 school that is conducting a targeted assistance pro-
10 gram under section 1115 should be identified as in
11 need of improvement under this subsection, a local
12 educational agency may choose to review the
13 progress of only those students in such school who
14 are served, or are eligible for services, under this
15 part.

16 “(4) OPPORTUNITY TO REVIEW AND PRESENT
17 EVIDENCE.—(A) Before identifying an elementary
18 school or a secondary school for school improvement
19 under paragraph (1), the local educational agency
20 shall provide the school with an opportunity to re-
21 view the school level data, including assessment
22 data, on which the proposed identification is based.

23 “(B) If the principal of a school proposed for
24 identification as in need of school improvement be-
25 lieves that the proposed identification is in error for

1 statistical or other substantive reasons, the principal
2 may provide supporting evidence to the local edu-
3 cational agency, which the agency shall consider be-
4 fore making a final determination.

5 “(5) TIME LIMITS.—Not later than 30 days
6 after a local educational agency makes its initial de-
7 termination that a school served by the agency and
8 receiving assistance under this part is eligible for
9 school improvement, the local educational agency
10 shall make public a final determination on the status
11 of the school.

12 “(6) NOTIFICATION TO PARENTS.—A local edu-
13 cational agency shall, in an easily understandable
14 format, and in the 3 languages, other than English,
15 spoken by the greatest number of individuals in the
16 area served by the local educational agency, provide
17 in writing to parents of each student in an elemen-
18 tary school or a secondary school identified for
19 school improvement—

20 “(A) an explanation of what the school im-
21 provement identification means, and how the
22 school identified for improvement compares in
23 terms of academic performance to other elemen-
24 tary schools or secondary schools served by the

1 local educational agency and the State edu-
2 cational agency;

3 “(B) the reasons for such identification;

4 “(C) the data on which such identification
5 was based;

6 “(D) an explanation of what the school
7 identified for improvement is doing to address
8 the problem of low achievement;

9 “(E) an explanation of what the local edu-
10 cational agency or State educational agency is
11 doing to help the school address its achievement
12 problems, including the amounts and types of
13 professional development being provided to the
14 instructional staff in such school, the amount of
15 any financial assistance being provided by the
16 State educational agency under section 1003,
17 and the activities that are being provided with
18 such financial assistance;

19 “(F) an explanation of how parents de-
20 scribed in this paragraph can become involved
21 in addressing the academic issues that caused
22 the school to be identified as in need of im-
23 provement; and

24 “(G) an explanation of the right of par-
25 ents, pursuant to paragraph (7), to transfer

KEEP (G)
mm

✓

1 their child to a higher performing public school,
2 including a ~~public charter~~ ^{higher performing} school or magnet
3 school, that is not in school improvement, and
4 how such transfer shall operate.

Insert
"(7)"
See attached

5 ⁸ ~~(7)~~ SCHOOL PLAN.—(A) Each school identified
6 under paragraph (1) for school improvement shall,
7 after being so identified, develop or revise a school
8 plan, in consultation with parents, school staff, the
9 local educational agency serving the school, the local
10 school board, and other outside experts, for approval
11 by such local educational agency. The school plan
12 shall—

13 “(i) incorporate scientifically based re-
14 search strategies that strengthen the core aca-
15 demic programs in the school and address the
16 specific academic issues that caused the school
17 to be identified for school improvement;

18 “(ii) adopt policies and practices in the
19 school’s core academic program that have the
20 greatest likelihood of ensuring that all groups
21 of students specified in section
22 1111(b)(2)(B)(iv) enrolled in the school will
23 meet or exceed the State’s proficient level of
24 performance on the assessment required in sec-
25 tion 1111(b)(4) within 10 years of the date of

1 enactment of the Public Education Reinvest-
2 ment, Reinvention, and Responsibility Act;

3 “(iii) assure that the school will reserve
4 not less than 10 percent of the funds made
5 available to it under this part for each fiscal
6 year that the school is in school improvement
7 for the purpose of providing the school’s teach-
8 ers and principal high quality professional de-
9 velopment that—

10 “(I) directly addresses the academic
11 achievement problem that caused the
12 school to be identified for school improve-
13 ment; and

14 “(II) meets the requirements for pro-
15 fessional development activities under sec-
16 tion 1119;

17 “(iv) specify how the funds described in
18 clause (iii) will be used to remove the school
19 from school improvement status;

20 “(v) establish specific annual, numerical
21 progress goals for each group of students speci-
22 fied in section 1111(b)(2)(B)(iv) enrolled in the
23 school that will ensure that all such groups of
24 students meet or exceed the State’s proficient
25 standard level of performance within 10 years

1 of the date of enactment of the Public Edu-
2 cation Reinvestment, Reinvention, and Respon-
3 sibility Act;

4 “(vi) identify how the school will provide
5 written notification to parents of each child en-
6 rolled in such school, in a format and, to the
7 extent practicable, in a language such parents
8 can understand; and

9 “(vii) specify the responsibilities of the
10 school, the local educational agency, and the
11 State educational agency serving such school
12 under the plan.

13 “(B) The local educational agency described in
14 subparagraph (A)(vi) may condition approval of a
15 school plan on inclusion of 1 or more of the correc-
16 tive actions specified in paragraph ¹⁰(C).

17 “(C) A school shall implement the school plan
18 or revised plan expeditiously, but not later than the
19 beginning of the school year following the school
20 year in which the school was identified for improve-
21 ment.

22 “(D) The local educational agency described in
23 subparagraph (A)(vi) shall establish a peer review
24 process to assist with review of a school improve-
25 ment plan prepared by the school served by the local

1 educational agency, promptly review the school plan,
2 work with the school as necessary, and approve the
3 school plan if the school plan meets the require-
4 ments of this paragraph.

✓ 5 ⁹~~(8)~~ TECHNICAL ASSISTANCE.—(A) For each
6 school identified for school improvement under para-
7 graph (1), the local educational agency serving the
8 school shall provide technical assistance as the
9 school develops and implements its school plan.

10 “(B) Such technical assistance—

11 “(i) shall include assistance in analyzing
12 data from the assessments required under sec-
13 tion 1111(b)(4), and other samples of student
14 work, to identify and address instructional
15 problems and solutions;

16 “(ii) shall include assistance in identifying
17 and implementing scientifically based instruc-
18 tional strategies and methods that have proven
19 effective in addressing the specific instructional
20 issues that caused the school to be identified for
21 school improvement;

22 “(iii) shall include assistance in analyzing
23 and revising the school’s budget such that the
24 school resources are more effectively focused on
25 those activities most likely to increase student

1 achievement and to remove the school from
2 school improvement status;

3 “(iv) may be provided directly by the local
4 educational agency, through mechanisms au-
5 thorized under section 1117, or with the local
6 educational agency’s approval, by the State edu-
7 cational agency, an institution of higher edu-
8 cation in full compliance with all the reporting
9 provisions of title II of the Higher Education
10 Act of 1965, a private not-for-profit organiza-
11 tion or for-profit organization, an educational
12 service agency, the recipient of a Federal con-
13 tract or cooperative agreement as described
14 under section 7005, or other entity with experi-
15 ence in helping schools improve achievement.

16 “(C) Technical assistance provided under this
17 section by a local educational agency or an entity
18 authorized by such agency shall be based upon sci-
19 entificallly based research.

20 “¹⁸~~(9)~~ CORRECTIVE ACTION.—In order to help
21 students served under this part meet challenging
22 State standards, each local educational agency shall
23 implement a system of corrective action in accord-
24 ance with the following:

✓
1 “(A) After providing technical assistance
2 under paragraph (8)⁹ and subject to subpara-
3 graph (F), the local educational agency—

4 “(i) may take corrective action at any
5 time with respect to a school served by the
6 local educational agency that has been
7 identified under paragraph (1);

8 “(ii) shall take corrective action with
9 respect to any school served by the local
10 educational agency that fails to make ade-
11 quate yearly progress, as defined by the
12 State under section 1111(b)(2)(B), after
13 the end of the second year following the
14 school year in which the school was identi-
15 fied under paragraph (1); and

16 “(iii) shall continue to provide tech-
17 nical assistance while instituting any cor-
18 rective action under clause (i) or (ii).

19 “(B) As used in this paragraph, the term
20 ‘corrective action’ means action, consistent with
21 State and local law, that—

22 “(i) substantially and directly re-
23 sponds to—

24 “(I) the consistent academic fail-
25 ure of a school that caused the local

1 educational agency to take such ac-
2 tion; and

3 “(II) any underlying staffing,
4 curricula, or other problem in the
5 school; and

6 “(ii) is designed to increase substan-
7 tially the likelihood that students enrolled
8 in the school subject to corrective action
9 will perform at the proficient and advanced
10 performance levels.

11 “(C) In the case of a school described in
12 subparagraph (A)(ii), the local educational
13 agency shall take not less than 1 of the fol-
14 lowing corrective actions:

15 “(i) Withhold funds from the school.

16 “(ii) Make alternative governance ar-
17 rangements, including reopening the school
18 as a public charter school.

19 “(iii) Reconstitute the school by re-
20 quiring each relevant person employed at
21 the school to reapply for future employ-
22 ment at the same school or for a position
23 in the local educational agency.

24 “(iv)(I) Authorize students to transfer
25 to other higher performing public schools

1 served by the local educational agency, in-
2 cluding public charter and magnet schools,
3 and provide such students transportation
4 services, or the costs of transportation, to
5 such schools (except that such funds used
6 to provide transportation services or costs
7 shall not exceed 10 percent of the amount
8 authorized under section 1122(a)(2)).

9 (II) Take not less than 1 additional
10 action described under this subparagraph.

11 (v) Institute and fully implement a
12 new curriculum, including appropriate pro-
13 fessional development for all relevant staff,
14 that is based upon scientifically based re-
15 search and offers substantial promise of
16 improving educational achievement for low-
17 performing students.

18 (D) A local educational agency may delay,
19 for a period not to exceed 1 year, implementa-
20 tion of corrective action only if the failure to
21 make adequate yearly progress was justified
22 due to exceptional or uncontrollable cir-
23 cumstances, such as a natural disaster or a pre-
24 cipitous and unforeseen decline in the financial

1 resources of the local educational agency or
2 school.

3 “(E) The local educational agency shall
4 publish and disseminate to the public and to
5 the parents of each student enrolled in a school
6 subject to corrective action, in a format and, to
7 the extent practicable, in a language that the
8 parents can understand, information regarding
9 any corrective action the local educational agen-
10 cy takes under this paragraph through such
11 means as the Internet, the media, and public
12 agencies.

13 “(F)(i) Before taking corrective action
14 with respect to any school under this para-
15 graph, a local educational agency shall provide
16 the school an opportunity to review the school
17 level data, including assessment data, on which
18 the proposed determination is made.

19 “(ii) If the school believes that the pro-
20 posed determination is in error for statistical or
21 other substantive reasons, the school principal
22 may provide supporting evidence to the local
23 educational agency, which shall consider such
24 evidence before making a final determination.

1 “(G) TIME LIMITS.—Not later than 30
2 days after the local educational agency makes
3 its initial determination that a school served by
4 the local educational agency and receiving as-
5 sistance under this part is eligible for corrective
6 action, the local educational agency shall make
7 a final and public determination on the status
8 of the school.

9 ¹¹~~(10)~~ STATE EDUCATIONAL AGENCY RESPON-
10 SIBILITIES.—If a State educational agency deter-
11 mines that a local educational agency failed to carry
12 out its responsibilities under this section, or deter-
13 mines that, after 1 year of implementation of the
14 corrective action, such action has not resulted in suf-
15 ficient progress in increased student performance,
16 the State educational agency shall take such action
17 as the agency finds necessary, including designating
18 a course of corrective action described in paragraph
19 ¹⁰~~(9)~~(C), consistent with this section, to improve the
20 affected schools and to ensure that the local edu-
21 cational agency carries out the local educational
22 agency's responsibilities under this section.

23 “(11) SPECIAL RULES.—Schools that, for at
24 least 2 of the 3 years following identification under
25 paragraph. (1), make adequate yearly progress to-

1 ward meeting the State's proficient and advanced
2 levels of performance shall no longer be identified
3 for school improvement."

4 (c) STATE REVIEW AND LOCAL EDUCATIONAL AGEN-
5 CY IMPROVEMENT.—Section 1116(d) (20 U.S.C. 6317(d))
6 is amended to read as follows:

7 "(d) STATE REVIEW AND LOCAL EDUCATIONAL
8 AGENCY IMPROVEMENT.—

9 "(1) IN GENERAL.—A State educational agency
10 shall annually review the progress of each local edu-
11 cational agency within the State receiving funds
12 under this part to determine whether schools served
13 by such agencies and receiving assistance under this
14 part are making adequate yearly progress, as de-
15 fined in section 1111(b)(2), toward meeting the
16 State's student performance standards and to deter-
17 mine whether each local educational agency is car-
18 rying out its responsibilities under sections 1116 and
19 1117.

20 "(2) IDENTIFICATION OF LOCAL EDUCATIONAL
21 AGENCY FOR IMPROVEMENT.—A State educational
22 agency shall identify for improvement any local edu-
23 cational agency that—

1 “(A) for 2 consecutive years fails to make
2 adequate yearly progress as defined in the
3 State’s plan under section 1111(b)(2); or

4 “(B) had been identified for, or was eligi-
5 ble for, improvement under this section as this
6 section was in effect on the day preceding the
7 date of enactment of the Public Education Re-
8 investment, Reinvention, and Responsibility
9 Act.

10 “(3) TRANSITION.—The 2-year period described
11 in paragraph (2)(A) shall include any continuous pe-
12 riod of time immediately preceding the date of the
13 enactment of the Public Education Reinvestment,
14 Reinvention, and Responsibility Act during which a
15 local educational agency did not make adequate
16 yearly progress as defined in the State’s plan, as
17 such plan was in effect on the day preceding the
18 date of the enactment of the Public Education Rein-
19 vestment, Reinvention, and Responsibility Act.

20 “(4) TARGETED ASSISTANCE SCHOOLS.—For
21 purposes of targeted assistance schools within a local
22 educational agency, a State educational agency may
23 choose to review the progress of only the students in
24 such schools who are served under this part.

1 “(5) OPPORTUNITY TO REVIEW AND PRESENT
2 EVIDENCE.—(A) Before identifying a local edu-
3 cational agency for improvement under paragraph
4 (2), a State educational agency shall provide the
5 local educational agency with an opportunity to re-
6 view the local educational agency data, including as-
7 sessment data, on which the proposed identification
8 is based.

9 “(B) If the local educational agency believes
10 that the proposed identification is in error for statis-
11 tical or other substantive reasons, the local edu-
12 cational agency may provide supporting evidence to
13 the State educational agency, which the State edu-
14 cational agency shall consider before making a final
15 determination.

16 “(6) TIME LIMITS.—Not later than 45 days
17 after the State educational agency makes its initial
18 determination that a local educational agency within
19 the State and receiving assistance under this part is
20 eligible for improvement, the State educational agen-
21 cy shall make public a final determination on the
22 status of the local educational agency.

23 “(7) NOTIFICATION TO PARENTS.—The State
24 educational agency shall promptly notify parents of
25 each student enrolled in a school served by a local

1 educational agency identified for improvement, in a
2 format, and to the extent practicable, in a language
3 the parents can understand, of the reasons for such
4 agency's identification and how parents can partici-
5 pate in upgrading the quality of the local edu-
6 cational agency.

7 “(8) LOCAL EDUCATIONAL AGENCY REVI-
8 SIONS.—

9 “(A) IN GENERAL.—Each local educational
10 agency identified under paragraph (2) shall,
11 after being so identified, develop or revise a
12 local educational agency plan, in consultation
13 with the local school board, parents, teachers,
14 school staff, and others, for approval by the
15 State educational agency. Such plan shall—

16 “(i) incorporate scientifically based re-
17 search strategies that strengthen the core
18 academic program in the local educational
19 agency;

20 “(ii) identify specific annual numerical
21 academic achievement objectives in at least
22 the areas of mathematics and English lan-
23 guage arts that the local educational agen-
24 cy will meet, with such objectives being cal-
25 culated in a manner such that their

1 achievement will ensure that each group of
2 students enrolled in each school served by
3 the local educational agency will meet or
4 exceed the proficient standard level of per-
5 formance in assessments required under
6 section 1111(b)(4) within 10 years of the
7 date of enactment of the Public Education
8 Reinvestment, Reinvention, and Responsi-
9 bility Act; and

10 “(iii) assure that the local educational
11 agency will—

12 “(I) reserve not less than 10 per-
13 cent of the funds made available to
14 the local educational agency under
15 this part for each fiscal year that the
16 agency is in improvement for the pur-
17 pose of providing high quality profes-
18 sional development to teachers and
19 principals at schools served by the
20 agency and receiving funds under this
21 part that directly address the aca-
22 demic achievement problem that
23 caused the local educational agency to
24 be identified for improvement and
25 shall be in keeping with the definition

1 of professional development provided
2 in section 1119; and

3 “(II) the improvement plan shall
4 specify how these funds will be used
5 to remove the local educational agency
6 from improvement status;

7 “(iv) identify how the local edu-
8 cational agency will provide written notifi-
9 cation to parents described in paragraph
10 (7) in a format, and to the extent prac-
11 ticable in a language, that the parents can
12 understand, pursuant to paragraph (7);

13 “(v) specify the responsibilities of the
14 State educational agency and the local edu-
15 cational agency under the plan; and

16 “(vi) include a review of the local edu-
17 cational agency budget to ensure that re-
18 sources are focused on those activities that
19 are most likely to improve student achieve-
20 ment and to remove the agency from im-
21 provement status.

22 “(B) PEER REVIEW.—The State edu-
23 cational agency shall establish a peer review
24 process to assist with the review of the local
25 educational agency improvement plan, promptly

1 review the plan, work with the local educational
2 agency as necessary, and approve the plan if
3 the plan meets the requirements of this para-
4 graph.

5 “(C) DEADLINE FOR IMPLEMENTATION.—

6 The local educational agency shall implement
7 the local educational agency plan or revised
8 plan expeditiously, but not later than the begin-
9 ning of the school year following the school year
10 in which the agency was identified for improve-
11 ment.

12 “(D) RESOURCES REALLOCATION.—If the
13 local educational agency budget fails to allocate
14 resources, consistent with, subparagraph
15 (A)(iv), the State educational agency may direct
16 the local educational agency to reallocate re-
17 sources to more effective activities.

18 “(9) STATE EDUCATIONAL AGENCY RESPONSIBI-
19 BILITY.—For each local educational agency identi-
20 fied under paragraph (2), the State educational
21 agency shall provide technical or other assistance, if
22 requested, as authorized under section 1117, to bet-
23 ter enable the local educational agency—

24 “(A) to develop and implement the local
25 educational agency plan or revised plan as ap-

1 proved by the State educational agency con-
2 sistent with the requirements of this section;
3 and

4 “(B) to work with schools served by the
5 local educational agency that are identified for
6 improvement.

7 “(10) TECHNICAL ASSISTANCE.—Technical as-
8 sistance provided by the State educational agency—

9 “(A) shall include assistance in analyzing
10 data from the assessments required under sec-
11 tion 1111(b)(4) to identify and address instruc-
12 tional problems and solutions;

13 “(B) shall include assistance in identifying
14 and implementing scientifically based instruc-
15 tional strategies and methods that have proven
16 effective in addressing the specific instructional
17 issues that caused the local educational agency
18 to be identified for improvement;

19 “(C) shall include assistance in analyzing
20 and revising the local educational agency’s
21 budget such that the agency’s resources are
22 more effectively focused on those activities most
23 likely to increase student achievement and to
24 remove the agency from improvement status;
25 and

1 “(D) may be provided by—

2 “(i) the State educational agency; or

3 “(ii) with the local educational agen-
4 cy’s approval, by an institution of higher
5 education (in full compliance with all the
6 reporting provisions of title II of the High-
7 er Education Act of 1965), a private not-
8 for-profit or for-profit organization, an
9 educational service agency, the recipient of
10 a Federal contract or cooperative agree-
11 ment as described under section 7005, or
12 any other entity with experience in helping
13 schools improve achievement.

14 “(11) RESOURCES REALLOCATION.—The State
15 educational agency may, as a condition of providing
16 the local educational agency with technical assist-
17 ance and financial support in developing and car-
18 rying out an improvement plan, require that the
19 local educational agency reallocate resources away
20 from ineffective or inefficient activities to activities
21 that, through scientific research, have proven to
22 have the greatest impact on increasing student
23 achievement and closing the achievement gap be-
24 tween groups of students.

1 “(12) CORRECTIVE ACTION.—In order to help
2 students served under this part meet challenging
3 State standards, each State educational agency shall
4 implement a system of corrective action in accord-
5 ance with the following:

6 “(A) After providing technical assistance
7 under paragraph (10), and subject to subpara-
8 graph (D), the State educational agency—

9 “(i) shall take corrective action with
10 respect to any local educational agency
11 that fails to make adequate yearly
12 progress, as defined by the State, after the
13 end of the second year following its identi-
14 fication under paragraph (2); and

15 “(ii) shall continue to provide tech-
16 nical assistance while instituting any cor-
17 rective action under clause (i) or (ii).

18 “(B) As used in this paragraph, the term
19 ‘corrective action’ means action, consistent with
20 State law, that—

21 “(i) substantially and directly re-
22 sponds to—

23 “(I) the consistent academic fail-
24 ure of schools served by a local edu-
25 cational agency that caused the State

1 educational agency to take such action
2 with respect to the local educational
3 agency; and

4 “(II) any underlying staffing,
5 curricular, or other problem in the
6 schools served by the local educational
7 agency; and

8 “(ii) is designed to meet the goal of
9 having all students served under this part
10 perform at the proficient and advanced
11 performance levels.

12 “(C) In the case of a local educational
13 agency described in subparagraph (A)(ii), the
14 State educational agency shall take not less
15 than 1 of the following corrective actions:

16 “(i) Withhold funds from the local
17 educational agency.

18 “(ii) Reconstitute the relevant local
19 educational agency personnel.

20 “(iii) Remove particular schools from
21 the area served by the local educational
22 agency, and establish alternative arrange-
23 ments for public governance and super-
24 vision of such schools.

1 “(iv) Appoint, through the State edu-
2 cational agency, a receiver or trustee to ad-
3 minister the affairs of the local educational
4 agency in place of the local educational
5 agency’s superintendent and school board.

6 “(v) Abolish or restructure the local
7 educational agency.

8 “(vi)(I) Authorize students to transfer
9 from a school operated by the local edu-
10 cational agency to a higher performing
11 public school operated by another local
12 educational agency, or to a public charter
13 school.

14 “(II) Provide students described in
15 subclause (I) transportation services, or
16 the costs of transportation, not to exceed
17 10 percent of the funds allocated to a local
18 educational agency under this part, to such
19 higher performing schools or public charter

20 schools,^{and}“(III) Take not less than 1 additional action
21 “(D) Prior to implementing any corrective *described*
22 action, the State educational agency shall pro- *under this*
23 vide notice and a opportunity for a hearing to *paragraph.*
24 the affected local educational agency, if State
25 law provides for such notice and opportunity.

1 “(E) Not later than 45 days after the
2 State educational agency makes its initial deter-
3 mination that a local educational agency in the
4 State and receiving assistance under this part is
5 eligible for improvement, the State educational
6 agency shall make public a final determination
7 on the status of the local educational agency.

8 “(F) The State educational agency shall
9 publish and disseminate to parents described in
10 paragraph (7) and the public information re-
11 garding any corrective action the State edu-
12 cational agency takes under this paragraph
13 through such means as the Internet, the media,
14 and public agencies.

15 “(G) The State educational agency may
16 delay, for a period not to exceed 1 year, imple-
17 mentation of corrective action if the local edu-
18 cational agency's failure to make adequate year-
19 ly progress was justified due to exceptional or
20 uncontrollable circumstances, such as a natural
21 disaster or a precipitous and unforeseen decline
22 in the financial resources of the local edu-
23 cational agency or schools served by the local
24 educational agency.”

1 **SEC. 110. STATE ASSISTANCE FOR SCHOOL SUPPORT AND**
2 **IMPROVEMENT.**

3 Section 1117 (20 U.S.C. 6318) is amended to read
4 as follows:

5 **"SEC. 1117. STATE ASSISTANCE FOR SCHOOL SUPPORT AND**
6 **IMPROVEMENT.**

7 "(a) **SYSTEM FOR SUPPORT.**—Using funds allocated
8 under section 1003(a)(1), each State educational agency
9 shall establish a statewide system of intensive and sus-
10 tained support and improvement for local educational
11 agencies, elementary schools, and secondary schools re-
12 ceiving funds under this part, in order to ensure that all
13 groups of students specified in section 1111 and attending
14 such schools meet or exceed the proficient standard level
15 performance on the assessments required by section
16 1111(b)(4) within 10 years of the date of enactment of
17 the Public Education Reinvestment, Reinvention, and Re-
18 sponsibility Act.

19 "(b) **PRIORITIES.**—In carrying out this section, a
20 State educational agency shall—

21 "(1) first, provide support and assistance to
22 local educational agencies ^{and schools} identified as in need of
23 improvement under section 1116;

24 "(2) second, provide support and assistance to
25 local educational agencies subject to corrective action
26 under section 1116, and assist elementary schools

✓ 1 and secondary schools, in accordance with section
2 1116(c)(10), for which a local educational agency
3 has failed to carry out its responsibilities under sec-
4 tion 1116(c)(8) and (9); and

✓ 5 “(3) third, provide support and assistance to
6 local educational agencies and schools identified as
7 ~~in need of improvement~~ or that are at risk of being
8 so identified within the next academic year, partici-
9 pating under this part.

10 “(c) APPROACHES.—In order to achieve the purpose
11 described in subsection (a), each statewide system shall
12 provide technical assistance and support through ap-
13 proaches such as—

14 “(1) school support teams, composed of individ-
15 uals who are knowledgeable about scientifically
16 based research, teaching and learning practices, and
17 particularly about strategies for improving edu-
18 cational results for low-achieving children; and

19 “(2) designating and using Distinguished Edu-
20 cators, who are chosen from schools served under
21 this part that have been especially successful in im-
22 proving academic achievement.

23 “(d) FUNDS.—Each State educational agency—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 **“(a) IN GENERAL.—**

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

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

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

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

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

18 "(2) has obtained an associate's (or higher) de-

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

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

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

~~(1) QUALIFICATIONS.~~

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

3 **"(d) EXCEPTIONS FOR TRANSLATION AND PAREN-**
4 **TAL INVOLVEMENT ACTIVITIES.**—Subsections (b) and (c)
5 shall not apply to a paraprofessional—

6 “(1) who is proficient in English and a lan-
7 guage other than English, and who provides services
8 primarily to enhance the participation of children in
9 programs under this part by acting as a translator;
10 or

11 “(2) whose duties consist solely of conducting
12 parental involvement activities consistent with sec-
13 tion 1118 or other school readiness activities that
14 are noninstructional.

15 **"(e) GENERAL REQUIREMENT FOR ALL PARA-**
16 **PROFESSIONALS.**—Each local educational agency receiving
17 assistance under this part shall ensure that each para-
18 professional working in a program assisted under this
19 part, regardless of the paraprofessional's hiring date, pos-
20 sesses a secondary school diploma or its recognized equiva-
21 lent.

22 **"(f) DUTIES OF PARAPROFESSIONALS.**—

23 “(1) **IN GENERAL.**—Each local educational
24 agency receiving assistance under this part shall en-
25 sure that a paraprofessional working in a program

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

*"(2) STATE ACTION.
Notwithstanding subsection (c),
Each State educational
agency may require an
existing paraprofessional
to pass appropriate
portions of the state
assessment administered
as the licensing
exam for teachers
and establish
appropriate
rates for
passage of
such portions
used.
(b) The state
shall provide
an assurance
that such portions
of the state
assessment
administered
and the established
passing rates
will ensure that*

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

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

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

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

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

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

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

19 “(F) to act as a translator; or

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

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

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

1 “(g) USES OF FUNDS.—

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

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

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

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

19 “(ii) the local educational agency can
20 demonstrate that a significant influx of
21 population has substantially increased stu-
22 dent enrollment, or ^{demonstrate an} increased [^] need for
23 translators, ^{or assistance with parent involvement activities.}
24

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

cational agency that can demonstrate to the State that all ^{core classes} teachers within the area served by the local educational agency are ^{taught by} fully qualified ^{teachers}.

(i) VERIFICATION OF COMPLIANCE.—

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

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

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

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

SEC. 113. PROFESSIONAL DEVELOPMENT.

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

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

and math readiness, as appropriate.

“(h) STATE CERTIFICATION.—
Each state educational agency receiving assistance under this part shall ensure that it has State criteria for the certification of paraprofessionals by Dec 31, 2002; and

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

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

7 (2) in subsection (b)—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 (B) in paragraph (2)—

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

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

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

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

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

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

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

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

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

3 “(h) SPECIAL RULE.—

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

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

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

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

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

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

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

22 (2) in subsection (b)—

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

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

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

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

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

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

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

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

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

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

22 “(b) ASSISTANCE TO OUTLYING AREAS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 “(a) **ALLOCATION FORMULA.—**

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

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

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

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

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

“(B) an amount equal to the sum of—

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

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

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

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

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

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

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

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

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

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

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

19 “(c) HOLD-HARMLESS AMOUNTS.—

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

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

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

5 “(d) RATABLE REDUCTIONS.—

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

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

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

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

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

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

3 **"(a) AMOUNT OF GRANTS.—**

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

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

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

18 **"(2) CALCULATION OF GRANTS.—**

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

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

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

5 “(i) APPLICATION OF PROVISION.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 “(c) CHILDREN TO BE COUNTED.—

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

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

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

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

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

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

13 “(B) SPECIAL RULES.—

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

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

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

10 “(3) POPULATION UPDATES.—

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

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

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

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

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

"(4) OTHER CHILDREN TO BE COUNTED. —

"(A) IN GENERAL. —

For the purposes of this section, the Secretary shall —

(i) determine the number of children ages 5 to 17, inclusive, from families above the poverty level on the basis of the number of such children from families receiving in annual income in excess

of the current criteria of poverty for payments under a State program funded under part A of title IV of the Social Security Act; and →

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

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

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

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

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

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

7 “(2) the average of—

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

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

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

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

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

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

22 “(1) ELIGIBILITY.—

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

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

9 “(i) 6,500; or

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

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

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

20 “(ii) the average of—

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

25 “(II) the greater of—

1 “(aa) \$340,000; or
2 “(bb) the number of children in
3 such State counted for purposes
4 of this section in that fiscal year
5 multiplied by 150 percent of the
6 national average per pupil pay-
7 ment made with funds available
8 under this section for that year.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 “(c) WEIGHTED CHILD COUNT.—

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

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

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

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

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

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

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

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

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

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

23 “(2) the average of—

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

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

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

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

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

15 “(a) **ALLOCATIONS FOR NEGLECTED CHILDREN.—**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 (3) in paragraph (3)—

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

16 (B) by inserting “as such section was in
17 effect on the day preceding the date of enact-

18 ment of the Public Education Reinvestment,

19 Reinvention, and Responsibility Act” after

20 “2252”.

21 **SEC. 132. APPLICATIONS.**

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

1 **SEC. 133. RESEARCH.**

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

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

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

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

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

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

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

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

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

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

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

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

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

11 (2) in subsection (c)—

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

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

16 SEC. 152. USE OF FUNDS.

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

20 PART E—FEDERAL EVALUATIONS,

21 DEMONSTRATIONS, AND TRANSITION PROJECTS

22 SEC. 161. EVALUATIONS.

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

24 (1) in subsection (a)(4)—

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

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

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

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

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

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

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

11 "(a) FINDINGS AND PURPOSE.—

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

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

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

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

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

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

10 “(b) PROGRAM AUTHORIZED.—

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

15 “(2) ALLOCATION.—

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

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

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

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

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

20 “(c) STATE AWARDS.—

21 “(1) STATE APPLICATION.—

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

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

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

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

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

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

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

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

1 oping, and implementing comprehensive
2 school reform.

3 “(2) USES OF FUNDS.—

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

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

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

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

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

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

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

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

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

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

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

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

14 “(d) LOCAL AWARDS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 “(e) EVALUATION AND REPORT.—

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

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

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

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

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

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

11 “(2) shall include research that—

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

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

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

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

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

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

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

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

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

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

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

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

20 **“SEC. 1601. FINDINGS.**

21 “Congress makes the following findings:

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

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

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

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

23 **“SEC. 1602. DEFINITIONS.**

24 “‘In this part:

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

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

8 “(B)(i) a rural locality; or

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

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

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

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

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

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

4 **“SEC. 1603. PROGRAM AUTHORIZED.**

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

11 “(b) RESERVATION AND ALLOTMENTS.—

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

21 “(2) ALLOTMENTS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 ~~“(4) describe how the State educational agency~~
10 or eligible local educational agency will take action
11 against a local educational agency, an elementary
12 school, or a secondary school, if the local educational
13 agency or school fails, over 2 consecutive years, to
14 meet the annual, measurable goals and objectives. 61

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

16 ~~“(a) ALLOCATIONS.—The State educational agency~~
17 shall award grants under this part to eligible local edu-
18 cational agencies within the State according to a formula
19 developed by the State educational agency and approved 61

20 ~~by the State.—(b) USES OF FUNDS.—Grant funds awarded to eli-~~

21 ~~“(b) USES OF FUNDS.—Grant funds awarded to eli-~~
22 gible local educational agencies or made available to ele-
23 mentary schools and secondary schools under this section 65
24 shall be used for ~~the purpose of~~ 65

65 ~~the purpose of~~ 65

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

3 “(2) professional development;

4 “(3) technical assistance;

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

8 “(5) parental involvement activities; or

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

11 “(c) RESERVATION OF ADMINISTRATIVE FUNDS.—

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

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

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

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

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

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

4. "SEC. 1606 ACCOUNTABILITY:

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

13. under this part, none of which are (2)

14. "SEC 1607 REPORTING" - 12-20-50 11-10-51 11-10-51 11-10-51

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 **PART G—GENERAL PROVISIONS**

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

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

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

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

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

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

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

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

5 **"SEC. 2001. PURPOSE.**

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

12 **"SEC. 2002. DEFINITIONS.**

13 "In this title:

14 "(1) **FULLY QUALIFIED.**—The term 'fully quali-
15 fied' means—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 “(b) RESERVATIONS AND ALLOTMENTS.—

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

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

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

14 “(C) such sums as may be necessary to
15 continue to support any multiyear partnership

16 program award made under ^{Parts A, C, and D of} this title and title 2

17 ^{title IV of} ~~the~~ and under ^A the Goals 2000: Educate Amer-
18 ica Act (as such titles and Act were in effect on

19 the day preceding the date of enactment of the
20 Public Education Reinvestment, Reinvention,
21 and Responsibility Act) until the termination of
22 the multiyear award.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 “(b) HOLD-HARMLESS AMOUNTS.—

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

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

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

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

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

16 **“SEC. 2013. STATE PLANS.**

17 “(a) PLAN REQUIRED.—

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

“(A) COMPREHENSIVE STATE PLAN.—

TEACHER CERTIFICATION OR LICENSURE. —

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

panied by such information as the Secretary may require, and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 niques that meet such students' educational
2 needs;

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

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

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

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

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

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

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

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

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

25 "(d) DURATION OF THE PLAN.—

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

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

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

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

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

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

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

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

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

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

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

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

25 “(d) ACCOUNTABILITY.—

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

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

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

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

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

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

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

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

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

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

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

5 “(3) to reform tenure systems;

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

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

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

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

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

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

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

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

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

19 **“SEC. 2017. LOCAL PLANS.**

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

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

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

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

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

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

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

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

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

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

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

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

12 **“SEC. 2018. LOCAL ACTIVITIES.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11 “(i) from low-income families; or

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

14 “(2) to establish programs that—

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

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

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

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

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

13 “(4) for tenure reform;

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

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

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

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

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

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

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

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

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

19 “(11) to establish other activities designed—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

21 “(c) ACCOUNTABILITY.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 **“(a) SUBGRANTS.—**

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

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

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

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

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

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

17 “(2) 1 or more of the following:

18 “(A) An institution of higher education.

19 “(B) An educational service agency.

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

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

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

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

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

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

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

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

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

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

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

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

22 “(A) leadership skills;

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

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

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

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

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

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

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

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

1 **"PART B—CLASS SIZE REDUCTION**

2 **"SEC. 2031. FINDINGS.**

3 "Congress makes the following findings:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 **"(b) ALLOTMENTS TO STATES.—**

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

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

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

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

5 **"SEC. 2034. APPLICATIONS.**

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

11 "(b) CONTENTS.—The application shall include—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 “SEC. 2037. USES OF FUNDS.

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

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

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

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

3 “(2) LOCAL ACTIVITIES.—

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

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

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

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

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

17 “(B) LIMITATIONS.—

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

24 “(ii) ED-FLEX.—

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

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

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

6 “(C) ADDITIONAL USES.—

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

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

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

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

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

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

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

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

4 **“SEC. 2038. PRIVATE SCHOOLS.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15 **“SEC. 3102. DEFINITIONS.**

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

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

22 “(A) who—

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

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

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

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

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

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

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

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

6 **“SEC. 3103. PROGRAM AUTHORIZED.**

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

12 “(b) RESERVATIONS AND ALLOTMENTS.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

25 "(c) RESERVATIONS.—

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

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

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

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

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

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

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

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

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

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

13 “(2) contain an assurance that the State edu-
14 cational agency or specially qualified agency con-
15 sulted with local educational agencies, education-re-
16 lated community groups and nonprofit organizations,
17 parents, teachers, school administrators, and
18 English language instruction specialists, in the set-
19 ting of the performance objectives;

20 “(3) describe how—

21 “(A) in the case of a State educational
22 agency, the State educational agency will hold
23 local educational agencies and elementary
24 schools and secondary schools accountable for—

1 “(i) meeting the English proficiency
2 performance objectives described in section
3 3109; and

4 “(ii) making adequate yearly progress
5 with limited English proficient students in
6 the ^{subject} areas of ~~mathematics and science~~ ^{core content knowledge} as
7 described in section 1111; and

8 “(B) in the case of a specially qualified
9 agency, the agency will hold elementary schools
10 and secondary schools accountable for meeting
11 the ^{English proficiency} performance objectives; ^{described in section 3109; and}

12 “(4) describe the activities for which assistance
13 is sought, and how the activities will increase the
14 speed and effectiveness with which students learn
15 English;

16 “(5) in the case of a State educational agency,
17 describe how local educational agencies in the State
18 will be given the flexibility to teach English—

19 “(A) using language instruction curriculum
20 that is scientifically research based; and

21 “(B) in the manner the local educational
22 agencies determine to be the most effective; and

23 “(6) describe how—

24 “(A) in the case of a State educational
25 agency, the State educational agency will pro-

making adequate
yearly progress
with limited
English proficie
students in
the areas of
mathematics
and science as
described in
section 1111
of core
content knowledge
subject
areas as
described
in Section 1111.

1 vide technical assistance to local educational
2 agencies and elementary schools and secondary
3 schools for the purposes of identifying and im-
4 plementing English language instruction edu-
5 cational programs and curricula that are sci-
6 entifically research based; and

7 “(B) in the case of a specially qualified
8 agency, the specially qualified agency will pro-
9 vide technical assistance to elementary schools
10 and secondary schools served by the specially
11 qualified agency for the purposes of identifying
12 and implementing English language instruction
13 educational programs and curricula that are
14 scientifically research based.

15 “(c) APPROVAL.—The Secretary, using a peer review
16 process, shall approve a State plan or a specially qualified
17 agency plan if the plan meets the requirements of this sec-
18 tion, and holds reasonable promise of achieving the pur-
19 pose described in section 3101(c).

20 “(d) DURATION OF THE PLAN.—

21 “(1) IN GENERAL.—Each State plan or spe-
22 cially qualified agency plan shall—

23 “(A) remain in effect for the duration of
24 the State’s or specially qualified agency’s par-
25 ticipation under this subtitle; and;

1 “(B) be periodically reviewed and revised
2 by the State or specially qualified agency, as
3 necessary, to reflect changes in the State’s or
4 specially qualified agency’s strategies and pro-
5 grams under this subtitle.

6 “(2) ADDITIONAL INFORMATION.—If the State
7 educational agency or specially qualified agency
8 makes significant changes in its plan, such as the
9 adoption of new performance objectives or assess-
10 ment measures, the State educational agency or spe-
11 cially qualified agency shall submit such information
12 to the Secretary.

13 “(e) CONSOLIDATED PLAN.—A State plan submitted
14 under subsection (a) may be submitted as part of a con-
15 solidated plan under section 8302.

16 “(f) SECRETARY ASSISTANCE.—Pursuant to section
17 7004(a)(3), the Secretary shall provide assistance, if re-
18 quired, in the development of English language develop-
19 ment standards and English language proficiency assess-
20 ments.

21 **“SEC. 3106. LOCAL PLANS.**

22 “(a) PLAN REQUIRED.—Each local educational agen-
23 cy desiring a grant from the State educational agency
24 under section 3104(a) shall submit a plan to the State
25 educational agency at such time, in such manner, and ac-

1 complicated by such information as the State educational
2 agency may require.

3 “(b) CONTENTS.—Each local educational agency plan
4 submitted under subsection (a) shall—

5 “(1) describe how the local educational agency
6 shall use the grant funds to meet the English pro-
7 ficiency performance objective described in section
8 3109;

9 “(2) describe how the local educational agency
10 will hold elementary schools and secondary schools
11 accountable for meeting the performance objectives;

12 “(3) contain an assurance that the local edu-
13 cational agency consulted with elementary schools
14 and secondary schools, education-related community
15 groups and nonprofit organizations, institutions of
16 higher education, parents, language instruction
17 teachers, school administrators, and English lan-
18 guage instruction specialists, in developing the local
19 educational agency plan; and

20 “(4) contain an assurance that the local edu-
21 cational agency will use the disaggregated results of
22 the student assessments required under section
23 1111(b)(4), and other measures or indicators avail-
24 able to the agency, to review annually the progress
25 of each school served by the agency under this part

1 and under title I to determine whether the schools
2 are making the annual progress necessary to ensure
3 that limited English proficient students attending
4 the schools will meet the proficient State content
5 and student performance standard within 10 years
6 of enactment of the Public Education Reinvestment,
7 Reinvention, and Responsibility Act.

8 **"SEC. 3107. USES OF FUNDS.**

9 "(a) ADMINISTRATIVE EXPENSES.—Each local edu-
10 cational agency receiving a grant under section 3104 may
11 use not more than 1 percent of the grant funds for any
12 fiscal year for the cost of administering this subtitle.

13 "(b) ACTIVITIES.—Each local educational agency re-
14 ceiving grant funds under section 3104 shall use the grant
15 funds that are not used under subsection (a)—

16 "(1) to increase limited English proficient stu-
17 dents' proficiency in English by providing high-qual-
18 ity English language instruction programs, such as
19 bilingual education programs and transitional edu-
20 cation or English immersion education programs,
21 that are—

22 "(A) tied to scientifically based research
23 demonstrating the effectiveness of the programs
24 in increasing English proficiency; and

1 “(B) approved by the State educational
2 agency;

3 “(2) to provide high-quality professional devel-
4 opment activities for teachers of limited English pro-
5 ficient students that are—

6 “(A) designed to enhance the ability of
7 such teachers to understand and use curricula,
8 assessment measures, and instructional strate-
9 gies for limited English proficient students;

10 “(B) tied to scientifically based research
11 demonstrating the effectiveness of such pro-
12 grams in increasing students’ English pro-
13 ficiency or substantially increasing the knowl-
14 edge and teaching skills of such teachers; and

15 “(C) of sufficient intensity and duration
16 (such as not to include 1-day or short-term
17 workshops and conferences) to have a positive
18 and lasting impact on the teacher’s perform-
19 ance in the classroom, except that this para-
20 graph shall not apply to an activity that is 1
21 component of a long-term, comprehensive pro-
22 fessional development plan established by a
23 teacher and the teacher’s supervisor based upon
24 an assessment of the teacher’s and supervisor’s

1 needs, the student's needs, and the needs of the
2 local educational agency;

3 "(3) to identify, acquire, and upgrade curricula,
4 instructional materials, educational software, and as-
5 sessment procedures; and

6 "(4) to provide parent and community partici-
7 pation programs to improve English language in-
8 struction programs for limited English proficient
9 students.

10 **"SEC. 3108. PROGRAM REQUIREMENTS.**

11 "(a) PROHIBITION.—In carrying out this subtitle the
12 Secretary shall neither mandate nor preclude a particular
13 curricular or pedagogical approach to educating limited
14 English proficient students.

15 "(b) SOCIAL PROMOTION REFORMS.—The results of
16 English proficiency determinations under this subtitle
17 shall not be taken into consideration for purposes of social
18 promotion reform plans described in title I.

19 "(c) TEACHER ENGLISH FLUENCY.—Each local edu-
20 cational agency receiving grant funds under section 3104
21 shall certify to the State educational agency that all teach-
22 ers in any language instruction program for limited
23 English proficient students funded under this subtitle are
24 fluent in English.

1 **"SEC. 3109. PERFORMANCE OBJECTIVES.**

2 “(a) IN GENERAL.—Each State educational agency
3 or specifically qualified agency receiving a grant under this
4 subtitle shall develop annual numerical performance objec-
5 tives with respect to helping limited English proficient stu-
6 dents become proficient in English. The objectives shall
7 include incremental percentage increases for each fiscal
8 year a State receives a grant under this subtitle, including
9 increases in the number of limited English proficient stu-
10 dents demonstrating an increase in performance on annual
11 assessments in reading, writing, speaking, and listening
12 comprehension, from the preceding fiscal year.

13 “(b) ACCOUNTABILITY.—Each State educational
14 agency or specially qualified agency receiving a grant
15 under this subtitle shall be held accountable for meeting
16 the annual numerical performance objectives under this
17 subtitle and the adequate yearly progress levels for limited
18 English proficient students under section
19 1111(b)(2)(B)(iv) and (vii). Any State educational agency
20 or specially qualified agency that fails to meet the annual
21 performance objectives shall be subject to sanctions under
22 section 7001.

23 **"SEC. 3110. AUTHORIZATION OF APPROPRIATIONS.**

24 “There are authorized to be appropriated to carry out
25 this subtitle \$1,000,000,000 for fiscal year 2001, and such

1 sums as may be necessary for each of the 4 succeeding
2 fiscal years.

3 **"SEC. 3111. REGULATIONS AND NOTIFICATION.**

4 “(a) REGULATION RULE.—In developing regulations
5 under this subtitle, the Secretary shall consult with State
6 educational agencies, local educational agencies, organiza-
7 tions representing limited English proficient individuals,
8 and organizations representing teachers and other per-
9 sonnel involved in the education of limited English pro-
10 ficient students.

11 “(b) PARENTAL NOTIFICATION.—

12 “(1) IN GENERAL.—Each local educational
13 agency shall notify parents of a student partici-
14 pating in a language instruction educational pro-
15 gram under this subtitle of—

16 “(A) the student's level of English pro-
17 ficiency, how such level was assessed, the status
18 of the student's academic achievement, and the
19 implications of the student's educational
20 strengths and needs for age- and grade-appro-
21 priate academic attainment, promotion, and
22 graduation;

23 “(B) what programs are available to meet
24 the student's educational strengths and needs,
25 and how such programs differ in content and

1 instructional goals from other language instruc-
2 tion educational programs and, in the case of a
3 student with a disability, how such program
4 meets the objectives of the individualized edu-
5 cation program of such a student; and

6 “(C) the instructional goals of the lan-
7 guage instruction educational program, and
8 how the program will specifically help the lim-
9 ited English proficient student learn English
10 and meet age-appropriate standards for grade
11 promotion and graduation, including—

12 “(i) the characteristics, benefits, and
13 past academic results of the language in-
14 struction educational program and of in-
15 structional alternatives; and

16 “(ii) the reasons the student was iden-
17 tified as being in need of a language in-
18 struction educational program.

19 “(2) OPTION TO DECLINE.—

20 “(A) IN GENERAL.—Each parent described
21 in paragraph (1) shall also be informed that the
22 parent has the option of declining the enroll-
23 ment of their children or youth in a language
24 instruction educational program, and shall be

1 given an opportunity to decline such enrollment
2 if the parent so chooses.

3 “(B) OBLIGATIONS.—A local educational
4 agency shall not be relieved of any of the agen-
5 cy’s obligations under title VI of the Civil
6 Rights Act of 1964 (42 U.S.C. 2000d et seq.)
7 if a parent chooses not to enroll their child in
8 a language instruction educational program.

9 “(3) RECEIPT OF INFORMATION.—A parent de-
10 scribed in paragraph (1) shall receive, in a manner
11 and form understandable to the parent including, if
12 necessary and to the extent feasible, in the native
13 language of the parent, the information required by
14 this subsection. At a minimum, the parent shall
15 receive—

16 “(A) timely information about projects
17 funded under this subtitle; and

18 “(B) if the parent of a participating child
19 so desires, notice of opportunities for regular
20 meetings for the purpose of formulating and re-
21 sponding to recommendations from parents of
22 children assisted under this subtitle.

23 “(4) SPECIAL RULE.—A student shall not be
24 admitted to, or excluded from, any Federally as-
25 sisted language instruction educational program

1 solely on the basis of a surname or language-minor-
2 ity status.

3 “(5) LIMITATIONS ON CONDITIONS.—Nothing
4 in this subtitle shall be construed to authorize an of-
5 ficer or employee of the Federal Government to
6 mandate, direct, or control a State’s, local edu-
7 cational agency’s, elementary school’s, or secondary
8 school’s specific challenging English language devel-
9 opment standards or assessments, curricula, or pro-
10 gram of instruction, as a condition of eligibility to
11 receive grant funds under this subtitle.”.

12 **SEC. 302. EMERGENCY IMMIGRANT EDUCATION PROGRAM.**

13 (a) REPEALS, TRANSFERS, AND REDESIGNATIONS.—

14 Title III (20 U.S.C. 6801 et seq.) is further amended—

15 (1) by repealing part B (20 U.S.C. 6891 et
16 seq.), part C (20 U.S.C. 6921 et seq.), part D (20
17 U.S.C. 6951 et seq.), and part E (20 U.S.C. 6971
18 et seq.);

19 (2) by transferring part C of title VII (20
20 U.S.C. 7541 et seq.) to title III and inserting such
21 part after subtitle A (as inserted by section 301(3));

22 (3) by redesignating the heading for part C of
23 title VII (as transferred by paragraph (2)) as the
24 heading for subtitle B, and redesignating accord-

1 ingly the references to such part as the references to
2 such subtitle; and

3 (4) by redesignating section 7301 through 7309
4 (20 U.S.C. 7541, 7549) (as transferred by para-
5 graph (2)) as sections 3201 through 3209, respec-
6 tively, and redesignating accordingly the references
7 to such sections.

8 (b) AMENDMENTS.—Subtitle B of title III (as so
9 transferred and redesignated) is amended—

10 (1) in section 3205(a)(2) (as redesignated by
11 subsection (a)(4)), by striking “the Goals 2000:
12 Educate America Act.”; and

13 (2) in section 3209 (as redesignated by sub-
14 section (a)(4)), by striking “\$100,000,000” and all
15 that follows through “necessary for” and inserting
16 “such sums as may be necessary for fiscal year 2001
17 and”.

18 **SEC. 303. INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE**
19 **EDUCATION.**

20 (a) REPEALS, TRANSFERS, AND REDESIGNATIONS.—

21 Title III (20 U.S.C 6801 et seq.) is further amended—

22 (1) by transferring title IX (20 U.S.C. 7801 et
23 seq.) to title III and inserting such title after sub-
24 title B (as inserted by section 302(a)(2));

1 (2) by redesignating the heading for title IX (as
2 transferred by paragraph (1)) as the heading for
3 subtitle C, and redesignating accordingly the ref-
4 erences to such title as the references to such sub-
5 title;

6 (3) by redesignating sections 9101 and 9102
7 (20 U.S.C. 7801, 7802) (as transferred by para-
8 graph (1)) as sections 3301 and 3302, respectively,
9 and redesignating accordingly the references to such
10 sections;

11 (4) by redesignating sections 9111 through
12 9118 (20 U.S.C. 7811, 7818) (as transferred by
13 paragraph (1)) as sections 3311 through 3318, re-
14 spectively, and redesignating accordingly the ref-
15 erences to such sections;

16 (5) by redesignating sections 9121 through
17 9125 (20 U.S.C. 7831, 7835) (as transferred by
18 paragraph (1)) as sections 3321 through 3325, and
19 redesignating accordingly the references to such sec-
20 tion;

21 (6) by redesignating sections 9131 and 9141
22 (20 U.S.C. 7851, 7861) (as transferred by para-
23 graph (1)) as sections 3331 and 3341, respectively,
24 and redesignating accordingly the references to such
25 sections;

1 (7) by redesignating sections 9151 through
2 9154 (20 U.S.C. 7871, 7874) (as transferred by
3 paragraph (1)) as sections 3351 through 3354, re-
4 spectively, and redesignating accordingly the ref-
5 erences to such sections;

6 (8) by redesignating sections 9161 and 9162
7 (20 U.S.C. 7881, 7882) (as transferred by para-
8 graph (1)) as sections 3361 and 3362, respectively,
9 and redesignating accordingly the references to such
10 sections;

11 (9) by redesignating sections 9201 through
12 9212 (20 U.S.C. 7901, 7912) (as transferred by
13 paragraph (1)) as sections 3401 through 3412, re-
14 spectively, and redesignating accordingly the ref-
15 erences to such sections; and

16 (10) by redesignating sections 9301 through
17 9308 (20 U.S.C. 7931, 7938) (as transferred by
18 paragraph (1)) as sections 3501 through 3508, and
19 redesignating accordingly the references to such sec-
20 tions.

21 (b) AMENDMENTS.—Subtitle C of title III (as so
22 transferred and redesignated) is amended—

23 (1) by amending section 3314(b)(2)(A) (as re-
24 designated by subsection (a)(4)) to read as follows:

1 “(2)(A) is consistent with, and promotes the
2 goals in, the State and local improvement plans
3 under sections 1111 and 1112”;

4 (2) by amending section 3325(e) (as redesign-
5 nated by subsection (a)(5)) to read as follows:

6 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated such sums as may be
8 necessary to carry out this subpart for fiscal year 2001
9 and each of the 4 succeeding years.”;

10 (3) in section 3361(4)(E) (as redesignated by
11 subsection (a)(8)), by striking “the Act entitled the
12 ‘Improving America’s Schools Act of 1994’” and in-
13 serting “the Public Education Reinvestment, Re-
14 invention, and Responsibility Act”;

15 (4) by amending section 3362 (as redesignated
16 by subsection (a)(8)) to read as follows:

17 **“SEC. 3262. AUTHORIZATION OF APPROPRIATIONS.**

18 “For the purpose of carrying out subparts 1 through
19 5 of this part, there are authorized to be appropriated to
20 the Department of Education such sums as may be nec-
21 essary for fiscal year 2001 and each of the 4 succeeding
22 years.”;

23 (5) in section 3404 (as redesignated by sub-
24 section (a)(9))—

1 (A) in subsection (i), by striking "Improv-
2 ing America's Schools Act of 1994" and insert-
3 ing "Public Education Reinvestment, Reinven-
4 tion, and Responsibility Act"; and

5 (B) in subsection (j), by striking
6 "\$500,000 for fiscal year 1995, and such sums
7 as may be necessary" and inserting "such sums
8 as may be necessary for fiscal year 2001, and";

9 (6) in section 3405(c) (as redesignated by sub-
10 section (a)(9)), by striking "\$6,000,000 for fiscal
11 year 1995, and such sums as may be necessary" and
12 inserting "such sums as may be necessary for fiscal
13 year 2001, and";

14 (7) in section 3406(e) (as redesignated by sub-
15 section (a)(9)), by striking "\$2,000,000 for fiscal
16 year 1995, and such sums as may be necessary" and
17 inserting "such sums as may be necessary for fiscal
18 year 2001, and";

19 (8) in section 3407(e) (as redesignated by sub-
20 section (a)(9)), by striking "\$1,500,000 for fiscal
21 year 1995, and such sums as may be necessary" and
22 inserting "such sums as may be necessary for fiscal
23 year 2001, and";

24 (9) in section 3408(c) (as redesignated by sub-
25 section (a)(9)), by striking "\$2,000,000 for fiscal

1 year 1995, and such sums as may be necessary” and
2 inserting “such sums as may be necessary for fiscal
3 year 2001, and”;

4 (10) in section 3409(d) (as redesignated by
5 subsection (a)(9)), by striking “\$2,000,000 for fiscal
6 year 1995, and such sums as may be necessary” and
7 inserting “such sums as may be necessary for fiscal
8 year 2001, and”;

9 (11) in section 3410(d) (as redesignated by
10 subsection (a)(9)), by striking “\$1,000,000 for fiscal
11 year 1995, and such sums as may be necessary” and
12 inserting “such sums as may be necessary for fiscal
13 year 2001, and”;

14 (12) in section 3504(c) (as redesignated by sub-
15 section (a)(10)), by striking “\$5,000,000 for fiscal
16 year 1995, and such sums as may be necessary” and
17 inserting “such sums as may be necessary for fiscal
18 year 2001, and”;

19 (13) in section 3505(e) (as redesignated by sub-
20 section (a)(10)), by striking “\$2,000,000 for fiscal
21 year 1995, and such sums as may be necessary” and
22 inserting “such sums as may be necessary for fiscal
23 year 2001, and”; and

24 (14) in section 3506(d) (as redesignated by
25 subsection (a)(10)), by striking “\$1,000,000 for fis-

1 cal year 1995, and such sums as may be necessary"
2 and inserting "such sums as may be necessary for
3 fiscal year 2001, and".

4 **TITLE IV—PUBLIC SCHOOL**
5 **CHOICE**

6 **SEC. 401. PUBLIC SCHOOL CHOICE.**

7 (a) MAGNET SCHOOLS AMENDMENTS.—Section
8 5113(a) (20 U.S.C. 7213(a)) is amended—

9 (1) by striking "\$120,000,000" and inserting
10 "\$130,000,000"; and

11 (2) by striking "1995" and inserting "2001".

12 (b) CHARTER SCHOOLS AMENDMENTS.—

13 (1) PARALLEL ACCOUNTABILITY.—Section
14 10302 (20 U.S.C. 8062) is amended by adding at
15 the end the following:

16 "(g) PARALLEL ACCOUNTABILITY.—Each State edu-
17 cational agency receiving a grant under this part shall
18 hold charter schools assisted under this part accountable
19 for adequate yearly progress for improving student per-
20 formance under title I ^{and} ~~and accountable~~ as established in
21 the school's charter, including the use of the same stand-
22 ards ^{and assessments} as established under title I."

23 (2) AUTHORIZATION OF APPROPRIATIONS.—

24 Section 10311 (20 U.S.C. 8067) is amended.—

1 (A) by striking "\$100,000,000" and in-
2 serting "\$200,000,000"; and

3 (B) by striking "1999" and inserting
4 "2001".

5 (c) REPEALS, TRANSFERS AND REDESIGNATIONS.—

6 The Act (20 U.S.C. 6301 et seq.) is amended—

7 (1) by amending the heading for title IV (20
8 U.S.C. 7101 et seq.) to read as follows:

9 **"TITLE IV—PUBLIC SCHOOL**
10 **CHOICE";**

11 (2) by amending section 4001 to read as fol-
12 lows:

13 **"SEC. 4001. FINDINGS, POLICY, AND PURPOSE.**

14 **"(a) FINDINGS.—**Congress makes the following find-
15 ings:

16 **"(1)(A)** Charter schools and magnet schools are
17 an integral part of the educational system in the
18 United States.

19 **"(1)(B)** Thirty-four States and the District of
20 Columbia have established charter schools.

21 **"(1)(C)** Magnet schools have been established
22 throughout the United States.

23 **"(1)(D)** A Department of Education evaluation
24 of charter schools shows that 59 percent of charter

1 schools reported that lack of start-up funds posed a
2 difficult or very difficult challenge for the school.

3 “(2) State educational agencies and local edu-
4 cational agencies should hold all schools accountable
5 for the improved performance of all students, includ-
6 ing students attending charter schools and magnet
7 schools, under State standards and student assess-
8 ment measures.

9 “(3) School report cards constitute the key in-
10 formational component used by parents for effective
11 public school choice.

12 “(b) POLICY.—Congress declares it to be the policy
13 of the United States—

14 “(1) to support and stimulate improved public
15 school performance through increased public elemen-
16 tary school and secondary school competition and in-
17 creased Federal financial assistance; and

18 “(2) to provide parents with more choices
19 among public school options.

20 “(c) PURPOSES.—The purposes of this title are as
21 follows:

22 “(1) To consolidate public school choice pro-
23 grams into 1 title.

24 “(2) To increase Federal assistance for magnet
25 schools and charter schools.

1 “(3) To help parents make better and more in-
2 formed choices by—

3 “(A) providing continued support and fi-
4 nancial assistance for magnet schools;

5 “(B) providing continued support and ex-
6 pansion of charter schools and charter school
7 districts; and

8 “(C) providing financial assistance to
9 States and local educational agencies for the de-
10 velopment of local educational agency and
11 school report cards.”;

12 (3) by repealing sections 4002 through 4004
13 (20 U.S.C. 7102, 7104), and part A (20 U.S.C.
14 7111 et seq.), of title IV;

15 (4) by transferring part A of title V (20 U.S.C.
16 7201 et seq.) (as amended by subsection (a)) to title
17 IV and inserting such part A after section 4001;

18 (5) by redesignating sections 5101 through
19 5113 (20 U.S.C. 7201, 7213) (as transferred by
20 paragraph (4)) as sections 4101 through 4113, re-
21 spectively; and by redesignating accordingly the ref-
22 erences to such sections in part A of title IV (as so
23 transferred);

24 (6) by transferring part C of title X (20 U.S.C.
25 8061 et seq.) (as amended by subsection (b)) to title

1 IV and inserting such part C after part A of title
2 IV (as transferred by paragraph (4));
3 (7) by redesignating part C of title IV (as
4 transferred by paragraph (6)) as part B of title IV;
5 and
6 (8) by redesignating sections 10301 through
7 10311 (20 U.S.C. 8061, 8067) (as transferred by
8 paragraph (6)) as sections 4201 through 4211, re-
9 spectively, and by redesignating accordingly the ref-
10 erences to such sections in such part B of title IV
11 (as so transferred and redesignated).

12 **SEC. 402. DEVELOPMENT OF PUBLIC SCHOOL CHOICE PRO-**
13 **GRAMS; REPORT CARDS.**

14 Title IV (20 U.S.C. 7101 et seq.) is further amended
15 by adding at the end the following:

16 **“PART C—DEVELOPMENT OF PUBLIC SCHOOL**
17 **CHOICE PROGRAMS**

18 **“SEC. 4301. GRANTS AUTHORIZED.**

19 **“(a) IN GENERAL.—**From amounts made available to
20 carry out this part for a fiscal year under section 4305,
21 and not reserved under subsection (b), the Secretary is
22 authorized to award grants, on a competitive basis, to local
23 educational agencies to enable the local educational agen-
24 cies to develop local public school choice programs.

1 “(b) RESERVATION FOR EVALUATION, TECHNICAL
2 ASSISTANCE, AND DISSEMINATION.—From the amount
3 appropriated under section 4305 for any fiscal year, the
4 Secretary may reserve not more than 5 percent to carry
5 out evaluations under subsection (c), to provide technical
6 assistance, and to disseminate information.

7 “(c) EVALUATIONS.—The Secretary may use funds
8 reserved under subsection (b) to carry out 1 or more eval-
9 uations of programs assisted under this part, which shall,
10 at a minimum, address—

11 “(1) how, and the extent to which, the pro-
12 grams supported with funds under this part promote
13 educational equity and excellence; and

14 “(2) the extent to which public schools of choice
15 supported with funds under this part are—

16 “(A) held accountable to the public;

17 “(B) effective in improving public edu-
18 cation; and

19 “(C) open and accessible to all students.

20 “(b) DURATION.—Grants under this part may be
21 awarded for a period not to exceed 3 years.

22 **“SEC. 4302. DEFINITION OF HIGH-POVERTY LOCAL EDU-**
23 **CATIONAL AGENCY.**

24 “‘In this part, the term ‘high-poverty local educational
25 agency’ means a local educational agency in which the per-

1 centage of children, ages 5 to 17, from families with in-
2 comes below the poverty line (as defined by the Office of
3 Management and Budget and revised annually in accord-
4 ance with section 673(2) of the Community Services Block
5 Grant Act (42 U.S.C. 9902(2))) applicable to a family of
6 the size involved for the most recent fiscal year for which
7 satisfactory data are available is 20 percent or greater.

8 **"SEC. 4303. USES OF FUNDS.**

9 **"(a) IN GENERAL.—**

10 **"(1) PUBLIC SCHOOL CHOICE.—**Funds under
11 this part may be used to demonstrate, develop, im-
12 plement, evaluate, and disseminate information on
13 innovative approaches to promote public school
14 choice, including the design and development of new
15 public school choice options, the development of new
16 strategies for overcoming barriers to effective public
17 school choice, and the design and development of
18 public school choice systems that promote high
19 standards for all students and the continuous im-
20 provement of all public schools.

21 **"(2) INNOVATIVE APPROACHES.—**Such ap-
22 proaches at the school, local educational agency, and
23 State levels may include—

24 **"(A)** inter-district approaches to public
25 school choice, including approaches that in-

1 crease equal access to high-quality educational
2 programs and diversity in schools;

3 “(B) public elementary and secondary pro-
4 grams that involve partnerships with institu-
5 tions of higher education and that are located
6 on the campuses of those institutions;

7 “(C) programs that allow students in pub-
8 lic secondary schools to enroll in postsecondary
9 courses and to receive both secondary and post-
10 secondary academic credit;

11 “(D) worksite satellite schools, in which
12 State or local educational agencies form part-
13 nerships with public or private employers, to
14 create public schools at parents’ places of em-
15 ployment; and

16 “(E) approaches to school desegregation
17 that provide students and parents choice
18 through strategies other than magnet schools.

19 “(b) LIMITATIONS.—Funds under this part—

20 “(1) shall supplement, and not supplant, non-
21 Federal funds expended for existing public school
22 choice programs; and

23 “(2) may ~~not~~^{providing} be used for transportation ^{costs or services,}
except that no more than 10 percent of
the funds received under this part shall
be used by the local educational agency
to provide transportation costs or services.

1 **"SEC. 4304. GRANT APPLICATION; PRIORITIES.**

2 “(a) APPLICATION REQUIRED.—A State or local edu-
3 cational agency desiring to receive a grant under this part
4 shall submit an application to the Secretary.

5 “(b) APPLICATION CONTENTS.—Each application
6 shall include—

7 “(1) a description of the program for which
8 funds are sought and the goals for such program;

9 “(2) a description of how the program funded
10 under this part will be coordinated with, and will
11 complement and enhance, programs under other re-
12 lated Federal and non-Federal projects;

13 “(3) if the program includes partners, the name
14 of each partner and a description of the partner's
15 responsibilities;

16 “(4) a description of the policies and procedures
17 the applicant will use to ensure—

18 “(A) its accountability for results, includ-
19 ing its goals and performance indicators; and

20 “(B) that the program is open and acces-
21 sible to, and will promote high academic stand-
22 ards for, all students; and

23 “(5) such other information as the Secretary
24 may require.

25 “(c) PRIORITIES.—

1 “(1) HIGH-POVERTY AGENCIES.—The Secretary
2 shall give a priority to applications for projects that
3 would serve high-poverty local educational agencies.

4 “(2) PARTNERSHIPS.—The Secretary may give
5 a priority to applications demonstrating that the ap-
6 plicant will carry out the applicant’s project in part-
7 nership with 1 or more public and private agencies,
8 organizations, and institutions, including institutions
9 of higher education and public and private employ-
10 ers.

11 **“SEC. 4305. AUTHORIZATION OF APPROPRIATIONS.**

12 There are authorized to be appropriated to carry out
13 this part \$100,000,000 for fiscal year 2001 and such sums
14 as may be necessary for each of the 4 succeeding fiscal
15 years.

16 **“PART D—REPORT CARDS**

17 **“SEC. 4401. REPORT CARDS.**

18 “(a) GRANTS AUTHORIZED.—The Secretary shall
19 award a grant, from allotments under subsection (b), to
20 each State having a State report card meeting the require-
21 ments described in subsection (g), to enable the State an-
22 nually to publish report cards for each elementary school
23 and secondary school that receives funding under this Act
24 and is served by the State.

25 “(b) RESERVATIONS AND ALLOTMENTS.—

1 “(1) RESERVATIONS.—From the amount appro-
2 priated under subsection (e) to carry out this part
3 for each fiscal year, the Secretary shall reserve—

4 “(A) $\frac{1}{2}$ of 1 percent of such amount for
5 payments to the Secretary of the Interior for
6 activities approved by the Secretary, consistent
7 with this part, in schools operated or supported
8 by the Bureau of Indian Affairs, on the basis
9 of their respective needs for assistance under
10 this part; and

11 “(B) $\frac{1}{2}$ of 1 percent of such amount for
12 payments to outlying areas, to be allotted in ac-
13 cordance with their respective needs for assist-
14 ance under this part, as determined by the Sec-
15 retary, for activities, approved by the Secretary,
16 consistent with this part.

17 “(2) STATE ALLOTMENTS.—From the amount
18 appropriated under subsection (e) for a fiscal year
19 and remaining after the Secretary makes reserva-
20 tions under paragraph (1), the Secretary shall allot
21 to each State having a State report card meeting the
22 requirements described in subsection (g) an amount
23 that bears the same relationship to the remainder as
24 the number of public school students enrolled in ele-
25 mentary schools and secondary schools in the State

1 bears to the number of such students so enrolled in
2 all States.

3 “(c) WITHIN-STATE ALLOCATIONS.—Each State
4 educational agency receiving a grant under subsection (a)
5 shall allocate the grant funds that remain after making
6 the reservation described in subsection (d) to each local
7 educational agency in the State in an amount that bears
8 the same relationship to the remainder as the number of
9 public school students enrolled in elementary schools and
10 secondary schools served by the local educational agency
11 bears to the number of such students so enrolled in all
12 local educational agencies within the State.

13 “(d) STATE RESERVATION OF FUNDS.—Each State
14 educational agency receiving a grant under subsection (a)
15 may reserve—

16 “(1) not more than 10 percent of the grant
17 funds to carry out activities described under sub-
18 sections (f) and (g), and (i)(1) for fiscal year 2001;
19 and

20 “(2) not more than 5 percent of the grant
21 funds to carry out activities described under sub-
22 sections (f) and (g), and (i)(1) for fiscal year 2002
23 and each of the 3 succeeding fiscal years.

24 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated to carry out this part

1 \$50,000,000 for fiscal year 2001 and such sums as may
2 be necessary for each of the 4 succeeding fiscal years.

3 “(f) ANNUAL STATE REPORT.—

4 “(1) REPORTS REQUIRED.—

5 “(A) IN GENERAL.—Except as provided in
6 paragraph (3), not later than the beginning of
7 the 2001–2002 school year, a State that re-
8 ceives assistance under this Act shall prepare
9 and disseminate an annual report on all elemen-
10 tary schools and secondary schools within the
11 State that receive funds under part A of title I
12 or part A of title II.

13 “(B) STATE REPORT CARDS ON EDU-
14 CATION.—In the case of a State that publishes
15 State report cards on education, the State shall
16 include in such report cards the information de-
17 scribed in subsection (g).

18 “(C) REPORT CARDS ON ALL PUBLIC
19 SCHOOLS.—In the case of a State that pub-
20 lishes a report card on all public elementary
21 schools and secondary schools in the State, the
22 State shall include, at a minimum, the informa-
23 tion described in subsection (g) for all schools
24 that receive funds under part A of title I or
25 part A of title II.

1 “(2) IMPLEMENTATION; REQUIREMENTS.—

2 “(A) IMPLEMENTATION.—The State shall
3 ensure implementation at all levels of the report
4 cards described in paragraph (1).

5 “(B) REQUIREMENTS.—Annual report
6 cards under this part shall be—

7 “(i) concise; and

8 “(ii) presented in a format and man-
9 ner that parents can understand including,
10 to the extent practicable, in a language the
11 parents can understand.

12 “(3) PUBLICATION THROUGH OTHER MEANS.—

13 In the event that the State provides no such report
14 card, the State shall, not later than the beginning of
15 the 2001–2002 school year, publicly report the infor-
16 mation described in subsection (g) for all schools
17 that receive funds under part A of title I or part A
18 of title II through other public means.

19 “(g) CONTENT OF ANNUAL STATE REPORTS.—

20 “(1) REQUIRED INFORMATION.—Each State de-
21 scribed in subsection (f)(1)(A), at a minimum, shall
22 include in the annual State report information on
23 each local educational agency and school that re-
24 ceives funds under part A of title I or part A of title

1 II within the State, including information
2 regarding—

3 “(A) student performance on statewide as-
4 sessments for the year for which the annual
5 State report is made, and the preceding year, in
6 at least ~~reading~~ ^{English} (or language arts) and mathe-
7 matics, including—

8 “(i) a comparison of the proportions
9 of students who performed at the ~~below~~
10 ~~basic~~ basic, proficient, and advanced levels
11 in each subject area, for each grade level
12 at which assessments are required under
13 title I, with proportions in each of the
14 same 4 levels at the same grade levels in
15 the previous school year;

16 “(ii) a statement on the 3-year trend
17 in the percentage of students performing
18 at the ~~below basic~~ basic, proficient, and
19 advanced levels in each subject area, for
20 each grade level for which assessments are
21 required under title I; and

22 “(iii) a statement of the percentage of
23 students not tested and a listing of cat-
24 egories of the reasons why such students
25 were not tested;

1 “(B) student retention rates in grades, the
2 number of students completing advanced place-
3 ment courses, and 4-year graduation rates;

4 “(C) the professional qualifications of
5 teachers in the aggregate, including the per-
6 centage of teachers teaching with emergency or
7 provisional credentials, the percentage of class
8 sections not taught by fully qualified teachers,
9 and the percentage of teachers who are fully
10 qualified; and

11 “(D) the professional qualifications of
12 paraprofessionals in the aggregate, the number
13 of paraprofessionals in the aggregate, and the
14 ratio of paraprofessionals to teachers in the
15 classroom.

16 “(2) STUDENT DATA.—Student data in each re-
17 port shall contain disaggregated results for the fol-
18 lowing categories:

19 “(A) Racial and ethnic groups.

20 “(B) Economically disadvantaged students,
21 as compared to students who are not economi-
22 cally disadvantaged.

23 “(C) Students with limited English pro-
24 ficiency, as compared to students who are pro-
25 ficient in English.

 “(D) Gender

1 “(3) OPTIONAL INFORMATION.—A State may
2 include in the State annual report any other infor-
3 mation the State determines appropriate to reflect
4 school quality and school achievement, including by
5 grade level information on average class size and in-
6 formation on school safety, such as the incidence of
7 school violence and drug and alcohol abuse, and the
8 incidence of student suspensions and expulsions.

9 “(4) WAIVER.—The Secretary may grant a
10 waiver to a State seeking a waiver of the require-
11 ments of this subsection if the State demonstrates to
12 the Secretary that—

13 “(A) the content of existing State report
14 cards meets the goals of this part; and

15 “(B) the State is taking identifiable steps
16 to meet the requirements of this subsection.

17 “(h) LOCAL EDUCATIONAL AGENCY AND SCHOOL
18 REPORT CARDS.—

19 “(1) REPORT REQUIRED.—

20 “(A) IN GENERAL.—The State shall ensure
21 that each local educational agency, elementary
22 school, or secondary school receiving funds
23 under part A of title I or part A of title II in
24 the State, collects appropriate data and pub-

1 lishes an annual report card consistent with
2 this subsection.

3 “(B) REQUIRED INFORMATION.—Each
4 local educational agency, elementary school, and
5 secondary school described in subparagraph
6 (A), at a minimum, shall include in its annual
7 report card—

8 “(i) the information described in sub-
9 sections (g)(1) and (2) for each local edu-
10 cational agency and school;

11 “(ii) in the case of a local educational
12 agency—

13 “(I) information regarding the
14 number and percentage of schools
15 identified for school improvement, in-
16 cluding schools identified under sec-
17 tion 1116 of this Act, served by the
18 local educational agency;

19 “(II) information on the 3-year
20 trend in the number and percentage
21 of elementary schools and secondary
22 schools identified for school improve-
23 ment; and

24 “(III) information that shows
25 how students in the schools served by

1 the local educational agency perform
2 on the statewide assessment compared
3 to students in the State as a whole;

4 “(iii) in the case of an elementary
5 school or a secondary school—

6 “(I) information regarding
7 whether the school has been identified
8 for school improvement; and

9 “(II) information that shows how
10 the school’s students performed on the
11 statewide assessment compared to
12 students in schools served by the same
13 local educational agency and to all
14 students in the State; and

15 “(iii) other appropriate information,
16 whether or not the information is included
17 in the annual State report.

18 “(2) SPECIAL RULE.—A local educational agen-
19 cy that issues report cards for all public elementary
20 schools and secondary schools served by the agency
21 shall include, at a minimum, the information de-
22 scribed in subsection (g) for all schools that receive
23 funds under part A of title I or part A of title II.

24 “(i) DISSEMINATION AND ACCESSIBILITY OF RE-
25 PORTS AND REPORT CARDS.—

1 “(1) STATE REPORTS.—State annual reports
2 under subsection (g) shall be disseminated to all ele-
3 mentary schools, secondary schools, and local edu-
4 cational agencies in the State, and made broadly
5 available to the public through means such as post-
6 ing on the Internet and distribution to the media,
7 and through public agencies.

8 “(2) LOCAL REPORT CARDS.—Local educational
9 agency report cards under subsection (h) shall be
10 disseminated to all elementary schools and secondary
11 schools served by the local educational agency and to
12 all parents of students attending such schools, and
13 made broadly available to the public through means
14 such as posting on the Internet and distribution to
15 the media, and through public agencies.

16 “(3) SCHOOL REPORT CARDS.—Elementary
17 school and secondary school report cards under sub-
18 section (h) shall be disseminated to all parents of
19 students attending that school, and made broadly
20 available to the public, through means such as post-
21 ing on the Internet and distribution to the media,
22 and through public agencies.

23 “(j) PARENTS RIGHT-TO-KNOW.—

24 “(1) QUALIFICATIONS.—A local educational
25 agency that receives funds part A of title I or part

1 A of title II shall provide, upon request, in an under-
2 standable and uniform format, to any parent of a
3 student attending any school receiving funds under
4 part A of title I or part A of title II, information
5 regarding the professional qualifications of the stu-
6 dent's classroom teachers, including, at a
7 minimum—

8 “(A) whether the teacher has met State
9 certification or licensing criteria for the grade
10 levels and subject areas in which the teacher
11 provides instruction;

12 “(B) whether the teacher is teaching under
13 emergency or other provisional status through
14 which State certification or licensing criteria
15 are waived;

16 “(C) the baccalaureate degree major of the
17 teacher, any other graduate certification or de-
18 gree held by the teacher, and the field of dis-
19 cipline of each such certification or degree; and

20 “(D) whether the student is provided serv-
21 ices by paraprofessionals, and the qualifications
22 of any such paraprofessional.

23 “(2) ADDITIONAL INFORMATION.—In addition
24 to the information that parents may request under
25 paragraph (1), and the information provided in re-

1 (A) by striking “\$25,000,000” and insert-
2 ing “\$7,000,000”; and

3 (B) by striking “1995” and inserting
4 “2001”;

5 (6) in subsection (f)—

6 (A) by striking “\$2,000,000” and inserting
7 “\$5,000,000”; and

8 (B) by striking “1995” and inserting
9 “2001”; and

10 (7) in subsection (g), by striking “1998” and
11 inserting “2001”.

12 (b) REPEALS, TRANSFERS, AND REDESIGNATIONS.—

13 The Act (20 U.S.C. 6301 et seq.) is amended—

14 (1) by repealing title V (20 U.S.C. 7201 et
15 seq.);

16 (2) by redesignating title VIII (20 U.S.C. 7701
17 et seq.) (as amended by subsection (a)) as title V,
18 and transferring the title to follow title IV (as
19 amended by section 402);

20 (3) by redesignating references to title VIII as
21 references to title V (as redesignated and trans-
22 ferred by paragraph (2)); and

23 (4) by redesignating sections 8001 through
24 8014 (20 U.S.C. 7701, 7714) (as transferred by
25 paragraph (2)) as sections 5001 through 5014, re-

1 spectively, and redesignating accordingly the ref-
2 erences to such sections.

3 **TITLE VI—INNOVATIVE STRATE-**
4 **GIES FOR PERFORMANCE**

5 **SEC. 601. INNOVATIVE STRATEGIES FOR PERFORMANCE.**

6 Title VI (20 U.S.C. 7301 et seq.) is amended to read
7 as follows:

8 **“TITLE VI—INNOVATIVE STRATE-**
9 **GIES FOR PERFORMANCE**

10 **“SEC. 6001. FINDINGS, POLICY, AND PURPOSES.**

11 “(a) FINDINGS.—Congress makes the following find-
12 ings:

13 “(1) The Federal Government has created a
14 program for every educational concern, but has un-
15 dertaken so many challenges that the Federal Gov-
16 ernment has ended up addressing few concerns well.

17 “(2) Given the mass of Federal education pro-
18 grams existing in 1999, the focus of State edu-
19 cational agencies and local educational agencies has
20 been diverted from serving students to guaranteeing
21 administrative compliance with the programs.

22 “(3) Federal education funds are distributed
23 through a patchwork of programs so broad that
24 funds ultimately received by elementary schools and

To BE
SUPPLIED

→ (see attached)

1 secondary schools are too diffuse to address effec-
2 tively educational priorities.

3 “(b) POLICY.—Congress declares it to be the policy
4 of the United States to facilitate significant innovation in
5 elementary school and secondary school education pro-
6 grams, to enrich the learning environment of students,
7 and to assist State educational agencies and local edu-
8 cational agencies in building the agencies’ capacity to es-
9 tablish, implement, and sustain such innovative programs
10 for public elementary school and secondary school stu-
11 dents.

12 “(c) PURPOSES.—The purposes of programs under
13 this title are as follows:

14 “(1) To support local educational agencies’ re-
15 form efforts that are consistent with challenging
16 State content and student performance standards or
17 that create an enhanced learning environment to fa-
18 cilitate academic enrichment and innovation.

19 “(2) To provide funding to enable State edu-
20 cational agencies and local educational agencies to
21 implement promising educational reform programs.

22 “(3) To provide a continuing source of innova-
23 tion and educational improvement.

24 “(4) To meet the special educational needs of
25 low-performing and at-risk students.

1 “(5) To enable elementary schools and sec-
2 ondary schools to address local educational prior-
3 ities.

4 “(6) To require State educational agencies and
5 local educational agencies to demonstrate results in
6 return for increased flexibility and funding.

7 **“SEC. 6002. DEFINITIONS.**

8 “For purposes of this title, the term ‘State’ means
9 each of the several States, the District of Columbia, and
10 the Commonwealth of Puerto Rico.

11 **“SEC. 6003. PROGRAMS AUTHORIZED.**

12 “(a) GRANTS AUTHORIZED.—From amounts appro-
13 priated under section 6008, the Secretary shall award a
14 grant, from allotments under subsection (b), to each State
15 having a State plan approved under section 6005(a)(4),
16 to enable the State

17 “(1) to fund programs to meet the purposes of
18 this title; and

19 “(2) to award subgrants to local educational
20 agencies to enable the local educational agencies
21 within the State to stimulate and support innovative
22 education practices.

23 “(b) RESERVATIONS AND ALLOTMENTS.—

1 “(1) RESERVATIONS.—From the amount appro-
2 priated under section 6008 to carry out this part for
3 each fiscal year, the Secretary shall reserve—

4 “(A) not more than $\frac{1}{2}$ of 1 percent of
5 such amount for payments to the Bureau of In-
6 dian Affairs for activities, approved by the Sec-
7 retary, consistent with this title;

8 “(B) not more than $\frac{1}{2}$ of 1 percent of
9 such amount for payments to outlying areas, to
10 be allotted in accordance with their respective
11 needs for assistance under this title as deter-
12 mined by the Secretary, for activities, approved
13 by the Secretary, consistent with this title; and

14 “(C) such sums as are necessary to con-
15 tinue to support any multiyear award made
16 under titles III, IV, V, VI, or X (as such titles
17 were in effect on the day preceding the date of
18 enactment of the Public Education Reinvest-
19 ment, Reinvention, and Responsibility Act) until
20 the termination of the multiyear award.

21 “(2) ALLOTMENTS TO STATES.—From the
22 amount appropriated under section 6005(a)(4) for a
23 fiscal year and remaining after the Secretary makes
24 reservations under paragraph (1), the Secretary

1 shall allot to each State having a State plan ap-
2 proved under section 6005(a)(4) the sum of—

3 “ (A) an amount that bears the same rela-
4 tionship to 85 percent of the remainder as the
5 amount the State received under section 1124
6 bears to the amount all States received under
7 section 1124; and

8 “ (B) an amount that bears the same rela-
9 tionship to 15 percent of the remainder as the
10 amount the State received under section 1124A
11 bears to the amount all States received under
12 section 1124A.

13 **“SEC. 6004. WITHIN-STATE ALLOCATION.**

14 “(a) RESERVATIONS.—Each State receiving a grant
15 under section 6003(a) may reserve not more than 5 per-
16 cent of the grant funds for the planning and administra-
17 tive costs of carrying out this section, including the costs
18 of allocating grants to local educational agencies under
19 this section and section 6007.

20 “(b) LOCAL ALLOCATIONS.—Each State receiving a
21 grant under section 6003(a) shall allocate—

22 “(1) 90 percent of the grant funds that remain
23 after making the reservation under subsection (a) to
24 award a grant to each local educational agency in
25 the State having a local plan approved under section

1 6005(b), in an amount that bears the same relation-
2 ship to the remainder as the amount the local edu-
3 cational agency received under part A of title I bears
4 to the amount all local educational agencies in the
5 State received under such part;

6 “(2) 10 percent of the grant funds that remain
7 after making the reservation under subsection (a), to
8 award grants, on a competitive basis, to local edu-
9 cational agencies under section 6007.

10 **“SEC. 6005. PLANS.**

11 “(a) STATE PLANS.—

12 “(1) IN GENERAL.—Each State educational
13 agency desiring a grant under section 6003(a) shall
14 submit a 5-year State plan to the Secretary at such
15 time, in such manner, and accompanied by such in-
16 formation as the Secretary may require.

17 “(2) INNOVATIVE PARTNERSHIPS.—The Gov-
18 ernor of each State desiring a grant under section
19 6003(a), in consultation with the State educational
20 agency, shall establish an education innovation part-
21 nership, which shall be an integral participant in the
22 development of the State plan and performance ob-
23 jectives. At a minimum, each such education innova-
24 tion partnership shall consist of the following:

25 “(A) The Governor of the State.

1 “(B) The chief State school officer.

2 “(C) A representative, selected jointly by
3 the Governor and the chief State school officer,
4 of at least 1 local educational agency that is eli-
5 gible to receive a grant under section
6 6004(b)(1).

7 “(D) A representative, selected jointly by
8 the Governor and the chief State school officer,
9 of a community-based organization that focuses
10 on the education of children, particularly low-
11 performing and economically disadvantaged stu-
12 dents.

13 “(E) A representative of a parent’s organi-
14 zation.

15 “(F) A principal of a school that has insti-
16 tuted an exemplary innovative education pro-
17 gram that focuses on serving low-performing
18 students or enhancing the learning environ-
19 ment.

20 “(G) A teacher who has successfully raised
21 the performance levels of low-performing stu-
22 dents.

23 “(3) CONTENTS.—Each State plan shall—

24 “(A) describe the program goals and objec-
25 tives that are aligned with State content and

1 student performance standards, or that create
2 an enhanced learning environment, that the
3 State and local educational agencies seek to
4 achieve;

5 “(B) specify annual performance objectives
6 that will be used by the State and local edu-
7 cational agencies to assess annually the effec-
8 tiveness of the program;

9 “(C) specify how the State will measure
10 the annual performance objectives; and

11 “(D) describe how the State will hold local
12 educational agencies and schools accountable
13 for meeting the performance objectives.

14 “(4) APPROVAL.—The Secretary, using a peer
15 review process, shall approve a State plan if the
16 State plan meets the requirements of this section
17 and holds reasonable promise of achieving the pur-
18 poses described in section 6001(c).

19 “(5) DURATION OF THE PLAN.—

20 “(A) IN GENERAL.—Each State plan
21 shall—

22 “(i) remain in effect for the duration
23 of the State’s participation under this title;
24 and

1 “(ii) be periodically reviewed and re-
2 vised by the State, as necessary, to reflect
3 changes in the State’s strategies, pro-
4 grams, and performance objectives under
5 this title.

6 “(B) ADDITIONAL INFORMATION.—If the
7 State makes significant changes in its plan,
8 such as the adoption of new performance objec-
9 tives or assessment measures, the State shall
10 submit such information to the Secretary.

11 “(6) CONSOLIDATED PLAN.—A State plan sub-
12 mitted under paragraph (1) may be submitted as
13 part of a consolidated plan under section 8302.

14 “(b) LOCAL PLANS AND REQUIREMENTS.—

15 “(1) IN GENERAL.—Each local educational
16 agency desiring a grant from the State educational
17 agency under section 6004(b)(1) shall submit a local
18 educational agency plan to the State educational
19 agency at such time, in such manner, and accom-
20 panied by such information as the State educational
21 agency may require.

22 “(2) CONTENTS.—Each local educational agen-
23 cy plan shall—

1 “(A) describe the programs for which as-
2 sistance is sought and the reasons for the selec-
3 tion of such programs;

4 “(B) describe the program goals and objec-
5 tives that are aligned with State content and
6 student performance standards, or that create
7 an enhanced learning environment, that the
8 local educational agency seeks to achieve;

9 “(C) specify annual performance objectives
10 that will be used by the local educational agen-
11 cy to assess annually the effectiveness of the
12 program;

13 “(D) specify how the local educational
14 agency will measure the annual performance ob-
15 jectives;

16 “(E) describe how the local educational
17 agency will hold elementary schools and sec-
18 ondary schools accountable for meeting the per-
19 formance objectives;

20 “(F) provide assurances that the local edu-
21 cational agency shall use the funds made avail-
22 able under section 6004(b)(1) in compliance
23 with section 6006; and

24 “(G) contain an assurance that the local
25 educational agency consulted with elementary

1 school and secondary schools, education-related
2 community groups and nonprofit organizations,
3 parents, teachers, and school administrators, in
4 the development of the local educational agency
5 plan and selection of the programs described in
6 the local educational agency plan.

7 “(3) PLAN APPROVAL.—The innovative partner-
8 ship described in subsection (a)(2) may approve a
9 local educational agency plan meeting the require-
10 ments of this subsection.

11 “(4) MATCHING REQUIREMENT.—Each local
12 educational agency receiving a grant under section
13 6004(b)(1) shall contribute resources with respect to
14 the local authorized activities to be assisted under
15 this title in cash or in-kind, from non-Federal
16 sources, in an amount not less than 15 percent of
17 the Federal funds awarded under the grant.

18 **“SEC. 6006. LOCAL USES OF FUNDS.**

19 “(a) ADMINISTRATIVE EXPENSES.—Each local edu-
20 cational agency receiving a grant under section 6004(b)(1)
21 may use not more than 1 percent of the subgrant funds
22 for any fiscal year for the cost of administering this title.

23 “(b) REQUIRED ACTIVITIES.—At a minimum, each
24 local educational agency receiving grant funds under sec-
25 tion 6004(b)(1) shall use the funds that are not used

1 under subsection (a) to establish and carry out programs
2 that are designed to achieve, separately or cumulatively,
3 each of the goals described in paragraphs (1) through (3).

4 “(1) ACADEMIC ENRICHMENT.—Each local edu-
5 cational agency shall use a portion of the grant
6 funds for programs or policies that seek to raise the
7 academic achievement level of all elementary school
8 and secondary school students based on State con-
9 tent and student performance standards, such as—

10 “(A) technology programs;

11 “(B) before- and after-school programs
12 and summer school programs;

13 “(C) schoolwide reform programs;

14 “(D) college preparation courses;

15 “(E) academic equity programs, including
16 gender equity;

17 “(F) civics education;

18 “(G) arts education;

19 “(H) reading and literacy programs to pre-
20 pare young children for elementary school;

21 “(I) foreign language programs;

22 “(J) gifted and talent programs; and

23 “(K) other programs approved by the
24 State that improve higher order thinking skills
25 of all students.

1 “(2) SAFE AND SUPPORTIVE ENVIRONMENTS.—

2 Each local educational agency shall use a portion of
3 the grant funds for programs or policies that help
4 ensure that all elementary school and secondary
5 school students learn in a safe and supportive envi-
6 ronment, such as—

7 “(A) programs that reduce drugs and vio-
8 lence in schools;

9 “(B) before- and after-school programs
10 and summer programs;

11 “(C) programs that address student dis-
12 cipline problems;

13 “(D) programs that reduce school dropout
14 rates and chronic absenteeism;

15 “(E) character education programs;

16 “(F) programs to recruit or retain high-
17 quality mental health professionals to counsel
18 students in public elementary schools and sec-
19 ondary schools who are exhibiting symptoms of
20 distress (such as substance abuse, disruptive
21 behavior, and suicidal behavior), or to provide
22 such professionals with professional develop-
23 ment; and

24 “(G) other activities approved by the
25 State.

1 “(3) REFORM AND INNOVATION.—Each local
2 educational agency shall use a portion of the grant
3 funds for programs or policies that lead to systemic
4 education reforms or innovations that seek to in-
5 crease all elementary school and secondary school
6 students’ academic achievement based on State con-
7 tent and student performance standards, such as—

8 “(A) professional development, consistent
9 with part A of title II, for teachers, principals,
10 and administrators;

11 “(B) comprehensive academic instruction
12 or education reform;

13 “(C) technology programs;

14 “(D) classroom management programs for
15 teachers; and

16 “(E) other activities approved by the
17 State.

18 **“SEC. 6007. INNOVATIVE PRACTICES.**

19 “(a) GRANTS.—A State receiving a grant under sec-
20 tion 6003(a) shall use 100 percent of the grant funds
21 made available under section 6004(b)(2) to award grants,
22 on a competitive basis, to local educational agencies within
23 the State to stimulate and support innovative education
24 practices, including programs that require a 1 time infu-
25 sion of funding.

1 “(b) APPLICATION REQUIRED.—Each local edu-
2 cational agency desiring a grant under this section shall
3 submit an application to the State educational agency at
4 such time, in such manner, and accompanied by such in-
5 formation as the State educational agency may reasonably
6 require.

7 “(c) USES OF FUNDS.—Each local educational agen-
8 cy receiving a grant under this section shall use the grant
9 funds to support and stimulate the development and initial
10 implementation of innovative education practices,
11 including—

12 “(1) promising education reform projects, such
13 as comprehensive school reform;

14 “(2) experiments with longer school days and
15 longer school years;

16 “(3) unconventional teacher mentoring pro-
17 grams;

18 “(4) outreach efforts for attracting fully quali-
19 fied teachers and highly qualified principals to ele-
20 mentary schools and secondary schools with high
21 percentages of low-performing students or poorly-
22 qualified teachers;

23 “(5) teacher portability initiatives, such as in-
24 novations regarding pensions and certifications of
25 years of experience;

1 “(6) the creation of alternative or transitional
2 settings for violent or disruptive students;

3 “(7) the creation of charter school districts; or

4 “(8) other activities that seek to increase the
5 academic achievement of all elementary school or
6 secondary school students, based on State content
7 and student performance standards, as approved by
8 the State.

9 “(d) ADMINISTRATIVE RESERVATION OF FUNDS.—

10 Each local educational agency receiving a grant under this
11 section may reserve not more than 3 percent of funds for
12 administrative purposes in carrying out activities under
13 this section.

14 **“SEC. 6008. AUTHORIZATION OF APPROPRIATIONS.**

15 “There are authorized to be appropriated to carry out
16 this title \$2,700,000,000 for fiscal year 2001, and such
17 sums as may be necessary for each of the 4 succeeding
18 fiscal years.”.

19 **TITLE VII—ACCOUNTABILITY**

20 **SEC. 701. ACCOUNTABILITY.**

21 Title VII of the Act (20 U.S.C. 7401 et seq.) is
22 amended to read as follows:

1 **“TITLE VII—ACCOUNTABILITY**

2 **“SEC. 7001. SANCTIONS.**

3 “(a) THIRD FISCAL YEAR.—If performance objec-
4 tives established under a covered provision have not been
5 met by a State receiving grant funds under such provision
6 by the end of the third fiscal year for which the State
7 receives such grant funds, the Secretary shall reduce by
8 50 percent the amount the State is entitled to receive for
9 administrative expenses under such provision.

10 “(b) FOURTH FISCAL YEAR.—If the State fails to
11 meet the performance objectives established under a cov-
12 ered provision by the end of the fourth fiscal year for
13 which the State receives grant funds under the covered
14 provision, the Secretary shall reduce the total amount the
15 State receives under title VI by 30 percent.

16 “(c) DURATION.—If the Secretary determines, under
17 subsection (a) or (b), that a State failed to meet the per-
18 formance objectives established under a covered provision
19 for a fiscal year, the Secretary shall reduce grant funds
20 in accordance with subsection (a) or (b) for the State for
21 each subsequent fiscal year until the State demonstrates
22 that the State met the performance objectives for the fis-
23 cal year preceding the demonstration.

1 “(d) TECHNICAL ASSISTANCE.—The Secretary shall
2 provide technical assistance, if sought, to a State subjected
3 to sanctions under subsection (a) or (b).

4 “(e) LOCAL SANCTIONS.—

5 “(1) IN GENERAL.—Each State receiving assist-
6 ance under title I, II, III, or VI shall develop a sys-
7 tem to hold local educational agencies accountable
8 for meeting—

9 “(A) the performance objectives estab-
10 lished under part A of title II and part A of
11 title III; and

12 “(B) the adequate yearly progress require-
13 ments established under part A of title I, and
14 required under part A of title III and title VI.

15 “(2) SANCTIONS.—A system developed under
16 paragraph (c) shall include a mechanism for sanc-
17 tioning local educational agencies for low perform-
18 ance with regard to failure to meet such perform-
19 ance objectives and adequate yearly progress levels.

20 “(f) DEFINITIONS.—In this section:

21 “(1) COVERED PROVISION.—The term ‘covered
22 provision’ means part A of title I, part A of title II,
23 and part A of title III.

24 “(2) PERFORMANCE OBJECTIVES.—The term
25 ‘performance objectives’ means in the case of—

1 “(A) part A of title I, the adequate yearly
2 progress levels established under subsections
3 (b)(2)(A)(iii) and (b)(2)(B) of section 1111;

4 “(B) part A of title II, the set of perform-
5 ance objectives established in section 2014; and

6 “(C) part A of title III, the set of perform-
7 ance objectives established in section 3109.

8 **“SEC. 7002. REWARDING HIGH PERFORMANCE.**

9 “(a) STATE REWARDS.—

10 “(1) IN GENERAL.—From amounts appro-
11 priated under subsection (d), and from amounts
12 made available as a result of reductions under sec-
13 tion 7001, the Secretary shall make awards to
14 States that—

15 “(A) for 3 consecutive years have—

16 “(i) exceeded the States’ performance
17 objectives established for any title under
18 this Act;

19 “(ii) exceeded their adequate yearly
20 progress levels established in section
21 1111(b);

22 “(iii) significantly narrowed the gaps
23 between minority and non-minority stu-
24 dents, and between economically disadvan-

1 taged and non-economically disadvantaged
2 students; or

3 “(iv) raised all students to the pro-
4 ficient standard level prior to 10 years
5 from the date of enactment of the Public
6 Education Reinvention, Reinvestment, and

7 Responsibility Act; of

8. (V) significantly increased the percentage of core
(B) by not later than fiscal year 2003, classes being

9 ensure that all teachers teaching in the States' *taught by*
10 public elementary schools and secondary schools *fully qualified*
11 are fully qualified. *teachers teaching*

12 “(2) STATE USE OF FUNDS.—

13 “(A) DEMONSTRATION SITES.—Each State
14 receiving an award under paragraph (1) shall

15. _____ use a portion of the award that is not distrib-

16, 1977, conducted under subsection (b) to establish dem-

17. demonstration sites with respect to high-performing

18 schools (based on achievement or performance

19 levels) objectives and adequate yearly progress

20 in order to help low-performing schools.

21 “(B) IMPROVEMENT OF PERFORMANCE.—

22. Each State receiving an award under paragraph

23 (1) shall use the portion of the award that is

24 not used pursuant to subparagraph (A) or (C)

25 and is not distributed under subsection (b) for

1 the purpose of improving the level of perform-
2 ance of all elementary and secondary school
3 students in the State, based on State content
4 and performance standards.

5 “(C) RESERVATION FOR ADMINISTRATIVE
6 EXPENSES.—Each State receiving an award
7 under paragraph (1) may set aside not more
8 than $\frac{1}{2}$ of 1 percent of the award for the plan-
9 ning and administrative costs of carrying out
10 this section, including the costs of distributing
11 awards to local educational agencies.

12 “(b) LOCAL EDUCATIONAL AGENCY AWARDS.—

13 “(1) IN GENERAL.—Each State receiving an
14 award under subsection (a)(1) shall distribute 80
15 percent of the award funds to local educational
16 agencies in the State that—

17 “(A) for 3 consecutive years have—

18 “(i) exceeded the State-established
19 local educational agency performance ob-
20 jectives established for any title under this
21 Act;

22 “(ii) exceeded the adequate yearly
23 progress level established under section
24 1111(b)(2);

1 “(iii) significantly narrowed the gaps
2 between minority and nonminority stu-
3 dents, and between economically disadvan-
4 tagged and noneconomically disadvantaged
5 students; or

6 “(iv) raised all students enrolled in
7 schools within the local educational agency
8 to the proficient standard level prior to 10
9 years from the date of enactment of the
10 Public Education Reinvestment, Reinven-
11 tion, and Responsibility Act;

12 “(v) significantly increased the percentage
13 “(B) not later than December 31, 2003,
14 ensured that all teachers teaching in the ele-
15 mentary schools and secondary schools served
16 by the local educational agencies are fully quali-
17 fied; or

18 “(C) have attained consistently high
19 achievement in another area that the State
20 deems appropriate to reward.

21 “(2) SCHOOL-BASED PERFORMANCE AWARDS.—

22 A local educational agency may use funds made
23 available under paragraph (1) for activities such as
24 school-based performance awards.

25 “(3) RESERVATION FOR ADMINISTRATIVE EX-
PENSES.—Each local educational agency receiving

*of core classes
being taught
by fully qualifie
teachers teaching
in schools receiving
funds under
title I, part A;*

1 an award under paragraph (1) may set aside not
2 more than $\frac{1}{2}$ of 1 percent of the award for the plan-
3 ning and administrative costs of carrying out this
4 section, including the costs of distributing awards to
5 eligible elementary schools, and secondary schools,
6 teachers, and principals.

7 “(c) SCHOOL REWARDS.—Each local educational
8 agency receiving an award under subsection (b) shall con-
9 sult with teachers and principals to develop a reward sys-
10 tem, and shall use the award funds—

11 “(1) to reward individual schools that dem-
12 onstrate high performance with respect to—

13 “(A) increasing the academic achievement
14 of all students;

15 “(B) narrowing the academic achievement
16 gap described in section 1111(b)(2)(B)(vii);

17 “(C) improving teacher quality;

18 “(D) increasing high-quality professional
19 development for teachers, principals, and ad-
20 ministrators; or

21 “(E) improving the English proficiency of
22 limited English proficient students;

23 “(2) to reward ~~individual teachers who~~ *collaborative teams of teachers, or* *teams of*
24 *teachers and*
25 *principals*
that

“ (A) significantly increase the annual per-
formance of low-performing students; or

1 “(B) significantly improve in a fiscal year
2 the English proficiency of limited English pro-
3 ficient students;

4 “(3) to reward principals who successfully raise
5 the performance of a substantial number of low-per-
6 forming students to high academic levels;

7 “(4) to develop or implement school district-
8 wide programs or policies to increase the level of
9 student performance on State assessments that are
10 aligned with State content standards; and

11 “(5) to reward schools for consistently high
12 achievement in another area that the local edu-
13 cational agency deems appropriate to reward.

14 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated to carry out this section
16 \$200,000,000 for fiscal year 2001, and such sums as may
17 be necessary for each of the 4 succeeding fiscal years.

 18 “(e) DEFINITION.—The term ‘low-performing stu-
19 dent’ means students who are below the basic State stand-
20 ard level.

21 **“SEC. 7003. SUPPLEMENT NOT SUPPLANT.**

22 “A State educational agency and local educational
23 agency shall use funds under this title to supplement, and,
24 not supplant, Federal, State, and local funds that, in the

1 absence of funds under this title, would otherwise be spent
2 for activities of the type described in section 7002.

3 **"SEC. 7004. SECRETARY'S ACTIVITIES.**

4 “(a) IN GENERAL.—Notwithstanding any other pro-
5 vision of this Act, from amounts appropriated under sub-
6 section (b) and not reserved under subsection (c), the Sec-
7 retary may—

8 “(1) support activities of the National Board
9 for Professional Teaching Standards;

10 “(2) study and disseminate information regard-
11 ing model programs assisted under this Act;

12 “(3) provide training and technical assistance
13 to States, local educational agencies, elementary
14 schools and secondary schools, Indian tribes, and
15 other recipients of grant funds under this Act that
16 are carrying out activities assisted under this Act,
17 including entering into contracts or cooperative
18 agreements with public or private nonprofit entities
19 or consortia of such entities, in order to provide
20 comprehensive training and technical assistance re-
21 lated to the administration and implementation of
22 activities assisted under this Act;

23 “(4) support activities that will promote sys-
24 temic education reform at the State and local levels;

1 “(5) award grants or contracts to public or pri-
2 vate nonprofit entities to enable the entities—

3 “(A) to develop and disseminate exemplary
4 reading, mathematics, science, ^{and} technology, edu-
5 cation practices, and instructional materials to
6 States, local educational agencies, and elemen-
7 tary schools and secondary schools; and

8 “(B) to provide technical assistance for the
9 implementation of teaching methods and assess-
10 ment tools for use by elementary schools and
11 secondary school students, teachers, and admin-

12 istrators;

13 *“(6) Disseminate information on models of value-added assessments,*
14 *“(6) award a grant or contract to a public or*
15 private nonprofit entity or consortium of such enti-
16 ties to establish a national center for activities for
17 gifted and talented students; and

18 *8 “(7) provide assistance to States—*

19 “(A) by assisting in the development of
20 English language development standards and
21 high-quality assessments, if requested by a
22 State participating in activities under subtitle A
23 of title III; and

24 “(B) by developing native language tests
25 for limited English proficient students that a
State may administer to such students to assess

1 student achievement in at least reading, science,
2 and mathematics, consistent with section 1111.

3 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to carry out this section
5 \$300,000,000 for fiscal year 2001, and such sums as may
6 be necessary for each of the 4 succeeding fiscal years.

7 “(c) RESERVATION.—From the amounts appro-
8 priated under subsection (b) the Secretary shall reserve
9 \$10,000,000 for the purposes of carrying out activities
10 under section 1202(c).”.

11 **TITLE VIII—GENERAL** 12 **PROVISIONS AND REPEALS**

13 **SEC. 801. REPEALS, TRANSFERS, AND REDESIGNATIONS RE-** 14 **GARDING TITLES VIII AND XIV.**

15 (a) IN GENERAL.—The Act (20 U.S.C. 6301 et seq.)
16 is amended—

17 (1) by inserting after title VII the following:

18 **“TITLE VIII—GENERAL** 19 **PROVISIONS”;**

20 (2) by repealing sections 14514 and 14603 (20
21 U.S.C. 8904, 8923);

22 (3)(A) by transferring title XIV (20 U.S.C.
23 8801 et seq.) to title VIII and inserting such title
24 after the title heading for title VIII; and

25 (B) by striking the title heading for title XIV;

1 (4)(A) by redesignating part H of title VIII (as
2 redesignated by paragraph (3)) as part I of title
3 VIII; and

4 (B) by redesignating the references to part H
5 of title VIII as references to part I of title VIII;

6 (5) by inserting after part G of title VIII the
7 following:

8 **"PART H—SUPPLEMENT, NOT SUPPLANT**

9 **"SEC. 8801. SUPPLEMENT, NOT SUPPLANT.**

10 "A State educational agency or local educational
11 agency shall use funds received under the Act to supple-
12 ment, and not supplant, State and local funds that, in the
13 absence of funds under this Act, would otherwise be spent
14 for activities under this Act."

15 (6) by redesignating the references to title XIV
16 as references to title VIII;

17 (7)(A) by redesignating sections 14101 through
18 14103 (20 U.S.C. 8801, 8803) (as transferred by
19 paragraph (3)) as sections 8101 through 8103, re-
20 spectively; and

21 (B) by redesignating the references to such sec-
22 tions 14101 through 14103 as references to sections
23 8101 through 8103, respectively;

24 (8)(A) by redesignating sections 14201 through
25 14206 (20 U.S.C. 8821, 8826) (as transferred by

1 paragraph (3)) as sections 8201 through 8206, re-
2 spectively; and

3 (B) by redesignating the references to such sec-
4 tions 14201 through 14206 as references to sections
5 8201 through 8206, respectively;

6 (9)(A) by redesignating sections 14301 through
7 14307 (20 U.S.C. 8851, 8857) (as transferred by
8 paragraph (3)) as sections 8301 through 8307, re-
9 spectively; and

10 (B) by redesignating the references to such sec-
11 tions 14301 through 14307 as references to sections
12 8301 through 8307, respectively;

13 (10)(A) by redesignating section 14401 (20
14 U.S.C. 8881) (as transferred by paragraph (3)) as
15 section 8401; and

16 (B) by redesignating the references to such sec-
17 tion 14401 as references to section 8401;

18 (11)(A) by redesignating sections 14501
19 through 14513 (20 U.S.C. 8891, 8903) (as trans-
20 ferred by paragraph (3)) as sections 8501 through
21 8513, respectively; and

22 (B) by redesignating the references to such sec-
23 tions 14501 through 14513 as references to sections
24 8501 through 8513, respectively;

1 (12)(A) by redesignating sections 14601 and
2 14602 (20 U.S.C. 8921, 8922) (as transferred by
3 paragraph (3)) as sections 8601 and 8602, respec-
4 tively; and

5 (B) by redesignating the references to such sec-
6 tions 14601 and 14602 as references to sections
7 8601 and 8602, respectively;

8 (13)(A) by redesignating section 14701 (20
9 U.S.C. 8941) (as transferred by paragraph (3)) as
10 section 8701; and

11 (B) by redesignating the references to such sec-
12 tion 14701 as references to section 8701; and

13 (14)(A) by redesignating sections 14801 and
14 14802 (20 U.S.C. 8961, 8962) (as transferred by
15 paragraph (3)) as sections 8901 and 8902, respec-
16 tively; and

17 (B) by redesignating the references to such sec-
18 tions 14801 and 14802 as references to sections
19 8901 and 8902, respectively.

20 (b) AMENDMENTS.—Title VIII (as so transferred and
21 redesignated) is amended—

22 (1) in section 8101(10) (as redesignated by
23 subsection (a)(7))—

24 (A) by striking subparagraphs (C) through
25 (F); and

1 (B) by adding after subparagraph (B) the
2 following:

3 “(C) part A of title II;

4 “(D) part A of title III; and

5 “(E) title IV.”;

6 (2) in section 8102 (as redesignated by sub-
7 section (a)(7)), by striking “VIII” and inserting
8 “V”;

9 (3) in section 8201 (as redesignated by sub-
10 section (a)(8))—

11 (A) in subsection (a)(2), by striking “, and
12 administrative funds under section 308(c) of
13 the Goals 2000: Educate America Act”; and

14 (B) by striking subsection (f);

15 (4) in section 8203(b) (as redesignated by sub-
16 section (a)(8)), by striking “Improving America’s
17 Schools Act of 1994” and inserting “Public Edu-
18 cation Reinvestment, Reinvention, and Responsibility
19 Act”;

20 (5) in section 8204 (as redesignated by sub-
21 section (a)(8))—

22 (A) by striking subsection (b); and

23 (B) in subsection (a)—

24 (i) in paragraph (2)—

1 (I) in the matter preceding sub-
2 paragraph (A), by striking "1995"
3 and inserting "2001";

4 (II) in subparagraph (B), by in-
5 serting "professional development,"
6 after "curriculum development,"; and
7 (ii) in paragraph (4)—

8 (I) by striking "and section
9 410(b) of the Improving America's
10 Schools Act of 1994"; and

11 (II) by striking "paragraph (2)"
12 and inserting "subsection (a)(2)";

13 (III) by striking the following:

14 "(4) RESULTS.—" and inserting the following:

15 "(b) RESULTS.—";

16 (IV) by striking the following:

17 "(A) develop" and inserting the following:

18 "(1) develop"; and

19 (V) by striking the following:

20 "(B) within" and inserting the following:

21 "(2) within";

22 (6) in section 8205(a)(1) (as redesignated by
23 subsection (a)(8)), by striking "part A of title IX"
24 and inserting "part B of title III";

1 (7) in section 8206 (as redesignated by sub-
2 section (a)(8))—

3 (A) by striking “(a) UNNEEDED PROGRAM
4 FUNDS.—”; and

5 (B) by striking subsection (b);

6 (8) in section 8302(a)(2) (as redesignated by
7 subsection (a)(9))—

8 (A) by striking subparagraph (C); and

9 (B) by redesignating subparagraphs (D)
10 and (E) as subparagraphs (C) and (D), respec-
11 tively;

12 (9) in section 8304(b) (as redesignated by sub-
13 section (a)(9)), by striking “Improving America’s
14 Schools Act of 1994” and inserting “Public Edu-
15 cation Reinvestment, Reinvention, and Responsibility
16 Act”;

17 (10) in section 8401 (as redesignated by sub-
18 section (a)(10))—

19 (A) in subsection (a), by striking “Except
20 as provided in subsection (c),” and inserting
21 “Notwithstanding any other provision regarding
22 waivers in this Act and except as provided in
23 subsection (c),”; and

24 (B) in subsection (c)(8), by striking “part
25 C of title X” and inserting “part B of title IV”;

1 (11) in section 8502 (as redesignated by sub-
2 section (a)(11)), by striking "VIII" and inserting
3 "V";

4 (12) in section 8503(b)(1) (as redesignated by
5 subsection (a)(11))—

6 (A) by striking subparagraphs (B) through
7 (E);

8 (B) by redesignating subparagraph (A) as
9 subparagraph (B);

10 (C) by inserting before subparagraph (B)
11 the following:

12 "(A) part A of title I;"; and

13 (D) by adding at the end the following:

14 "(C) title II; and

15 "(D) title III.";

16 (13) in section 8506(d) (as redesignated by
17 subsection (a)(11)), by striking "Improving Amer-
18 ica's Schools Act of 1994" and inserting "Public
19 Education Reinvestment, Reinvention, and Responsi-
20 bility Act";

21 (14) in section 8513 (as redesignated by sub-
22 section (a)(11)), by striking "Improving America's
23 Schools Act of 1994" each place it appears and in-
24 serting "Public Education Reinvestment, Reinven-
25 tion, and Responsibility Act";

1 (15) in section 8601 (as redesignated by sub-
2 section (a)(12))—

3 (A) in subsection (b)(3)—

4 (i) in subparagraph (A), by striking
5 “Improving America’s Schools Act of
6 1994” and inserting “Public Education
7 Reinvestment, Reinvention, and Responsi-
8 bility Act”; and

9 (ii) in subparagraph (B), by striking
10 “Improving America’s Schools Act” and
11 inserting “Public Education Reinvestment,
12 Reinvention, and Responsibility Act”; and

13 (B) in subsection (f), by striking “Improv-
14 ing America’s Schools Act of 1994” and insert-
15 ing “Public Education Reinvestment, Reinven-
16 tion, and Responsibility Act”; and

17 (16) in section 8701(b) (as redesignated by
18 subsection (a)(13))—

19 (A) in paragraph (1)—

20 (i) in subparagraph (B)—

21 (I) in clause (i), by striking “Im-
22 proving America’s Schools Act of
23 1994” and inserting “Public Edu-
24 cation Reinvestment, Reinvention, and
25 Responsibility Act”;

1 (II) in clause (ii), by striking
2 “such as the initiatives under the
3 Goals 2000: Educate America Act,
4 and” and inserting “under”; and

5 (III) in clause (v), by striking “,
6 the Advisory Council on Education
7 Statistics, and the National Education
8 Goals Panel” and inserting “and the
9 Advisory Council on Education Statis-
10 tics”; and

11 (ii) in subparagraph (C)(ii); by strik-
12 ing “the School-to-Work Opportunities Act
13 of 1994, and the Goals 2000: Educate
14 America Act” and inserting “and the
15 School-to-Work Opportunities Act of
16 1994”; and

17 (B) in paragraph (3), by striking “1998”
18 and inserting “2004”.

19 **SEC. 802. OTHER REPEALS.**

20 Titles V, X, XI, XII, and XIII (20 U.S.C. 7201 et
21 seq., 8001 et seq., 8401 et seq., 8501 et seq., 8601 et
22 seq.) and the Goals 2000: Educate America Act (20
23 U.S.C. 5801 et seq.) are repealed.

Insert

Insert "(7)" on page 58, after "(6)(G)"

"(7) PUBLIC SCHOOL CHOICE OPTION.—

"(A) SCHOOLS IN CORRECTIVE ACTION.—

"(i) SCHOOLS IN CORRECTIVE ACTION ON OR BEFORE ENACTMENT.—Not later than 18 months after the date of enactment of this Act, a local educational agency shall provide all students enrolled in a school identified (on or before such date of enactment) for corrective action with an option to transfer to any other higher performing public school, including a public charter or magnet school, that has not been identified for school improvement or corrective action, or is at risk within the next academic year of being identified for school improvement or corrective action, and has not been in corrective action at anytime during the two preceding academic years, consistent with State and local law, policy, and practice related to public school choice and local pupil transfer.

"(ii) SCHOOLS IDENTIFIED AFTER ENACTMENT.—Not later than 12 months after the date on which a local educational agencies identifies a school for corrective action, the agency shall provide all students enrolled in such school with an option described in clause (i).

"(B) COOPERATIVE AGREEMENT.—If all public schools served by the local educational agency to which a child may transfer under paragraph (6) are identified for corrective action, the local educational agency shall, to the extent practicable, establish a cooperative agreement with other local educational agencies in proximity to the area for the transfer, consistent with State and local law, policy and practice related to public school choice and local pupil transfer.

"(C) TRANSPORTATION.—A local educational agency that serves a school that has been identified for corrective action shall provide transportation services, or costs, for children of parents who choose to transfer their children to a different school. However, no more than 10 percent of the funds allocated to a local educational agency under this part may be used to provide transportation services or costs.

"(D) CONTINUATION OPTION.—Once a school is no longer identified or in corrective action, the local educational agency shall continue to provide public school choice as an option to students in such schools for a period of not less than 2 years.

TITLE VI - INNOVATIVE STRATEGIES FOR PERFORMANCE

Title VI (20 U.S.C. 7301 et seq.) is amended to read as follows:

TITLE VI - HIGH PERFORMANCE AND QUALITY EDUCATION INITIATIVES

SEC. 6001. FINDINGS, POLICY, and PURPOSE.

(a) FINDINGS.—

(1) **LOCAL DECISIONMAKING.**—Congress embraces the view that educators closest to schools -- school superintendents, principals, teachers and school support personnel—have a critical role in knowing what is needed and how best to meet the educational needs of their students. In keeping with this view, and as indicated earlier, LEAs have the primary responsibility for deciding how to implement funds.

(A) Since ESEA was first authorized in 1965, the Federal government has created numerous grant programs, each program created to address one of a myriad challenges or problems facing education, but only a few of these programs can be tied to significant quantitative results.

(B) Federal education dollars are distributed through a patchwork of programs and each program comes with its own set of requirements and restrictions making it more difficult for local education agencies and school to leverage funds for maximum impact.

(C) In many cases, federal education dollars distributed through competitive grant programs are too diffused to provide true impact at the school level.

(D) As a result of current Federal elementary and secondary education policies, the focus of Federal, state and local educational agencies has been diverted from comprehensive student achievement to administrative compliance.

(5) **SAFE LEARNING ENVIRONMENTS.**—Every school should be a drug-and violence-free learning environment. The widespread illegal use of alcohol and drugs among the Nation's secondary school students, and increasingly by students in elementary schools as well, constitutes a grave threat to such students' physical and mental well-being, and significantly impedes the learning process.

(A) Drug and violence prevention programs are essential components of a comprehensive strategy to promote school safety, youth development, positive school outcomes, and to reduce the demand for and illegal use of alcohol, tobacco and drugs throughout the Nation. Schools, local organizations, parents, students, and communities throughout the Nation have a special responsibility to work together to combat the continuing epidemic of violence and illegal drug use and should measure the success of their programs against clearly defined goals and objectives.

(B) Drug and violence prevention programs are most effective when implemented within a research-based, drug and violence prevention framework of proven effectiveness.

(C) Substance abuse and violence are intricately related and must be dealt with in a holistic manner.

(2) **TECHNOLOGY.**—Technology can produce far greater opportunities for all students to learn to high standards, promote efficiency and effectiveness in education, and help propel our Nation's systems into very immediate and dramatic reform.

(A) Most Federal and State educational technology programs have focused on acquiring educational technologies with less emphasis on the utilization of those technologies in the classroom and the training and infrastructural requirements needed to efficiently support those types of technologies. As a result, in many instances, the full potential of educational technology has not been realized.

(B) The effective use of technology in education has been inhibited by the inability of many State and local educational agencies to invest in and support needed technologies, including limited resources to seek expert technical assistance to develop high-quality professional development activities for teachers, and keep up with rapidly changing technological advances.

(C) Our global economy is increasingly reliant on a workforce not only comfortable with technology, but also able to integrate rapid technological changes into the production process. As such, in order to remain competitive in a new global economy, it is imperative that we maintain a work-ready labor force.

(b) **POLICY.**—Congress declares it to be the policy of the United States to facilitate significant innovation in elementary school and secondary school education programs, to enrich the learning environment of students, provide for a safe learning environment, ensure that all students are technologically literate, and to assist State and local educational agencies in building the agencies' capacity to establish, implement, and sustain such innovative programs for public elementary and secondary school students.

(c) **PURPOSES.**—For the purposes of programs under this title are as follows:

(1) Providing supplementary assistance for School Improvement to schools and local educational agencies—

(A) that have been, or are at risk of being, identified as being in need of improvement, as defined in sections 1116(c) and (d) to carry out activities that are described in their improvement plans developed under sections 1116(c) and (d), and are aimed at getting such schools and local educational agencies out of improvement status; or

- (B) for the improvement of core content curriculum, and instructional practices and materials in core subject areas to ensure that all students are at the proficient standard level within ten years of the date of enactment of the Public Education Reinvestment, Reinvention, and Responsibility Act;
- (2) Provide assistance to local educational agencies and schools for innovative programs and activities that transform schools into 21st Century Opportunities for students by—
 - (A) creating a challenging learning environment and facilitating academic enrichment through innovative academic programs; or
 - (B) providing for extra learning time opportunities for students;
- (3) Provide assistance to local educational agencies, schools, and communities to strengthen existing programs, or develop and implement new programs that create Safe Learning Environments by—
 - (A) preventing violence and other high-risk behavior in and around schools; and
 - (B) preventing the illegal use of alcohol, tobacco and drugs;
- (4) Create New Economy Technology Schools (NETs) by providing assistance to local educational agencies and schools for—
 - (A) acquisition, development, interconnection, implementation, improvement, and maintenance of an effective educational technology infrastructure;
 - (B) acquisition and maintenance of technology equipment, and the provision of training in the use of such equipment for teachers, school library and media personnel, and administrators;
 - (C) acquisition or development of technology-enhanced curricula and instructional materials that are aligned with State content and student performance standards; and
 - (D) acquisition, or development, and implementation of high quality professional development for teachers in the use of technology and its integration with State content and student performance standards;

Sec. 6002. DEFINITIONS.

"For the purposes of this title, the term 'State' means each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

Sec. 6003. PROGRAMS AUTHORIZED.

- (a) **GRANTS AUTHORIZED.**—From the amounts appropriated under section 6009, the Secretary shall award a grant, from allotments under subsection (b), to each State having a

State plan approved under section 6005, to enable the State to award subgrants to local educational agencies.

(b) RESERVATIONS AND ALLOTMENTS.—

(1) RESERVATIONS.—From the amount appropriated under section 6009, to carry out this part for each fiscal year, the Secretary shall reserve—

(A) not more than $\frac{1}{2}$ of 1 percent of such amount for payments to the Bureau of Indian Affairs for activities, approved by the Secretary, consistent with this title;

(B) not more than $\frac{1}{2}$ of 1 percent of such amounts for payments to outlying areas, to be allotted in accordance with their respective needs for assistance under this title as determined by the Secretary, for activities, approved by the Secretary, consistent with this title; and

(C) such sums as may be necessary to continue to support any multiyear award made under titles III, IV, V (part B), or X (as such titles were in effect on the day preceding the date of enactment of the Public Education Reinvestment, Reinvention, and Responsibility Act) until the termination of the multiyear award.

(2) STATE ALLOTMENTS.--

(A) **IN GENERAL.--**From the amount appropriated under section 6009 for a fiscal year and remaining after the Secretary makes reservations under paragraph (1), the Secretary shall allot to each State having a State plan approved under section 6005 the sum of—

(i) an amount that bears the same relationship to 50 percent of the remainder as bear to the relative amount received under Part A of Title I; and

(ii) an amount that bears the same relationship to 50 percent of the remainder as the school-age population in the State bears to the school-age population in all States.

(B) **DATA.—**For the purposes of determining the school age population in a state and in all states, the Secretary shall use the latest available Census data.

(c) **STATE MINIMUM.—**For any fiscal year, no State shall be allotted under this section an amount that is less than 0.4 percent of 1 percent of the total amount allotted to all States under subsection (b).

(d) **HOLD-HARMLESS AMOUNTS.—**For fiscal year 2001, notwithstanding subsection (e), the amount allotted to each State under this section shall be not less than 100 percent of the total amount the State was allotted in formula grants under titles III, IV, VI, and title III of the Goals 2000 Act (as such titles and Act were in effect on the day proceeding the date of enactment of the

Public Education Reinvestment, Reinvention, and Responsibility Act) for the proceeding fiscal year.

(e) **RATABLE REDUCTIONS.**—If the sums made available under section 6003 for any fiscal year are insufficient to pay the full amounts that all State educational agencies are eligible to receive under paragraph (2) for such year, the Secretary shall ratably reduce such amounts for such year.

Sec. 6004. WITHIN STATE ALLOCATION.

(a) **IN GENERAL.**—Each State educational agency for a State receiving a grant under section 6003 shall—

- (1) Set aside not more than 1 percent of the funds received for administrative purposes for in carrying out activities under this title;
- (2) Set aside not more than 4 percent of the funds received in order to—
 - (A) provide for the establishment of high-quality internationally competitive content and student performance standards and strategies that all students will be expected to achieve;
 - (B) provide for the establishment of high-quality, rigorous assessments that are aligned with state standards, include multiple measures, and, to the greatest extent possible, are criterion referenced;
 - (C) encourage and enable all State and local educational agencies to develop, implement, and strengthen comprehensive education improvement plans that address student achievement, teacher quality, parent involvement, reliable measurement and evaluation methods; and
 - (D) encourage and enable all States to develop and implement value-added assessments, such as model value-added assessments as identified by the Secretary in section 7004(a)(6).
- (3) Using the remaining 96 percent of the funds, make subgrants by allocating to each local educational agency in the State the sum of—
 - (A) an amount that bears the same relationship to 60 percent of the remainder as bears to the relative amount received under Part A of Title I; and
 - (B) an amount that bears the same relationship to 40 percent of the remainder as the school-age population in the area served by the local educational agency bears to the school-age population in the area served by all local educational agencies in the State.

SEC. 6005. PLANS.

(a) **STATE PLANS.**--

(1) IN GENERAL.—The State educational agency for each State desiring a grant under this title shall submit a State plan to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(2) CONSOLIDATED PLAN.—A State plan submitted under paragraph (1) may be submitted as part of a consolidated plan under section 8302.

(3) CONTENTS.—Each plan submitted under subsection (a)(1) shall—

(A) describe how the State educational agency will assist each local educational agency and school served under this title to develop the capacity to comply with the requirements of section 6006 that is applicable to such agency or school;

(B) certify that the State educational agency has a system, as required under section 1111, for—

(1) holding each local educational agency and school accountable for meeting adequate yearly progress (as defined in section 1111(b)(2)(B));

(2) identifying local educational agencies and schools that are in need of improvement and corrective action (as required in sections 1116 and 1117);

(3) assisting agencies and schools that are identified for improvement with the development and implementation of improvement plans; and

(4) providing technical assistance, professional development and other capacity-building as needed to get such agencies and schools out of improvement status.

(C) certify that the State educational agency shall use the disaggregated results of student assessments required under section 1111(b)(4) and other measures or indicators available to review annually the progress of each local educational agency and school served under this title to determine whether or not each is making adequate yearly progress as required under section 1111.

(D) certify that the State educational agency will take timely action against any local educational agency that is in corrective action and receiving funds under this title as described in subsection 6006(d)(2).

(E) describe what, if any, state and other resources will be provided to local educational agencies and schools served under this title for activities conducted under this title;

(4) APPROVAL.—The Secretary, using a peer review process, shall approve a State plan if the State plan meets the requirements of this title..

(5) DURATION OF THE PLAN.—Each state plan shall remain in effect for the duration of the State's participation under this title.

(b) LOCAL PLANS.

(1) IN GENERAL.—Each local educational agency shall submit a local education agency plan to the State educational agency at such time, in such manner, and accompanied by such information at the State Educational agency may require.

(2) CONTENTS. – Each Local Education agency shall

(A) describe the programs for which funds allocated under section 6004(a)(3) will be used and the reasons for the selection of such programs;

(B) describe the methods the LEA will use to measure the annual impact of these programs and the extent to which the programs resulted in increased student academic performance;

(C) describe the quantifiable and measurable annual performance goals and objectives for each program;

(D) describe how each program's goals and objectives described in subparagraph (C) are aligned with State content and student performance standards;

(E) describe how the LEA will hold schools accountable for meeting the intended performance objectives for each program established under subparagraph (C);

(F) provide an assurance that the LEA has met the local plan requirements under section 1112 for—

(i) holding schools accountable for meeting their adequate yearly progress, including the annual numerical goals for improving the performance of all groups of students based on the student performance standards set by the State under section 1111(b)(1)(D)(ii), providing technical as;

(ii) identifying schools for school improvement or corrective action;

(iii) fulfilling its school improvement responsibilities under section 1116, including taking corrective actions under section 1116(c)(9);

(iv) providing technical assistance, professional development or other capacity-building assistance to schools served;

(G) certify that the local educational agency will take timely action against a school that is in corrective action and receiving funds under this title as described in subsection 6006(d)(1);

(H) describe what state and local resources will be contributed to carrying out programs described in this section;

(I) provide assurances that the LEA consults with community stakeholders, including parents, school board members, teachers, administrators, business partners, education organizations, and community groups to develop their local education plan and select the programs that funding allocated in section 6004(a)(3) will support.

(J) provide assurance that LEA will continue such consultation

(3) APPROVAL.—The State shall approve a local educational agency plan if the plan meets the requirements of this title.

(4) DURATION OF THE PLAN.—Each local educational agency plan shall remain in effect for the duration of the local educational agency's participation under this title.

(5) PUBLIC REVIEW.—Each State educational agency will make publicly available each local educational agency plan and make available documents submitted to the state under subparagraphs (I) and (J).

Sec. 6006. LOCAL USES OF FUNDS AND ACCOUNTABILITY.

(a) ADMINISTRATIVE EXPENSES.—Each local educational agency receiving a grant under section 6004 may use not more than 1 percent of the subgrant funds for any fiscal year for the cost of administering this title.

(b) REQUIRED ACTIVITIES.—Each LEA receiving funds under section 6004(a)(3) shall use the funds to establish and carry out programs that are designed to achieve, separately or cumulatively, each of the goals described in the four category areas described in paragraphs (1) through (4).

(1) SCHOOL IMPROVEMENT. - Each LEA shall use a 30% portion of total funds received under section 6004(a)(3) for—

(A) in the case of a school that has been identified as being in need of improvement under section 1116(c), activities or strategies that are described in 1116(c) aimed at getting such schools out of improvement status; or

(B) programs that seek to raise the academic achievement levels of all elementary and secondary students based on State content and student performance standards that meet, to the greatest extent possible the following requirements—

(i) incorporate best practices developed from research-based methods and practices;

(ii) be aligned with state content and performance standards that are focused on reinforcing and boosting the core academic skills and knowledge of students who struggling academically, as determined by state assessments under section 1111(b)(4) and local evaluations;

(iii) focus on accelerated learning rather than remediation, so that students served through these programs will master the high level of skills and knowledge needed to meet the highest State standards or to perform at high levels on all State assessments; and

(iv) offer teachers, principals, and administrators professional development and technical assistance that is aligned with program goals and standards.

(2) 21st CENTURY OPPORTUNITIES.—Each LEA shall use a 25% portion of total funds received in section 6004(a)(3) for—

(A) programs that provide for extra learning time opportunities for students so that all students may achieve high levels of learning and be at the state proficient standard level within 10 years of the date of enactment of the Public Education Reinvestment, Reinvention, and Responsibility Act;

(B) programs to improve the higher order thinking skills of all students, especially disadvantaged students;

(C) promising innovative education reform projects that are consistent with challenging state content and student performance standards; or

(D) programs that focus on ensuring disadvantaged student enter elementary school with the basic skills ready to learn to the high state content and student performance standards.

(3) SAFE LEARNING ENVIRONMENTS.—Each LEA shall use a 20% portion of total funds received in section 6004(a)(3) for programs that help ensure that all elementary and secondary school students learn in a safe and supportive environment by—

(A) reducing drugs and violence, and other high-risk behaviors in schools;

(B) providing for safe extended day opportunities for students;

(C) providing professional development activities for teacher, principals, mental health professionals, and guidance counselors in dealing with student exhibiting distress (such as substance abuse, disruptive behavior, and suicidal behavior);

(D) recruiting or retaining high quality mental health professionals;

(D) providing character education for students; or

(E) meeting other objectives that are established under State standards regarding safety or that address local community concerns.

(4) NEW ECONOMY TECHNOLOGY SCHOOLS,—

(A) IN GENERAL.—Each LEA shall use a 25% portion of total funds received in section 6004(a)(3) to transform schools into New Economy Technology Schools (NETs) and demonstrate, to the greatest extent possible that—

(i) School Technology programs support student performance related to authentic task(s);

(ii) Technology use is integrated into activities that are a core part of the classroom curriculum. Teachers should incorporate technology into key student activities and make them available to all students rather than just a small percentage;

(iii) Technology programs place the emphasis on use of technology within the context of accomplishing authentic tasks; and

(iv) Provide professional development and technical assistance for teachers to integrate technology into daily activities that are directly aligned with state content and student performance standards is critical.

(v) The local educational agency annually increase the percentage of classrooms with access to technology in schools in which more than 50 percent of the school-age population comes from families living in poverty.

(B) LIMITATIONS.—Each Local educational agency shall use no more than 50 percent of the funds allocated under this paragraph to purchase, upgrade or retrofit hardware in schools in which less than 50 percent of the school-age population comes from families in poverty.

(c) TRANSFER OF FUNDS.—Notwithstanding subsection (b)--

(2) LOCAL EDUCATION AGENCIES MEETING ADEQUATE YEARLY PROGRESS.—Local educational agencies meeting their adequate yearly progress for student performance as established by the State educational agency in section 1111 may transfer up to 30% of total funds received in section 6004(a)(3) among the four funding categories described in subsection (b);

(2) LOCAL EDUCATIONAL AGENCIES EXCEEDING ADEQUATE YEARLY PROGRESS.—Local educational agencies exceeding their adequate yearly progress for student performance as established by the State educational agency in section 1111 by a significant amount (as determined by the State educational agency) may transfer up to 50% of total funds received in section 6004(a)(3) among the four funding categories described in subsection (b);

(3) LOCAL EDUCATIONAL AGENCIES IN NEED OF IMPROVEMENT.—For any local educational agency that is deemed in need of improvement, as defined in section 1117,--

- (A) the agency may transfer up to 25% of the total funds received in section 6004(a)(3);
- (B) such funds transferred in subparagraph (A) shall only be transferred into the School Improvement category described in subsection (b)(1).

(d) LIMITATIONS FOR SCHOOLS AND LOCAL AGENCIES IN CORRECTIVE ACTION.—

(1) SCHOOLS IN CORRECTIVE ACTION.—Schools that have been identified for corrective action under section 1116(c) shall—

- (A) have their decision-making capacity revoked with regards to funds received under this section; and
- (B) spend funds received under this section as directed by the local educational agency so as to focus on activities which will be the most effective in raising student performance levels and be consistent with corrective actions being taken by the local educational agency in section 1116(c)(10).

(2) LOCAL EDUCATIONAL AGENCIES IN CORRECTIVE ACTION.—Local educational agencies that have been identified for corrective action under section 1116(d) shall—

- (A) Have their funds received under subsection 6004(a)(3) reduced by the State by 25 percent, and the State educational agency shall—
 - (i) directly distribute to schools in the areas served by the local educational agency that are meeting or exceeding their adequate yearly progress levels established in Section 1111; or
 - (ii) redistribute the funds to other local educational agencies in the State as described in section 6004(a)(3) if no school in the area served by the local educational agency is meeting or exceeding its adequate yearly progress.
- (B) their decision-making capacity revoked with regards to funds remaining after reservations made by the State in subparagraph (A); and
- (C) spend funds received, subsequent to subparagraphs (A) and (B) under this section as directed by the State so as to focus on activities which will be the most effective in raising student performance levels and be consistent with corrective actions being taken by the State in section 1116(d).

(3) DURATION.—Limitations imposed on schools and local educational agencies in corrective action as described in paragraphs (1) and (2) shall be in effect until such time that the local educational agency or school has made sufficient improvement and is no longer in corrective action.

(4) STATE REDISTRIBUTION OF FUNDS.—The state shall redistribute funds made available as a result of reductions under paragraph (2)(A)—

(A) to other local educational agencies in the state that are not in corrective action as determined in section 1116(d); and

(B) through formula established in section 6004(a)(3).

Section 6007. STATE AND LOCAL RESPONSIBILITIES.

(a) DATA REVIEW.

(1) STATE AND LOCAL REVIEW.—In the case of a local educational agency in corrective action as defined in section 1116(d), the State shall jointly review with the local educational agency the data from student assessments and other measures required in section 1111(b)(4) in order to determine how the local educational agency described in section 6006(d)(2) shall spend remaining funds in order to make substantial student performance improvement within the local educational agency as directed in section 6006(d)(2)(C).

(2) SCHOOL AND LOCAL REVIEW.—In the case of a school in corrective action as defined in section 1116(c), the local educational agency shall jointly review with school the data from student assessments and other measures required in section 1111(b)(4) in order to determine how a schools described in section 6006(d)(1) shall spend funds received in section 6006 in order to make substantial student performance improvement within the school as directed in Section 6006(d)(1)(B).

(c) TECHNICAL ASSISTANCE.

(1) STATE ASSISTANCE.—

(A) States shall provide, upon request by the local educational agency, technical assistance to local educational agencies and schools being served under this title, including assistance in analyzing student performance and programs impact data, and identifying best instructional strategies and methods for carrying out programs identified in section 6006(b).

(B) State assistance may be provided by—

(i) the State educational agency; or

(ii) with the local educational agency's approval, by an institution of higher education, a private not-for-profit or for-profit organization, an educational service agency, the recipient of a Federal contract or cooperative agreement as described in section 7005, a non-traditional entity such as corporation or consulting firm, or any other entity with experience in the program area for which the assistance is being sought.

(2) LOCAL ASSISTANCE.—

(A) Local educational agencies shall provide, upon request by the school, technical assistance to schools being served under this title, including assistance in analyzing student performance and programs impact data, and identifying best instructional strategies and methods for carrying out programs identified in section 6006(b).

(B) Local assistance may be provided by—

(i) the state or local educational agency; or

(ii) with the school's approval, by an institution of higher education, a private not-for-profit or for-profit organization, an educational service agency, the recipient of a Federal contract or cooperative agreement as described in section 7005, a non-traditional entity such as corporation or consulting firm, or any other entity with experience in the program area for which the assistance is being sought.

Sec. 6008. LOCAL REPORTS.—Each local educational agency receiving funds under this title shall annually publish and disseminate to the public, in a format and, to the extent practicable, in a language that parents can understand, a report on—

(a) information describing the use of funds in the four category areas described in 6006(b);

(b) the outcomes of local programs under section 6006 as well as an assessment of their effectiveness; and

(c) the local educational agency's progress toward attaining its goals and objectives established in section 6005(b), and the extent to which such uses increased student achievement.

Sec. 6009. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to carry out this title \$2,700,000,000 for fiscal year 2001, and such sums as may be necessary for each of the 4 succeeding fiscal years."