

103D CONGRESS
1ST SESSION

H. R. 92

To improve education for all students by restructuring the education system
in the States.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mr. KILDEE introduced the following bill; which was referred to the
Committee on Education and Labor

A BILL

To improve education for all students by restructuring the
education system in the States.

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 “Neighborhood Schools
5 Improvement Act”.

6 **TITLE I—COMPREHENSIVE**
7 **RESTRUCTURING**

8 **SECTION 101. COMPREHENSIVE RESTRUCTURING.**

9 The Elementary and Secondary Education Act of
10 1965 (20 U.S.C. 2701 et seq.) is amended—

1 (1) by redesignating sections 8001 through
2 8005 as 10001 through 10005; and

3 (2) by inserting after title VII the following:

4 **“TITLE VIII—RESTRUCTURING**
5 **PROGRAM**

6 **“PART A—NATIONAL EDUCATION STANDARDS**
7 **AND ASSESSMENT**

8 **“SECTION 8001. SHORT TITLE.**

9 “This part may be cited as the ‘National Education
10 Standards and Assessment Act of 1993’.

11 **“SEC. 8002. FINDINGS AND PURPOSES.**

12 “(a) FINDINGS.—The Congress finds that—

13 “(1) the establishment of voluntary national
14 standards is an important, complex, and sensitive
15 task and any coordinating structure for this purpose
16 must be bipartisan, engage government at all levels,
17 and involve the many constituencies that have an es-
18 tablished interest in improving education;

19 “(2) much work in the area of developing
20 standards has already begun and the national effort
21 should benefit from and not attempt to duplicate
22 quality efforts proposed by existing Federal and non-
23 Federal entities; and

24 “(3) a coordinating structure should maintain
25 the tradition of State and local authority over edu-

1 cation and become part of a cooperative national ef-
2 fort.

3 “(b) PURPOSES.—The purposes of this part are

4 “(1) to advance the establishment of voluntary
5 national education content standards and to raise
6 the academic performance of students and schools
7 throughout the Nation; and

8 “(2) to provide funds for the development of
9 voluntary national school delivery standards and for
10 further research and development on assessment to
11 measure the progress of the Nation in meeting na-
12 tional education goals and standards.

13 **“SEC. 8003. NATIONAL EDUCATION GOALS PANEL.**

14 “(a) ESTABLISHMENT.—There is established a Na-
15 tional Education Goals Panel (referred to in this part as
16 the ‘Panel’).

17 “(b) COMPOSITION.—

18 “(1) IN GENERAL.—The Panel shall be com-
19 posed of 18 members (referred to in this part as
20 ‘members’), including—

21 “(A) two members appointed by the Presi-
22 dent;

23 “(B) eight members who are Governors,
24 three of whom shall be from the same political
25 party as the President and five of whom shall

1 be of the opposite political party of the Presi-
2 dent, appointed by the Chairperson and Vice
3 Chairperson of the National Governors' Asso-
4 ciation, with each appointing representatives of
5 his respective political party, in consultation
6 with each other and in accordance with para-
7 graph (2); and

8 “(C) four Members of Congress appointed
9 as follows:

10 “(i) One member appointed by the
11 majority leader of the Senate from among
12 the Members of the Senate.

13 “(ii) One member appointed by the
14 minority leader of the Senate from among
15 the Members of the Senate.

16 “(iii) One member appointed by the
17 majority leader of the House of Represent-
18 atives from among the Members of the
19 House of Representatives.

20 “(iv) One member appointed by the
21 minority leader of the House of Represent-
22 atives from among the Members of the
23 House of Representatives.

24 “(D) four members of State legislatures
25 appointed by the President of the National Con-

1 ference of State Legislatures, of which not more
2 than two of whom may be of the same political
3 party as the President of the United States.

4 “(2) SPECIAL APPOINTMENT RULES.—(A) The
5 members appointed pursuant to paragraph (1)(B)
6 shall be appointed as follows:

7 “(i) If the Chairperson of the National
8 Governors’ Association is from the same politi-
9 cal party as the President, the Chairperson
10 shall appoint 3 individuals pursuant to such
11 paragraph and the Vice Chairperson shall ap-
12 point 5 individuals pursuant to such paragraph.

13 “(ii) If the Chairperson of the National
14 Governors’ Association is from the opposite po-
15 litical party as the President, the Chairperson
16 shall appoint 5 individuals pursuant to such
17 paragraph and the Vice Chairperson shall ap-
18 point 3 individuals pursuant to such paragraph.

19 “(B) If the National Governors’ Association has
20 appointed a panel that meets the requirements of
21 this subsection prior to the date of enactment of this
22 title, then the members serving on such panel shall
23 be deemed to be in compliance with the provisions
24 of this subsection and shall not be required to be
25 reappointed pursuant to this subsection.

1 “(c) TERMS.—The terms of service of members shall
2 be as follows:

3 “(1) EXECUTIVE BRANCH.—Members appointed
4 under paragraph (1)(A) shall serve at the pleasure
5 of the President.

6 “(2) GOVERNORS.—Members appointed under
7 paragraph (1)(B) shall serve a two-year term, except
8 that the initial appointments under such paragraph
9 shall be made to ensure staggered terms with one-
10 half of such terms of members concluding every two
11 years.

12 “(3) MEMBERS OF LEGISLATURES.—Members
13 appointed under subparagraphs (C) and (D) of
14 paragraph (1) shall serve a term of two years.

15 “(d) INITIATION.—The Panel may begin to carry out
16 the duties of the Panel under this part when ten members
17 of the Panel have been appointed.

18 “(e) DATE OF APPOINTMENT.—The initial members
19 shall be appointed not later than 60 days after the date
20 of enactment of this title.

21 “(f) VACANCIES.—A vacancy on the Panel shall not
22 affect the powers of the Panel, but shall be filled in the
23 same manner as the original appointment.

24 “(g) TRAVEL.—Each member shall be allowed travel
25 expenses, including per diem in lieu of subsistence, as au-

1 thORIZED by section 5703 of title 5, United States Code,
2 for each day the member is engaged in the performance
3 of duties away from the home or regular place of business
4 of the member.

5 “(h) CHAIRPERSON SELECTION.—

6 “(1) INITIAL SELECTION.—The members ap-
7 pointed under subsection (b)(2) shall select a Chair-
8 person from among such members, except that after
9 the expiration of the term of the member selected
10 under this paragraph to serve as Chairperson as of
11 October 1, 1993, or upon the termination of the ten-
12 ure of such Chairperson, whichever is earlier, a ma-
13 jority of the members of the Council shall select the
14 Chairperson from among the members.

15 “(2) CONTINGENT SELECTION.—If no individ-
16 ual described in paragraph (1) assumes the position
17 of Chairperson of the Council 60 days after the date
18 of the enactment of this title, a majority of the
19 members shall select a Chairperson from among the
20 members.

21 **“SEC. 8004. FUNCTIONS.**

22 “(a) FUNCTIONS.—The Panel shall accomplish the
23 following:

24 “(1) INTERACTIVE PROCESS.—Establish an
25 interactive process for the development of voluntary

1 national content standards and voluntary national
2 school delivery standards which, to the greatest ex-
3 tent feasible, reflect the comments and recommenda-
4 tions of educators and other knowledgeable individ-
5 uals across the Nation.

6 “(2) RECOMMENDATIONS.—Make recommenda-
7 tions to the Secretary regarding the selection of
8 groups and organizations for grants to develop vol-
9 untary national content standards, voluntary na-
10 tional school delivery standards, and model assess-
11 ments of the national content standards for mathe-
12 matics.

13 “(3) CERTIFICATION.—Certify, after review by
14 the technical review committee established under
15 section 8005, the voluntary national standards sub-
16 mitted by the groups under sections 8011(c) and
17 8012(c).

18 “(4) EVALUATION.—Propose the indicators to
19 be used to measure the national education goals and
20 report progress in achieving such goals, the baselines
21 and benchmarks against which progress may be
22 evaluated, and the format for an annual report card
23 to the Nation under section 8006.

1 “(5) MEASUREMENT.—Select interim and final
2 measures and appropriate indicators in each goal
3 area.

4 “(6) DATA.—Assure, through requirements for
5 State reports, that data on student achievement is
6 reported in the context of other relevant information
7 about student, school, and system performance.

8 “(7) REPORT CARD.—Issue an annual report
9 card that—

10 “(A) reports on the Federal actions taken
11 to fulfill responsibilities to education;

12 “(B) identifies gaps in existing educational
13 data;

14 “(C) recommends improvements in the
15 methods and procedures for assessments; and

16 “(D) proposes changes in national and
17 international measurement systems.

18 “(b) PERFORMANCE OF FUNCTIONS.—In carrying
19 out its responsibilities, the Panel shall operate on the prin-
20 ciple of consensus.

21 “(c) DATA COLLECTION.—The Panel shall make ar-
22 rangements with any appropriate entity to generate or col-
23 lect such data as may be necessary to appropriately assess
24 progress toward meeting the national education goals.

1 **“SEC. 8005. REVIEW COMMITTEE.**

2 “(a) COMMITTEE ESTABLISHED.—

3 “(1) COMMITTEE MEMBERSHIP.—The Panel
4 shall establish a technical review committee (referred
5 to in this part as the ‘Committee’) of not more than
6 16 members who shall advise and assist the Panel
7 in carrying out its functions under section 8004(a).

8 “(2) PUBLIC NOMINATION.—In appointing indi-
9 viduals to serve on the committee, the Panel shall
10 solicit and consider nominations made by the public.

11 “(3) COMMITTEE COMPOSITION.—The commit-
12 tee shall be composed of—

13 “(A) 8 educators, including individuals
14 with expertise regarding standards and assess-
15 ment; and

16 “(B) 8 members of the public, including
17 individuals who represent parents, business,
18 civil rights advocates, child advocates, and State
19 and local public officials.

20 “(b) COMMITTEE REVIEW.—

21 “(1) REVIEW OF STANDARDS.—After the devel-
22 opment of each set of voluntary national content
23 standards under section 8011 and voluntary national
24 school delivery standards under section 8012, the
25 committee shall review such standards to determine
26 if such standards—

1 “(A) are developed consistently with the
2 process established by the Panel under section
3 8004(a)(1);

4 “(B) are sufficiently general to be adopted
5 by any State; and

6 “(C) are of high quality.

7 “(2) COMMITTEE RECOMMENDATION.—The
8 committee shall report its determination to the
9 Panel regarding whether such standards should be
10 certified by the Panel.

11 **“SEC. 8006. ANNUAL REPORT CARD.**

12 “(a) IN GENERAL.—The Panel shall prepare and
13 submit to the President, the appropriate committees of
14 Congress, and the Governor of each State a national re-
15 port card, that shall include the following:

16 “(1) ANALYSIS.—An analysis of the progress of
17 the United States toward achieving the national edu-
18 cation goals.

19 “(2) COMMENTS AND RECOMMENDATIONS.—
20 Comments and recommendations of—

21 “(A) Federal and State policymakers;

22 “(B) experts on teaching and child devel-
23 opment;

24 “(C) experts on measurements;

25 “(D) experts on curriculum;

1 “(E) experts on educational administra-
2 tion; and

3 “(F) representatives of business.

4 “(3) IDENTIFICATION AND IMPROVEMENT.—
5 Based on the findings of the Panel and an analysis
6 of the views and comments of all interested parties,
7 the Panel may identify continuing gaps in existing
8 educational data.

9 “(b) CONTINUATION.—The Panel shall continue to
10 issue a national report card on an annual basis for the
11 duration of the existence of the Panel.

12 “(c) FORMAT.—National report cards shall be pre-
13 sented in a form that is understandable to parents and
14 the general public.

15 “(d) LIMITATION.—National report cards may not
16 include data using the achievement goals established
17 under section 406(i)(6)(A)(ii) of the General Education
18 Provisions Act unless such goals have been reviewed and
19 approved by the Commissioner of the National Center for
20 Education Statistics.

21 **“SEC. 8007. POWERS OF THE PANEL.**

22 “(a) HEARINGS.—

23 “(1) IN GENERAL.—The Panel shall, for the
24 purpose of carrying out this part, conduct such hear-
25 ings, sit and act at such times and places, take such

1 testimony, and receive such evidence, as the Panel
2 considers appropriate.

3 “(2) PUBLIC HEARINGS.—In carrying out this
4 part, the Panel shall conduct public hearings in dif-
5 ferent geographic areas of the country, both urban
6 and rural, to receive the reports, views, and analyses
7 of a broad spectrum of experts and the public re-
8 garding the functions of the Panel described in sec-
9 tion 8004(a).

10 “(b) INFORMATION.—The Panel may secure directly
11 from any department or agency of the United States, in-
12 formation necessary to enable the Panel to carry out this
13 part. Upon request of the Chairperson of the Panel, the
14 head of a department or agency shall furnish such infor-
15 mation to the Panel to the extent permitted by law.

16 “(c) POSTAL SERVICES.—The Panel may use the
17 United States mail in the same manner and under the
18 same conditions as other departments and agencies of the
19 United States.

20 “(d) ADMINISTRATIVE AND SUPPORTIVE SERV-
21 ICES.—The Secretary of Education shall provide to the
22 Panel, on a reimbursable basis, administrative support
23 services as the Panel may request.

1 **“SEC. 8008. ADMINISTRATIVE PROVISIONS.**

2 “(a) MEETINGS.—The Panel shall meet on a regular
3 basis, as necessary, at the call of the Chairperson of the
4 Panel or a majority of its members.

5 “(b) QUORUM.—A majority of the members shall con-
6 stitute a quorum for the transaction of business.

7 “(c) VOTING.—No individual may vote or exercise
8 any of the powers of a member by proxy.

9 “(d) FEDERAL ADVISORY COMMITTEE ACT.—Sec-
10 tions 10 and 11 of the Federal Advisory Committee Act
11 (5 U.S.C. App.) are the only sections of such Act that
12 shall apply with respect to the Panel and the technical
13 review committee.

14 **“SEC. 8009. DIRECTOR AND STAFF; EXPERTS AND CONSULT-**
15 **ANTS.**

16 “(a) DIRECTOR.—The Chairperson of the Panel
17 shall, without regard to the provisions of title 5, United
18 States Code, relating to the appointment and compensa-
19 tion of officers or employees of the United States, appoint
20 a Director to be paid at a rate not to exceed the rate of
21 basic pay payable for level V of the Executive Schedule.

22 “(b) APPOINTMENT AND PAY OF EMPLOYEES.—

23 “(1) EMPLOYEE ALLOCATION.—(A) The Chair-
24 person of the Panel may appoint not more than four
25 employees to serve as staff to the Panel without re-

1 gard to the provisions of title 5, United States Code,
2 governing appointments in the competitive service.

3 “(B) The employees appointed under paragraph
4 (1) may be paid without regard to the provisions of
5 chapter 51 and subchapter III of chapter 53 of that
6 title relating to classification and General Schedule
7 pay rates, but shall not be paid a rate that exceeds
8 the maximum rate of basic pay payable for GS-15
9 of the General Schedule.

10 “(2) **ADDITIONAL EMPLOYEES.**—The Chair-
11 person of the Panel may appoint additional employ-
12 ees to serve as staff to the Panel consistent with the
13 provisions of title 5, United States Code.

14 “(c) **EXPERTS AND CONSULTANTS.**—The Panel may
15 procure temporary and intermittent services of experts
16 and consultants under section 3019(b) of title 5, United
17 States Code.

18 “(d) **STAFF OF FEDERAL AGENCIES.**—Upon the re-
19 quest of the Panel, the head of any department or agency
20 of the United States is authorized to detail, on a reimburs-
21 able basis, any of the personnel of that agency to the
22 Panel to assist the Panel in its duties under this part.

23 **“SEC. 8010. AUTHORITY FOR GRANT OR CONTRACT.**

24 “The Secretary shall make grants to provide for the
25 following:

1 “(1) OPERATION.—The operation and activities
2 of the Panel.

3 “(2) CONTENT STANDARDS DEVELOPMENT.—
4 The development of voluntary national content
5 standards.

6 “(3) SCHOOL DELIVERY STANDARDS DEVELOP-
7 MENT.—The development of voluntary national
8 school delivery standards.

9 **“SEC. 8011. VOLUNTARY NATIONAL CONTENT STANDARDS.**

10 “(a) DEVELOPMENT OF VOLUNTARY NATIONAL CON-
11 TENT STANDARDS.—The Panel shall establish the process
12 by which voluntary national content standards shall be de-
13 veloped. Such process shall provide for several consecutive
14 drafts of standards which incorporate the comments and
15 recommendations of educators and other knowledgeable
16 individuals across the Nation.

17 “(b) GRANTS FOR VOLUNTARY NATIONAL CONTENT
18 STANDARDS.—

19 “(1) GRANT RECOMMENDATIONS.—The Panel
20 shall make recommendations to the Secretary re-
21 garding the selection of groups and organizations
22 representing teachers and other practitioners in a
23 broad range of academic subject areas, including
24 mathematics, English, science, history, and geog-
25 raphy, to receive grants to develop content standards

1 in accordance with the process required under sub-
2 section (a).

3 “(2) TIME AND CONDITIONS.—In making rec-
4 ommendations to the Secretary, the Panel shall pro-
5 pose time periods and other conditions for such
6 grants that will ensure that the process under sub-
7 section (a) can be followed.

8 “(3) GRANT DENIAL.—The Secretary may de-
9 cline to make a grant only if such grant violates a
10 provision of law or the general administrative regula-
11 tions of the Department which govern the making of
12 grants.

13 “(c) VOLUNTARY NATIONAL CONTENT STANDARDS
14 RATIFICATION.—Following the development of a set of
15 such standards, the developing organization shall organize
16 a meeting of its members, review the standards, and by
17 formal action ratify that such standards are of high qual-
18 ity and meet the following requirements:

19 “(1) BEST EVIDENCE.—Such standards reflect
20 the best evidence available regarding the knowledge
21 and skills that students should acquire in the aca-
22 demic subject area of such standards.

23 “(2) CHALLENGE.—Such standards are suffi-
24 ciently challenging to ensure that American students
25 receive instruction at world-class levels.

1 “(d) VOLUNTARY NATIONAL CONTENT STANDARDS
2 CERTIFICATION.—

3 “(1) PROCESS CONFORMANCE.—After ratifica-
4 tion of a set of standards under subsection (c), the
5 Panel shall review the process by which such stand-
6 ards were developed and consult with the Committee
7 established under section 8005 to determine and cer-
8 tify conformance with the process established under
9 subsection (a).

10 “(2) CERTIFICATION REPORT.—The Panel shall
11 submit to the Congress, the President, and the pub-
12 lic a report regarding such certified content stand-
13 ards not later than December 31, 1994.

14 **“SEC. 8012. VOLUNTARY NATIONAL SCHOOL DELIVERY**
15 **STANDARDS.**

16 “(a) DEVELOPMENT OF VOLUNTARY NATIONAL
17 SCHOOL DELIVERY STANDARDS.—The Panel shall estab-
18 lish the process by which voluntary national school delivery
19 standards shall be developed. Such process shall provide
20 for several consecutive drafts of standards which incor-
21 porate the comments and recommendations of educators
22 and other knowledgeable individuals across the Nation.

23 “(b) GRANTS FOR VOLUNTARY NATIONAL SCHOOL
24 DELIVERY STANDARDS.—

1 “(1) SELECTION.—The Panel shall make a rec-
2 ommendation to the Secretary regarding the selec-
3 tion of a consortium of individuals and organizations
4 to receive a grant to develop school delivery stand-
5 ards. To the extent possible, such consortium shall
6 include the participation of—

7 “(A) Governors (except Governors serving
8 on the Panel);

9 “(B) chief State school officers;

10 “(C) teachers (especially teachers involved
11 in the development of content standards);

12 “(D) principals;

13 “(E) superintendents;

14 “(F) State and local school board mem-
15 bers;

16 “(G) parents;

17 “(H) State legislators;

18 “(I) representatives of businesses;

19 “(J) representatives of regional accrediting
20 associations;

21 “(K) representatives of federally funded
22 entities referred to in clauses (i) and (ii) of sec-
23 tion 405(d)(4)(A) of the General Education
24 Provisions Act; and

1 “(L) civil rights groups and organizations
2 (including those associated with the rights of
3 individuals with disabilities).

4 “(2) TIME AND CONDITIONS.—In making a rec-
5 ommendation to the Secretary, the Panel shall pro-
6 pose a time period and other conditions for such
7 grant that shall ensure that the process established
8 under subsection (a) may be followed.

9 “(3) GRANT DENIAL.—The Secretary may de-
10 cline to make a grant only if such grant would vio-
11 late a provision of law or the general administrative
12 regulations of the Department which govern the
13 making of grants.

14 “(c) VOLUNTARY NATIONAL SCHOOL DELIVERY
15 STANDARDS RATIFICATION.—After developing such school
16 delivery standards, the consortium shall convene a meeting
17 to review and ratify that such standards meet the follow-
18 ing requirements:

19 “(1) STATE ADOPTION.—The standards are
20 sufficiently generic to be adopted for use in any
21 State without unduly restricting State and local pre-
22 rogatives regarding the instructional methods to be
23 employed.

24 “(2) FAIR OPPORTUNITY.—The standards are
25 likely, if properly implemented, to ensure that each

1 student in a school has a fair opportunity to achieve
2 the knowledge and skills set out in the national con-
3 tent standards and the work force readiness stand-
4 ards under title IX.

5 “(d) VOLUNTARY NATIONAL SCHOOL DELIVERY
6 STANDARDS CERTIFICATION.—

7 “(1) PROCESS CONFORMANCE.—After ratifica-
8 tion of a set of standards under subsection (c), the
9 Panel shall review the process by which such stand-
10 ards were developed and consult with the Committee
11 established under section 8005 to determine and cer-
12 tify that such standards are of high quality and that
13 they conform with the process established under sub-
14 section (a).

15 “(2) CERTIFICATION REPORT.—The Panel shall
16 submit to the Congress, the President, and the pub-
17 lic a report containing such certified school delivery
18 standards not later than December 31, 1994.

19 **“SEC. 8013. GENERAL PROVISIONS RELATING TO STAND-**
20 **ARDS.**

21 “(a) CONTINUED REVIEW.—The Panel shall periodi-
22 cally (not more than once every 3 years) review voluntary
23 national content standards to determine whether such
24 standards continue to reflect the best evidence available
25 regarding what children should know.

1 “(b) NO INFLUENCE.—Nothing in this part shall be
2 construed to permit the Secretary to prescribe or influence
3 the content of particular standards.

4 **“SEC. 8014. ASSESSMENT.**

5 “While taking into consideration the existing research
6 on assessment that the Office of Educational Research
7 and Improvement is addressing, the Panel shall make rec-
8 ommendations to the Secretary regarding such research
9 on authentic assessment which such Office should under-
10 take.

11 **“SEC. 8015. EVALUATION AND REPORTS.**

12 “(a) EVALUATION.—The Secretary shall, through the
13 National Academy of Sciences, conduct an evaluation and
14 issue reports that include the following:

15 “(1) EVALUATION REPORT.—An evaluation of
16 the effectiveness of—

17 “(A) school delivery standards described in
18 section 8012(c)(2);

19 “(B) research on authentic assessment
20 conducted by the Office of Educational Re-
21 search and Improvement; and

22 “(C) the model assessments for national
23 content standards for mathematics.

24 “(2) RECOMMENDATIONS.—Recommendations
25 regarding the need for additional criteria to deter-

1 mine the validity, reliability, and fairness of assess-
2 ments;

3 “(3) CRITERIA.—Criteria for evaluating—

4 “(A) whether assessments are substantially
5 aligned to the voluntary national content stand-
6 ards; and

7 “(B) the sufficiency of evidence regarding
8 the technical quality of an assessment in rela-
9 tion to its intended use.

10 “(b) REPORTS.—

11 “(1) INTERIM REPORT.—The National Acad-
12 emy of Sciences shall submit to the Congress, Sec-
13 retary of Education, and the public an interim re-
14 port regarding the material described in subsection
15 (a) not later than December 31, 1993.

16 “(2) FINAL REPORT.—The National Academy
17 of Sciences shall submit to the Congress, Secretary
18 of Education, and the public a final report regarding
19 the material described in subsection (a) not later
20 than December 31, 1994.

21 **“SEC. 8016. DEFINITIONS.**

22 “For purposes of this title—

23 “(1) the term ‘content standards’ means a de-
24 scription, in a particular subject area, of the knowl-
25 edge and skills children should acquire.

1 “(2) the term ‘school delivery standards’ means
2 the criteria for, and means of assessing, the re-
3 sources, practices, and conditions necessary at each
4 level of the education system (schools, school dis-
5 tricts, and States) to provide all students with an
6 opportunity to learn the material in both the vol-
7 untary national content standards (and the
8 workforce readiness standards), such as—

9 “(A) the quality and availability of the cur-
10 rriculum, instructional materials and tech-
11 nologies, and facilities;

12 “(B) the ability of teachers to provide
13 quality instruction;

14 “(C) the availability of the best knowledge
15 about teaching, learning, and learners to teach-
16 ers and administrators;

17 “(D) the relationship of assessments to
18 curricula; and

19 “(E) the presence of policies and practices
20 that support desired student learning, including
21 achievement of the voluntary national content
22 standards by all students.

23 **“SEC. 8017. AUTHORIZATION OF APPROPRIATIONS.**

24 “(a) AUTHORIZATION FOR PANEL.—There are au-
25 thorized to be appropriated \$2,000,000 for each of the fis-

1 cal years 1993 through 1996 for grants to the National
2 Education Goals Panel established under section 8003 to
3 carry out its duties under this part.

4 “(b) AUTHORIZATION FOR EVALUATIONS AND RE-
5 PORTS.—There are authorized to be appropriated
6 \$2,000,000 for fiscal years 1993 through 1996 for the Na-
7 tional Academy of Sciences to carry out section 8015.

8 “(c) AUTHORIZATION FOR VOLUNTARY NATIONAL
9 CONTENT STANDARDS.—There are authorized to be ap-
10 propriated \$10,000,000 for fiscal year 1993 and such
11 sums as may be necessary for each of the fiscal years 1994
12 through 1996 to carry out section 8011.

13 “(d) AUTHORIZATION FOR VOLUNTARY NATIONAL
14 SCHOOL DELIVERY STANDARDS.—There are authorized
15 to be appropriated a total of \$5,000,000 for the fiscal
16 years 1993 and 1994 to carry out section 8012.

17 **“PART B—NEIGHBORHOOD SCHOOLS**

18 **IMPROVEMENT**

19 **“SEC. 8101. SHORT TITLE.**

20 “This part may be cited as the ‘Neighborhood
21 Schools Improvement Act’.

22 **“SEC. 8102. CONGRESSIONAL FINDINGS.**

23 “The Congress finds that—

24 “(1) all students can learn and must realize
25 their potential if the United States is to prosper;

1 “(2) the reforms in education of the last 15
2 years have achieved good results, but these efforts
3 often have been limited to a few schools or to a sin-
4 gular part of the educational system;

5 “(3) additional pilot projects will have the same
6 limited effect as previous reforms and isolated
7 changes in policy will most likely have minimal im-
8 pact;

9 “(4) strategies must be developed by States and
10 communities to support the revitalization of all local
11 schools by fundamentally changing the entire system
12 of education through comprehensive, coherent, and
13 coordinated improvement while recognizing the di-
14 verse cultural and language backgrounds and learn-
15 ing abilities of students;

16 “(5) parents, teachers and other local edu-
17 cators, and community leaders must be involved in
18 developing system-wide reform strategies that reflect
19 the needs of their individual communities;

20 “(6) States and local educational agencies,
21 working together, must immediately set about devel-
22 oping and implementing such system-wide reform
23 strategies if the Nation is to educate all children to
24 meet their full potential and achieve national goals;

1 “(7) increasing funding for existing Federal
2 education programs at levels that will enable them to
3 fulfill their mission is a critical part of assisting
4 States and local educational agencies in their school
5 improvement efforts; and

6 “(8) additional Federal funds should be tar-
7 geted to support State and local initiatives and to le-
8 verage State and local resources for designing and
9 implementing system-wide reform plans.

10 **“SEC. 8103. PURPOSE.**

11 “‘It is the purpose of this part to raise the quality
12 of education for all students by supporting a 10-year
13 broad based public effort to promote coherent and coordi-
14 nated changes in the system of education throughout the
15 Nation at the State and local levels without jeopardizing
16 funding for existing Federal education programs.

17 **“SEC. 8104. PROGRAM AUTHORIZED.**

18 “‘The Secretary is authorized, in accordance with the
19 provisions of this part, to make grants to State edu-
20 cational agencies to enable States and local educational
21 agencies to reform and improve the quality of education
22 throughout the Nation. Such grants shall be used to—

23 “(1) develop innovative educational reform
24 plans, which include State achievement goals, a
25 means for developing or adopting high quality, chal-

1 lenging curricular frameworks and coordinated cur-
2 ricular materials, professional development strate-
3 gies, and assessments; and

4 “(2) implement reforms and plans to improve
5 the education system at the State and local levels.

6 **“SEC. 8105. APPLICATION.**

7 “(a) IN GENERAL.—If a State desires to receive as-
8 sistance under this part, the State educational agency
9 shall submit an application to the Secretary at such time,
10 in such manner, and accompanied by such additional in-
11 formation as the Secretary may reasonably require. Such
12 application shall cover a 5-year period.

13 “(b) CONSIDERATION OF APPLICATIONS.—Each such
14 application shall—

15 “(1) contain satisfactory evidence that the
16 State educational agency has or will have authority,
17 by legislation if necessary, to implement the plan re-
18 quired under section 8106;

19 “(2) provide an assurance that the State has a
20 strategy for ensuring broad participation in the
21 planning process, including parents, students, teach-
22 ers, principals, superintendents, local school board
23 members, representatives of businesses with an in-
24 terest in educational improvement, representatives of
25 rehabilitation organizations, representatives of the

1 employment and training network (including the vo-
2 cational education system), the deans of colleges of
3 education, representatives of community-based orga-
4 nizations, testing and curriculum experts, the direc-
5 tor of the State office responsible for teacher certifi-
6 cation, and the director of the State human services
7 agency, to establish the goals and to refine them in
8 the future, as well as participate in the development
9 of all other components of the plan;

10 “(3) provide an assurance that the State will
11 notify the public (including individuals with limited
12 English proficiency), through print and electronic
13 media (and other accessible formats) and notice to
14 each local educational agency—

15 “(A) that the State has made application
16 for funds under this part;

17 “(B) of the purposes for which the funds
18 will be used; and

19 “(C) that the State is developing a plan
20 under section 8106;

21 “(4) provide an assurance that all students will
22 have equal access to the curricular frameworks, high
23 quality curricular materials, and well-qualified teach-
24 ers;

1 “(5) describe actions taken and resources iden-
2 tified or committed to meet the requirements of this
3 title;

4 “(6) provide an assurance that the applicant
5 will prepare and submit to the Secretary, annual
6 evaluations of and reports concerning the State pro-
7 gram; and

8 “(7) provide an assurance that the State will
9 carry out the provisions of section 8106.

10 “(c) APPROVAL.—The Secretary shall approve an ap-
11 plication and any amendment to the application if the ap-
12 plication or the amendment to such application meets the
13 requirements of this section and is of sufficient quality to
14 meet the objectives of this part. The Secretary shall not
15 finally disapprove an application or an amendment to such
16 application except after giving reasonable notice, technical
17 assistance, and an opportunity for a hearing.

18 “(d) REAPPLICATION.—(1) A State educational agen-
19 cy may apply for assistance for a second 5-year period and
20 such application shall be approved by the Secretary if the
21 State—

22 “(A) has met all of its reporting requirements;
23 and

24 “(B) demonstrates that it has made reasonable
25 progress in carrying out its plan.

1 cational agencies in the State with the lowest aver-
2 age per pupil expenditures;

3 “(6) an individual representing the State board
4 of education; and

5 “(7) individuals nominated by State organiza-
6 tions representing each of the following:

7 “(A) Teachers.

8 “(B) School administrators.

9 “(C) Local school boards.

10 “(D) Parents.

11 “(E) Businesses.

12 “(F) Students.

13 “(b) ADDITIONAL MEMBERS.—(1) The first meeting
14 of such panel shall be convened by the chief State school
15 officer. At such meeting, the panel members designated
16 and nominated in subsection (a) shall select additional
17 panel members, including—

18 “(A) the chairpersons of the State legislative
19 committees with jurisdiction over education;

20 “(B) director of the parent training and infor-
21 mation center (for children with disabilities);

22 “(C) individuals reflecting the ethnic and racial
23 diversity of the general population of the State; and

24 “(D) (except in the case of a State with a single
25 local educational agency) an individual nominated by

1 representatives of the 5 local educational agencies
2 with the highest number of students eligible for serv-
3 ices under part A of chapter 1 of title I of this Act.

4 “(2) The membership of the panel shall—

5 “(A) be geographically representative of all
6 areas of the State;

7 “(B) reflect the racial and ethnic diversity of
8 the population of the State; and

9 “(C) not exceed 25 in number.

10 “(3) Following the selection of additional members,
11 the chief State school officer shall convene a meeting of
12 the full panel to establish procedures regarding the oper-
13 ation of subsequent meetings, including the designation of
14 a panel chairperson, consistent with applicable State law.

15 “(c) DEVELOPMENT OF STATE PLAN.—(1) The
16 panel shall develop a plan that—

17 “(A) establishes State goals to maximize
18 achievement for all children in conjunction with na-
19 tional educational goals;

20 “(B) establishes curricular frameworks in spe-
21 cific subject matter areas that incorporate the goals
22 established under subparagraph (A) consistent with
23 requirements of Federal law;

24 “(C) provides for the adoption of school delivery
25 standards;

1 “(D) provides for the development or adoption
2 of instructional materials to assist the implementa-
3 tion of the curricular frameworks;

4 “(E) allocates resources to implement such a
5 system-wide reform plan;

6 “(F) provides for the establishment or adoption
7 of a valid, reliable, and fair assessment system based
8 upon the curricular frameworks that is capable of
9 accurately measuring the skills and knowledge re-
10 quired to meet State goals;

11 “(G) provides for professional development
12 strategies necessary for achieving the State goals;

13 “(H) establishes a process for reviewing Fed-
14 eral, State, and local laws and regulations and for
15 recommending changes in such laws and regulations
16 to further state-wide reform;

17 “(I) provides a process for selecting local edu-
18 cational agencies for participation in local system-
19 wide reform efforts;

20 “(J) provides for the development of objective
21 criteria and measures against which the success of
22 local plans can be evaluated;

23 “(K) provides for the ongoing evaluation of the
24 effectiveness of the State plan in closing the gap be-
25 tween high and under-achieving students to be as-

1 sessed using achievement and other measures such
2 as attendance, grade retention, and dropout rates;

3 “(L) provides for the availability of curricular
4 frameworks, curricular materials, and professional
5 development in a manner ensuring equal access by
6 all local educational agencies in the State;

7 “(M) provides for a thorough review of the
8 State’s school finance program, focusing on the ade-
9 quacy of, and disparities in, the financial resources
10 available to each local educational agency, and how
11 such disparity affects the ability of the State edu-
12 cational agency and local educational agencies to de-
13 velop and implement reform activities consistent
14 with this part;

15 “(N) describes the steps the State educational
16 agency shall take to ensure that successful programs
17 and practices supported by subgrants awarded to
18 local educational agencies under this part shall be
19 disseminated to other local educational agencies in
20 the State;

21 “(O) provides for the development of an ade-
22 quate research, training, and evaluation capacity
23 within the State to further the purposes of this part;

24 “(P) describes methods of coordinating health,
25 rehabilitation, and social services with education

1 through State interagency cooperation and agree-
2 ments;

3 “(Q) provide for the dissemination of informa-
4 tion on curricular frameworks and supportive serv-
5 ices for students with disabilities to enable such stu-
6 dents to participate;

7 “(R) describes the steps the State educational
8 agency shall take to provide remedial assistance to
9 students, schools, and local educational agencies that
10 are identified through the assessment system under
11 subparagraph (E) as having a need for such assist-
12 ance; and

13 “(S) provides for the development of a strategy
14 to coordinate the use and integration of technology
15 in schools throughout the State for the purposes of
16 instruction (including approaches such as live inter-
17 active distance learning), implementation of the
18 plan, and training of parents, teachers, and adminis-
19 trators.

20 “(2) In developing the plan, the panel shall—

21 “(A) emphasize outcome measures rather than
22 prescribe how the State and local educational agen-
23 cies should achieve such outcomes;

24 “(B) review recent innovations by other States
25 and by national professional organizations with ex-

1 pertise in educational goals, curricula, and assess-
2 ment;

3 “(C) review existing Federal education pro-
4 grams and how they can contribute to the State
5 plan; and

6 “(D) ensure broad-based participation through
7 regular notice and dissemination of information to
8 the public (including individuals with limited English
9 proficiency) using print and electronic media and
10 other accessible formats.

11 “(3) The panel in developing the plan, shall solicit
12 and consider the views and recommendations of persons
13 having knowledge of the needs of students with disabil-
14 ities, including parents, students, and special education
15 teachers and administrators.

16 “(4) Following the development of the plan, the panel
17 shall seek public comment by—

18 “(A) publishing the plan with a comment period
19 of at least 60 days, or

20 “(B) notifying the public (including individuals
21 with limited English proficiency) through electronic
22 and print media (and other accessible formats) and
23 by conducting regional hearings.

1 After providing the public with an opportunity to comment
2 on the plan, the panel shall consider the public comments
3 and make appropriate changes.

4 “(5) The plan shall be submitted to the State for re-
5 view and approval by the State educational agency, except
6 that any changes to such plan shall be made with the con-
7 currence of the panel. Prior to implementing the plan, the
8 State educational agency shall submit such plan to the
9 Secretary for approval. In the event that the State has
10 previously accomplished any of the reform activities re-
11 quired under this part in a specific subject area or set
12 of grade levels, the State is not required to include them
13 in the plan but shall include a request for a waiver, includ-
14 ing a description of such accomplishments.

15 “(6)(A) The Secretary shall approve a State’s plan
16 if such plan—

17 “(i) meets the requirements of this section; and

18 “(ii) provides evidence that the State has, or
19 will have, the resources necessary to carry it out.

20 “(B) The Secretary shall not finally disapprove a plan
21 or an amendment to such plan except after giving reason-
22 able notice, technical assistance, and an opportunity for
23 a hearing.

24 “(d) REVIEW OF STATE PLAN.—The panel and the
25 State educational agency shall review on an ongoing basis,

1 the implementation of the State plan for the period during
2 which the State receives funding under this part. The re-
3 sults of such review shall be prepared in writing by the
4 panel and included by the State in its annual report to
5 the Secretary under section 8113(a).

6 **“SEC. 8107. STATE USES OF FUNDS.**

7 “(a) USES OF FUNDS.—Funds allotted by the Sec-
8 retary under section 8111(a)(2) and State and private
9 funds contributed to make up the total cost of a State
10 program as provided in section 8111(b) shall be used by
11 a State with an approved application for the—

12 “(1) development and implementation of the
13 State plan, including the establishment of State
14 goals, curricular frameworks, school delivery stand-
15 ards, and assessment systems;

16 “(2) activities of the panel (including the travel
17 expenses of the members of such panel);

18 “(3) subgrants to local educational agencies;

19 “(4) technical assistance (including dissemina-
20 tion of information) to local educational agencies to
21 assist in developing and carrying out their plans;
22 and

23 “(5) evaluation, reporting, and data collection.

24 “(b) LOCAL EDUCATIONAL AGENCIES.—In the first
25 year that a State receives an allotment under this part,

1 the State educational agency may make subgrants for the
2 purpose of developing local plans as provided in section
3 8108 consistent with section 8106(c)(1)(I). In the second
4 year, and in each succeeding year, from not less than 75
5 percent of the total cost of a State's program, the State
6 educational agency shall make subgrants to local edu-
7 cational agencies which shall include—

8 “(1) at least one subgrant to a local educational
9 agency in each congressional district; and

10 “(2) a subgrant to the local educational agency
11 with the greatest number of disadvantaged children
12 in the State.

13 “(c) SPECIAL PROVISION.—Funds available under
14 section 8111 shall be used to carry out the plan in a man-
15 ner which ensures that all children, especially those identi-
16 fied through the assessment process (using achievement
17 and other measures) as not achieving satisfactorily, are
18 afforded ample opportunity to reach individual, local,
19 State, and national goals.

20 **“SEC. 8108. DEVELOPMENT AND APPROVAL OF LOCAL**
21 **PLANS.**

22 “(a) LOCAL COMMITTEE.—(1) A local educational
23 agency which desires to receive a subgrant under this sec-
24 tion shall establish a committee comprised of—

1 “(A) the chief elected officer of the unit of gen-
2 eral purpose local government with boundaries which
3 are most closely aligned with the geographic bound-
4 aries of the local educational agency (or a designee);

5 “(B) the superintendent of the local educational
6 agency;

7 “(C) a representative nominated by the local
8 school board;

9 “(D) a representative nominated by a local
10 teacher association;

11 “(E) the director of special education of the
12 local educational agency;

13 “(F) a representative nominated by an influen-
14 tial business association with business members that
15 have an interest in educational improvement and op-
16 erate in a geographic area that is most closely
17 aligned with the local educational agency;

18 “(G) a representative nominated by the parents
19 of children served by part A of chapter 1 of title I
20 of this Act; and

21 “(H) the elected head of a district-wide student
22 organization, if one exists.

23 “(2)(A) The first meeting of such committee shall be
24 convened by the superintendent to enable the committee

1 members designated and selected in paragraph (1) to se-
2 lect additional members including—

3 “(i) parents of students in elementary, middle,
4 and secondary schools;

5 “(ii) a representative nominated by parents of
6 children served under the Individuals with Disabil-
7 ities Education Act (20 U.S.C. 1400 et seq.);

8 “(iii) representatives of community-based orga-
9 nizations;

10 “(iv) members of the general public with a
11 strong interest in education;

12 “(v) principals;

13 “(vi) teachers;

14 “(vii) school counselors, psychologists, and so-
15 cial workers;

16 “(viii) curriculum, testing, and evaluation su-
17 pervisors; and

18 “(ix) a representative of a local higher edu-
19 cation institution.

20 “(B) The total number of committee members may
21 not exceed 30 and shall reflect the racial and ethnic diver-
22 sity of the geographical area served by the local edu-
23 cational agency.

24 “(3) Following the selection of the additional mem-
25 bers, the superintendent shall convene a meeting of the

1 full committee to establish procedures regarding the oper-
2 ation of subsequent meetings, including the designation of
3 a committee chairperson, consistent with applicable State
4 and local law.

5 “(4) Each meeting of such committee shall be open
6 to the public and accessible to individuals with disabilities.

7 “(5) The committee shall develop the local plan de-
8 scribed in subsection (b).

9 “(6) A local educational agency which has established
10 a district-wide reform committee pursuant to State law
11 may add members and responsibilities to such committee
12 to satisfy the requirements of this section.

13 “(b) LOCAL PLAN.—(1) As described in the State re-
14 form plan, and consistent with the recommendations of the
15 panel established under section 8106, the State shall make
16 subgrants to local educational agencies. Each subgrant
17 shall be of a sufficient amount to develop or implement
18 a locally developed plan which—

19 “(A) is formally approved by the local edu-
20 cational agency;

21 “(B) describes a process to ensure broad-based
22 community participation in the development of the
23 local plan, including parents, students, teachers,
24 principals, representatives of rehabilitation organiza-
25 tions, representatives of the employment and train-

1 ing network, representatives of local business asso-
2 ciations, and representatives of community-based or-
3 ganizations;

4 “(C) provides assurance that the local edu-
5 cational agency shall provide for an ongoing evalua-
6 tion of the effectiveness of the plan in meeting State
7 and local goals, and that such agency will annually
8 review the local plan;

9 “(D) proposes district-wide reform which in-
10 cludes—

11 “(i) the setting of local goals;

12 “(ii) a process to ensure that—

13 “(I) curricular and instructional mate-
14 rials reflect State goals, State curricular
15 frameworks and local goals; and

16 “(II) an assessment system is devel-
17 oped or adopted which is curriculum-based
18 and includes achievement and other indica-
19 tors that validly, fairly, and reliably meas-
20 ure progress of all students (including stu-
21 dents with limited English proficiency and
22 students with disabilities) toward meeting
23 State and local goals;

24 “(iii) the provision of teacher and adminis-
25 trator training; and

1 “(iv) a review and restructuring, if nec-
2 essary, of the administrative and staffing struc-
3 ture of the local educational agency and individ-
4 ual schools within such agency.

5 “(E) describes how parents and secondary
6 school students are involved in the development, op-
7 eration, and evaluation of programs and activities
8 assisted under this part;

9 “(F) provides for the availability of curricular
10 frameworks, curricular materials, and professional
11 development in a nondiscriminatory manner;

12 “(G) provides for the ongoing evaluation of the
13 effectiveness of the local plan in closing the gap be-
14 tween high and under-achieving students using
15 achievement and other measures such as attendance,
16 grade retention, and dropout rates;

17 “(H) reviews existing Federal education pro-
18 grams, including early childhood education pro-
19 grams, and how they contribute to the local plan;

20 “(I) based on the recommendations of students,
21 teachers and principals, identifies and describes Fed-
22 eral, State, and local laws and regulations that may
23 impede the implementation of the plan, if any;

1 “(J) describes the process that will be used to
2 ensure that the funds received will be used to the
3 maximum extent at the local school level;

4 “(K) describes the steps the local educational
5 agency shall take to ensure that successful practices,
6 supported by assistance provided to schools under
7 this part shall be disseminated to other schools in
8 the local educational agency; and

9 “(L) provides special attention to the needs of
10 minority students, including instructional programs
11 and activities that—

12 “(i) reflect cultural awareness and multi-
13 cultural diversity;

14 “(ii) encourage alternative learning styles;
15 and

16 “(iii) encourage such students in elemen-
17 tary and secondary schools to aspire to enter
18 higher education programs.

19 “(2) In making subgrants to local educational agen-
20 cies under this subsection, the State shall give priority
21 consideration to local plans which are broadly supported
22 within their communities as evidenced by—

23 “(A) the comments of the local committee re-
24 quired under subsection (e)(2);

1 “(B) the record of the hearings conducted by
2 local educational agencies under subsection (d)(2);
3 and

4 “(C) letters and resolutions submitted by local
5 groups and organizations.

6 “(c) ASSISTANCE FOR LOCAL PLAN DEVELOP-
7 MENT.—The State shall provide technical assistance in the
8 development of a local plan where necessary which—

9 “(1)(A) is to be submitted by a local edu-
10 cational agency with a large number or percentage
11 of educationally disadvantaged students, students
12 who have dropped out of school, or students with
13 disabilities; or

14 “(B) is to be submitted by a local educational
15 agency which demonstrates need for such assistance;

16 “(2) promotes comprehensive, district-wide re-
17 form; and

18 “(3) has the support of parents, teachers, busi-
19 nesses, and community-based service organizations.

20 “(d) SUBMISSION OF LOCAL PLAN.—(1) The com-
21 mittee shall submit the plan to the local educational agen-
22 cy for review.

23 “(2) Prior to consideration of the plan for approval,
24 the local educational agency, with proper public notice (in-

1 cluding notice in accessible formats), shall conduct public
2 meetings to:

3 “(A) receive an explanation of all aspects of the
4 plan by the local committee;

5 “(B) review and discuss the plan, including—

6 “(i) whether it meets the requirements of
7 this section;

8 “(ii) the revenue, resource, and budget im-
9 plications of the plan for the local educational
10 agency; and

11 “(iii) the effect of the plan on staffing, or-
12 ganization, personnel policies, and collective
13 bargaining agreements of the local educational
14 agency;

15 “(C) discuss possible modifications to the plan;
16 and

17 “(D) solicit the views of other interested indi-
18 viduals, including the superintendent, principals,
19 teachers, other officials of the local educational
20 agency, parents, and students.

21 “(e) CONSIDERATION OF LOCAL PLAN.—

22 “(1) After the meetings required under sub-
23 section (d), the local educational agency, with proper
24 notice, shall convene a public meeting to consider
25 the local plan and shall—

1 “(A) approve the plan with or without
2 modification;

3 “(B) disapprove the plan; or

4 “(C) return the plan to the committee for
5 further development.

6 “(2) A local educational agency which approves
7 a local plan shall include the written comments of
8 the local committee prior to submitting such plan to
9 the State for consideration for a subgrant.

10 “(3) Additional development, submission, and
11 consideration of the local plan shall be consistent
12 with the provisions of this section.

13 “(f) ADDITIONAL SUBGRANT.—A local educational
14 agency may not receive an additional subgrant in a suc-
15 ceeding year unless such local educational agency dem-
16 onstrates reasonable progress in the implementation of its
17 local plan and, after its third year of funding under this
18 part, provides evidence of improved student achievement.

19 “(g) REVIEW OF LOCAL PLAN.—(1) The committee
20 and the local educational agency shall review, on an ongo-
21 ing basis, the progress of the local educational agency in
22 implementing the local plan for the period during which
23 such agency receives funding under this part.

24 “(2) The committee shall annually submit a written
25 progress report to the local educational agency, the State

1 panel established under section 8106, and the State edu-
2 cational agency. The local educational agency may submit
3 a separate report, including comments on the report sub-
4 mitted by the committee.

5 **“SEC. 8109. LOCAL USES OF FUNDS.**

6 “(a) DEVELOPMENT OF PLAN.—A local educational
7 agency which receives a subgrant under this part shall use
8 the funds for the purpose of district-wide reform, consist-
9 ent with the State and local plans. Authorized activities
10 may include—

11 “(1) development and implementation of the
12 local plan;

13 “(2) schools which reflect the best available
14 knowledge regarding teaching and learning for all
15 students in public schools, which use the highest
16 quality instructional materials and technologies, and
17 which are designed to meet national, State, and local
18 educational goals as well as the particular needs of
19 their students and communities;

20 “(3) systems such as merit schools which re-
21 ward public schools with students who, taken as a
22 whole, demonstrate improved performance on cur-
23 riculum related outcome measures accepted by the
24 States or developed in the State assessment process;

1 “(4) activities that supplement early childhood
2 education programs and increase the readiness of
3 young children to learn;

4 “(5) site-based management which places maxi-
5 mum decisionmaking authority at the individual
6 school level and that, at a minimum, involves teach-
7 ers and other professional staff;

8 “(6) activities which maximize parental involve-
9 ment in improving the education of their children;

10 “(7) coordination of health, rehabilitation, and
11 social services with education;

12 “(8) activities that provide incentives for higher
13 levels of student performance and lead to improved
14 student motivation and achievement;

15 “(9) planning to improve the use of technology
16 (including instructional and assistive technology) in
17 schools;

18 “(10) professional development activities of
19 teachers and local administrators;

20 “(11) replication of successful education pro-
21 grams or components of such programs that will en-
22 able the local educational agency to attain the goals
23 of the State and local plans;

1 “(12) provision of technical assistance to indi-
2 vidual schools to enable such schools to attain the
3 goals of the State and local plans;

4 “(13) development or adoption, with substantial
5 involvement of principals, teachers, and other admin-
6 istrators, of curricula, instructional materials, and
7 assessment instruments which are consistent with
8 State frameworks and local goals;

9 “(14) support initiatives of teachers related to
10 the State curricular frameworks, development and
11 implementation of the local plan, and innovative ap-
12 proaches to improving student achievement;

13 “(15) support of initiatives similar to those au-
14 thorized under paragraph (14) by local school co-
15 operatives or consortia which are a part of an edu-
16 cational reform plans;

17 “(16) demonstrating and evaluating the effec-
18 tiveness of improving teacher and student perform-
19 ance by reducing the numbers of students in class-
20 rooms; and

21 “(17) improving the academic performance and
22 reducing the dropout rate of at-risk students
23 through the use of mentors.

24 “(b) INVOLVEMENT OF PRINCIPALS AND TEACH-
25 ERS.—A local educational agency shall involve teachers

1 and school principals in the development, operation, and
2 evaluation of activities assisted by funds provided under
3 this part.

4 **“SEC. 8110. AUTHORIZATION OF APPROPRIATIONS.**

5 “For the purpose of carrying out this part, there are
6 authorized to be appropriated \$800,000,000 for the fiscal
7 year 1993, and such sums as may be necessary for the
8 fiscal years 1994 through 2002.

9 **“SEC. 8111. ALLOTMENT OF FUNDS.**

10 “(a) TO STATES.—(1) From funds appropriated
11 under section 8110, the Secretary shall allot to the Sec-
12 retary of the Interior for each fiscal year an amount equal
13 to $\frac{1}{2}$ of 1 percent of the funds appropriated, not to exceed
14 \$2,000,000 in any fiscal year, to benefit Indian students
15 enrolled in schools funded by the Department of the Inte-
16 rior for Indian students. The provisions of subsection (b)
17 of this section shall not apply to payments made under
18 this paragraph.

19 “(2) From the remaining amount appropriated under
20 section 8110, the Secretary shall make annual grants to
21 States with approved applications based upon the formula
22 established in part A of chapter 1 of title I of this Act.

23 “(3)(A) The Assistant Secretary of the Interior for
24 Indian Affairs shall reserve, from the allotment to carry
25 out this subsection, an amount not to exceed \$500,000

1 to provide, through the National Academy of Sciences, for
2 an analysis of the costs associated with meeting the aca-
3 demic standards of the Bureau of Indian Affairs by each
4 school funded by such Bureau. The results of such analy-
5 sis shall be reported, in aggregate and school specific
6 form, to the chairpersons of the Committee on Education
7 and Labor of the House and the Select Committee on In-
8 dian Affairs of the Senate and to the Assistant Secretary
9 of the Interior for Indian Affairs not later than 6 months
10 following the date of enactment of this title.

11 “(B) Such analysis shall evaluate the cost of provid-
12 ing a program in each school funded by the Bureau of
13 Indian Affairs during the academic year July 1, 1993,
14 through June 30, 1994, and shall be based on—

15 “(i) the standards—

16 “(I) published by such Bureau in the Fed-
17 eral Register and in effect for Bureau operated
18 schools on July 1, 1993, or

19 “(II) incorporated within grant or contract
20 agreements in effect on such date for tribally
21 controlled schools funded by such Bureau
22 through the Student Equalization program
23 under section 1126 of Public Law 95-561, as
24 amended:

1 “(ii) the best projections of student counts and
2 demographics, as independently determined by such
3 Academy; and

4 “(iii) the pay and benefit schedules and other
5 personnel requirements for each such Bureau funded
6 school, in effect on July 1, 1993.

7 “(b) MATCHING REQUIREMENT.—(1) The Federal
8 share under this part may not exceed—

9 “(A) 100 percent of the total cost of a program
10 for the first year for which a State receives funds
11 under this part;

12 “(B) 85 percent of the total cost of a program
13 for the second year for which a State receives funds
14 under this part;

15 “(C) 60 percent of the total cost of a program
16 for the third year for which a State receives funds
17 under this part;

18 “(D) 45 percent of the total cost of a program
19 for the fourth year for which a State receives funds
20 under this part; and

21 “(E) 33 percent of the total cost of a program
22 for the fifth and any succeeding year for which a
23 State receives funds under this part.

24 “(2) The remaining cost of a program that receives
25 assistance under this part shall be paid by the State from

1 State funds and may include contributions from the pri-
2 vate sector.

3 “(3) The share of payments from sources other than
4 funds appropriated under this part may be in cash or in
5 kind fairly evaluated.

6 “(4) The requirements of this subsection shall not
7 apply to the Virgin Islands, the Commonwealth of Puerto
8 Rico, or Pacific outlying areas.

9 “(c) MAINTENANCE OF EFFORT.—A State is entitled
10 to receive its full allotment of funds under this section for
11 any fiscal year if the Secretary finds that either the com-
12 bined fiscal effort per student or the aggregate expendi-
13 tures within the State with respect to the provision of free
14 public education for the preceding fiscal year was not less
15 than 90 percent of such combined fiscal effort or aggre-
16 gate expenditures for the second preceding fiscal year.

17 “(d) ADMINISTRATIVE COSTS.—From its annual al-
18 lotment, a State may reserve for administration (not to
19 include the activities of the panel) an amount not to ex-
20 ceed 4 percent or \$250,000, whichever is greater.

21 “(e) ASSURANCES AND TERMS.—(1) The funds allot-
22 ted to the Secretary of the Interior under subsection (a)(1)
23 shall be made in a payment which shall be pursuant to
24 an agreement between the Secretary and the Secretary of
25 the Interior containing such assurances and terms as the

1 Secretary determines will best achieve the purposes of this
2 part. The agreement shall contain an assurance that—

3 “(A) a panel, as set forth in paragraph (2) of
4 this subsection, shall be established;

5 “(B) a plan as required in section 8106 shall be
6 developed by such panel; and

7 “(C) the provisions and activities required
8 under sections 8106 and 8107 shall be carried out
9 in the same time frames stipulated for the States in
10 those sections, provided that the term ‘local edu-
11 cational agencies’ shall be interpreted to mean
12 ‘schools funded by the Bureau of Indian Affairs’.

13 “(2) To carry out the provisions of this part, and to
14 develop the plan required under the agreement with the
15 Secretary required in paragraph (1), the Secretary of the
16 Interior shall establish a panel coordinated by the Assist-
17 ant Secretary of the Interior for Indian Affairs to develop
18 a system-wide reform plan. Such panel shall consist of—

19 “(A) the Assistant Secretary of the Interior for
20 Indian Affairs (or designee);

21 “(B) the chairpersons and ranking minority
22 members of the Committee on Education and Labor
23 of the House of Representatives and the Select Com-
24 mittee on Indian Affairs of the Senate (or their des-
25 ignees);

1 “(C) the Director of the Office of Indian Edu-
2 cation Programs of the Bureau of Indian Affairs
3 and such heads of divisions in such office as the Di-
4 rector shall designate;

5 “(D) a representative nominated by each of the
6 following—

7 “(i) the organization representing the ma-
8 jority of teachers and professional personnel in
9 Bureau-operated schools;

10 “(ii) the organization representing the ma-
11 jority of nonteaching personnel in Bureau-oper-
12 ated schools, if not the same organization as in
13 clause (i);

14 “(iii) school administrators of Bureau-op-
15 erated schools;

16 “(iv) education line officers located in Bu-
17 reau area or agency offices serving elementary
18 or secondary programs;

19 “(v) the organization representing the ma-
20 jority of Bureau-funded contract or grants
21 schools not serving students on the Navajo res-
22 ervation;

23 “(vi) the organization representing the ma-
24 jority of Bureau-funded contract or grants

1 schools serving students on the Navajo reserva-
2 tion;

3 “(vii) the organization representing the
4 school boards required in Bureau-operated
5 schools, not serving students on the Navajo res-
6 ervation; and

7 “(viii) the organization representing the
8 school boards required in Bureau-operated
9 schools, serving students on the Navajo reserva-
10 tion.

11 In addition, the members of the panel stipulated
12 above shall designate for full membership 3 tribal
13 chairmen (or designees) or representatives of 3 na-
14 tional organizations which primarily represent na-
15 tional Indian education concerns, or a combination
16 of these 2 classes, provided that the National Advi-
17 sory Council on Indian Education, established under
18 the Indian Education Act of 1972, (25 U.S.C. 2601
19 et seq.) shall not be included as an organization for
20 consideration under this provision.

21 **“SEC. 8112. AVAILABILITY OF INFORMATION AND TRAIN-**
22 **ING.**

23 “(a) INFORMATION AND TRAINING.—Proportionate
24 to the number of children in a State or in a local edu-

1 cational agency who are enrolled in private elementary or
2 secondary schools—

3 “(1) a State educational agency or local edu-
4 cational agency which uses funds under this part to
5 develop goals, curricular frameworks, curricular ma-
6 terials, and assessments shall, upon request, make
7 information related to such goals, frameworks, mate-
8 rials, and assessments available to private schools;
9 and

10 “(2) a State educational agency or local edu-
11 cational agency which uses funds under this part for
12 teacher and administrator training shall provide in
13 its plan for the training of teachers and administra-
14 tors of private schools located in the geographical
15 area served by such agency.

16 “(b) WAIVER.—If, by reason of any provision of law,
17 a State or local educational agency is prohibited from pro-
18 viding for the equitable participation of teachers and ad-
19 ministrators from private schools in training programs as-
20 sisted with Federal funds provided under this part, or if
21 the Secretary determines that a State or local educational
22 agency has substantially failed or is unwilling to provide
23 for such participation, the Secretary shall waive such re-
24 quirements and shall arrange for the provision of training
25 consistent with State goals and curricular frameworks for

1 such teachers and administrators. Such waivers shall be
2 subject to consultation, withholding, notice, and judicial
3 review in accordance with section 1017 of this Act.

4 **“SEC. 8113. ANNUAL PROGRESS REPORTS: TECHNICAL AS-**
5 **SISTANCE.**

6 “(a) ANNUAL REPORT.—A State which receives
7 funds under this part shall annually report to the Sec-
8 retary—

9 “(1) regarding such State’s progress in meeting
10 its goals and plans;

11 “(2) describing proposed activities for the suc-
12 ceeding year; and

13 “(3) describing Federal regulations which may
14 impede reform activities under this part as described
15 in local plans approved by the State.

16 “(b) ADDITIONAL REPORT; TECHNICAL ASSIST-
17 ANCE.—(1) Each State which receives funds under this
18 part shall submit to the Secretary a biennial report on
19 revenues available to, and expenditures by, each local edu-
20 cational agency in the State during the second preceding
21 year. This report shall be developed in accordance with
22 data definitions developed and published by the National
23 Center for Education Statistics, and shall include at least
24 the following information for each local educational agency
25 within the State—

1 “(A) sources of revenues, identified by level of
2 Government and type in the case of taxes;

3 “(B) types of educational services offered;

4 “(C) pupil enrollment, average daily attendance,
5 and average daily membership;

6 “(D) demographic information on student popu-
7 lation;

8 “(E) type and responsibilities of each local edu-
9 cational agency, including a description of grade lev-
10 els served; and

11 “(F) age and condition of facilities, including
12 the percent of budget expended for maintenance and
13 operation.

14 “(2) After submission of the first biennial report
15 under paragraph (1), a State, using data and definitions
16 developed by the National Center on Education Statistics,
17 shall include in each subsequent biennial report for each
18 local educational agency the following information:

19 “(A) Tax assessment rates, policies, and prac-
20 tices.

21 “(B) The ability of such local educational agen-
22 cy to raise additional revenues.

23 “(C) The costs of providing elementary and sec-
24 ondary education services.

1 “(3) The report required by this subsection shall also
2 contain a detailed description of the State’s school finance
3 programs including each program’s—

4 “(A) purpose;

5 “(B) eligibility criteria;

6 “(C) sources of revenue;

7 “(D) aggregate level of funding;

8 “(E) mechanism or formula for distributing
9 funds among local educational agencies; and

10 “(F) restrictions on use of funds.

11 “(4) In developing data definitions under this sub-
12 section, the National Center for Education Statistics shall
13 consult with individuals knowledgeable in the field of edu-
14 cation finance.

15 “(5) Each State shall make its first report to the Sec-
16 retary under this subsection not later than two years after
17 the date that the Secretary initially allots funds under sec-
18 tion 8111.

19 “(c) TECHNICAL ASSISTANCE.—The Secretary shall
20 provide technical assistance, either directly by grant or by
21 contract, to the States to assist them in complying with
22 the requirements of this section.

23 “(d) DATA REVIEW.—The National Center for Edu-
24 cation Statistics shall review the data from reports com-
25 piled under this section to determine adherence to the defi-

1 nitions required in subsection (b) before it is submitted
2 for policy analysis by the National Academy of Sciences
3 under subsection (c) of section 8114. The National Center
4 for Education Statistics shall forward to the Secretary and
5 the National Academy of Sciences any discrepancies it de-
6 termines between the data and the definitions and any cor-
7 rections necessary to achieve consistency in the data, par-
8 ticularly as it relates to differences in data of the various
9 States.

10 **“SEC. 8114. EVALUATION AND DISSEMINATION.**

11 “(a) EVALUATION.—The Secretary shall evaluate a
12 representative sample of such State and local reform ef-
13 forts over the course of the 10-year authorization in order
14 to assess the effectiveness of such plans and activities in
15 improving the educational performance of all children.
16 Such evaluations shall specifically examine the effects of
17 such activities on disadvantaged students. The Secretary
18 may reserve up to $\frac{3}{4}$ of one percent of the appropriations
19 for this part to carry out this section provided that $\frac{1}{2}$
20 of one percent of such appropriation shall be reserved for
21 technical assistance under section 8113(c) and for sub-
22 section (c) of this section.

23 “(b) DISSEMINATION.—The Secretary shall, annually
24 and upon request, disseminate to the States information

1 on approaches and materials developed under this part or
2 through related efforts.

3 “(c) CONTRACT FOR STATISTICAL, LEGAL, AND POL-
4 ICY ANALYSIS.—(1) The Secretary shall provide, through
5 a contract with the National Academy of Sciences, for the
6 preparation of a statistical, legal, and policy analysis of
7 school finance and related data reported by the States
8 under section 8113(b). Such analysis shall—

9 “(A) address disparities in educational expendi-
10 tures and the reasons for such disparities among
11 local educational agencies in each State and among
12 States across the Nation; and

13 “(B) describe the degree to which the data re-
14 ported by States under section 8113 was useful in
15 its preparation.

16 “(2) In conducting such analysis, the National Acad-
17 emy of Sciences shall use statistical methods generally ac-
18 cepted by school finance specialists, and shall develop
19 model State school finance programs based on generally
20 accepted concepts of equalized school finance programs.
21 Such models shall take into consideration a variety of fac-
22 tors, including—

23 “(A) State and local variations in student de-
24 mographics and needs, and the costs of meeting
25 such needs;

1 “(B) adequacy of resources;

2 “(C) ability and willingness of States and local
3 educational agencies to raise additional revenues;
4 and

5 “(D) costs of providing educational services.

6 “(3) Not later than three years following the date
7 that the Secretary makes the first allotment of funds to
8 States under section 8111, the National Academy of
9 Sciences shall provide a report containing the information
10 required by this subsection to the Chairpersons of the
11 Committee on Education and Labor of the House of Rep-
12 resentatives and the Committee on Labor and Human Re-
13 sources of the Senate and to the Secretary. The Secretary
14 shall expeditiously make such report available to States
15 and, upon request, to the public.

16 “(4) The Secretary, upon request, shall provide, ei-
17 ther directly or by contract, technical assistance to States
18 which endeavor to implement a model school finance pro-
19 gram developed by the National Academy of Sciences
20 under this subsection.

21 **“SEC. 8115. REPORT TO CONGRESS.**

22 ““The Secretary shall submit annually to the chair-
23 persons of the Committee on Education and Labor of the
24 House of Representatives and the Committee on Labor

1 and Human Resources of the Senate a report that con-
2 tains—

3 “(1) a description of the progress that States
4 receiving funds under this part have made in devel-
5 oping and implementing their plans;

6 “(2) information from State and local reports
7 regarding requirements in Federal law or regulation
8 which have been identified by States and local edu-
9 cational agencies as impeding the system-wide re-
10 form of schools under this part; and

11 “(3) a list by State of average per pupil expend-
12 itures reflecting the most recent data reported under
13 section 8113(b) and reviewed under section 8113(d).

14 **“SEC. 8116. GENERAL PROVISIONS.**

15 “Nothing in this part shall—

16 “(1) supersede State law;

17 “(2) be construed to authorize any department,
18 agency, officer, or employee of the Federal Govern-
19 ment to—

20 “(A) exercise any control over the curricu-
21 lum, program of instruction, administration or
22 personnel of any educational institution or
23 school system; or

24 “(B) prescribe the use of particular stand-
25 ards, assessments, or instructional materials;

1 “(3) be construed to limit the rights or respon-
2 sibilities of any person under any Federal law; or

3 “(4) be construed to prohibit a local educational
4 agency from receiving contributions from private or-
5 ganizations or individuals for the purpose of sup-
6 porting the development or implementation of its
7 local reform plan.

8 **“SEC. 8117. DEFINITIONS.**

9 “For purposes of this part:

10 “(1) The term ‘assessment system’ means a
11 system for measuring the abilities and academic
12 achievement of students that is based upon a set of
13 curricular frameworks and expected outcomes.

14 “(2) The term ‘curricular framework’ means a
15 description, in a particular subject area, of the
16 knowledge and skills children should acquire.

17 “(3) The term ‘Pacific outlying area’ means
18 American Samoa, Guam, the Commonwealth of the
19 Northern Mariana Islands, and the Republic of
20 Palau (until such time as the Compact of Free Asso-
21 ciation is ratified).

1 “(5) in an era when educational change and re-
2 form must prevail, it is more important than ever to
3 provide programs that—

4 “(A) result in improved educational out-
5 comes for disadvantaged students;

6 “(B) promote the coordination of education
7 and related services that benefit children and
8 their families;

9 “(C) respond flexibly to the needs of a di-
10 verse student population;

11 “(D) stop the proliferation of unnecessary
12 Federal, State, and local regulation; and

13 “(E) place less emphasis on reviewing pro-
14 cedures and more emphasis on achieving pro-
15 gram results.

16 “(b) PURPOSE.—It is the purpose of this part to es-
17 tablish a national demonstration program which—

18 “(1) promotes educational reform that leads to
19 improved educational outcomes for disadvantaged
20 students;

21 “(2) holds accountable the schools and other re-
22 cipients of Federal funds for achieving specific edu-
23 cational improvement goals in exchange for in-
24 creased flexibility in the use of their resources; and

1 “(3) enables school and program administra-
2 tors, teachers, parents, local agencies, and commu-
3 nity groups to work together to develop effective
4 education programs that lead to improved achieve-
5 ment and meet the needs of disadvantaged students.

6 **“SEC. 8403. PROGRAM AUTHORIZED.**

7 “(a) STATES.—

8 “(1) WAIVERS AUTHORIZED.—Except as pro-
9 vided in subsection (e) and section 8409, the Sec-
10 retary is authorized to waive statutory or regulatory
11 requirements in accordance with the provisions of
12 this part for not more than 10 States which have
13 implemented comprehensive regulatory reform plans
14 involving not more than 20 local educational agen-
15 cies and 75 schools in each such State in order to
16 enable such States to conduct demonstration
17 projects to find more flexible ways to provide edu-
18 cation and other services to disadvantaged students.

19 “(2) LIMITATION.—The Secretary shall only
20 waive statutory or regulatory requirements if the
21 Secretary determines that such requirements may
22 impede the ability of a school or other service pro-
23 vider to—

24 “(A) provide education and other services
25 to disadvantaged students; or

1 “(B) meet the special needs of such stu-
2 dents and other individuals in the most effective
3 manner possible.

4 “(b) OTHER FEDERAL AGENCIES.—

5 “(1) WAIVERS.—The head of any other Federal
6 agency who has entered into an agreement with the
7 Secretary pursuant to paragraph (2) is similarly au-
8 thorized to waive only regulatory requirements appli-
9 cable to an elementary, secondary, or youth voca-
10 tional training program administered by such agency
11 if the agency head and the Secretary agree that such
12 a waiver would provide more flexible ways to provide
13 education and other services to disadvantaged stu-
14 dents.

15 “(2) AGREEMENT.—For the purpose of consid-
16 ering requests for waivers under this part regarding
17 requirements related to programs administered by
18 other Federal agencies, the Secretary shall enter
19 into written agreements with the heads of such
20 agencies which describe the process to be used to
21 consider such requests.

22 “(c) STATE AND LOCAL EDUCATIONAL AGENCY AP-
23 PLICATION TRANSMITTAL.—The Secretary or the head of
24 any other Federal agency shall only waive the statutory
25 or regulatory requirements in accordance with the provi-

1 sions of this part after receiving applications from a State
2 educational agency in accordance with subsections (a) and
3 (b) of section 8408.

4 “(d) APPROVAL OF PROJECTS.—

5 “(1) IN GENERAL.—The Secretary shall ap-
6 prove applications from States which have imple-
7 mented, or will implement prior to applying to the
8 Secretary under section 8408, comprehensive regu-
9 latory reform demonstration projects under this sec-
10 tion that the Secretary determines show substantial
11 promise of achieving the purposes of this section,
12 after considering—

13 “(A) the comprehensiveness of the project,
14 including the types of students, schools, pro-
15 grams, and activities to be included;

16 “(B) the extent to which the requirements
17 for which waivers are sought impede edu-
18 cational improvement;

19 “(C) the State and local requirements that
20 will be waived for the project;

21 “(D) the significance and feasibility of the
22 proposed project’s goals for each participating
23 school or site; and

1 “(E) the quality of the plan for ensuring
2 accountability for the proposed plan’s activities
3 and goals.

4 “(2) CONSULTATION.—The Secretary shall con-
5 sult with the heads of other appropriate Federal
6 agencies, if any, in determining whether to approve
7 a project. Each such agency head shall notify the
8 Secretary of any waivers granted by such agency
9 head as part of such project.

10 “(3) DISTRIBUTION OF PROJECTS.—The Sec-
11 retary shall ensure that, to the extent feasible,
12 projects assisted under this section are geographi-
13 cally distributed, and equitably distributed among
14 urban, suburban, and rural areas, as well as large
15 and small schools.

16 “(e) TERRITORIES.—

17 “(1) IN GENERAL.—Notwithstanding the defini-
18 tion of ‘State’ contained in section 1471(22), the
19 Secretary is authorized to consider an application
20 from each of the territories of the Virgin Islands,
21 American Samoa, Guam, the Commonwealth of the
22 Northern Mariana Islands, and the Republic of
23 Palau (until such time as the Compact of Free Asso-
24 ciation is ratified) and to waive certain requirements

1 in not more than four schools for each of such terri-
2 tories.

3 “(2) SPECIAL RULE.—The requirements of sub-
4 section (a)(1) regarding the number of States and
5 schools that may be approved for waivers shall not
6 include the entities described in paragraph (1).

7 **“SEC. 8404. FEDERAL WAIVERS OF GENERAL REQUIRE-**
8 **MENTS.**

9 “A State educational agency may request waivers of
10 Federal statutory or regulatory requirements relating to
11 the uses of funds for programs serving disadvantaged stu-
12 dents to allow funds to be combined to better serve dis-
13 advantaged students in the regular classroom.

14 “(1) PRESCHOOL PROGRAMS.—In the case of
15 preschool programs serving disadvantaged students,
16 such programs shall include chapter 1 and may in-
17 clude—

18 “(A) the Head Start Act (only for require-
19 ments related to age, family income, length of
20 day, and restrictions on reimbursement);

21 “(B) the Even Start Act; and

22 “(C) the Child Care Quality Improvement
23 Act.

24 “(2) ELEMENTARY SCHOOL.—In the case of
25 programs serving disadvantaged students at the ele-

1 mentary school level, such programs shall include
2 chapter 1 and may include—

3 “(A) chapter 2 of title I of this Act;

4 “(B) the Jacob K. Javits Gifted and Tal-
5 ented Students Education Act of 1988;

6 “(C) the Drug-Free Schools and Commu-
7 nities Act of 1986;

8 “(D) the Head Start Transition Project
9 Act;

10 “(E) the Follow Through Act;

11 “(F) the Emergency Immigrant Education
12 Act of 1984; and

13 “(G) the Dwight D. Eisenhower Mathe-
14 matics and Science Education Act.

15 “(3) SECONDARY SCHOOL.—In the case of pro-
16 grams serving disadvantaged students at the second-
17 ary school level, such programs shall include chapter
18 1 and may include—

19 “(A) the Carl D. Perkins Vocational and
20 Applied Technology Education Act;

21 “(B) the Job Training Partnership Act;

22 “(C) chapter 2 of title I of this Act;

23 “(D) the Drug-Free Schools and Commu-
24 nities Act of 1986;

1 “(E) the Emergency Immigrant Education
2 Act of 1984; and

3 “(F) the Dwight D. Eisenhower Mathe-
4 matics and Science Education Act.

5 **“SEC. 8405. FEDERAL WAIVERS OF REQUIREMENTS FOR SO-**
6 **CIAL, HEALTH, AND NUTRITION PROGRAMS.**

7 “A State educational agency may request waivers of
8 Federal statutory or regulatory requirements relating to
9 the operation of programs designed to improve the social,
10 health, and nutritional condition of disadvantaged chil-
11 dren. Requests may include waivers for—

12 “(1) the Nutrition Education and Training Pro-
13 gram under the Child Nutrition Act of 1966;

14 “(2) Programs for Improvement of Comprehen-
15 sive School Health Education under the Secretary’s
16 Fund for Innovation in Education described in sec-
17 tion 4605 of this Act;

18 “(3) the Alcohol and Drug Abuse Education
19 Act; and

20 “(4) the Drug-Free Schools and Communities
21 Act of 1986.

1 **“SEC. 8406. FEDERAL WAIVERS OF REQUIREMENTS FOR NA-**
2 **TIONAL SCHOOL LUNCH AND CHILD NUTRI-**
3 **TION PROGRAMS.**

4 “The State educational agency may request waivers
5 of Federal statutory or regulatory requirements relating
6 to the operation of the school lunch and school breakfast
7 programs authorized under the National School Lunch
8 Act and the Child Nutrition Act of 1966 in order to pro-
9 mote more efficient operation of such programs.

10 **“SEC. 8407. ELIGIBILITY.**

11 “(a) STATE ELIGIBILITY.—To be eligible to partici-
12 pate in a demonstration project under this part, a State
13 educational agency shall have, or make a concerted at-
14 tempt to develop, coordinated service agreements with
15 other agencies of the State that administer social services,
16 health, mental health, and substance abuse prevention and
17 treatment programs. Such agreements shall include de-
18 scriptions of the manner in which such services for dis-
19 advantaged students are coordinated at the State level.

20 “(b) LOCAL ELIGIBILITY.—To be eligible to partici-
21 pate in a demonstration project under this part, a local
22 educational agency shall—

23 “(1) develop an application in accordance with
24 section 8408; and

25 “(2) have, or make a concerted attempt to de-
26 velop, coordinated service agreements with other

1 local agencies and organizations to better coordinate
2 the provision of education, social services, health,
3 mental health, and substance abuse prevention and
4 treatment programs to disadvantaged students. Such
5 services shall be available at a location convenient
6 for such students and their families.

7 **“SEC. 8408. APPLICATIONS.**

8 “(a) GENERAL LOCAL REQUIREMENTS.—

9 “(1) GENERAL RULE.—A local educational
10 agency that desires to participate in a demonstration
11 project that waives certain State and Federal re-
12 quirements to improve the delivery of services to dis-
13 advantaged children shall submit an application to
14 the State educational agency for approval. The State
15 educational agency shall transmit such approved ap-
16 plications to the Secretary.

17 “(2) CONTENTS.—Each application described in
18 paragraph (1) shall—

19 “(A) identify each school that desires waiv-
20 ers of Federal and State requirements and de-
21 scribe how such requirements impede improved
22 educational outcomes;

23 “(B) specifically identify each Federal and
24 State statutory and regulatory requirement to
25 be waived, the purpose of the waiver, and how

1 the waiver will facilitate the achievement of the
2 purpose of the program for which the waiver is
3 requested;

4 “(C) describe how program funds shall be
5 combined with chapter 1 funds, other than nu-
6 trition funds, to provide more effective services
7 in the regular classroom for disadvantaged stu-
8 dents;

9 “(D) describe how the combining of funds
10 shall—

11 “(i) allow each school that desires a
12 waiver to provide services to disadvantaged
13 students with a more comprehensive, less
14 fragmented approach;

15 “(ii) allow each school that desires a
16 waiver to better meet the educational needs
17 of disadvantaged students; and

18 “(iii) allow each school that desires a
19 waiver to allocate resources more effec-
20 tively;

21 “(E) describe the State and local require-
22 ments that will be waived, the purpose of such
23 waivers, and, if such requirements will not have
24 been waived before the project begins, when
25 those waivers will be obtained and take effect;

1 “(F) describe the specific educational im-
2 provement goals for each school that desires a
3 waiver, including—

4 “(i) goals to substantially improve the
5 performance of disadvantaged students on
6 indicators of student progress that are tied
7 to State and national education goals and
8 which reflect public input;

9 “(ii) goals that reflect the broad pur-
10 poses of each program for which the waiver
11 is sought; and

12 “(iii) an explanation of how the local
13 educational agency shall evaluate the
14 progress of each school that desires a waiv-
15 er in meeting its educational improvement
16 goals;

17 “(G) describe the population of disadvan-
18 taged students at each school that desires a
19 waiver, the academic and other needs of such
20 students, and how the needs of such students
21 shall be addressed by the demonstration project;

22 “(H) describe how school administrators,
23 teachers, staff, and parents shall be involved in
24 the planning, development, and implementation

1 of the goals for each school that desires a waiv-
2 er; and

3 “(I) contain an assurance that the local
4 educational agency shall report annually to the
5 State educational agency on the progress of
6 each participating school in meeting the goals
7 described in the application.

8 “(3) LOCAL REQUIREMENTS FOR OTHER PRO-
9 GRAMS.—

10 “(A) LOCAL REQUEST FOR SOCIAL,
11 HEALTH, AND NUTRITION PROGRAM WAIV-
12 ERS.—A local educational agency that desires
13 to receive waivers of statutory or regulatory re-
14 quirements to improve the social, health, and
15 nutritional services to disadvantaged students
16 shall submit an application to the State edu-
17 cational agency that—

18 “(i) includes a description of the im-
19 pediments to providing effective social,
20 health, and nutritional services to dis-
21 advantaged children;

22 “(ii) identifies the Federal and State
23 statutory or regulatory requirements to be
24 waived;

1 “(iii) describes the service goals to be
2 achieved; and

3 “(iv) assures that the local edu-
4 cational agency shall report annually to the
5 State educational agency on the progress
6 of the school in meeting the goals de-
7 scribed in the application.

8 “(B) LOCAL REQUEST OF SCHOOL LUNCH
9 AND CHILD NUTRITION PROGRAM WAIVERS.—A
10 local educational agency that desires to receive
11 waivers of regulatory requirements relating to
12 the operation of school lunch and school break-
13 fast programs shall submit an application to the
14 State educational agency that—

15 “(i) includes a description of the im-
16 pediments to the efficient operation and
17 administration of the school lunch or
18 school breakfast program;

19 “(ii) identifies the Federal statutory
20 requirements to be waived;

21 “(iii) describes the management goals
22 to be achieved, such as fewer hours spent
23 on or fewer personnel dedicated to the ad-
24 ministration of such programs; and

1 “(iv) assures that the local edu-
2 cational agency shall report annually to the
3 State educational agency on the progress
4 of a school in meeting the goals described
5 in the application.

6 “(C) SINGLE APPLICATION.—The Sec-
7 retary shall encourage local educational agen-
8 cies to submit a single application for waivers
9 under sections 8404, 8405, and 8406.

10 “(b) GENERAL STATE REQUIREMENTS.—A State
11 educational agency that desires to request waivers of stat-
12 utory requirements or regulations shall submit an applica-
13 tion to the Secretary that includes the following:

14 “(1) SCHOOL SELECTION.—The names of the
15 local educational agencies and the schools in such
16 State selected to participate in a demonstration
17 project.

18 “(2) REQUIREMENT WAIVERS.—For each local
19 educational agency described in paragraph (1), the
20 identification of the statutory or regulatory require-
21 ments that are requested to be waived and the goals
22 that the local educational agency intends to achieve.

23 “(3) STATE ACTION.—A description of the ac-
24 tion that the State has undertaken to remove State

1 statutory or regulatory barriers identified in the ap-
2 plications of the local educational agencies.

3 “(4) PROGRAM COMBINATION.—A description
4 of the extent to which the State has combined State
5 programs for educating disadvantaged students and
6 State social, health, mental health, and substance
7 abuse programs with similar Federal programs, in-
8 cluding the administration of such programs.

9 “(5) MONITORING PROCESS.—An assurance
10 that the State educational agency shall monitor the
11 progress of the schools in meeting the goals outlined
12 in the application and that such agency shall report
13 annually on such progress to the Secretary.

14 “(6) APPROPRIATE APPROVAL.—If a local edu-
15 cational agency has requested a waiver of a Federal
16 or State statutory or regulatory requirement that is
17 not within the jurisdiction of the State educational
18 agency, the written approval of the appropriate
19 State official responsible for such requirement.

20 “(c) PRIORITIES.—

21 “(1) LOCAL PRIORITY.—The State educational
22 agency shall give priority consideration to the selec-
23 tion of local educational agencies with schools serv-
24 ing large numbers or percentages of students eligible

1 to receive a free or reduced price meal, and schools
2 that are—

3 “(A) participating in schoolwide projects
4 under chapter 1;

5 “(B) recipients of multiple Federal edu-
6 cational programs serving disadvantaged stu-
7 dents; and

8 “(C) combining Federal and State social,
9 health, mental health, and substance abuse
10 services with Federal and State education pro-
11 grams affected by this part.

12 “(2) STATE PRIORITY.—The Secretary shall
13 give priority consideration to an application of a
14 State that—

15 “(A) demonstrates that actions have been
16 taken to waive State statutory or regulatory re-
17 quirements in programs similar to the Federal
18 programs for which the waivers are sought; and

19 “(B) demonstrates (and provides evidence
20 of authority) that the State has or intends to
21 coordinate and combine the administration of
22 similar Federal and State education programs
23 affected by this part and also to coordinate
24 such programs with social, health, mental
25 health, and substance abuse programs.

1 **“SEC. 8409. RESTRICTIONS ON WAIVERS.**

2 “(a) IN GENERAL.—

3 “(1) PARTICIPATION REQUIREMENT.—A local
4 educational agency may request waivers only for
5 those programs in which such agency participates.

6 “(2) CONSTRUCTION.—Nothing in this part
7 shall be construed:

8 “(A) CIVIL RIGHTS AND DISCRIMINA-
9 TION.—To authorize any changes in, substi-
10 tutions for, or lessening of, the mandates and
11 protections of Federal laws and regulations re-
12 garding civil rights (under title VI of the Civil
13 Rights Act of 1964), discrimination (under title
14 IX of the Education Amendments of 1972, or
15 section 504 of the Rehabilitation Act of 1973,
16 the Age Discrimination Act of 1975, title II of
17 the Americans with Disabilities Act of 1990, or
18 the Individuals with Disabilities Education
19 Act), and safety, and the procedural safeguards
20 contained in such provisions.

21 “(B) USAGE OF FUNDS.—To affect regula-
22 tions and prohibitions concerning the diversion
23 of Federal funds for private use.

24 “(C) GENERAL REQUIREMENTS.—To ab-
25 solve any State, local educational agency or
26 school from—

1 “(i) maintenance of effort or com-
2 parability of services requirements under
3 any program;

4 “(ii) requirements that Federal funds
5 supplement, not supplant non-Federal
6 funds;

7 “(iii) requirements to provide for the
8 equitable participation of private school
9 students;

10 “(iv) requirements under sections 438
11 and 439 of the General Education Provi-
12 sions Act; or

13 “(v) requirements relating to parental
14 participation.

15 “(D) FUND DISTRIBUTION.—(i) To alter
16 the distribution of funds to schools within the
17 local educational agency.

18 “(ii) To change the way funds are utilized
19 within schools for programs not included in the
20 waiver.

21 “(b) RESTRICTIONS OF SCHOOL LUNCH AND CHILD
22 NUTRITION PROGRAMS.—Nothing in this part shall be
23 construed:

24 “(1) DISCLOSURE OF INFORMATION.—To lessen
25 the mandates regarding the prohibition on the dis-

1 closure of information regarding students receiving
2 free or reduced price meals.

3 “(2) PRICE LIMITATION.—To allow eligible
4 schools to charge more than the statutory price limit
5 for a reduced price meal.

6 “(3) MEAL COSTS.—To lessen the mandates re-
7 garding the requirements for serving free or reduced
8 price meals to eligible students.

9 “(4) REIMBURSEMENT.—To allow schools to re-
10 ceive a reimbursement at an amount greater than
11 the number or proportion of students eligible for
12 free, reduced price, or paid meals.

13 “(5) PROHIBITION.—To lessen the require-
14 ments regarding the prohibition on operating a prof-
15 it-producing program.

16 “(6) SALE.—To lessen the requirements re-
17 garding the sale of competitive foods.

18 “(7) NUTRITION.—To lessen the mandates re-
19 garding the nutritional content of the meals served.

20 “(c) SPECIAL RULE.—Any reports statutorily re-
21 quired of programs affected by sections 8404, 8405, and
22 8406 shall be waived and considered satisfied by the re-
23 porting requirements in this part.

1 **“SEC. 8410. TERMINATION OF WAIVER AUTHORITY.**

2 “(a) EARLY TERMINATION.—A waiver granted under
3 this part shall be terminated when the following occurs:

4 “(1) INADEQUATE PROGRESS.—A recipient of a
5 waiver has not demonstrated adequate progress to-
6 ward meeting the goals outlined in the application of
7 the local educational agency.

8 “(2) VIOLATION.—When a State or school has
9 been found in violation of any restriction on the
10 waiver authority.

11 “(b) FINAL TERMINATION.—The authority of the
12 Secretary to grant waivers shall expire on September 30,
13 1997.

14 “(c) DECLINE PARTICIPATION.—A school, at any
15 time, may decline to participate in a project assisted under
16 this part.

17 **“SEC. 8411. REPORTING REQUIREMENTS.**

18 “(a) REPORTS AND EVALUATIONS.—

19 “(1) PROJECT REPORTS.—Each State edu-
20 cational agency that is selected for a demonstration
21 project under this part shall submit, not later than
22 90 days after the end of each year of the project,
23 an annual report to the Secretary that—

24 “(A) summarizes the principal activities of
25 the project;

1 “(B) contains school-by-school and other
2 data, as described in the project plan, that show
3 the extent to which the project is meeting its
4 overall goals, including its goals for improving
5 the performance of disadvantaged students,
6 with respect to student performance in basic
7 and advanced skills, and is meeting the goals
8 for each school or other site;

9 “(C) describes the impact of the project on
10 disadvantaged children in schools, if any, that
11 are not participating in the demonstration; and

12 “(D) describes the effectiveness of efforts
13 to coordinate programs and services for chil-
14 dren and their families, as appropriate, includ-
15 ing specific steps taken to—

16 “(i) expand or restrict eligibility for
17 services or programs; and

18 “(ii) integrate services from other sys-
19 tems (such as health, mental health, nutri-
20 tion, social services, and substance abuse
21 prevention and treatment).

22 “(b) SECRETARIAL REQUIREMENT.—The Secretary
23 shall report annually to the Committee on Education and
24 Labor in the House of Representatives and the Committee
25 on Labor and Human Resources of the Senate, and the

1 Committee on Agriculture, Nutrition, and Forestry of the
2 Senate, on the progress in each of the schools participat-
3 ing in a demonstration project in meeting the goals in the
4 application of the local educational agency.

5 **“SEC. 8412. EVALUATION.**

6 “(a) NATIONAL ACADEMY OF EDUCATION.—The
7 Secretary shall contract with the National Academy of
8 Education to conduct an evaluation of the demonstration
9 projects under this part to determine the following:

10 “(1) STATE REPORTING REQUIREMENTS.—The
11 accuracy of the information required under section
12 8411.

13 “(2) ACHIEVEMENT AND EFFICIENCY.—The ef-
14 fectiveness of raising educational achievement levels
15 of disadvantaged students and improving the general
16 efficiency of program operations at each school par-
17 ticipating in a demonstration project.

18 “(3) COORDINATED SERVICE AGREEMENTS.—
19 The effectiveness of the coordinated service agree-
20 ments at the State and local levels in the delivery of
21 comprehensive services to disadvantaged children.

22 “(b) SUBMISSION DEADLINE.—Such evaluation shall
23 be submitted by the National Academy of Education to
24 the Committee on Education and Labor of the House of
25 Representatives, the Committee on Labor and Human Re-

1 sources and the Committee on Agriculture, Nutrition,
2 and Forestry of the Senate not later than January 1,
3 1999.

4 **“SEC. 8413. DEFINITIONS.**

5 “For purposes of this part:

6 “(1) The term ‘chapter 1’ means chapter 1 of
7 title I of this Act.

8 “(2) The terms ‘disadvantaged children’ and
9 ‘disadvantaged students’ mean children, ages 3 to 17
10 years, who are eligible for services under chapter 1,
11 the Head Start Act, the National School Lunch Act,
12 the Follow Through Act, or the Emergency Immigrant
13 Education Act.

14 **“SEC. 8414. BUDGET NEUTRALITY.**

15 “The authority provided by this part shall not be ex-
16 ercised in a manner that, for any fiscal year, increases
17 total obligations or outlays of discretionary appropriations
18 for programs subject to such authority, or that increases
19 total obligations or outlays of funding for all direct-spend-
20 ing programs subject to such authority over those that
21 would have occurred absent such authority.

22 **“SEC. 8415. AUTHORIZATION OF APPROPRIATIONS.**

23 “There are authorized to be appropriated \$1,000,000
24 for fiscal year 1997, which shall remain available until ex-
25 pended, to carry out section 8412.

1 **“TITLE IX—NATIONAL BOARD ON**
2 **WORKFORCE SKILLS**

3 **“SEC. 9001. PURPOSE.**

4 “The purpose of this title is—

5 “(1) to conduct research to identify and to de-
6 termine the validity of generic workplace readiness
7 skills which all students should have attained upon
8 completion of high school in order to be effective
9 participants in the workforce; and

10 “(2) to make recommendations regarding how
11 the attainment of such generic workplace readiness
12 skills can be incorporated into the development of
13 national content standards and national school deliv-
14 ery standards.

15 **“SEC. 9002. RESEARCH.**

16 “(a) NATIONAL ACADEMY OF SCIENCES.—The Sec-
17 retary of Education, through grant or contract with the
18 National Academy of Sciences (referred to in this title as
19 the Academy), shall—

20 “(1) in consultation with employers, workers,
21 representatives of labor, educators, and others as ap-
22 propriate, identify generic workplace readiness skills
23 that all students should have upon completion of
24 high school;

1 “(2) conduct research on such skills, including
2 evaluating existing research and practices to deter-
3 mine the relationship between possession of the skills
4 and competent job performance;

5 “(3) make recommendations for integrating ge-
6 neric workforce readiness skills into school-based
7 learning; and

8 “(4) propose methods to update generic
9 workforce skills as the requirements of the economy
10 change.

11 “(b) NATIONAL BOARD.—The Academy shall estab-
12 lish a National Board on Workforce Skills composed of
13 representatives from business and industry, organized
14 labor (including organizations with national training pro-
15 grams), education, local government, and others with ex-
16 pertise regarding the identification and teaching of generic
17 workplace readiness skills.

18 **“SEC. 9003. RECOMMENDATIONS.**

19 “The Academy shall work with the National Edu-
20 cation Goals Panel and the groups and organizations au-
21 thorized to develop national content standards and na-
22 tional schools delivery standards pursuant to sections
23 8011 and 8012, respectively, to include skills identified
24 under this part and the National Education Goals Panel

1 and such groups and organizations shall utilize the rec-
2 ommendations of the Academy.

3 **“SEC. 9004. TIME AND CONDITIONS.**

4 “The Secretary shall, not later than 90 days after
5 the receipt of funds appropriated under section 9005,
6 enter into an appropriate arrangement with the Academy
7 to carry out the responsibilities outlined under this title.

8 **“SEC. 9005. AUTHORIZATION OF APPROPRIATIONS.**

9 “There are authorized to be appropriated \$2,000,000
10 for each of the fiscal years 1993 and 1994 to carry out
11 this title. Such appropriation shall be available until ex-
12 pended.”.

13 **SEC. 102. EISENHOWER NATIONAL PROGRAMS.**

14 Section 2012 of the Elementary and Secondary Edu-
15 cation Act of 1965 is amended by adding at the end the
16 following:

17 “(g) MODEL ASSESSMENTS FOR MATHEMATICS
18 STANDARDS.—The Secretary, with funds appropriated to
19 carry out this section and in consultation with the panel
20 and committee established under title VIII of this Act, is
21 authorized to make grants to State educational agencies,
22 local educational agencies, institutions of higher edu-
23 cation, organizations with expertise in assessments, or a
24 combination of such agencies and organizations, to sup-

1 port the development of model assessments tied to the vol-
2 untary national content standards for mathematics.”.

3 **TITLE II—GENERAL EDUCATION**
4 **PROVISIONS ACT AMENDMENTS**

5 **SEC. 201. FUNCTIONS OF NATIONAL ASSESSMENT.**

6 (a) IN GENERAL.—Section 406 of the General Edu-
7 cation Provisions Act (20 U.S.C. 1221e-1) is amended—

8 (1) in paragraph (1) of subsection (f), by strik-
9 ing “and 1993” and inserting “1993, and 1994”;

10 (2) in subparagraph (C) of subsection (i)(2)—

11 (A) by redesignating clauses (iii), (iv), and
12 (v) as clauses (iv), (v), and (vi), respectively;

13 (B) by inserting after clause (ii) the
14 following:

15 “(iii) The National Assessment shall—

16 “(I) conduct, in 1994, a trial mathematics as-
17 sessment for the 4th and 8th grades and a trial
18 reading assessment for the 4th grade, in States that
19 wish to participate, for the purpose of determining
20 whether such assessments yield valid and reliable
21 State representative data;

22 “(II) develop a trial mathematics assessment
23 for the 12th grade, a trial reading assessment for
24 the 8th and 12th grades, and a trial science assess-
25 ment for the 4th, 8th, and 12th grades, to be ad-

1 ministered in 1994 in States that wish to partici-
2 pate, for the purpose of determining whether such
3 assessments yield valid and reliable State represent-
4 ative data; and

5 “(III) include in each such sample assessment
6 referred to in subclauses (I) and (II) students in
7 public and private schools in a manner that ensures
8 comparability with the national sample.”; and

9 (C) in clause (vi) (as redesignated by sub-
10 paragraph (A) of this paragraph)—

11 (i) in the first sentence, by striking
12 “and the fairness and accuracy of the data
13 they produce” and inserting “, the fairness
14 and accuracy of the data they produce, and
15 important issues affecting the quality and
16 integrity of the National Assessment”; and

17 (ii) by striking “paragraph (C)(i) and
18 (ii)” and inserting “clauses (i), (ii),
19 and (iii)”.

20 (b) CONFORMING AMENDMENT.—Subparagraph (D)
21 of section 405(f)(1) of the General Education Provisions
22 Act (20 U.S.C. 1221e(f)(1)) is amended by striking
23 “1993” and inserting “1994”.

24 (c) ADDITIONAL REPORT.—

1 (1) IN GENERAL.—The Secretary shall provide
2 for the organization that conducts the independent
3 evaluation required by section 406(i)(2)(C)(vi) of the
4 General Education Provisions Act to study and re-
5 port to the Congress on—

6 (A) the process whereby achievement goals
7 are set pursuant to section 406(i)(6) of such
8 Act; and

9 (B) the ability of the National Assessment
10 of Educational Progress to maintain valid data
11 with respect to trends in student performance.

12 (2) TIME FOR SUBMISSION OF REPORT.—The
13 report required by paragraph (1) shall be submitted
14 as soon as practicable, but in any event not later
15 than 120 days after the date of the enactment of
16 this Act.

17 **SEC. 202. RESPONSIBILITY OF STATES TO FURNISH INFOR-**
18 **MATION CONCERNING USES OF FEDERAL**
19 **FUNDS.**

20 Section 406A of the General Education Provisions
21 Act (20 U.S.C. 1232f) is amended to read as follows:

22 “RESPONSIBILITY OF STATES TO FURNISH INFORMATION
23 “SEC. 406A. (a) Each State educational agency shall
24 submit to the Secretary a report on or before March 15
25 of every second year. Each such report shall include—

1 “(1) information with respect to the uses of
2 Federal funds in such State in the 2 preceding fiscal
3 years under any applicable program under the juris-
4 diction of the State educational agency; and

5 “(2) information with respect to the uses of
6 Federal funds in such State in the 2 preceding fiscal
7 years under any Federal program administered by
8 the State that provided grants or contracts to a local
9 educational agency in the State.

10 “(b) Each report submitted as required by subsection
11 (a) shall—

12 “(1) list, with respect to each program for
13 which information is provided, all grants made to
14 and contracts entered into with local educational
15 agencies and other public and private agencies and
16 institutions within the State during each fiscal year
17 concerned;

18 “(2) analyze the information included in the re-
19 port by local educational agency and by program;

20 “(3) include the total amount of funds available
21 to the State under each such program for each fiscal
22 year concerned and specify which appropriation Act
23 or Acts made such funds available;

1 “(4) separately account for any funds carried
2 over from a preceding fiscal year by any State or
3 local educational agency; and

4 “(5) be made readily available by the State to
5 local educational agencies and institutions within the
6 State and to the public.

7 “(c) If the Secretary does not receive a report by the
8 date required under subsection (a), or receives an incom-
9 plete report, the Secretary, not later than 30 days after
10 such report is required to be submitted, shall take all rea-
11 sonable measures to obtain the delinquent or incomplete
12 information from the State educational agency.

13 “(d) When the Secretary receives a report required
14 under subsection (a), the Secretary shall provide such in-
15 formation to the National Center for Education Statistics,
16 and shall make such information available to any individ-
17 ual who requests it and as part of a telecommunications
18 network that is readily accessible to every member of Con-
19 gress and other interested parties.

20 “(e) On or before August 15th of each year in which
21 reports are submitted under subsection (a), the Secretary
22 shall submit a report to the Committee on Education and
23 Labor of the House of Representatives and the Committee
24 on Labor and Human Resources of the Senate. Such re-
25 port shall include—

1 “(1) an analysis of the content and data quality
2 of such reports;

3 “(2) a compilation of statistical data derived
4 from such reports; and

5 “(3) information obtained by the Secretary with
6 respect to—

7 “(A) direct grants made to local edu-
8 cational agencies by the Federal Government;
9 and

10 “(B) contracts entered into between such
11 agencies and the Federal Government.”.

12 **TITLE III—MISCELLANEOUS** 13 **PROVISIONS**

14 **SEC. 301. ASSESSMENT OF EDUCATIONAL PROGRESS AC-** 15 **TIVITIES.**

16 Section 421(h) of the Carl D. Perkins Vocational and
17 Applied Technology Education Act is amended—

18 (1) by inserting after “(1)” and “(h)”; and

19 (2) by inserting at the end the following:

20 “(2)(A) Notwithstanding any provision of section 406
21 of the General Education Provisions Act, the Commis-
22 sioner of Education Statistics may authorize a State edu-
23 cational agency or a consortium of such agencies to use
24 items and data from the National Assessment of Edu-
25 cational Progress for the purpose of evaluating a course

1 of study related to vocational education, if the Commis-
2 sioner has determined, in writing, that such use will not—

3 “(i) result in the identification of characteristics
4 or performance of individual students or schools;

5 “(ii) result in the ranking or comparing of
6 schools or local educational agencies;

7 “(iii) be used to evaluate the performance of
8 teachers, principals, or other local educators for the
9 purpose of dispensing rewards or punishments; or

10 “(iv) corrupt or harm the use and value of data
11 collected for the National Assessment of Educational
12 Progress.

13 “(B) Not later than 60 days after making an author-
14 ization under subsection (a), the Commissioner shall sub-
15 mit to the chairperson of the Committee on Education and
16 Labor of the House of Representatives and to the chair-
17 person of the Committee on Labor and Human Resources
18 of the Senate, a report which contains—

19 “(i) a copy of the request for such authoriza-
20 tion;

21 “(ii) a copy of the written determination under
22 subsection (a); and

23 “(iii) a description of the details and duration
24 of such authorization.

1 “(C) The Commissioner may not grant more than one
2 such authorization in any fiscal year and shall ensure that
3 the authorized use of items or data from the National As-
4 sessment is evaluated for technical merit and for its affect
5 on the National Assessment. The results of such evalua-
6 tions shall be promptly reported to the committees speci-
7 fied in subparagraph (B).”.

8 **SEC. 302. AMENDMENTS TO THE CARL D. PERKINS VOCA-**
9 **TIONAL AND APPLIED TECHNOLOGY EDU-**
10 **CATION ACT.**

11 Section 422 of the Carl D. Perkins Vocational and
12 Applied Technology Education Act (20 U.S.C. 2422) is
13 amended—

14 (1) in paragraph (2) of subsection (a), by in-
15 sserting “, including postsecondary employment and
16 training programs,” after “training programs”; and

17 (2) in subsection (b)—

18 (A) by redesignating subparagraphs (A)
19 and (B) as paragraphs (1) and (2), respectively;

20 (B) in the matter preceding paragraph (1)
21 (as redesignated in subparagraph (A)), by in-
22 sserting “the State board or agency governing
23 higher education” after “coordinating council,”;
24 and

1 (C) in paragraph (1) (as redesignated in
2 subparagraph (A))—

3 (i) by striking “Act and of” and in-
4 sserting “Act, of”; and

5 (ii) by inserting “and of the State
6 board or agency governing higher edu-
7 cation” after “Job Training Partnership
8 Act”; and

9 (3) by redesignating subsection (d) as sub-
10 section (e); and

11 (4) by inserting after subsection (c) the follow-
12 ing new subsection:

13 “(d) DATA COLLECTION SYSTEM.—In the develop-
14 ment and design of a system to provide data on graduation
15 or completion rates, job placement rates from occupation-
16 ally specific programs, and licensing rates, each State
17 board for higher education shall develop a data collection
18 system whose results can be integrated into the occupa-
19 tional information system developed under this section.”.

20 **SEC. 303. REPORT AND AUTHORIZATIONS EXTENSIONS.**

21 Section 102 of Public Law 102–62 is amended—

22 (1) in subsection (d) by striking “2” and insert-
23 ing “3”; and

24 (2) in subsection (h)—

- 1 (A) by striking “1991” and all that follows
- 2 through “and 1993”; and
- 3 (B) by inserting “1993 through 1995”.

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