

107TH CONGRESS
1ST SESSION

H. R. 1614

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2001

Mr. HOEFFEL (for himself and Mr. MALONEY of Connecticut) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

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

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Education Reform Act”.

6 (b) TABLE OF CONTENTS.—The table of contents of
7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. References.

Sec. 3. Declaration of priorities.

TITLE I—STUDENT PERFORMANCE

- Sec. 101. Heading.
- Sec. 103. Authorization of appropriations.
- Sec. 104. Reservation for school improvement.

PART A—IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES

- Sec. 105. State plans.
- Sec. 106. Local educational agency plans.
- Sec. 107. Schoolwide programs.
- Sec. 108. School choice.
- Sec. 109. Assessment and local educational agency and school improvement.
- Sec. 110. State assistance for school support and improvement.
- Sec. 111. Parental involvement changes.
- Sec. 112. Qualifications for teachers and paraprofessionals.
- Sec. 113. Professional development.
- Sec. 114. Fiscal requirements.
- Sec. 115. Coordination requirements.
- Sec. 116. Grants for the outlying areas and the Secretary of the Interior.
- Sec. 117. Amounts for grants.
- Sec. 118. Basic grants to local educational agencies.
- Sec. 119. Concentration grants.
- Sec. 120. Targeted grants.
- Sec. 121. Special allocation procedures.

PART B—EVEN START FAMILY LITERACY PROGRAMS

- Sec. 131. Program authorized.
- Sec. 132. Applications.
- Sec. 133. Research.

PART C—EDUCATION OF MIGRATORY CHILDREN

- Sec. 141. Comprehensive needs assessment and service-delivery plan; authorized activities.

PART D—PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT RISK OF DROPPING OUT

- Sec. 151. State plan and State agency applications.
- Sec. 152. Use of funds.

PART E—FEDERAL EVALUATIONS, DEMONSTRATIONS, AND TRANSITION PROJECTS

- Sec. 161. Evaluations.
- Sec. 162. Demonstrations of innovative practices.

PART F—RURAL EDUCATION DEVELOPMENT INITIATIVE

- Sec. 171. Rural education development initiative.

PART G—GENERAL PROVISIONS

- Sec. 181. Federal regulations.
- Sec. 182. State administration.

TITLE II—TEACHER AND PRINCIPAL QUALITY, PROFESSIONAL DEVELOPMENT, AND CLASS SIZE

Sec. 201. Teacher and principal quality, professional development, and class size.

TITLE III—LANGUAGE MINORITY STUDENTS AND INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

Sec. 301. Language minority students.
Sec. 302. Emergency immigrant education program.
Sec. 303. Indian, Native Hawaiian, and Alaska Native education.

TITLE IV—PUBLIC SCHOOL CHOICE

Sec. 401. Public school choice.
Sec. 402. Development of public school choice programs; report cards.

TITLE V—IMPACT AID

Sec. 501. Impact aid.

TITLE VI—HIGH PERFORMANCE AND QUALITY EDUCATION INITIATIVES

Sec. 601. High performance and quality education initiatives.

TITLE VII—ACCOUNTABILITY

Sec. 701. Accountability.

TITLE VIII—GENERAL PROVISIONS AND REPEALS

Sec. 801. Repeals, transfers, and redesignations regarding titles VIII and XIV.
Sec. 802. Other repeals.

TITLE IX—TECHNOLOGY FOR EDUCATION

Sec. 901. Technology for education.

TITLE X—SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES

Sec. 1001. Safe and drug-free schools and communities.

TITLE XI—PROGRAMS OF NATIONAL SIGNIFICANCE

Sec. 1101. Programs of national significance.

1 SEC. 2. REFERENCES.

2 Except as otherwise expressly provided, whenever in
3 this Act an amendment or repeal is expressed in terms
4 of an amendment to, or repeal of, a section or other provi-
5 sion, the reference shall be considered to be made to a

1 section or other provision of the Elementary and Sec-
2 ondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

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

4 Congress declares that our national educational prior-
5 ities are to—

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

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

17 (3) provide Federal support to vital national
18 priorities, including compensatory education for dis-
19 advantaged children and youth, teacher quality and
20 professional development, programs for limited
21 English proficient students, student safety, and the
22 incorporation of educational technology;

23 (4) concentrate Federal education funding on
24 impoverished areas where elementary schools and
25 secondary schools are most likely to be in distress;

1 (5) sanction State educational agencies and
2 local educational agencies that consistently fail to
3 meet established benchmarks; and

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

8 **TITLE I—STUDENT**
9 **PERFORMANCE**

10 **SEC. 101. HEADING.**

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

13 **“TITLE I—STUDENT**
14 **PERFORMANCE**

15 **“SEC. 102. FINDINGS, POLICY, AND PURPOSE.**

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

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

19 “(a) FINDINGS.—Congress makes the following find-
20 ings:

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

24 “(2) The 1994 reauthorization of the Elemen-
25 tary and Secondary Education Act of 1965 was an

1 important step in focusing our Nation’s priorities on
2 closing the achievement gap between poor and afflu-
3 ent students in the United States. The Federal Gov-
4 ernment must continue to build on these improve-
5 ments made in 1994 by holding States and local
6 educational agencies accountable for student achieve-
7 ment.

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

17 “(4) In order to ensure that no child is left be-
18 hind in the new economy, the Federal Government
19 must better target Federal resources on those chil-
20 dren who are most at-risk for falling behind aca-
21 demically.

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

1 “(B) Although 95 percent of schools with pov-
2 erty levels of 75 percent to 100 percent receive title
3 I funding, 20 percent of schools with poverty levels
4 of 50 to 74 percent do not receive any title I fund-
5 ing.

6 “(C) Only 64 percent of schools with poverty
7 levels in the 35 percent to 49 percent range receive
8 title I funding.

9 “(6) Title I funding should be significantly in-
10 creased and more effectively targeted to ensure that
11 all low-income students have an opportunity to excel
12 academically.

13 “(7) The Federal Government should provide
14 greater decisionmaking authority and flexibility to
15 schools and teachers in exchange for greater respon-
16 sibility for student performance. Federal, State, and
17 local efforts should be focused on raising the aca-
18 demic achievement of all students. Our Nation’s
19 children deserve nothing less than holding account-
20 able those responsible for shaping our childrens’ fu-
21 ture and our country’s future.

22 “(b) POLICY.—Congress declares that it is the policy
23 of the United States to ensure that all students receive
24 a high-quality education by holding States, local edu-
25 cational agencies, and elementary schools and secondary

1 schools accountable for increased student academic per-
2 formance results, and by facilitating improved classroom
3 instruction.

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

6 “(1) To eliminate the existing 2-tiered edu-
7 cational system, which set lower academic expecta-
8 tions for impoverished students than for affluent
9 students.

10 “(2) To require all States to have challenging
11 content and student performance standards and as-
12 sessment measures in place.

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

16 “(4) To ensure that all title I students receive
17 educational instruction from a fully qualified teach-
18 er.

19 “(5) To support State and local educational
20 agencies in identifying, assisting, and correcting low-
21 performing schools.

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

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

4 **SEC. 103. AUTHORIZATION OF APPROPRIATIONS.**

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

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

8 “(a) LOCAL EDUCATIONAL AGENCY GRANTS.—For
9 the purpose of carrying out part A, other than section
10 1120(e), there are authorized to be appropriated
11 \$12,000,000,000 for fiscal year 2001 and such sums as
12 may be necessary for each of the 4 succeeding fiscal years.

13 “(b) EVEN START.—For the purpose of carrying out
14 part B, there are authorized to be appropriated such sums
15 as may be necessary for fiscal year 2001 and each of the
16 4 succeeding fiscal years.

17 “(c) EDUCATION OF MIGRATORY CHILDREN.—For
18 the purpose of carrying out part C, there are authorized
19 to be appropriated such sums as may be necessary for fis-
20 cal year 2001 and each of the 4 succeeding fiscal years.

21 “(d) PREVENTION AND INTERVENTION PROGRAMS
22 FOR YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT
23 RISK OF DROPPING OUT.—For the purpose of carrying
24 out part D, there are authorized to be appropriated such

1 sums as may be necessary for fiscal year 2002 and each
2 of the 4 succeeding fiscal years.

3 “(e) CAPITAL EXPENSES.—For the purpose of car-
4 rying out section 1120(e), there are authorized to be ap-
5 propriated \$12,000,000 for fiscal year 2002 and
6 \$5,000,000 for fiscal year 2003.

7 “(f) FEDERAL ACTIVITIES.—For the purpose of car-
8 rying out sections 1501 and 1502, there are authorized
9 to be appropriated such sums as may be necessary for fis-
10 cal year 2002 and each of the 4 succeeding fiscal years.”.

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

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

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

15 “(a) STATE RESERVATIONS.—

16 “(1) IN GENERAL.—Each State educational
17 agency shall reserve 2.5 percent of the amount the
18 State educational agency receives under part A for
19 fiscal years 2002 and 2003, and 3.5 percent of that
20 amount for fiscal years 2004 through 2006, to carry
21 out paragraph (2) and to carry out the State edu-
22 cational agency’s responsibilities under sections 1116
23 and 1117, including the State educational agency’s
24 statewide system of technical assistance and support
25 for local educational agencies.

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

6 **PART A—IMPROVING BASIC PROGRAMS**
7 **OPERATED BY LOCAL EDUCATIONAL AGENCIES**

8 **SEC. 105. STATE PLANS.**

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

11 **“SEC. 1111. STATE PLANS.**

12 “(a) PLANS REQUIRED.—

13 “(1) IN GENERAL.—Any State educational
14 agency desiring a grant under this part shall submit
15 to the Secretary a plan, developed in consultation
16 with local educational agencies, teachers, pupil serv-
17 ices personnel, administrators (including administra-
18 tors of programs described in other parts of this
19 title), local school boards, other staff, and parents,
20 that satisfies the requirements of this section and
21 that is coordinated with other programs under this
22 Act, the Individuals with Disabilities Education Act,
23 the Carl D. Perkins Vocational and Technical Edu-
24 cation Act of 1998, and the Head Start Act.

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

4 “(b) STANDARDS, ASSESSMENTS, AND ACCOUNT-
5 ABILITY.—

6 “(1) CHALLENGING STANDARDS.—

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

14 “(B) UNIFORMITY.—The standards re-
15 quired by subparagraph (A) shall be the same
16 standards that the State applies to all elemen-
17 tary schools and secondary schools within the
18 State and all children attending such schools.

19 “(C) SUBJECTS.—The State shall have
20 such standards for elementary school and sec-
21 ondary school children served under this part in
22 subjects determined by the State, but including
23 at least mathematics, science, and English lan-
24 guage arts, and which shall include the same

1 knowledge, skills, and levels of performance ex-
2 pected of all children.

3 “(D) STANDARDS.—Standards under this
4 paragraph shall include—

5 “(i) challenging content standards in
6 academic subjects that—

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

9 “(II) contain coherent and rig-
10 orous content; and

11 “(III) encourage the teaching of
12 advanced skills; and

13 “(ii) challenging student performance
14 standards that—

15 “(I) are aligned with the State’s
16 content standards;

17 “(II) describe 2 levels of high
18 performance, proficient and advanced
19 levels of performance, that determine
20 how well children are mastering the
21 material in the State content stand-
22 ards; and

23 “(III) describe a third level of
24 performance, a basic level of perform-
25 ance, to provide complete information

1 about the progress of the lower per-
2 forming children toward achieving to
3 the proficient and advanced levels of
4 performance.

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

15 “(F) SPECIAL RULE.—In the case of a
16 State that allows local educational agencies to
17 adopt more rigorous standards than those set
18 by the State, local educational agencies shall be
19 allowed to implement such standards.

20 “(2) ADEQUATE YEARLY PROGRESS.—

21 “(A) IN GENERAL.—Each State plan shall
22 demonstrate, based on assessments described
23 under paragraph (4), what constitutes adequate
24 yearly progress of—

1 “(i) any school served under this part
2 toward enabling all children to meet the
3 State’s challenging student performance
4 standards;

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

12 “(iii) the State in enabling all children
13 in schools receiving assistance under this
14 part to meet the State’s challenging stu-
15 dent performance standards.

16 “(B) DEFINITION.—Adequate yearly
17 progress shall be defined by the State in a man-
18 ner that—

19 “(i) applies the same high standards
20 of academic performance to all students in
21 the State;

22 “(ii) takes into account the progress
23 of all students in the State and in each
24 local educational agency and school served
25 under section 1114 or 1115;

1 “(iii) uses the State challenging con-
2 tent and challenging student performance
3 standards and assessments described in
4 paragraphs (1) and (4);

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

19 “(v) compares the proportions of stu-
20 dents at the basic, proficient, and ad-
21 vanced levels of performance with the pro-
22 portions of students at each of the 4 per-
23 formance levels in the same grade in the
24 previous school year;

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

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

18 “(viii) includes a timeline for ensuring
19 that each group of students described in
20 clause (iv) meets or exceeds the State’s
21 proficient level of performance on each
22 State assessment used for the purposes of
23 this section and section 1116 not later
24 than 10 years after the date of enactment
25 of the Education Reform Act.

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

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

15 “(ii) be the same accountability sys-
16 tem the State uses for all schools or all
17 local educational agencies, if the State has
18 an accountability system for all schools or
19 all local educational agencies;

20 “(iii) provide for the identification of
21 schools or local educational agencies receiv-
22 ing funds under this part that for 2 con-
23 secutive years have exceeded such schools’
24 or agencies’ adequate yearly progress goals
25 so that information about the practices

1 and strategies of such schools or agencies
2 can be disseminated to other schools in the
3 local educational agency and in the State
4 and such schools can be considered for re-
5 wards provided under title VII of this Act;

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

20 “(v) provide for the identification of
21 schools and local educational agencies for
22 corrective action or actions as required by
23 section 1116, and for the implementation
24 of corrective actions against school and

1 school districts when such actions are re-
2 quired under such section.

3 “(D) ANNUAL IMPROVEMENT FOR
4 STATES.—For a State to make adequate yearly
5 progress under subparagraph (A)(iii), not less
6 than 80 percent of the local educational agen-
7 cies within the State shall meet the State’s cri-
8 teria for adequate yearly progress.

9 “(E) ANNUAL IMPROVEMENT FOR LOCAL
10 EDUCATIONAL AGENCIES.—For a local edu-
11 cational agency to make adequate yearly
12 progress under subparagraph (A)(ii), not less
13 than 80 percent of the schools served by the
14 local educational agency shall meet the State’s
15 criteria for adequate yearly progress, except
16 that this subparagraph shall not apply to a
17 local educational agency that serves 5 or fewer
18 schools.

19 “(F) ANNUAL IMPROVEMENT FOR
20 SCHOOLS.—For an elementary school or a sec-
21 ondary school to make adequate yearly progress
22 under subparagraph (A)(i), not less than 80
23 percent of each group of students described in
24 subparagraph (B)(iv) who are enrolled in such
25 school shall take the assessments described in

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

4 “(G) PUBLIC NOTICE AND COMMENT.—

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

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

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

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

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

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

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

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

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

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

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

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

17 “(4) ASSESSMENTS.—Each State plan shall
18 demonstrate that the State has implemented a set of
19 high quality, yearly student assessments that in-
20 clude, at a minimum, assessments in mathematics,
21 science, and English language arts, that will be
22 used, starting not later than the 2001–2002 school
23 year as the primary means of determining the yearly
24 performance of each local educational agency and
25 school served by the State under this title in ena-

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

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

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

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

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

20 “(i) grades 3 through 5;

21 “(ii) grades 6 through 9; and

22 “(iii) grades 10 through 12;

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

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

3 “(F) provide for—

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

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

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

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

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

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

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

1 “(I) enable results to be disaggregated
2 within each State, local educational agency, and
3 school by gender, by each major racial and eth-
4 nic group, by English proficiency status, and by
5 economically disadvantaged students as com-
6 pared to students who are not economically dis-
7 advantaged.

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

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

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

20 “(i) developmentally appropriate;

21 “(ii) aligned with State content and
22 student performance standards; and

23 “(iii) scientifically research-based; and

24 “(B) to assist and encourage local edu-
25 cational agencies receiving funds under this

1 part in identifying and taking developmentally
2 appropriate and effective interventions in any
3 school served under this part in which a sub-
4 stantial number of first graders have not dem-
5 onstrated grade-level literacy proficiency by the
6 end of the school year.

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

19 “(8) ASSESSMENT DEVELOPMENT.—A State
20 shall develop and implement the State assessments,
21 including, at a minimum, mathematics and English
22 language arts, by the 2001–2002 school year.

23 “(9) REQUIREMENT.—Each State plan shall
24 describe—

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

7 “(B) how the State educational agency
8 will—

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

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

16 “(II) assisting local educational
17 agencies and schools identified under
18 subclause (I) to address achievement
19 problems, including thorough descrip-
20 tions of the amounts and types of pro-
21 fessional development to be provided
22 instructional staff, the amount of any
23 financial assistance to be provided by
24 the State under section 1003, and the
25 amount of any funds to be provided

1 by other sources and the activities to
2 be provided by those sources; and

3 “(ii) implementing corrective action if
4 assistance is not effective;

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

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

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

18 “(i) all teachers in both schoolwide
19 programs and targeted assistance pro-
20 grams are fully qualified not later than
21 December 31, 2006; and

22 “(ii) low-income students and minor-
23 ity students are not taught at higher rates
24 than other students by unexperienced,
25 uncertified, or out-of-field teachers; and

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

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

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

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

24 “(B) where educational service agencies do not
25 exist, the State educational agency will consider pro-

1 viding professional development and technical assist-
2 ance through other cooperative agreements, such as
3 through a consortium of local educational agencies;

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

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

21 “(5) the State educational agency will regularly
22 inform the Secretary and the public in the State of
23 how Federal laws, if any, hinder the ability of States
24 to hold local educational agencies and schools ac-
25 countable for student academic performance;

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

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

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

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

23 “(d) PEER REVIEW AND SECRETARIAL APPROVAL.—
24 The Secretary shall—

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

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

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

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

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

14 “(B) offering the State an opportunity to
15 revise the State plan;

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

19 “(D) providing a hearing;

20 “(5) have the authority to disapprove a State
21 plan for not meeting the requirements of this sec-
22 tion, but shall not have the authority to require a
23 State, as a condition of approval of the State plan,
24 to include in, or delete from, such plan 1 or more
25 specific elements of the challenging State content

1 standards or to use specific assessment instruments
2 or items; and

3 “(6) require a State to submit a revised State
4 plan that meets the requirements of this section to
5 the Secretary for approval not later than 1 year
6 after the date of enactment of the Education Reform
7 Act.

8 “(e) DURATION OF THE PLAN.—

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

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

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

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

23 “(f) LIMITATION ON CONDITIONS.—Nothing in this
24 part shall be construed to authorize an officer or employee
25 of the Federal Government to mandate, direct, or control

1 a State’s, local educational agency’s, or elementary
2 school’s or secondary school’s specific challenging content
3 or student performance standards, assessments, curricula,
4 or program of instruction, as a condition of eligibility to
5 receive funds under this part.

6 “(g) PENALTIES.—

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

20 “(2) ADDITIONAL FUNDS.—Based on the extent
21 to which challenging content standards and student
22 performance standards, assessments, systems for
23 measuring and monitoring adequate yearly progress,
24 and a statewide system for holding schools and local
25 educational agencies accountable for making ade-

1 quate yearly progress with each group of students
2 specified in subsection (b)(2)(B)(iv), are not in
3 place, the Secretary shall withhold additional admin-
4 istrative funds in such amount as the Secretary de-
5 termines appropriate, except that for each additional
6 year that the State fails to comply with such re-
7 quirements, the Secretary shall withhold not less
8 than $\frac{1}{5}$ of the amount the State receives for admin-
9 istrative expenses under section 1703(c).

10 “(3) WAIVER.—

11 “(A) IN GENERAL.—Except as provided in
12 subparagraph (B), notwithstanding part D of
13 title VIII, the Education Flexibility Partnership
14 Act of 1999, or any other provision of law, a
15 waiver of this section shall not be granted, ex-
16 cept that a State may request a 1-time, 1-year
17 waiver to meet the requirements of this section.

18 “(B) EXCEPTION.—A waiver granted pur-
19 suant to subparagraph (A) shall not apply to
20 the requirements described under subsection
21 (h).

22 “(h) SPECIAL RULE ON SCIENCE STANDARDS AND
23 ASSESSMENTS.—Notwithstanding subsection (b) and part
24 D of title IV, no State shall be required to meet the re-
25 quirements under this title relating to science standards

1 or assessments until the beginning of the 2005–2006
2 school year.”.

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

4 (a) SUBGRANTS.—Section 1112(a)(1) (20 U.S.C.
5 6312(a)(1)) is amended by striking “” and all that follows
6 and inserting “the Individuals with Disabilities Education
7 Act, the Carl D. Perkins Vocational and Technical Edu-
8 cation Act of 1998, the Head Start Act, and other Acts,
9 as appropriate.”.

10 (b) PLAN PROVISIONS.—Section 1112(b) (20 U.S.C.
11 6312(b)) is amended—

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

15 (2) in paragraph (1)—

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

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

20 (3) in paragraph (4)—

21 (A) in subparagraph (A)—

22 (i) by striking “program,” and insert-
23 ing “programs and”; and

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

1 (B) in subparagraph (B), by striking
2 “under part C” and all that follows through
3 “dropping out” and inserting “under part C,
4 neglected or delinquent youth,”;

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

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

8 (6) by adding at the end the following new
9 paragraphs:

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

15 “(11) a description of how the local educational
16 agency will promote the use of alternative instruc-
17 tional methods, and extended learning time, such as
18 an extended school year, before- and after-school
19 programs, and summer programs.”.

20 (c) ASSURANCES.—Section 1112(c) (20 U.S.C.
21 6312(c)) is amended to read as follows:

22 “(c) ASSURANCES.—

23 “(1) IN GENERAL.—Each local educational
24 agency plan shall provide assurances that the local
25 educational agency will—

1 “(A) specify the steps the local educational
2 agency will take to ensure that all teachers in
3 both schoolwide programs and targeted assist-
4 ance are fully qualified not later than December
5 31, 2005 and the strategies the local edu-
6 cational agency will use to ensure that low-in-
7 come students and minority students are not
8 taught at higher rates than other children by
9 inexperienced, uncertified, or out-of-field teach-
10 ers, and the measures the agency will use to
11 evaluate and publicly report progress in improv-
12 ing the quality of instruction in schools served
13 by the local educational agency and receiving
14 funding under this Act;

15 “(B) reserve not less than 10 percent of
16 the funds the agency receives under this part
17 for high quality professional development, as
18 defined in section 1119, for professional in-
19 struction staff;

20 “(C) provide eligible schools and parents
21 with information regarding schoolwide project
22 authority and the ability of such schools to con-
23 solidate funds from Federal, State, and local
24 sources;

1 “(D) provide technical assistance and sup-
2 port to schoolwide programs;

3 “(E) work in consultation with schools as
4 the schools develop a school plan pursuant to
5 section 1114(b)(2), and assist schools in imple-
6 menting such plans or undertaking activities
7 pursuant to section 1115(c), so that each school
8 can make adequate yearly progress toward
9 meeting the challenging State student perform-
10 ance standards;

11 “(F) use the disaggregated results of the
12 student assessments required under section
13 1111(b)(4), and other measures or indicators
14 available to the agency, to review annually the
15 progress of each school served by the agency
16 and receiving funds under this title to deter-
17 mine whether or not all schools are making the
18 annual progress necessary to ensure that all
19 students will meet the proficient level of per-
20 formance on the assessments described in sec-
21 tion 1111(b)(4) within 10 years of the date of
22 enactment of the Education Reform Act;

23 “(G) set and hold schools served by the
24 local educational agency accountable for meet-
25 ing annual numerical goals for improving the

1 performance of all groups of students based on
2 the performance standards set by the State
3 under section 1111(b)(1)(D)(ii);

4 “(H) fulfill the local educational agency’s
5 school improvement responsibilities under sec-
6 tion 1116, including taking corrective actions
7 under section 1116(c)(9);

8 “(I) provide the State educational agency
9 with—

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

14 “(ii) the reasons why each school de-
15 scribed in clause (i) was identified for
16 school improvement or corrective action;
17 and

18 “(iii) the specific plans for improving
19 student performance in each of the schools
20 described in clause (i), including the spe-
21 cific numerical achievement goals for the
22 succeeding 2 school years, for each group
23 of students specified in section
24 1111(b)(2)(B)(iv) enrolled in each such
25 school;

1 “(J) provide services to eligible children at-
2 tending private elementary schools and sec-
3 ondary schools in accordance with section 1120,
4 and provide timely and meaningful consultation
5 with private school officials regarding such serv-
6 ices;

7 “(K) take into account the experience of
8 model programs for the educationally disadvan-
9 taged and the findings of relevant scientifically
10 based research when developing technical assist-
11 ance plans for, and delivering technical assist-
12 ance to, schools served by the local educational
13 agency that are receiving funds under this part
14 and are in school improvement or corrective ac-
15 tion;

16 “(L) in the case of a local educational
17 agency that chooses to use funds under this
18 part to provide early childhood development
19 services to low-income children below the age of
20 compulsory school attendance, ensure that such
21 services comply with the performance standards
22 established under section 641A(a) of the Head
23 Start Act;

1 “(M) comply with the requirements of sec-
2 tion 1119 regarding the qualifications of teach-
3 ers and paraprofessionals;

4 “(N) inform eligible schools served by the
5 local educational agency of the agency’s author-
6 ity to obtain waivers on such school’s behalf
7 under title VIII, and if the State is an Ed-Flex
8 Partnership State, under the Education Flexi-
9 bility Partnership Act of 1999; and

10 “(O) coordinate and collaborate, to the ex-
11 tent feasible and necessary as determined by
12 the local educational agency, with other agen-
13 cies providing services to children, youth, and
14 their families.

15 “(2) MODEL PROGRAMS; SCIENTIFICALLY
16 BASED RESEARCH.—In carrying out paragraph
17 (1)(K)—

18 “(A) the Secretary shall consult with the
19 Secretary of Health and Human Services on the
20 implementation of such subparagraph, and shall
21 establish procedures (taking into consideration
22 existing State and local laws and local teacher
23 contracts) to assist local educational agencies to
24 comply with such subparagraph;

1 “(B) the Secretary shall disseminate to
2 local educational agencies the Head Start per-
3 formance standards under section 641A(a) of
4 the Head Start Act upon such standard’s publi-
5 cation; and

6 “(C) local educational agencies affected by
7 such subparagraph shall plan for the implemen-
8 tation of such subparagraph (taking into con-
9 sideration existing State and local laws, and
10 local teacher contracts), including pursuing the
11 availability of other Federal, State, and local
12 funding sources to assist in compliance with
13 such subparagraph.

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

18 (d) PLAN DEVELOPMENT AND DURATION.—Section
19 1112(d) (20 U.S.C. 6312(d)) is amended to read as fol-
20 lows:

21 “(d) PLAN DEVELOPMENT AND DURATION.—

22 “(1) CONSULTATION.—Each local educational
23 agency plan shall be developed in consultation with
24 teachers, principals, local school boards, administra-
25 tors (including administrators of programs described

1 in other parts of this title), other appropriate school
2 personnel, and parents of children in elementary
3 schools and secondary schools served under this
4 part.

5 “(2) DURATION.—Each plan described in para-
6 graph (1) shall remain in effect for the duration of
7 the local educational agency’s participation under
8 this part.

9 “(3) REVIEW.—Each local educational agency
10 shall periodically review, and as necessary, revise its
11 plan.”.

12 (e) STATE APPROVAL.—Section 1112(e) (20 U.S.C.
13 6312(e)) is amended to read as follows:

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

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

18 “(2) APPROVAL.—The State educational agency
19 shall establish a peer review process to assist in the
20 review of local educational agency plans. The State
21 educational agency shall approve a local educational
22 agency plan only if the State educational agency de-
23 termines that the local educational agency plan—

24 “(A) will enable elementary schools and
25 secondary schools served by the local edu-

1 cational agency and under this part to help all
2 groups of students specified in section
3 1111(b)(1) meet or exceed the proficient level
4 of performance on the assessments required
5 under section 1111(b)(4) within 10 years of the
6 date of enactment of the Education Reform
7 Act; and

8 “(B) meets each of the requirements of
9 this section.

10 “(3) STATE REVIEW.—Each State educational
11 agency shall at least annually review each local agen-
12 cy plan approved under this subsection against the
13 results of the disaggregated assessments required
14 under section 1111(b)(4) for each local educational
15 agency to ensure that the progress of all students in
16 schools served by each local educational agency
17 under this part is adequate to ensure that all stu-
18 dents in the State will meet or exceed the proficient
19 standard level of performance on assessments within
20 10 years of the date of enactment of the Education
21 Reform Act.

22 “(4) PUBLIC REVIEW.—Each State educational
23 agency will make publicly available each local edu-
24 cational agency plan.”.

1 **SEC. 107. SCHOOLWIDE PROGRAMS.**

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

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

4 (1) in paragraph (1), by striking “school de-
5 scribed in subparagraph (A)” and all that follows
6 through “such families.” the second place it appears
7 and inserting “school that serves an eligible school
8 attendance area in which—

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

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

14 (2) in paragraph (2)—

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

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

19 (b) COMPONENTS OF A SCHOOLWIDE PROGRAM.—

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

21 (1) in paragraph (1)—

22 (A) in subparagraph (A), by striking “sec-
23 tion 1111(b)(1)” and inserting “section
24 1111(b)”;

25 (B) in subparagraph (B)—

- 1 (i) in clause (i), by striking “section
2 1111(b)(1)(D)” and inserting “1111(b)”;
- 3 (ii) in clause (iii)(II), by inserting
4 “and” after the semicolon;
- 5 (iii) in clause (iv)(II), by striking “;
6 and” and inserting a period; and
- 7 (iv) by striking clause (vii); and
- 8 (C) in subparagraph (G), by striking “sec-
9 tion 1112(b)(1)” and inserting “section 1112”;
- 10 and
- 11 (2) in paragraph (2)—
- 12 (A) in subparagraph (A)—
- 13 (i) by striking “Improving America’s
14 Schools Act of 1994” and inserting “Edu-
15 cation Reform Act”;
- 16 (ii) by striking “subsections (c)(1)
17 and (e) of”; and
- 18 (iii) in clause (iv), by striking “section
19 1111(b)(3)” and inserting “section
20 1111(b)(4)”;
- 21 (B) in subparagraph (B), by striking
22 “paragraphs (1) and (3) of section 1111(b)”
23 and inserting “paragraphs (1) and (4) of sec-
24 tion 1111(b)”;
- 25 (C) in subparagraph (C)(i)—

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

3 (ii) in subclause (II), by striking “Im-
4 proving America’s Schools Act of 1994”
5 and inserting “Education Reform Act”.

6 **SEC. 108. SCHOOL CHOICE.**

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

9 **“SEC. 1115A. SCHOOL CHOICE.**

10 “(a) CHOICE PROGRAMS.—A local educational agen-
11 cy may use funds under this part, in combination with
12 State, local, and private funds, to develop and implement
13 public school choice programs, for children eligible for as-
14 sistance under this part, that permit parents to select the
15 public school that their child will attend and are consistent
16 with State and local law, policy, and practice related to
17 public school choice and local pupil transfer.

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

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

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

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

7 “(4) contains an assurance that the plan will be
8 developed with the involvement of parents and others
9 in the community to be served, and individuals who
10 will carry out the plan, including administrators,
11 teachers, principals, and other staff;

12 “(5) contains an assurance that parents of eli-
13 gible students served by the local educational agency
14 will be given prompt notice of the existence of the
15 public school choice program, the program’s avail-
16 ability to such parents, and a clear explanation of
17 how the program will operate;

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

20 “(A) shall include charter schools and any
21 other public elementary school and secondary
22 school; and

23 “(B) shall not include as a ‘receiving
24 school’ an elementary school or a secondary
25 school that—

1 “(i) is or has been identified as a
2 school in, or eligible for, school improve-
3 ment or corrective action;

4 “(ii) has been in school improvement
5 or corrective action within the last 2 con-
6 secutive academic years; or

7 “(iii) is at risk of being eligible for
8 school improvement within the next school
9 year;

10 “(7) contains an assurance that transportation
11 services or the costs of transportation to and from
12 the public school choice program—

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

16 “(B) shall not be provided from funds
17 made available under this part to the local edu-
18 cational agency that exceed 10 percent of such
19 funds; and

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

1 **SEC. 109. ASSESSMENT AND LOCAL EDUCATIONAL AGENCY**
2 **AND SCHOOL IMPROVEMENT.**

3 (a) LOCAL REVIEW.—Section 1116(a) (20 U.S.C.
4 6317(a)) is amended—

5 (1) in paragraph (2), by striking
6 “1111(b)(2)(A)(i)” and inserting “1111(b)(2)(B)”;

7 (2) in paragraph (3)—

8 (A) by striking “individual school perform-
9 ance profiles” and inserting “school report
10 cards”;

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

13 (C) by striking “and” after the semicolon;

14 (3) in paragraph (4), by striking the period and
15 inserting “; and”;

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

17 “(5) review the effectiveness of the actions and
18 activities the schools are carrying out under this
19 part with respect to parental involvement assisted
20 under this Act.”.

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

23 “(c) SCHOOL IMPROVEMENT.—

24 “(1) IN GENERAL.—A local educational agency
25 shall identify for school improvement any elementary

1 school or secondary school served under this part
2 that—

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

6 “(B) was in, or was eligible for, school im-
7 provement status under this section on the day
8 preceding the date of the enactment of the
9 Education Reform Act.

10 “(2) TRANSITION.—The 2-year period described
11 in paragraph (1)(A) shall include any continuous pe-
12 riod of time immediately preceding the date of the
13 enactment of the Education Reform Act during
14 which an elementary school or a secondary school
15 did not make adequate yearly progress as defined in
16 the State’s plan, as such plan was in effect on the
17 day preceding the date of enactment of the Edu-
18 cation Reform Act.

19 “(3) TARGETED ASSISTANCE SCHOOLS.—To de-
20 termine if an elementary school or a secondary
21 school that is conducting a targeted assistance pro-
22 gram under section 1115 should be identified as in
23 need of improvement under this subsection, a local
24 educational agency may choose to review the
25 progress of only those students in such school who

1 are served, or are eligible for services, under this
2 part.

3 “(4) OPPORTUNITY TO REVIEW AND PRESENT
4 EVIDENCE.—(A) Before identifying an elementary
5 school or a secondary school for school improvement
6 under paragraph (1), the local educational agency
7 shall provide the school with an opportunity to re-
8 view the school level data, including assessment
9 data, on which the proposed identification is based.

10 “(B) If the principal of a school proposed for
11 identification as in need of school improvement be-
12 lieves that the proposed identification is in error for
13 statistical or other substantive reasons, the principal
14 may provide supporting evidence to the local edu-
15 cational agency, which the agency shall consider be-
16 fore making a final determination.

17 “(5) TIME LIMITS.—Not later than 30 days
18 after a local educational agency makes its initial de-
19 termination that a school served by the agency and
20 receiving assistance under this part is eligible for
21 school improvement, the local educational agency
22 shall make public a final determination on the status
23 of the school.

24 “(6) NOTIFICATION TO PARENTS.—A local edu-
25 cational agency shall, in an easily understandable

1 format, and in the 3 languages, other than English,
2 spoken by the greatest number of individuals in the
3 area served by the local educational agency, provide
4 in writing to parents of each student in an elemen-
5 tary school or a secondary school identified for
6 school improvement—

7 “(A) an explanation of what the school im-
8 provement identification means, and how the
9 school identified for improvement compares in
10 terms of academic performance to other elemen-
11 tary schools or secondary schools served by the
12 local educational agency and the State edu-
13 cational agency;

14 “(B) the reasons for such identification;

15 “(C) the data on which such identification
16 was based;

17 “(D) an explanation of what the school
18 identified for improvement is doing to address
19 the problem of low achievement;

20 “(E) an explanation of what the local edu-
21 cational agency or State educational agency is
22 doing to help the school address its achievement
23 problems, including the amounts and types of
24 professional development being provided to the
25 instructional staff in such school, the amount of

1 any financial assistance being provided by the
2 State educational agency under section 1003,
3 and the activities that are being provided with
4 such financial assistance;

5 “(F) an explanation of how parents de-
6 scribed in this paragraph can become involved
7 in addressing the academic issues that caused
8 the school to be identified as in need of im-
9 provement; and

10 “(G) an explanation of the right of par-
11 ents, pursuant to paragraph (7), to transfer
12 their child to a higher performing public school,
13 including a public charter school or magnet
14 school, that is not in school improvement, and
15 how such transfer shall operate.

16 “(7) PUBLIC SCHOOL CHOICE OPTION.—

17 “(A) SCHOOLS IN CORRECTIVE ACTION.—

18 “(i) SCHOOLS IN CORRECTIVE ACTION
19 ON OR BEFORE DATE OF ENACTMENT.—In
20 the case of a school identified for corrective
21 action on or before the date of enactment
22 of the Education Reform Act, a local edu-
23 cational agency shall not later than 18
24 months after such date of enactment pro-
25 vide all students enrolled in the school an

1 option to transfer (consistent with State
2 and local law, policy, and practices related
3 to public school choice and local pupil
4 transfer) to any other higher performing
5 public school, including a public charter or
6 magnet school, that—

7 “(I) has not been identified for
8 school improvement or corrective ac-
9 tion;

10 “(II) is not at risk of being iden-
11 tified for school improvement or cor-
12 rective action within the succeeding
13 academic year; and

14 “(III) has not been in corrective
15 action at any time during the 2 pre-
16 ceding academic years.

17 “(ii) SCHOOLS IDENTIFIED AFTER
18 DATE OF ENACTMENT.—In the case of a
19 school identified for corrective action after
20 the date of enactment of the Education
21 Reform Act, a local educational agency
22 shall not later than 12 months after the
23 date on which a local educational agency
24 identifies the school for corrective action
25 provide all students enrolled in the school

1 with the transfer option described in clause
2 (i).

3 “(B) COOPERATIVE AGREEMENT.—If all
4 public schools served by the local educational
5 agency to which a child may transfer under
6 clause (i) are identified for corrective action,
7 the local educational agency shall, to the extent
8 practicable, establish a cooperative agreement
9 with other local educational agencies that serve
10 geographic areas in proximity to the geographic
11 area served by the local educational agency, to
12 enable a child to transfer (consistent with State
13 and local law, policy, and practices related to
14 public school choice and local pupil transfer) to
15 a school served by such other local educational
16 agencies that meets the requirements described
17 in subparagraph (A)(i).

18 “(C) TRANSPORTATION.—A local edu-
19 cational agency that serves a school that has
20 been identified for corrective action shall pro-
21 vide transportation services or the costs of such
22 services for children of parents who choose to
23 transfer their children pursuant to this para-
24 graph to a different school. Not more than 10
25 percent of the funds allocated to a local edu-

1 cational agency under this part may be used to
2 provide such transportation services or costs of
3 such services.

4 “(D) CONTINUATION OPTION.—Once a
5 school is no longer identified for or in corrective
6 action, the local educational agency shall con-
7 tinue to provide public school choice as an op-
8 tion to students in such schools for a period of
9 not less than 2 years.

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

18 “(i) incorporate scientifically based re-
19 search strategies that strengthen the core aca-
20 demic programs in the school and address the
21 specific academic issues that caused the school
22 to be identified for school improvement;

23 “(ii) adopt policies and practices in the
24 school’s core academic program that have the
25 greatest likelihood of ensuring that all groups

1 of students specified in section
2 1111(b)(2)(B)(iv) enrolled in the school will
3 meet or exceed the State’s proficient level of
4 performance on the assessment required in sec-
5 tion 1111(b)(4) within 10 years of the date of
6 enactment of the Education Reform Act;

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

14 “(I) directly addresses the academic
15 achievement problem that caused the
16 school to be identified for school improve-
17 ment; and

18 “(II) meets the requirements for pro-
19 fessional development activities under sec-
20 tion 1119;

21 “(iv) specify how the funds described in
22 clause (iii) will be used to remove the school
23 from school improvement status;

24 “(v) establish specific annual, numerical
25 progress goals for each group of students speci-

1 fied in section 1111(b)(2)(B)(iv) enrolled in the
2 school that will ensure that all such groups of
3 students meet or exceed the State’s proficient
4 standard level of performance within 10 years
5 of the date of enactment of the Education Re-
6 form Act;

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

12 “(vii) specify the responsibilities of the
13 school, the local educational agency, and the
14 State educational agency serving such school
15 under the plan.

16 “(B) The local educational agency described in
17 subparagraph (A)(vi) may conditionally approve of a
18 school plan on inclusion of 1 or more of the correc-
19 tive actions specified in paragraph (10)(C).

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

1 “(D) The local educational agency described in
2 subparagraph (A)(vi) shall establish a peer review
3 process to assist with review of a school improve-
4 ment plan prepared by the school served by the local
5 educational agency, promptly review the school plan,
6 work with the school as necessary, and approve the
7 school plan if the school plan meets the require-
8 ments of this paragraph.

9 “(9) TECHNICAL ASSISTANCE.—(A) For each
10 school identified for school improvement under para-
11 graph (1), the local educational agency serving the
12 school shall provide technical assistance as the
13 school develops and implements its school plan.

14 “(B) Such technical assistance—

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

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

1 “(iii) shall include assistance in analyzing
2 and revising the school’s budget such that the
3 school resources are more effectively focused on
4 those activities most likely to increase student
5 achievement and to remove the school from
6 school improvement status;

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

20 “(C) Technical assistance provided under this
21 section by a local educational agency or an entity
22 authorized by such agency shall be based upon sci-
23 entifically based research.

24 “(10) CORRECTIVE ACTION.—In order to help
25 students served under this part meet challenging

1 State standards, each local educational agency shall
2 implement a system of corrective action in accord-
3 ance with the following:

4 “(A) After providing technical assistance
5 under paragraph (9) and subject to subpara-
6 graph (F), the local educational agency—

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

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

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

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

1 “(i) substantially and directly re-
2 sponds to—

3 “(I) the consistent academic fail-
4 ure of a school that caused the local
5 educational agency to take such ac-
6 tion; and

7 “(II) any underlying staffing,
8 curricula, or other problem in the
9 school; and

10 “(ii) is designed to increase substan-
11 tially the likelihood that students enrolled
12 in the school subject to corrective action
13 will perform at the proficient and advanced
14 performance levels.

15 “(C) In the case of a school described in
16 subparagraph (A)(ii), the local educational
17 agency shall take not less than 1 of the fol-
18 lowing corrective actions:

19 “(i) Withhold funds from the school.

20 “(ii) Make alternative governance ar-
21 rangements, including reopening the school
22 as a public charter school.

23 “(iii) Reconstitute the relevant school
24 staff.

1 “(iv)(I) Authorize students to transfer
2 to other higher performing public schools
3 served by the local educational agency, in-
4 cluding public charter and magnet schools.

5 “(II) Provide such students transpor-
6 tation services, or the costs of transpor-
7 tation, to such schools (except that such
8 funds used to provide transportation serv-
9 ices or costs of transportation shall not ex-
10 ceed 10 percent of the amount authorized
11 under section 1122(a)(2)).

12 “(III) Take not less than 1 additional
13 action described under this subparagraph.

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

21 “(D) A local educational agency may delay,
22 for a period not to exceed 1 year, implementa-
23 tion of corrective action only if the failure to
24 make adequate yearly progress was justified
25 due to exceptional or uncontrollable cir-

1 cumstances, such as a natural disaster or a pre-
2 cipitous and unforeseen decline in the financial
3 resources of the local educational agency or
4 school.

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

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

21 “(ii) If the school believes that the pro-
22 posed determination is in error for statistical or
23 other substantive reasons, the school principal
24 may provide supporting evidence to the local

1 educational agency, which shall consider such
2 evidence before making a final determination.

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

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

1 “(12) SPECIAL RULES.—Schools that, for at
2 least 2 of the 3 years following identification under
3 paragraph (1), make adequate yearly progress to-
4 ward meeting the State’s proficient and advanced
5 levels of performance shall no longer be identified
6 for school improvement.”.

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

10 “(d) STATE REVIEW AND LOCAL EDUCATIONAL
11 AGENCY IMPROVEMENT.—

12 “(1) IN GENERAL.—A State educational agency
13 shall annually review the progress of each local edu-
14 cational agency within the State receiving funds
15 under this part to determine whether schools served
16 by such agencies and receiving assistance under this
17 part are making adequate yearly progress, as de-
18 fined in section 1111(b)(2), toward meeting the
19 State’s student performance standards and to deter-
20 mine whether each local educational agency is car-
21 rying out its responsibilities under sections 1116 and
22 1117.

23 “(2) IDENTIFICATION OF LOCAL EDUCATIONAL
24 AGENCY FOR IMPROVEMENT.—A State educational

1 agency shall identify for improvement any local edu-
2 cational agency that—

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

6 “(B) had been identified for, or was eligi-
7 ble for, improvement under this section as this
8 section was in effect on the day preceding the
9 date of enactment of the Education Reform
10 Act.

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

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

24 “(5) OPPORTUNITY TO REVIEW AND PRESENT
25 EVIDENCE.—(A) Before identifying a local edu-

1 cational agency for improvement under paragraph
2 (2), a State educational agency shall provide the
3 local educational agency with an opportunity to re-
4 view the local educational agency data, including as-
5 sessment data, on which the proposed identification
6 is based.

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

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

21 “(7) NOTIFICATION TO PARENTS.—The State
22 educational agency shall promptly notify parents of
23 each student enrolled in a school served by a local
24 educational agency identified for improvement, in a
25 format, and to the extent practicable, in a language

1 the parents can understand, of the reasons for such
2 agency's identification and how parents can partici-
3 pate in upgrading the quality of the local edu-
4 cational agency.

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

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

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

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

1 the local educational agency will meet or
2 exceed the proficient standard level of per-
3 formance in assessments required under
4 section 1111(b)(4) within 10 years of the
5 date of enactment of the Education Re-
6 form Act; and

7 “(iii) assure that the local educational
8 agency will—

9 “(I) reserve not less than 10 per-
10 cent of the funds made available to
11 the local educational agency under
12 this part for each fiscal year that the
13 agency is in improvement for the pur-
14 pose of providing high quality profes-
15 sional development to teachers and
16 principals at schools served by the
17 agency and receiving funds under this
18 part that directly address the aca-
19 demic achievement problem that
20 caused the local educational agency to
21 be identified for improvement and
22 shall be in keeping with the definition
23 of professional development provided
24 in section 1119; and

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

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

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

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

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

1 the plan meets the requirements of this para-
2 graph.

3 “(C) DEADLINE FOR IMPLEMENTATION.—

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

10 “(D) RESOURCES REALLOCATION.—If the

11 local educational agency budget fails to allocate
12 resources, consistent with, subparagraph
13 (A)(iv), the State educational agency may direct
14 the local educational agency to reallocate re-
15 sources to more effective activities.

16 “(9) STATE EDUCATIONAL AGENCY RESPONSI-

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

22 “(A) to develop and implement the local
23 educational agency plan or revised plan as ap-
24 proved by the State educational agency con-

1 sistent with the requirements of this section;
2 and

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

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

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

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

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

25 “(D) may be provided by—

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

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

24 “(12) CORRECTIVE ACTION.—In order to help
25 students served under this part meet challenging

1 State standards, each State educational agency shall
2 implement a system of corrective action in accord-
3 ance with the following:

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

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

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

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

19 “(i) substantially and directly re-
20 sponds to—

21 “(I) the consistent academic fail-
22 ure of schools served by a local edu-
23 cational agency that caused the State
24 educational agency to take such action

1 with respect to the local educational
2 agency; and

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

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

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

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

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

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

24 “(iv) Appoint, through the State edu-
25 cational agency, a receiver or trustee to ad-

1 minister the affairs of the local educational
2 agency in place of the local educational
3 agency's superintendent and school board.

4 “(v) Abolish or restructure the local
5 educational agency.

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

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

19 “(III) Take not less than 1 additional
20 action described under this subparagraph.

21 “(D) Prior to implementing any corrective
22 action, the State educational agency shall pro-
23 vide notice and an opportunity for a hearing to
24 the affected local educational agency, if State
25 law provides for such notice and opportunity.

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

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

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

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

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

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

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

18 “(b) PRIORITIES.—In carrying out this section, a
19 State educational agency shall—

20 “(1) first, provide support and assistance to
21 local educational agencies and schools identified as
22 in need of improvement under section 1116;

23 “(2) second, provide support and assistance to
24 local educational agencies subject to corrective action
25 under section 1116, and assist elementary schools
26 and secondary schools, in accordance with section

1 1116(c)(11), for which a local educational agency
2 has failed to carry out its responsibilities under sec-
3 tion 1116(c) (9) and (10); and

4 “(3) third, provide support and assistance to
5 local educational agencies and schools that are at
6 risk of being identified as being in need of improve-
7 ment within the next academic year, participating
8 under this part.

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

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

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

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

23 “(1) shall use funds reserved under section
24 1003(a)(1), but not used under section 1003(a)(2),
25 to carry out this section; and

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

4 “(e) ALTERNATIVES.—The State educational agency
5 may—

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

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

14 **SEC. 111. PARENTAL INVOLVEMENT CHANGES.**

15 (a) LOCAL EDUCATIONAL AGENCY POLICY.—Section
16 1118(a) (20 U.S.C. 6319(a)) is amended—

17 (1) in paragraph (1), by striking “programs,
18 activities, and procedures” and inserting “activities
19 and procedures”;

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

22 “(E) conduct, with the involvement of par-
23 ents, an annual evaluation of the content and
24 effectiveness of the parental involvement policy

1 in improving the academic quality of the schools
2 served under this part;

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

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

8 (3) in paragraph (3), by adding at the end the
9 following new subparagraph:

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

13 (b) NOTICE.—Section 1118(b)(1) (20 U.S.C.
14 6319(b)(1)) is amended by inserting after the first sen-
15 tence “Parents shall be notified of the policy in a format,
16 and to the extent practicable in a language, that the par-
17 ents can understand.”.

18 (c) PARENTAL INVOLVEMENT.—Section 1118(c)(4)
19 (20 U.S.C. 6319(c)(4)) is amended—

20 (1) in subparagraph (B), by striking “school
21 performance profiles required under section
22 1116(a)(3)” and inserting “school reports described
23 under section 4401”;

24 (2) by redesignating subparagraphs (D) and
25 (E) as subparagraphs (F) and (G), respectively;

1 (3) by inserting after subparagraph (C) the fol-
2 lowing:

3 “(D) notice of the school’s designation as
4 a school in need of improvement under section
5 1116(b), if applicable, and a clear explanation
6 of what such designation means;

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

11 (4) in subparagraph (G) (as redesignated by
12 paragraph (2)), by striking “subparagraph (D)” and
13 inserting “subparagraph (F)”.

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

16 (1) in paragraph (1), by striking “National
17 Educational Goals,”;

18 (2) by redesignating paragraphs (14) and (15)
19 as paragraphs (16) and (17), respectively;

20 (3) by inserting after paragraph (13) the fol-
21 lowing:

22 “(14) may establish a district wide parent advi-
23 sory council to advise on all matters related to pa-
24 rental involvement in programs supported under this
25 part;”;

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

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

7 “(5) shall expand the use of electronic commu-
8 nications among teachers, students, and parents,
9 such as through the use of websites and e-mail com-
10 munications;”;

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

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

16 (e) ACCESSIBILITY.—Section 1118(f) (20 U.S.C.
17 6319(f)) is amended by striking “, including” and all that
18 follows through the period and inserting “and of parents
19 of migratory children, including providing information and
20 school reports required under section 1111 and described
21 in section 4401 in a language and form such parents un-
22 derstand.”.

1 **SEC. 112. QUALIFICATIONS FOR TEACHERS AND PARA-**
2 **PROFESSIONALS.**

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

5 (1) by redesignating section 1119 (20 U.S.C.
6 6320) as section 1119A; and

7 (2) by inserting after section 1118 the fol-
8 lowing:

9 **“SEC. 1119. QUALIFICATIONS FOR TEACHERS AND PARA-**
10 **PROFESSIONALS.**

11 **“(a) IN GENERAL.—**

12 **“(1) PLAN.—**Each State educational agency re-
13 ceiving assistance under this part shall develop and
14 submit to the Secretary a plan to ensure that all
15 teachers teaching within the State are fully quali-
16 fied, as defined in section 2001(1), not later than
17 December 31, 2006. Such plan shall include an as-
18 surance that the State educational agency will re-
19 quire each local educational agency and school re-
20 ceiving funds under this part publicly to report the
21 annual progress with respect to the local educational
22 agency’s and school’s performance in increasing the
23 percentage of classes in core academic areas taught
24 by fully qualified teachers.

25 **“(2) SPECIAL RULE.—**Notwithstanding any
26 other provision of law, the provisions of this section

1 governing teacher qualifications shall not supersede
2 State laws governing public charter schools.

3 “(b) NEW PARAPROFESSIONALS.—Each local edu-
4 cational agency receiving assistance under this part shall
5 ensure that each paraprofessional hired after December
6 31, 2004, and working in a program assisted under this
7 part—

8 “(1) has completed at least the number of
9 courses at an institution of higher education in the
10 area of elementary education, or in the related sub-
11 ject area in which the paraprofessional is working,
12 for a minor degree at such institution;

13 “(2) has obtained an associate’s (or higher) de-
14 gree; or

15 “(3) has met a rigorous standard of quality
16 that demonstrates, through formal State or local
17 certification (as established in subsection (h)),—

18 “(A) knowledge of, and the ability to pro-
19 vide tutorial assistance in, reading, writing, and
20 mathematics; or

21 “(B) knowledge of, and the ability to pro-
22 vide tutorial assistance in, reading readiness,
23 writing readiness, and mathematics readiness,
24 as appropriate.

1 “(c) EXISTING PARAPROFESSIONALS.—Each local
2 educational agency receiving assistance under this part
3 shall ensure that each paraprofessional working in a pro-
4 gram assisted under this part shall, within 6 years after
5 the date of enactment of the Education Reform Act, sat-
6 isfy the requirements of subsection (b).

7 “(d) EXCEPTIONS FOR TRANSLATION AND PAREN-
8 TAL INVOLVEMENT ACTIVITIES.—Subsections (b) and (c)
9 shall not apply to a paraprofessional—

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

15 “(2) whose duties consist solely of conducting
16 parental involvement activities consistent with sec-
17 tion 1118 or other school readiness activities that
18 are noninstructional.

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

1 “(f) DUTIES OF PARAPROFESSIONALS.—

2 “(1) IN GENERAL.—Each local educational
3 agency receiving assistance under this part shall en-
4 sure that a paraprofessional working in a program
5 assisted under this part is not assigned a duty in-
6 consistent with this subsection.

7 “(2) AUTHORIZED RESPONSIBILITIES.—A para-
8 professional described in paragraph (1) may be
9 assigned—

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

14 “(B) to assist with classroom management,
15 such as organizing instructional and other ma-
16 terials;

17 “(C) to provide assistance in a computer
18 laboratory;

19 “(D) to conduct parental involvement ac-
20 tivities or school readiness activities that are
21 noninstructional;

22 “(E) to provide support in a library or
23 media center;

24 “(F) to act as a translator;

1 “(G) to provide assistance with extra cur-
2 ricular activities which are noninstructional; or

3 “(H) assist with instructional services to
4 students.

5 “(3) LIMITATIONS.—A paraprofessional de-
6 scribed in paragraph (1)—

7 “(A) shall not perform the duties of a cer-
8 tified teacher or a substitute; and

9 “(B) shall not perform any duty assigned
10 under paragraph (2) unless under the direct su-
11 pervision of a fully qualified teacher or other
12 appropriate professional.

13 “(g) USES OF FUNDS.—

14 “(1) PROFESSIONAL DEVELOPMENT.—Notwith-
15 standing subsection (h)(2), a local educational agen-
16 cy receiving funds under this part shall use such
17 funds to support ongoing training and professional
18 development to assist teachers and paraprofessionals
19 in satisfying the requirements of this section.

20 “(2) TRAINING.—Such training and profes-
21 sional development for paraprofessionals shall—

22 “(1) include training that is related directly to
23 skills and knowledge required to meet responsibilities
24 that a paraprofessional may be assigned;

1 “(2) provide paraprofessionals the opportunity
2 to undertake a minimum of 15 hours of ongoing job
3 related training per year; and

4 “(3) integrate training provided paraprofes-
5 sionals with professional development activities for
6 teachers.

7 “(h) STATE CERTIFICATION.—Each State edu-
8 cational agency receiving assistance under this part
9 shall—

10 “(1) ensure that the State educational agency
11 has in place State criteria for the certification of
12 paraprofessionals by December 31, 2003; and

13 “(2) ensure that paraprofessionals hired before
14 December 31, 2003, are in high-quality professional
15 development activities that ensure that the para-
16 professional has the ability to provide tutorial assist-
17 ance in—

18 “(A) reading, writing, and mathematics; or

19 “(B) reading readiness, writing readiness,
20 and mathematics readiness, as appropriate.

21 “(i) VERIFICATION OF COMPLIANCE.—

22 “(1) IN GENERAL.—In verifying compliance
23 with this section, each local educational agency, at
24 a minimum, shall require that the principal of each
25 elementary school and secondary school operating a

1 program under section 1114 or 1115 annually attest
2 in writing as to whether each such school is in com-
3 pliance with the requirements of this section.

4 “(2) AVAILABILITY OF INFORMATION.—Copies
5 of the annual certification described in paragraph
6 (1)—

7 “(A) shall be maintained at each elemen-
8 tary school and secondary school operating a
9 program under section 1114 or 1115 and at the
10 main office of the local educational agency; and

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

13 **SEC. 113. PROFESSIONAL DEVELOPMENT.**

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

16 (1) by amending subsection (a) to read as fol-
17 lows:

18 “(a) PURPOSE.—The purpose of this section is to as-
19 sist each local educational agency receiving assistance
20 under this part in increasing the academic achievement
21 of eligible children (as identified under section
22 1115(b)(1)(B)) (in this section referred to as eligible chil-
23 dren) through improved teacher quality.”;

24 (2) in subsection (b)—

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

3 “(1) REQUIRED ACTIVITIES.—Each local edu-
4 cational agency receiving assistance under this part
5 shall provide professional development activities
6 under this section that shall—

7 “(A) give teachers, principals, paraprofes-
8 sionals, and administrators the knowledge and
9 skills to provide eligible children with the oppor-
10 tunity to meet challenging State or local con-
11 tent standards and student performance stand-
12 ards;

13 “(B) support the recruiting, hiring, and
14 training of fully qualified teachers, including
15 teachers fully qualified through State and local
16 alternative routes;

17 “(C) advance teacher understanding of ef-
18 fective instructional strategies, based on sci-
19 entifically based research, for improving eligible
20 children achievement, at a minimum, in mathe-
21 matics, science, and English language arts;

22 “(D) be directly related to the curricula
23 and content areas in which the teacher provides
24 instruction;

1 “(E) be designed to enhance the ability of
2 a teacher to understand and use the State’s
3 standards for the subject area in which the
4 teacher provides instruction;

5 “(F) be tied to scientifically based research
6 that demonstrates the effectiveness of such pro-
7 fessional development activities or programs in
8 increasing eligible children achievement or sub-
9 stantially increasing the knowledge and teach-
10 ing skills of teachers;

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

23 “(H) be developed with extensive participa-
24 tion of teachers, principals, parents, administra-

1 tors of schools, and local school boards of
2 schools to be served under this part;

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

10 “(J) as a whole, be regularly evaluated for
11 such activities’ impact on increased teacher ef-
12 fectiveness and improved student achievement,
13 with the findings of such evaluations used to
14 improve the quality of professional development;
15 and

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

19 (B) in paragraph (2)—

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

23 (ii) by striking subparagraphs (D)
24 and (G);

1 (iii) by redesignating subparagraphs
2 (E), (F), (H), and (I), as subparagraphs
3 (D), (E), (F) and (G), respectively; and

4 (iv) by inserting after subparagraph
5 (G) (as redesignated by clause (iii)) the
6 following new subparagraph:

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

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

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

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

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

23 “(h) SPECIAL RULE.—

24 “(1) IN GENERAL.—No State educational agen-
25 cy shall require a local educational agency or ele-

1 mentary school or secondary school to expend a spe-
2 cific amount of funds for professional development
3 activities under this part.

4 “(2) EXCEPTION.—Paragraph (1) shall not
5 apply with respect to requirements under section
6 1116(d)(9).”.

7 **SEC. 114. FISCAL REQUIREMENTS.**

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

10 **SEC. 115. COORDINATION REQUIREMENTS.**

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

12 (1) in subsection (a), by striking “to the extent
13 feasible” and all that follows through the period and
14 inserting “in coordination with local Head Start
15 agencies, and if feasible, other early childhood devel-
16 opment programs.”;

17 (2) in subsection (b)—

18 (A) in paragraph (3) by striking “and”
19 after the semicolon;

20 (B) in paragraph (4) by striking the period
21 and inserting “; and”; and

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

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

1 **SEC. 116. GRANTS FOR THE OUTLYING AREAS AND THE**
2 **SECRETARY OF THE INTERIOR.**

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

5 **“SEC. 1121. GRANTS FOR THE OUTLYING AREAS AND THE**
6 **SECRETARY OF THE INTERIOR.**

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

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

13 “(2) the Secretary of the Interior in the amount
14 necessary to make payments pursuant to subsection
15 (d).

16 “(b) ASSISTANCE TO OUTLYING AREAS.—

17 “(1) GRANTS AUTHORIZED.—From the amount
18 made available for a fiscal year under subsection (a),
19 the Secretary shall award grants to the outlying
20 areas and freely associated States to carry out the
21 purposes of this part.

22 “(2) COMPETITIVE GRANTS.—For each of fiscal
23 years 2001 and 2002, the Secretary shall ensure
24 that grants are awarded under this subsection on a
25 competitive basis in accordance with paragraph (3).

1 “(3) REQUIREMENTS AND LIMITATION FOR
2 COMPETITIVE GRANTS.—

3 “(A) RECOMMENDATIONS.—The Secretary
4 shall award grants under this subsection on the
5 basis of the recommendations of the Pacific Re-
6 gion Educational Laboratory in Honolulu, Ha-
7 waii.

8 “(B) TERMINATION OF ELIGIBILITY.—
9 Notwithstanding any other provision of law, the
10 freely associated States shall not be eligible to
11 receive funds under this part after September
12 30, 2001.

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

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

1 “(5) FUNDING.—The amount reserved by the
2 Secretary to award grants under this subsection
3 shall not exceed the amount reserved under this sec-
4 tion (as this section existed on the day prior to the
5 date of enactment of the Education Reform Act) for
6 the freely associated States for fiscal year 1999.

7 “(6) DEFINITIONS.—In this subsection and
8 subsection (a):

9 “(A) FREELY ASSOCIATED STATES.—The
10 term ‘freely associated States’ means the Re-
11 public of the Marshall Islands, the Federated
12 States of Micronesia, and the Republic of
13 Palau.

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

18 “(c) ALLOTMENT TO THE SECRETARY OF THE INTE-
19 RIOR.—

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

1 “(A) Indian children on reservations served
2 by elementary and secondary schools for Indian
3 children operated or supported by the Depart-
4 ment of the Interior; and

5 “(B) out-of-State Indian children in ele-
6 mentary and secondary schools in local edu-
7 cational agencies under special contracts with
8 the Department of the Interior.

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

18 “(A) 40 percent of the average per pupil
19 expenditure in the State in which the agency is
20 located; or

21 “(B) 48 percent of such expenditure in the
22 United States.”.

23 **SEC. 117. AMOUNTS FOR GRANTS.**

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

1 **“SEC. 1122. AMOUNTS FOR BASIC GRANTS, CONCENTRA-**
2 **TION GRANTS, AND TARGETED GRANTS.**

3 “(a) ALLOCATION FORMULA.—

4 “(1) ALLOCATION TO STATES.—Of the amount
5 appropriated to carry out this part for each of fiscal
6 years 2002 through 2006 (each such year, as appro-
7 priate, shall be referred to in this subsection as the
8 ‘current fiscal year’), the amount to be allocated to
9 States for a fiscal year based on population data for
10 local educational agencies in such States, shall be
11 equal to the sum of—

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

13 “(i) the amount made available to
14 carry out section 1124 (as such section ex-
15 isted on the day prior to the date of enact-
16 ment of the Education Reform Act) for fis-
17 cal year 1999; and

18 “(ii) 21.25 percent of the amount, if
19 any, by which the amount appropriated
20 under section 1002(a) for the current fis-
21 cal year exceeds the amount appropriated
22 under such section (as such section existed
23 on the day prior to the date of enactment
24 of the Education Reform Act) for fiscal
25 year 2000, to be allocated in accordance
26 with section 1124;

1 “(B) an amount equal to the sum of—

2 “(i) the amount made available to
3 carry out section 1124A (as such section
4 existed on the day prior to the date of en-
5 actment of the Education Reform Act) for
6 fiscal year 2000; and

7 “(ii) 3.75 percent of the amount, if
8 any, by which the amount appropriated
9 under section 1002(a) for the current fis-
10 cal year exceeds the amount appropriated
11 under such section (as such section existed
12 on the day prior to the date of enactment
13 of the Education Reform Act) for fiscal
14 year 2000, to be allocated in accordance
15 with section 1124A; and

16 “(C) an amount equal to 75 percent of the
17 amount, if any, by which the amount appro-
18 priated under section 1002(a) for the current
19 fiscal year exceeds the amount appropriated
20 under such section (as such section existed on
21 the day prior to the date of enactment of the
22 Education Reform Act) for fiscal year 2000, to
23 be allocated in accordance with section 1125.

24 “(2) ALLOCATION TO LOCAL EDUCATIONAL
25 AGENCIES.—Of the total amounts allocated to a

1 State under this part for each of fiscal years 2002
2 and 2003, 96.5 percent shall be allocated by the
3 State educational agency to local educational agen-
4 cies, and for each of fiscal years 2004 through 2006,
5 95.5 percent shall be allocated to local educational
6 agencies, of which—

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

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

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

13 “(b) ADJUSTMENTS WHERE NECESSITATED BY AP-
14 PROPRIATIONS.—

15 “(1) IN GENERAL.—If the sums available under
16 this part for any fiscal year are insufficient to pay
17 the full amounts that all States and local edu-
18 cational agencies are eligible to receive under sec-
19 tions 1124, 1124A, and 1125 for such fiscal year,
20 the Secretary shall ratably reduce the allocations to
21 such States and local educational agencies, subject
22 to subsections (c) and (d).

23 “(2) ADDITIONAL FUNDS.—If additional funds
24 become available for making payments under sec-
25 tions 1124, 1124A, and 1125 for such fiscal year,

1 allocations that were reduced under paragraph (1)
2 shall be increased on the same basis as they were re-
3 duced.

4 “(c) HOLD-HARMLESS AMOUNTS.—

5 “(1) GRANTS TO STATES.—The total amount
6 allocated to each State under this part in each fiscal
7 year shall not be less than the amount allocated to
8 each State in the preceding fiscal year.

9 “(2) GRANTS TO LOCAL EDUCATIONAL AGEN-
10 CIES.—The total amount allocated to each local edu-
11 cational agency under this part in each fiscal year
12 shall not be less than the amount allocated to each
13 local educational agency in the preceding fiscal year.

14 “(d) RATABLE REDUCTIONS.—

15 “(1) IN GENERAL.—If the sums made available
16 under this part for any fiscal year are insufficient to
17 pay the full amounts that all States are eligible to
18 receive under subsection (c) for such year, the Sec-
19 retary shall ratably reduce such amounts for such
20 year.

21 “(2) ADDITIONAL FUNDS.—If additional funds
22 become available for making payments under sub-
23 section (c) for such fiscal year, amounts that were
24 reduced under paragraph (1) shall be increased on
25 the same basis as such amounts were reduced.

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

5 **SEC. 118. BASIC GRANTS TO LOCAL EDUCATIONAL AGEN-**
6 **CIES.**

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

9 **“SEC. 1124. BASIC GRANTS TO LOCAL EDUCATIONAL AGEN-**
10 **CIES.**

11 “(a) AMOUNT OF GRANTS.—

12 “(1) GRANTS FOR LOCAL EDUCATIONAL AGEN-

13 CIES AND PUERTO RICO.—Except as provided in

14 paragraph (3) and in section 1126, the amount of

15 a grant that a local educational agency is eligible to

16 receive under this section for a fiscal year shall be

17 determined by multiplying—

18 “(A) the number of children counted under

19 subsection (c); and

20 “(B) 40 percent of the average per-pupil

21 expenditure in the State involved, except that

22 the amount determined under this subpara-

23 graph shall not be less than 32 percent or more

24 than 48 percent, of the average per-pupil ex-

25 penditure in the United States.

1 “(2) CALCULATION OF GRANTS.—

2 “(A) ALLOCATIONS TO LOCAL EDU-
3 CATIONAL AGENCIES.—The Secretary shall cal-
4 culate the amount of grants under this section
5 on the basis of the number of children counted
6 under subsection (c) for local educational agen-
7 cies. For purposes of this subparagraph, the
8 Secretary and the Secretary of Commerce shall
9 publicly disclose the reasoning for their deter-
10 minations under subsection (c) in detail.

11 “(B) ALLOCATIONS TO LARGE AND SMALL
12 LOCAL EDUCATIONAL AGENCIES.—

13 “(i) APPLICATION OF PROVISION.—
14 The Secretary shall determine the amount
15 of grant awards under this section for each
16 large or small local educational agency.

17 “(ii) LARGE AGENCIES.—The amount
18 of a grant awarded under this section for
19 each large local educational agency shall be
20 the amount determined by the Secretary
21 under clause (i).

22 “(iii) SMALL AGENCIES.—With re-
23 spect to the amount of a grant awarded
24 under this section to a small local edu-

1 cational agency, the State educational
2 agency may—

3 “(I) provide such grant in an
4 amount determined by the Secretary
5 under clause (i); or

6 “(II) use an alternative method
7 approved by the Secretary to dis-
8 tribute the portion of the State’s total
9 grants under this section that is based
10 on the number of small local edu-
11 cational agencies.

12 “(iv) ALTERNATIVE METHOD.—An al-
13 ternative method approved under clause
14 (iii)(II) shall be based on population data
15 that the State educational agency deter-
16 mines best reflects the current distribution
17 of children in poor families among the
18 State’s small local educational agencies
19 that meet the eligibility criteria of sub-
20 section (b).

21 “(v) APPEALS.—A small local edu-
22 cational agency that is dissatisfied with the
23 determination of its grant amount by the
24 State educational agency under clause
25 (iii)(II), may appeal that determination to

1 the Secretary, who shall respond not later
2 than 45 days after receipt of such appeal.

3 “(vi) DEFINITION.—In this subpara-
4 graph:

5 “(I) LARGE LOCAL EDUCATIONAL
6 AGENCY.—The term ‘large local edu-
7 cational agency’ means a local edu-
8 cational agency serving an area with a
9 total population of 20,000 or more.

10 “(II) SMALL LOCAL EDU-
11 CATIONAL AGENCY.—The term ‘small
12 local educational agency’ means a
13 local educational agency serving an
14 area with a total population of less
15 than 20,000.

16 “(3) PUERTO RICO.—

17 “(A) IN GENERAL.—For each fiscal year,
18 the amount of the grant that the Common-
19 wealth of Puerto Rico shall be eligible to receive
20 under this section shall be determined by multi-
21 plying the number of children counted under
22 subsection (c) for the Commonwealth of Puerto
23 Rico by the product of—

24 “(i) the percentage which the average
25 per pupil expenditure in the Common-

1 wealth of Puerto Rico is of the lowest aver-
2 age per pupil expenditure of any of the 50
3 States; and

4 “(ii) 32 percent of the average per
5 pupil expenditure in the United States.

6 “(B) MINIMUM PERCENTAGE.—The per-
7 centage in subparagraph (A)(i) shall not be less
8 than—

9 “(i) for fiscal year 2001, 75.0 percent;

10 “(ii) for fiscal year 2002, 77.5 per-
11 cent;

12 “(iii) for fiscal year 2003, 80.0 per-
13 cent;

14 “(iv) for fiscal year 2004, 82.5 per-
15 cent; and

16 “(v) for fiscal year 2005, and suc-
17 ceeding fiscal years, 85.0 percent.

18 “(C) LIMITATION.—If the application of
19 subparagraph (B) would result in any of the 50
20 States or the District of Columbia receiving less
21 under this part than the State or District re-
22 ceived under this part for the preceding fiscal
23 year, the percentage shall be the greater of the
24 percentage described in subparagraph (A)(i) or

1 the percentage used for the preceding fiscal
2 year.

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

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

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

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

15 “(c) CHILDREN TO BE COUNTED.—

16 “(1) CATEGORIES OF CHILDREN.—The number
17 of children to be counted for purposes of this section
18 is the aggregate of—

19 “(A) the number of children ages 5 to 17,
20 inclusive, in the school district of the local edu-
21 cational agency involved from families below the
22 poverty level as determined under paragraph
23 (2); and

24 “(B) the number of children (determined
25 under paragraph (4) for either the preceding

1 year as described in that paragraph, or for the
2 second preceding year, as the Secretary finds
3 appropriate) ages 5 to 17, inclusive, in the
4 school district of the local educational agency
5 involved in institutions for neglected and delin-
6 quent children (other than such institutions op-
7 erated by the United States), but not counted
8 pursuant to subpart 1 of part D for the pur-
9 poses of a grant to a State agency, or being
10 supported in foster homes with public funds.

11 “(2) DETERMINATION OF NUMBER OF CHIL-
12 DREN.—

13 “(A) NUMBER OF CHILDREN BELOW THE
14 POVERTY LEVEL.—For purposes of this sub-
15 section, the Secretary shall determine the num-
16 ber of children ages 5 to 17, inclusive, from
17 families below the poverty level on the basis of
18 the most recent satisfactory data, described in
19 paragraph (3), that is available from the De-
20 partment of Commerce.

21 “(B) SPECIAL RULES.—

22 “(i) DISTRICT OF COLUMBIA AND
23 PUERTO RICO.—The District of Columbia
24 and the Commonwealth of Puerto Rico
25 shall be treated as individual local edu-

1 cational agencies for purposes of this para-
2 graph.

3 “(ii) MULTIPLE COUNTIES.—If a local
4 educational agency contains 2 or more
5 counties in their entirety, then each county
6 will be treated as if such county were a
7 separate local educational agency for pur-
8 poses of calculating grants under this part.
9 The total of grants for such counties shall
10 be allocated to such local educational agen-
11 cy and the local educational agency shall
12 distribute to schools in each county within
13 such agency a share of the local edu-
14 cational agency’s total grant in an amount
15 that is not less than the county’s share of
16 the population counts used to calculate the
17 local educational agency’s grant.

18 “(3) POPULATION UPDATES.—

19 “(A) IN GENERAL.—In fiscal year 2002,
20 and every 2 years thereafter, the Secretary shall
21 use updated data on the number of children,
22 ages 5 to 17, inclusive, from families below the
23 poverty level for local educational agencies or
24 counties, as published by the Department of
25 Commerce, unless the Secretary and the Sec-

1 retary of Commerce determine that the use of
2 the updated population data would be inappro-
3 priate or unreliable.

4 “(B) CRITERIA OF POVERTY.—In deter-
5 mining the families which are below the poverty
6 level, the Secretary shall utilize the criteria of
7 poverty used by the Bureau of the Census in
8 compiling the most recent decennial census, in
9 such form as those criteria have been updated
10 by increases in the Consumer Price Index for
11 all urban consumers, published by the Bureau
12 of Labor Statistics.

13 “(C) INAPPROPRIATE OR UNRELIABLE
14 DATA.—If the Secretary and the Secretary of
15 Commerce determine that some or all of the
16 data referred to in subparagraph (A) are inap-
17 propriate or unreliable, the Secretaries shall
18 publicly disclose the reasons for such deter-
19 mination.

20 “(4) OTHER CHILDREN TO BE COUNTED.—

21 “(A) IN GENERAL.—For the purposes of
22 this section, the Secretary shall—

23 “(i) determine the number of children
24 ages 5 to 17, inclusive, from families above
25 the poverty line on the basis of the number

1 of such children from families receiving an
2 annual income in excess of the annual in-
3 come current criteria of poverty for pay-
4 ments under a State program funded
5 under part A of title IV of the Social Secu-
6 rity Act; and

7 “(ii) in making a determination under
8 clause (i), utilize the criteria of poverty
9 used by the Bureau of the Census in com-
10 piling the most recent decennial census for
11 a family of 4 in such form as those criteria
12 have been updated by increases in the Con-
13 sumer Price Index for all urban con-
14 sumers, published by the Bureau of Labor
15 Statistics.

16 “(B) CASELOAD DATA.—The Secretary
17 shall determine the number of children de-
18 scribed in subparagraph (A) and the number of
19 children ages 5 to 17, inclusive, living in insti-
20 tutions for neglected or delinquent children, or
21 being supported in foster homes with public
22 funds, on the basis of the caseload data for the
23 month of October of the year preceding the fis-
24 cal year for which the determination is being
25 made (using, in the case of children described

1 in the preceding sentence, the criteria of pov-
2 erty and the form of such criteria required by
3 such sentence which were determined for the
4 calendar year preceding such month of October)
5 or, to the extent that such data are not avail-
6 able to the Secretary before January of the cal-
7 endar year in which the Secretary's determina-
8 tion is made, then on the basis of the most re-
9 cent reliable data available to the Secretary at
10 the time of such determination. For the purpose
11 of this section, the Secretary shall consider all
12 children who are in correctional institutions to
13 be living in institutions for delinquent children.

14 “(C) COLLECTION AND TRANSMISSION OF
15 DATA.—The Secretary of Health and Human
16 Services shall collect and transmit the informa-
17 tion required by this subparagraph to the Sec-
18 retary not later than January 1 of each year.

19 “(5) ESTIMATE.—When requested by the Sec-
20 retary, the Secretary of Commerce shall make a spe-
21 cial updated estimate of the number of children of
22 such ages who are from families below the poverty
23 level in each school district, and the Secretary may
24 pay (either in advance or by way of reimbursement)
25 the Secretary of Commerce the cost of making this

1 special estimate. The Secretary of Commerce shall
2 give consideration to any request of the chief execu-
3 tive of a State for the collection of additional census
4 information.

5 “(d) STATE MINIMUM.—Notwithstanding section
6 1122, the aggregate amount allotted for all local edu-
7 cational agencies within a State may not be less than the
8 lesser of—

9 “(1) 0.25 percent of total amount of grants
10 awarded under this section; or

11 “(2) the average of—

12 “(A) one-quarter of 1 percent of the total
13 amount available for such fiscal year under this
14 section; and

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

20 **SEC. 119. CONCENTRATION GRANTS.**

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

23 **“SEC. 1124A. CONCENTRATION GRANTS TO LOCAL EDU-
24 CATIONAL AGENCIES.**

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

1 “(1) ELIGIBILITY.—

2 “(A) IN GENERAL.—Except as otherwise
3 provided in this paragraph, each local edu-
4 cational agency in a State other than Guam,
5 American Samoa, the Virgin Islands, and the
6 Commonwealth of the Northern Mariana Is-
7 lands, that is eligible for a grant under section
8 1124 for any fiscal year shall be eligible for an
9 additional grant under this section for that fis-
10 cal year if the number of children counted
11 under section 1124(c) with respect to the agen-
12 cy exceeds—

13 “(i) 6,500; or

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

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

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

24 “(ii) the average of—

1 “(I) one-quarter of 1 percent of
2 the amounts made available to carry
3 out this section for such fiscal year;
4 and

5 “(II) the greater of—

6 “(aa) \$340,000; or

7 “(bb) the number of children in
8 such State counted for purposes
9 of this section in that fiscal year
10 multiplied by 150 percent of the
11 national average per pupil pay-
12 ment made with funds available
13 under this section for that year.

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

18 “(A) the number of children counted under
19 section 1124(e) for that fiscal year; and

20 “(B) the quotient resulting from the divi-
21 sion of the amount determined for those agen-
22 cies under section 1124(a)(1) for the fiscal year
23 for which the determination is being made di-
24 vided by the total number of children counted

1 under section 1124(c) for that agency for that
2 fiscal year.

3 “(3) AMOUNT.—The amount of an additional
4 grant for which an eligible local educational agency
5 is eligible under this section for any fiscal year shall
6 be an amount that bears the same ratio to the
7 amount available to carry out this section for that
8 fiscal year as the product determined under para-
9 graph (2) for such local educational agency for that
10 fiscal year bears to the sum of such product for all
11 local educational agencies in the United States for
12 that fiscal year.

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

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

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

23 “(2) based on their respective concentrations
24 and numbers of children counted under section
25 1124(e), except that only those local educational

1 agencies with concentrations or numbers of children
2 counted under section 1124(c) that exceed the state-
3 wide average percentage of such children or the
4 statewide average number of such children shall re-
5 ceive any funds on the basis of this paragraph.”.

6 **SEC. 120. TARGETED GRANTS.**

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

9 **“SEC. 1125. TARGETED GRANTS TO LOCAL EDUCATIONAL**
10 **AGENCIES.**

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

21 “(b) **GRANTS FOR LOCAL EDUCATIONAL AGENCIES,**
22 **THE DISTRICT OF COLUMBIA, AND PUERTO RICO.**—

23 “(1) **IN GENERAL.**—The amount of a grant
24 that a local educational agency in a State or that the
25 District of Columbia is eligible to receive under this

1 section for any fiscal year shall be equal to the prod-
2 uct of—

3 “(A) the weighted child count determined
4 under subsection (c); and

5 “(B) the amount determined under section
6 1124(a)(1)(B).

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

13 “(c) WEIGHTED CHILD COUNT.—

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

18 “(A) the number of children determined
19 under section 1124(c) for that local educational
20 agency constituting up to 14.265 percent, inclu-
21 sive, of the agency’s total population ages 5 to
22 17, inclusive, multiplied by 1.0;

23 “(B) the number of such children consti-
24 tuting more than 14.265 percent, but not more

1 than 21.553 percent, of such population, multi-
2 plied by 1.75;

3 “(C) the number of such children consti-
4 tuting more than 21.553 percent, but not more
5 than 29.223 percent, of such population, multi-
6 plied by 2.5;

7 “(D) the number of such children consti-
8 tuting more than 29.223 percent, but not more
9 than 36.538 percent, of such population, multi-
10 plied by 3.25; and

11 “(E) the number of such children consti-
12 tuting more than 36.538 percent of such popu-
13 lation, multiplied by 4.0.

14 “(2) PUERTO RICO.—Notwithstanding subpara-
15 graph (A), the weighted child count for Puerto Rico
16 under this paragraph shall not be greater than the
17 total number of children counted under section
18 1124(e) multiplied by 1.72.

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

22 “(e) STATE MINIMUM.—Notwithstanding any other
23 provision of this section or section 1122, from the total
24 amount made available for any fiscal year to carry out

1 this section, each State shall be allotted at least the lesser
2 of—

3 “(1) 0.25 percent of the total amount of grants
4 awarded under this section; or

5 “(2) the average of—

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

9 “(B) 150 percent of the national average
10 grant under this section per child described in
11 section 1124(c), without application of a
12 weighting factor, multiplied by the State’s total
13 number of children described in section
14 1124(c), without application of a weighting fac-
15 tor.”.

16 **SEC. 121. SPECIAL ALLOCATION PROCEDURES.**

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

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

20 “(a) ALLOCATIONS FOR NEGLECTED CHILDREN.—

21 “(1) IN GENERAL.—If a State educational
22 agency determines that a local educational agency in
23 the State is unable or unwilling to provide for the
24 special educational needs of children who are living
25 in institutions for neglected children as described in

1 subparagraph (B) of section 1124(c)(1), the State
2 educational agency shall, if such agency assumes re-
3 sponsibility for the special educational needs of such
4 children, receive the portion of such local educational
5 agency's allocation under sections 1124, 1124A, and
6 1125 that is attributable to such children.

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

13 “(b) ALLOCATIONS AMONG LOCAL EDUCATIONAL
14 AGENCIES.—The State educational agency may allocate
15 the amounts of grants under sections 1124, 1124A, and
16 1125 among the affected local educational agencies—

17 “(1) if 2 or more local educational agencies
18 serve, in whole or in part, the same geographical
19 area;

20 “(2) if a local educational agency provides free
21 public education for children who reside in the
22 school district of another local educational agency;
23 or

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

4 “(c) REALLOCATION.—If a State educational agency
5 determines that the amount of a grant that a local edu-
6 cational agency would receive under sections 1124, 1124A,
7 and 1125 is more than such local agency will use, the
8 State educational agency shall make the excess amount
9 available to other local educational agencies in the State
10 that need additional funds in accordance with criteria es-
11 tablished by the State educational agency.”.

12 **PART B—EVEN START FAMILY LITERACY**

13 **PROGRAMS**

14 **SEC. 131. PROGRAM AUTHORIZED.**

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

16 (1) in paragraph (1), by striking “section
17 2260(b)(3)” and inserting “section 7005(c)”;

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

19 (3) in paragraph (3)—

20 (A) by striking “is defined” and inserting

21 “was defined”; and

22 (B) by inserting “as such section was in
23 effect on the day preceding the date of enact-
24 ment of the Education Reform Act” after
25 “2252”.

1 **SEC. 132. APPLICATIONS.**

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

6 **SEC. 133. RESEARCH.**

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

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

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

14 **SEC. 141. COMPREHENSIVE NEEDS ASSESSMENT AND SERV-**
15 **ICE-DELIVERY PLAN; AUTHORIZED ACTIVI-**
16 **TIES.**

17 Section 1306(a)(1) (20 U.S.C. 6369(a)(1)) is
18 amended—

19 (1) in subparagraph (A), by striking “the Goals
20 2000” and all that follows through the period and
21 inserting “or other Acts, as appropriate, consistent
22 with section 8305;”;

23 (2) in subparagraph (B), by striking “section
24 14302” and inserting “section 8302”; and

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

4 **PART D—PREVENTION AND INTERVENTION PRO-**
5 **GRAMS FOR CHILDREN AND YOUTH WHO**
6 **ARE NEGLECTED, DELINQUENT, OR AT RISK**
7 **OF DROPPING OUT**

8 **SEC. 151. STATE PLAN AND STATE AGENCY APPLICATIONS.**

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

10 (1) in subsection (a)(1), by striking “the Goals
11 2000” and all that follows through the period and
12 inserting “or other Acts, as appropriate, consistent
13 with section 8305.”; and

14 (2) in subsection (c)—

15 (A) in paragraph (6), by striking “section
16 14701” and inserting “section 8701”; and

17 (B) in paragraph (7), by striking “section
18 14501” and inserting “section 8501”.

19 **SEC. 152. USE OF FUNDS.**

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

1 **PART E—FEDERAL EVALUATIONS,**
2 **DEMONSTRATIONS, AND TRANSITION PROJECTS**
3 **SEC. 161. EVALUATIONS.**

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

5 (1) in subsection (a)(4)—

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

8 (B) by striking “January 1, 1999” and in-
9 serting “January 1, 2005”;

10 (2) in subsection (b)(1), by striking “December
11 31, 1997” and inserting “December 31, 2003”; and

12 (3) in subsection (e)(2), by striking “December
13 31, 1996” and inserting “December 31, 2002”.

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

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

17 **“SEC. 1502. COMPREHENSIVE SCHOOL REFORM.**

18 “(a) FINDINGS AND PURPOSE.—

19 “(1) FINDINGS.—Congress finds the following:

20 “(A) A number of schools across the coun-
21 try have shown impressive gains in student per-
22 formance through the use of comprehensive
23 models for schoolwide change that incorporate
24 virtually all aspects of school operations.

25 “(B) No single comprehensive school re-
26 form model may be suitable for every school,

1 however, schools should be encouraged to exam-
2 ine successful, externally developed comprehen-
3 sive school reform approaches as they under-
4 take comprehensive school reform.

5 “(C) Comprehensive school reform is an
6 important means by which children are assisted
7 in meeting challenging State student perform-
8 ance standards.

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

16 “(b) PROGRAM AUTHORIZED.—

17 “(1) IN GENERAL.—The Secretary is authorized
18 to provide grants to State educational agencies to
19 provide subgrants to local educational agencies to
20 carry out the purpose described in subsection (a)(2).

21 “(2) ALLOCATION.—

22 “(A) RESERVATION.—Of the amount ap-
23 propriated under this section, the Secretary
24 may reserve—

1 “(i) not more than 1 percent for
2 schools supported by the Bureau of Indian
3 Affairs and in the United States Virgin Is-
4 lands, Guam, American Samoa, and the
5 Commonwealth of the Northern Mariana
6 Islands; and

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

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

20 “(C) REALLOCATION.—If a State does not
21 apply for funds under this section, the Sec-
22 retary shall reallocate such funds to other
23 States that do apply in proportion to the
24 amount allocated to such States under subpara-
25 graph (B).

1 “(c) STATE AWARDS.—

2 “(1) STATE APPLICATION.—

3 “(A) IN GENERAL.—Each State edu-
4 cational agency that desires to receive a grant
5 under this section shall submit an application to
6 the Secretary at such time, in such manner and
7 containing such other information as the Sec-
8 retary may reasonably require.

9 “(B) CONTENTS.—Each State application
10 shall also describe—

11 “(i) the process and selection criteria
12 by which the State educational agency,
13 using expert review, will select local edu-
14 cational agencies to receive subgrants
15 under this section;

16 “(ii) how the agency will ensure that
17 only comprehensive school reforms that are
18 based on scientifically based research re-
19 ceive funds under this section;

20 “(iii) how the agency will disseminate
21 materials regarding information on com-
22 prehensive school reforms that are based
23 on scientifically based research;

24 “(iv) how the agency will evaluate the
25 implementation of such reforms and meas-

1 ure the extent to which the reforms re-
2 sulted in increased student academic per-
3 formance; and

4 “(v) how the agency will provide, upon
5 request, technical assistance to the local
6 educational agency in evaluating, devel-
7 oping, and implementing comprehensive
8 school reform.

9 “(2) USES OF FUNDS.—

10 “(A) IN GENERAL.—Except as provided in
11 subparagraph (E), a State educational agency
12 that receives an award under this section shall
13 use such funds to provide competitive grants to
14 local educational agencies receiving funds under
15 part A.

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

18 “(i) of sufficient size and scope to
19 support the initial costs for the particular
20 comprehensive school reform plan selected
21 or designed by each school identified in the
22 application of the local educational agency;

23 “(ii) in an amount not less than
24 \$50,000 to each participating school; and

1 “(iii) renewable for two additional 1-
2 year periods after the initial 1-year grant
3 is made if schools are making substantial
4 progress in the implementation of their re-
5 forms.

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

9 “(i) plan to use the funds in schools
10 identified as being in need of improvement
11 or corrective action under section 1116(c);
12 and

13 “(ii) demonstrate a commitment to
14 assist schools with budget allocation, pro-
15 fessional development, and other strategies
16 necessary to ensure the comprehensive
17 school reforms are properly implemented
18 and are sustained in the future.

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

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

6 “(F) SUPPLEMENT.—Funds made avail-
7 able under this section shall be used to supple-
8 ment, not supplant, any other Federal, State,
9 or local funds that would otherwise be available
10 to carry out this section.

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

19 “(d) LOCAL AWARDS.—

20 “(1) IN GENERAL.—Each local educational
21 agency that applies for a subgrant under this section
22 shall—

23 “(A) identify which schools eligible for
24 funds under part A plan to implement a com-

1 comprehensive school reform program, including the
2 projected costs of such a program;

3 “(B) describe the scientifically based com-
4 prehensive school reforms that such schools will
5 implement;

6 “(C) describe how the agency will provide
7 technical assistance and support for the effec-
8 tive implementation of the scientifically based
9 school reforms selected by such schools; and

10 “(D) describe how the agency will evaluate
11 the implementation of such reforms and meas-
12 ure the results achieved in improving student
13 academic performance.

14 “(2) COMPONENTS OF THE PROGRAM.—A local
15 educational agency that receives a subgrant award
16 under this section shall provide such funds to
17 schools that implement a comprehensive school re-
18 form program that—

19 “(A) employs innovative strategies and
20 proven methods for student learning, teaching,
21 and school management that are based on sci-
22 entifically based research and effective practices
23 and have been replicated successfully in schools
24 with diverse characteristics;

1 “(B) integrates a comprehensive design for
2 effective school functioning, including instruc-
3 tion, assessment, classroom management, pro-
4 fessional development, parental involvement,
5 and school management, that aligns the school’s
6 curriculum, technology, professional develop-
7 ment into a comprehensive reform plan for
8 schoolwide change designed to enable all stu-
9 dents to meet challenging State content and
10 challenging student performance standards and
11 addresses needs identified through a school
12 needs assessment;

13 “(C) provides high-quality and continuous
14 teacher and staff professional development;

15 “(D) includes measurable goals for student
16 performance and benchmarks for meeting such
17 goals;

18 “(E) is supported by teachers, principals,
19 administrators, and other professional staff;

20 “(F) provides for the meaningful involve-
21 ment of parents and the local community in
22 planning and implementing school improvement
23 activities;

24 “(G) uses high quality external technical
25 support and assistance from an entity, which

1 may be an institution of higher education, with
2 experience and expertise in schoolwide reform
3 and improvement;

4 “(H) includes a plan for the evaluation of
5 the implementation of school reforms and the
6 student results achieved; and

7 “(I) identifies how other resources, includ-
8 ing Federal, State, local, and private resources,
9 available to the school will be used to coordinate
10 services to support and sustain the school re-
11 form effort.

12 “(3) SPECIAL RULE.—A school that receives
13 funds to develop a comprehensive school reform pro-
14 gram shall not be limited to using the approaches
15 identified or developed by the Department of Edu-
16 cation, but may develop its own comprehensive
17 school reform programs for schoolwide change that
18 comply with paragraph (2).

19 “(e) EVALUATION AND REPORT.—

20 “(1) IN GENERAL.—The Secretary shall develop
21 a plan for a national evaluation of the programs de-
22 veloped pursuant to this section.

23 “(2) EVALUATION.—This national evaluation
24 shall evaluate the implementation and results
25 achieved by schools after 3 years of implementing

1 comprehensive school reforms, and assess the effective-
2 tiveness of comprehensive school reforms in schools
3 with diverse characteristics.

4 “(3) REPORTS.—Prior to the completion of a
5 national evaluation, the Secretary shall submit an
6 interim report outlining first year implementation
7 activities to the Committees on Education and the
8 Workforce and Appropriations of the House of Rep-
9 resentatives and the Committees on Health, Edu-
10 cation, Labor, and Pensions and Appropriations of
11 the Senate.

12 “(f) DEFINITION.—The term ‘scientifically based
13 research’—

14 “(1) means the application of rigorous, system-
15 atic, and objective procedures in the development of
16 comprehensive school reform models; and

17 “(2) shall include research that—

18 “(A) employs systematic, empirical meth-
19 ods that draw on observation or experiment;

20 “(B) involves rigorous data analyses that
21 are adequate to test the stated hypotheses and
22 justify the general conclusions drawn;

23 “(C) relies on measurements or observa-
24 tional methods that provide valid data across

1 evaluators and observers and across multiple
2 measurements and observations; and

3 “(D) has been accepted by a peer-reviewed
4 journal or approved by a panel of independent
5 experts through a comparably rigorous, objec-
6 tive, and scientific review.

7 “(g) AUTHORIZATION OF APPROPRIATIONS.—Funds
8 appropriated for any fiscal year under section 1002(f)
9 shall be used for carrying out the activities under this sec-
10 tion.”.

11 **PART F—RURAL EDUCATION DEVELOPMENT**

12 **INITIATIVE**

13 **SEC. 171. RURAL EDUCATION DEVELOPMENT INITIATIVE.**

14 Title I (20 U.S.C. 6301 et seq.) is amended—

15 (1) by redesignating part F (20 U.S.C. 6511 et
16 seq.) as part G;

17 (2) by redesignating sections 1601 through
18 1604 (20 U.S.C. 6511, 6514) as sections 1701
19 through 1704, respectively, and by redesignating ac-
20 cordingly the references to such sections in part G
21 (as so redesignated); and

22 (3) by inserting after part E (20 U.S.C. 6491
23 et seq.) the following:

1 **“PART F—RURAL EDUCATION DEVELOPMENT**
2 **INITIATIVE**

3 **“SEC. 1601. FINDINGS.**

4 “Congress makes the following findings:

5 “(1) The National Center for Educational Sta-
6 tistics reports that 46 percent of our Nation’s public
7 elementary schools and secondary schools serve rural
8 areas.

9 “(2) While there are rural education initiatives
10 identified at the State and local level, no Federal
11 education policy focuses on the specific and unique
12 needs of rural school districts and schools, especially
13 those that serve poor students.

14 “(3) A critical problem for rural school districts
15 involves the hiring and retention of qualified admin-
16 istrators and certified teachers, especially in science
17 and mathematics. Consequently, teachers in rural
18 schools are almost twice as likely to provide instruc-
19 tion in 3 or more subject areas than teachers in
20 urban schools. Rural schools also face other tough
21 challenges, such as shrinking local tax bases, high
22 transportation costs, aging buildings, limited course
23 offerings, and limited resources.

24 “(4) Data from the National Assessment of
25 Educational Progress (NAEP) consistently shows
26 large gaps between the achievement of students in

1 high poverty schools and those in other schools.
2 High-poverty schools will face special challenges in
3 preparing their students to reach high standards of
4 performance on State and national assessments.

5 **“SEC. 1602. DEFINITIONS.**

6 “In this part:

7 “(1) ELIGIBLE LOCAL EDUCATIONAL AGEN-
8 CY.—The term ‘eligible local educational agency’
9 means a local educational agency that serves—

10 “(A) a school-age population, not less than
11 15 percent of which consists of students from
12 families with incomes below the poverty line;
13 and

14 “(B)(i) a rural locality; or

15 “(ii) a school-age population of not more
16 than 800 students.

17 “(2) METROPOLITAN AREA.—The term ‘metro-
18 politan area’ means an area defined as such by the
19 Secretary of Commerce.

20 “(3) POVERTY LINE.—The term ‘poverty line’
21 means the poverty line (as defined by the Office of
22 Management and Budget, and revised annually in
23 accordance with section 673(2) of the Community
24 Services Block Grant Act (42 U.S.C. 9902(2))) ap-
25 plicable to a family of the size involved.

1 “(4) RURAL LOCALITY.—The term ‘rural local-
2 ity’ means a locality that is not within a metropoli-
3 tan area.

4 “(5) STATE.—The term ‘State’ means each of
5 the several States of the United States, the District
6 of Columbia, and the Commonwealth of Puerto Rico.

7 “(6) SCHOOL AGE POPULATION.—The term
8 ‘school age population’ means the number of stu-
9 dents aged 5 through 17.

10 **“SEC. 1603. PROGRAM AUTHORIZED.**

11 “(a) GRANTS AUTHORIZED.—The Secretary shall
12 award grants, from allotments under subsection (b)(2), to
13 each State having an application approved under section
14 1604 to enable the State educational agency to award
15 grants to eligible local educational agencies to carry out
16 local authorized activities described in section 1605(b).

17 “(b) RESERVATION AND ALLOTMENTS.—

18 “(1) RESERVATION.—From amounts appro-
19 priated under section 1608 for each fiscal year, the
20 Secretary shall reserve $\frac{1}{2}$ of 1 percent of such
21 amount for payments to the Secretary of the Inte-
22 rior for activities approved by the Secretary, con-
23 sistent with this subpart, in elementary schools and
24 secondary schools operated or supported by the Bu-

1 reau of Indian Affairs, on the basis of their respec-
2 tive needs for assistance under this part.

3 “(2) ALLOTMENTS.—

4 “(A) IN GENERAL.—From the amounts
5 appropriated under section 1608 for each fiscal
6 year that remain after making the reservation
7 under paragraph (1), the Secretary shall allot
8 to each State having an application approved
9 under section 1604 an amount that bears the
10 same relationship to the remainder as the
11 school age population served by eligible local
12 educational agencies in the State bears to the
13 school age population served by eligible local
14 educational agencies in all States.

15 “(B) DATA.—In determining the school
16 age population under subparagraph (A), the
17 Secretary shall use the most recent data avail-
18 able from the Bureau of the Census.

19 “(c) DIRECT AWARDS TO ELIGIBLE LOCAL EDU-
20 CATIONAL AGENCIES.—

21 “(1) NONPARTICIPATING STATE.—If a State
22 educational agency for a fiscal year elects not to par-
23 ticipate in a program under this section, or does not
24 have an application approved under section 1604, an
25 eligible local educational agency in such State desir-

1 ing a grant under this part for the fiscal year shall
2 apply directly to the Secretary to receive a grant
3 under this subsection.

4 “(2) DIRECT AWARDS.—The Secretary may
5 award, on a competitive basis, the amount the State
6 educational agency is eligible to receive under sub-
7 section (b)(2) directly to eligible local educational
8 agencies in the State desiring a grant under para-
9 graph (1).

10 “(3) ADMINISTRATIVE FUNDS.—An eligible
11 local educational agency that receives a direct grant
12 under this subsection may use not more than 1 per-
13 cent of the grant funds for the administrative costs
14 of carrying out this part in the first year the agency
15 receives a grant under this subsection and 0.5 per-
16 cent for such costs in the second and each suc-
17 ceeding such year.

18 “(d) RELATION TO OTHER FEDERAL FUNDING.—
19 Funds received under this part by a State educational
20 agency or an eligible local educational agency shall not be
21 taken into consideration in determining the eligibility for,
22 or amount of, any other Federal funding awarded to such
23 agencies.

1 **“SEC. 1604. APPLICATIONS.**

2 “(a) IN GENERAL.—Each State educational agency
3 desiring a grant under section 1603 and eligible local edu-
4 cational agency desiring a grant under section 1603(c)
5 shall submit an application to the Secretary at such time,
6 in such manner, and accompanied by such information as
7 the Secretary may require.

8 “(b) CONTENTS.—Each application submitted under
9 subsection (a) shall—

10 “(1) specify annual, measurable performance
11 goals and objectives, at a minimum, with respect
12 to—

13 “(A) increased student academic achieve-
14 ment;

15 “(B) decreased gaps in achievement be-
16 tween minority and non-minority students, and
17 between economically disadvantaged and non-
18 economically disadvantaged students; and

19 “(C) other factors that the State edu-
20 cational agency or eligible local educational
21 agency may choose to measure;

22 “(2) describe how the State educational agency
23 or eligible local educational agency will hold local
24 educational agencies and elementary schools or sec-
25 ondary schools receiving funds under this part ac-

1 countable for meeting the annual, measurable goals
2 and objectives;

3 “(3) describe how the State educational agency
4 or eligible local educational agency will provide tech-
5 nical assistance for a local educational agency, an el-
6 ementary school, or a secondary school that does not
7 meet the annual, measurable goals and objectives;
8 and

9 “(4) describe how the State educational agency
10 or eligible local educational agency will take action
11 against a local educational agency, an elementary
12 school, or a secondary school, if the local educational
13 agency or school fails, over 2 consecutive years, to
14 meet the annual, measurable goals and objectives.

15 **“SEC. 1605. WITHIN-STATE ALLOCATIONS.**

16 “(a) ALLOCATIONS.—A State educational agency
17 shall award grants under this part to eligible local edu-
18 cational agencies within the State according to a formula
19 developed by the State educational agency and approved
20 by the Secretary.

21 “(b) USES OF FUNDS.—Grant funds awarded to eli-
22 gible local educational agencies or made available to ele-
23 mentary schools and secondary schools under this section
24 shall be used for—

1 “(1) educational technology, including software
2 and hardware;

3 “(2) professional development;

4 “(3) technical assistance;

5 “(4) recruitment and retention of fully qualified
6 teachers, as defined in title II, and highly qualified
7 principals;

8 “(5) parental involvement activities; or

9 “(6) academic enrichment or other education
10 programs.

11 “(c) RESERVATION OF ADMINISTRATIVE FUNDS.—

12 “(1) FIRST YEAR.—For the first year that a
13 State educational agency receives a grant under this
14 part, the agency—

15 “(A) shall use not less than 99 percent of
16 the grant funds to award grants to eligible local
17 educational agencies in the State; and

18 “(B) may use not more than 1 percent for
19 State activities and the administrative costs of
20 carrying out this part.

21 “(2) SUCCEEDING YEARS.—For the second and
22 each succeeding year that a State educational agen-
23 cy receives a grant under this part, the agency—

1 “(A) shall use not less than 99.5 percent
2 of the grant funds to award grants to eligible
3 local educational agencies in the State; and

4 “(B) may use not more than 0.5 percent of
5 the grant funds for State activities and the ad-
6 ministrative costs of carrying out this part.

7 **“SEC. 1606. ACCOUNTABILITY.**

8 The Secretary, at the end of the third year that a
9 State educational agency or an eligible local educational
10 agency receiving a direct award under section 1603(c) par-
11 ticipates in the program under this part, shall permit only
12 those State educational agencies and eligible local edu-
13 cational agencies that meet their annual, measurable goals
14 and objectives for 2 consecutive years to receive grant
15 funds for the fourth or fifth fiscal years of the program
16 under this part.

17 **“SEC. 1607. REPORTS.**

18 “(a) STATE REPORTS.—Each State educational
19 agency that receives a grant under this part shall provide
20 an annual report to the Secretary. The report shall
21 describe—

22 “(1) the method the State educational agency
23 used to award grants to eligible local educational
24 agencies and to provide assistance to elementary
25 schools and secondary schools under this part;

1 “(2) how eligible local educational agencies and
2 elementary schools and secondary schools within the
3 State used the grant funds provided under this part;
4 and

5 “(3) the degree to which progress has been
6 made toward meeting the annual, measurable goals
7 and objectives described in the State application.

8 “(b) REPORTS FROM ELIGIBLE LOCAL EDU-
9 CATIONAL AGENCIES.—Each eligible local educational
10 agency receiving a grant under section 1603(c) shall pro-
11 vide an annual report to the Secretary. Such report shall
12 describe—

13 “(1) how such agency used the grant funds pro-
14 vided under this part;

15 “(2) the degree to which progress has been
16 made toward meeting the annual, measurable goals
17 and objectives described in the eligible local edu-
18 cational agency’s application; and

19 “(3) how the local educational agency coordi-
20 nated funds received under this part with other Fed-
21 eral, State, and local funds.

22 “(c) REPORT TO CONGRESS.—The Secretary shall
23 prepare and submit to Congress an annual report setting
24 forth the information provided to the Secretary pursuant
25 to subsections (a) and (b).

1 “(d) STUDY.—The Comptroller General of the United
 2 States shall conduct a study regarding the impact of as-
 3 sistance provided under this part on student achievement,
 4 and shall submit such study to Congress.

5 **“SEC. 1608. AUTHORIZATION OF APPROPRIATIONS.**

6 “‘There are authorized to be appropriated to carry out
 7 this part \$200,000,000 for fiscal year 2002 and such sums
 8 as may be necessary for each of the 4 succeeding fiscal
 9 years.’”.

10 **PART G—GENERAL PROVISIONS**

11 **SEC. 181. FEDERAL REGULATIONS.**

12 Section 1701(b)(4) (20 U.S.C. 6511(b)(4)) (as reded-
 13 igned by section 161(2)) is amended by striking “July
 14 1, 1995” and inserting “May 1, 2000”.

15 **SEC. 182. STATE ADMINISTRATION.**

16 Section 1703 (20 U.S.C. 6513) (as redesignated by
 17 section 161(2)) is amended by striking subsection (c).

18 **TITLE II—TEACHER AND PRIN-**
 19 **CIPAL QUALITY, PROFES-**
 20 **SIONAL DEVELOPMENT, AND**
 21 **CLASS SIZE**

22 **SEC. 201. TEACHER AND PRINCIPAL QUALITY, PROFES-**
 23 **SIONAL DEVELOPMENT, AND CLASS SIZE.**

24 Title II (20 U.S.C. 6601 et seq.) is amended to read
 25 as follows:

1 **“TITLE II—TEACHER AND PRIN-**
2 **CIPAL QUALITY, PROFES-**
3 **SIONAL DEVELOPMENT, AND**
4 **CLASS SIZE**

5 **“SEC. 2001. PURPOSE.**

6 “The purpose of this title is to provide grants to
7 State educational agencies and local educational agencies
8 in order to assist their efforts to increase student academic
9 achievement through such strategies as improving teacher
10 and principal quality, increasing professional development,
11 and decreasing class size.

12 **“SEC. 2002. DEFINITIONS.**

13 “In this title:

14 “(1) FULLY QUALIFIED.—The term ‘fully quali-
15 fied’ means—

16 “(A) in the case of an elementary school
17 teacher (other than a teacher teaching in a pub-
18 lic charter school), a teacher who, at a
19 minimum—

20 “(i) has obtained State certification
21 (which may include certification obtained
22 through alternative means), or a State li-
23 cense, to teach in the State in which the
24 teacher teaches;

1 “(ii) holds a bachelor’s degree from
2 an institution of higher education; and

3 “(iii) demonstrates subject matter
4 knowledge, teaching knowledge, and the
5 teaching skills required to teach effectively
6 reading, writing, mathematics, science, so-
7 cial studies, and other elements of a liberal
8 arts education; and

9 “(B) in the case of a secondary school
10 teacher (other than a teacher teaching in a pub-
11 lic charter school), a teacher who, at a
12 minimum—

13 “(i) has obtained State certification
14 (which may include certification obtained
15 through alternative means), or a State li-
16 cense, to teach in the State in which the
17 teacher teaches;

18 “(ii) holds a bachelor’s degree from
19 an institution of higher education; and

20 “(iii) demonstrates a high level of
21 competence in all subject areas in which
22 the teacher teaches through—

23 “(I) completion of an academic
24 major (or courses totaling an equiva-
25 lent number of credit hours) in each

1 of the subject areas in which the
2 teacher provides instruction;

3 “(II) achievement of a high level
4 of performance in other professional
5 employment experience in subject
6 areas relevant to the subject areas in
7 which the teacher provides instruc-
8 tion; or

9 “(III) achievement of a high level
10 of performance on rigorous academic
11 subject area tests administered by the
12 State in which the teacher teaches.

13 “(2) INSTITUTION OF HIGHER EDUCATION.—
14 The term ‘institution of higher education’ means an
15 institution of higher education, as defined in section
16 101 of the Higher Education Act of 1965, that—

17 “(A) has not been identified as low per-
18 forming under section 208 of the Higher Edu-
19 cation Act of 1965; and

20 “(B) is in full compliance with the public
21 reporting requirements described in section 207
22 of the Higher Education Act of 1965.

23 “(3) OUTLYING AREA.—The term ‘outlying
24 area’ means the United States Virgin Islands,

1 Guam, American Samoa, and the Commonwealth of
2 the Northern Mariana Islands.

3 “(4) POVERTY LINE.—The term ‘poverty line’
4 means the poverty line (as defined by the Office of
5 Management and Budget, and revised annually in
6 accordance with section 673(2) of the Community
7 Services Block Grant Act) applicable to a family of
8 the size involved, for the most recent year.

9 “(5) SCHOOL-AGE POPULATION.—The term
10 ‘school-age population’ means the population aged 5
11 through 17, as determined on the basis of the most
12 recent satisfactory data.

13 “(6) STATE.—The term ‘State’ means each of
14 the several States in the United States, the District
15 of Columbia, and the Commonwealth of Puerto Rico.

16 **“PART A—TEACHER AND PRINCIPAL QUALITY**
17 **AND PROFESSIONAL DEVELOPMENT**

18 **“SEC. 2011. PROGRAM AUTHORIZED.**

19 “(a) GRANTS AUTHORIZED.—The Secretary shall
20 award a grant, from allotments made under subsection
21 (b), to each State having a State plan approved under sec-
22 tion 2013, to enable the State to raise the quality of, and
23 provide professional development opportunities for, public
24 elementary school and secondary school teachers, prin-
25 cipals, and administrators.

1 “(b) RESERVATIONS AND ALLOTMENTS.—

2 “(1) RESERVATIONS.—From the amount appro-
3 priated under section 2023 to carry out this part for
4 each fiscal year, the Secretary shall reserve—

5 “(A) $\frac{1}{2}$ of 1 percent of such amount for
6 payments to the Bureau of Indian Affairs for
7 activities, approved by the Secretary, consistent
8 with this part;

9 “(B) $\frac{1}{2}$ of 1 percent of such amount for
10 payments to outlying areas, to be allotted in ac-
11 cordance with their respective needs as deter-
12 mined by the Secretary, for activities, approved
13 by the Secretary, consistent with this part; and

14 “(C) such sums as may be necessary to
15 continue to support any multiyear partnership
16 program award made under parts A, C, and D
17 (as such parts were in effect on the day pre-
18 ceding the date of enactment of the Education
19 Reform Act) until the termination of the
20 multiyear award.

21 “(2) STATE ALLOTMENTS.—From the amount
22 appropriated under section 2023 for a fiscal year
23 and remaining after the Secretary makes reserva-
24 tions under paragraph (1), the Secretary shall allot

1 to each State having a State plan approved under
2 section 2013 the sum of—

3 “(A) an amount that bears the same rela-
4 tionship to 50 percent of the remainder as the
5 school-age population from families with in-
6 comes below the poverty line in the State bears
7 to the school-age population from families with
8 incomes below the poverty line in all States; and

9 “(B) an amount that bears the same rela-
10 tionship to 50 percent of the remainder as the
11 school-age population in the State bears to the
12 school-age population in all States.

13 “(c) STATE MINIMUM.—For any fiscal year, no State
14 shall be allotted under this section an amount that is less
15 than $\frac{1}{2}$ of 1 percent of the total amount allotted to all
16 States under subsection (b)(2).

17 “(d) HOLD-HARMLESS AMOUNTS.—For fiscal year
18 2002, notwithstanding subsection (b)(2), the amount al-
19 lotted to each State under this section shall be not less
20 than 100 percent of the total amount the State was allot-
21 ted under part B (as such part was in effect on the day
22 preceding the date of enactment of the Education Reform
23 Act) for the preceding fiscal year.

24 “(e) RATABLE REDUCTIONS.—If the sums made
25 available under subsection (b)(2) for any fiscal year are

1 insufficient to pay the full amounts that all States are eli-
2 gible to receive under subsection (d) for such year, the
3 Secretary shall ratably reduce such amounts for such year.

4 **“SEC. 2012. WITHIN STATE ALLOCATION.**

5 “(a) IN GENERAL.—Each State educational agency
6 for a State receiving a grant under section 2011(a) shall—

7 “(1) set aside 10 percent of the grant funds to
8 award educator partnership grants under section
9 2021;

10 “(2) set aside not more than 5 percent of the
11 grant funds to carry out activities described the
12 State plan submitted under section 2013; and

13 “(3) using the remaining 85 percent of the
14 grant funds, make subgrants by allocating to each
15 local educational agency in the State the sum of—

16 “(A) an amount that bears the same rela-
17 tionship to 60 percent of the remainder as the
18 school-age population from families with in-
19 comes below the poverty line in the area served
20 by the local educational agency bears to the
21 school-age population from families with in-
22 comes below the poverty line in the area served
23 by all local educational agencies in the State;
24 and

1 “(B) an amount that bears the same rela-
2 tionship to 40 percent of the remainder as the
3 school-age population in the area served by the
4 local educational agency bears to the school-age
5 population in the area served by all local edu-
6 cational agencies in the State.

7 “(b) HOLD-HARMLESS AMOUNTS.—

8 “(1) FISCAL YEAR 2002.—For fiscal year 2002,
9 notwithstanding subsection (a), the amount allocated
10 to each local educational agency under this section
11 shall be not less than 100 percent of the total
12 amount the local educational agency was allocated
13 under this title (as in effect on the day preceding the
14 date of enactment of the Education Reform Act) for
15 fiscal year 2001.

16 “(2) FISCAL YEAR 2003.—For fiscal year 2003,
17 notwithstanding subsection (a), the amount allocated
18 to each local educational agency under this section
19 shall be not less than 85 percent of the amount allo-
20 cated to the local educational agency under this sec-
21 tion for fiscal year 2002.

22 “(3) FISCAL YEARS 2004–2006.—For each of fis-
23 cal years 2004 through 2006, notwithstanding sub-
24 section (a), the amount allocated to each local edu-
25 cational agency under this section shall be not less

1 than 70 percent of the amount allocated to the local
2 educational agency under this section for the pre-
3 vious fiscal year.

4 “(c) RATABLE REDUCTIONS.—If the sums made
5 available under subsection (a)(3) for any fiscal year are
6 insufficient to pay the full amounts that all local edu-
7 cational agencies are eligible to receive under subsection
8 (b) for such year, the State educational agency shall rat-
9 ably reduce such amounts for such year.

10 **“SEC. 2013. STATE PLANS.**

11 “(a) PLAN REQUIRED.—

12 “(1) COMPREHENSIVE STATE PLAN.—The enti-
13 ty or agency responsible for teacher certification or
14 licensing under the laws of the State desiring a
15 grant under this part shall submit a State plan to
16 the Secretary at such time, in such manner, and ac-
17 companied by such information as the Secretary may
18 require. If the State educational agency is not the
19 entity or agency designated under the laws of the
20 State as responsible for teacher certification or li-
21 censing in the State, then the plan shall be devel-
22 oped in consultation with the State educational
23 agency. The entity or agency shall provide annual
24 evidence of such consultation to the Secretary.

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

4 “(b) CONTENTS.—Each plan submitted under sub-
5 section (a) shall—

6 “(1) describe how the State is taking reasonable
7 steps to—

8 “(A) reform teacher certification, recertifi-
9 cation, or licensure requirements to ensure
10 that—

11 “(i) teachers have the necessary
12 teaching skills and academic content
13 knowledge in the academic subjects in
14 which the teachers are assigned to teach;

15 “(ii) such requirements are aligned
16 with the challenging State content stand-
17 ards;

18 “(iii) teachers have the knowledge and
19 skills necessary to help students meet the
20 challenging State student performance
21 standards;

22 “(iv) such requirements take into ac-
23 count the need, as determined by the
24 State, for greater access to, and participa-
25 tion in, the teaching profession by individ-

1 uals from historically underrepresented
2 groups; and

3 “(v) teachers have the necessary tech-
4 nological skills to integrate more effectively
5 technology in the teaching of content re-
6 quired by State and local standards in all
7 academic subjects in which the teachers
8 provide instruction;

9 “(B) develop and implement rigorous test-
10 ing procedures for teachers, as required in sec-
11 tion 2002(1)(A), to ensure that new teachers
12 have teaching skills and academic content
13 knowledge necessary to teach effectively the
14 content called for by State and local standards
15 in all academic subjects in which the teachers
16 provide instruction;

17 “(C) establish, expand, or improve alter-
18 native routes to State certification of teachers,
19 especially in the areas of mathematics and
20 science, for highly qualified individuals with a
21 baccalaureate degree, including mid-career pro-
22 fessionals from other occupations, paraprofes-
23 sionals, former military personnel, and recent
24 college or university graduates who have
25 records of academic distinction and who dem-

1 onstrate the potential to become highly effective
2 teachers;

3 “(D) reduce emergency teacher certifi-
4 cation;

5 “(E) develop and implement effective pro-
6 grams, and provide financial assistance, to as-
7 sist local educational agencies, elementary
8 schools, and secondary schools in effectively re-
9 cruiting and retaining fully qualified teachers
10 and principals, particularly in schools that have
11 the lowest proportion of fully qualified teachers
12 or the highest proportion of low-performing stu-
13 dents;

14 “(F) provide professional development pro-
15 grams that meet the requirements described in
16 section 2019;

17 “(G) provide programs that are designed
18 to assist new teachers during their first 3 years
19 of teaching, such as mentoring programs that—

20 “(i) provide mentoring to new teach-
21 ers from veteran teachers with expertise in
22 the same subject matter as the new teach-
23 ers are teaching;

24 “(ii) provide mentors time for activi-
25 ties such as coaching, observing, and as-

1 sisting teachers who are being mentored;
2 and

3 “(iii) use standards or assessments
4 that are consistent with the State’s student
5 performance standards and the require-
6 ments for professional development activi-
7 ties described in section 2019 in order to
8 guide the new teachers;

9 “(H) provide technical assistance to local
10 educational agencies in developing and imple-
11 menting activities described in section 2018;
12 and

13 “(I) ensure that programs in core aca-
14 demic subjects, particularly in mathematics and
15 science, will take into account the need for
16 greater access to, and participation in, such
17 core academic subjects by students from histori-
18 cally underrepresented groups, including fe-
19 males, minorities, individuals with limited
20 English proficiency, the economically disadvan-
21 taged, and individuals with disabilities, by in-
22 corporating pedagogical strategies and tech-
23 niques that meet such students’ educational
24 needs;

1 “(2) describe the activities for which assistance
2 is sought under the grant, and how such activities
3 will improve students’ academic achievement and
4 close academic achievement gaps of low-income, mi-
5 nority, and limited English proficient students;

6 “(3) describe how the State will establish an-
7 nual numerical performance objectives under section
8 2014 for improving the qualifications of teachers
9 and the professional development of teachers, prin-
10 cipals, and administrators;

11 “(4) contain an assurance that the State con-
12 sulted with local educational agencies, education-re-
13 lated community groups, nonprofit organizations,
14 parents, teachers, school administrators, local school
15 boards, institutions of higher education in the State,
16 and content specialists in establishing the perform-
17 ance objectives described in section 2014;

18 “(5) describe how the State will hold local edu-
19 cational agencies, elementary schools, and secondary
20 schools accountable for meeting the performance ob-
21 jectives described in section 2014 and for reporting
22 annually on the local educational agencies’ and
23 schools’ progress in meeting the performance objec-
24 tives;

1 “(6) describe how the State will ensure that a
2 local educational agency receiving a subgrant under
3 section 2012 will comply with the requirements of
4 this part;

5 “(7) provide an assurance that the State will
6 require each local educational agency, elementary
7 school, or secondary school receiving funds under
8 this part to report publicly the local educational
9 agency’s or school’s annual progress with respect to
10 the performance objectives described in section
11 2014; and

12 “(8) describe how the State will coordinate pro-
13 fessional development activities authorized under
14 this part with professional development activities
15 provided under other Federal, State, and local pro-
16 grams, including programs authorized under titles I
17 and III and, where appropriate, the Individuals with
18 Disabilities Education Act and the Carl D. Perkins
19 Vocational and Technical Education Act of 1998.

20 “(c) SECRETARY APPROVAL.—The Secretary shall,
21 using a peer review process, approve a State plan if the
22 plan meets the requirements of this section.

23 “(d) DURATION OF THE PLAN.—

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

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

3 “(B) be periodically reviewed and revised
4 by the State, as necessary, to reflect changes to
5 the State’s strategies and programs carried out
6 under this part.

7 “(2) **ADDITIONAL INFORMATION.**—If a State
8 receiving a grant under this part makes significant
9 changes to the State plan, such as the adoption of
10 new performance objectives, the State shall submit
11 information regarding the significant changes to the
12 Secretary.

13 **“SEC. 2014. PERFORMANCE OBJECTIVES.**

14 “(a) **IN GENERAL.**—Each State receiving a grant
15 under this part shall establish annual numerical perform-
16 ance objectives with respect to progress in improving the
17 qualifications of teachers and the professional development
18 of teachers, principals, and administrators. For each an-
19 nual numerical performance objective established, the
20 State shall specify an incremental percentage increase for
21 the objective to be attained for each of the fiscal years
22 for which the State receives a grant under this part, rel-
23 ative to the preceding fiscal year.

24 “(b) **REQUIRED OBJECTIVES.**—At a minimum, the
25 annual numerical performance objectives described in sub-

1 section (a) shall include an incremental increase in the
2 percentage of—

3 “(1) classes in core academic subjects that are
4 being taught by fully qualified teachers;

5 “(2) new teachers and principals receiving pro-
6 fessional development support, including mentoring
7 for teachers, during the teachers’ first 3 years of
8 teaching;

9 “(3) teachers, principals, and administrators
10 participating in high quality professional develop-
11 ment programs that are consistent with section
12 2019; and

13 “(4) fully qualified teachers teaching in the
14 State, to ensure that all teachers teaching in such
15 State are fully qualified by December 31, 2006.

16 “(c) REQUIREMENT FOR FULLY QUALIFIED TEACH-
17 ERS.—Each State receiving a grant under this part shall
18 ensure that all public elementary school and secondary
19 school teachers in the State are fully qualified not later
20 than December 31, 2005.

21 “(d) ACCOUNTABILITY.—

22 “(1) IN GENERAL.—Each State receiving a
23 grant under this part shall be held accountable for—

24 “(A) meeting the State’s annual numerical
25 performance objectives; and

1 “(B) meeting the reporting requirements
2 described in section 4401.

3 “(2) SANCTIONS.—Any State that fails to meet
4 the requirement described in paragraph (1)(A) shall
5 be subject to sanctions under section 7001.

6 “(e) COORDINATION.—Each State that receives a
7 grant under this part and a grant under section 202 of
8 the Higher Education Act of 1965 shall coordinate the
9 activities the State carries out under such section 202 with
10 the activities the State carries out under this section.

11 **“SEC. 2015. OPTIONAL ACTIVITIES.**

12 “Each State receiving a grant under section 2011(a)
13 may use the grant funds—

14 “(1) to develop and implement a system to
15 measure the effectiveness of specific professional de-
16 velopment programs and strategies;

17 “(2) to increase the portability of teacher pen-
18 sions and reciprocity of teaching certification or li-
19 censure among States, except that no reciprocity
20 agreement developed under this section may lead to
21 the weakening of any State teacher certification or
22 licensing requirement;

23 “(3) to develop or assist local educational agen-
24 cies in the development and utilization of proven, in-
25 novative strategies to deliver intensive professional

1 development programs that are cost effective and
2 easily accessible, such as programs offered through
3 the use of technology and distance learning;

4 “(4) to provide assistance to local educational
5 agencies for the development and implementation of
6 innovative professional development programs that
7 train teachers to use technology to improve teaching
8 and learning and that are consistent with the re-
9 quirements of section 2019;

10 “(5) to provide professional development to en-
11 able teachers to ensure that female students, minor-
12 ity students, limited English proficient students, stu-
13 dents with disabilities, and economically disadvan-
14 taged students have the full opportunity to achieve
15 challenging State content and performance stand-
16 ards in the core academic subjects;

17 “(6) to increase the number of women, minori-
18 ties, and individuals with disabilities who teach in
19 the State and who are fully qualified and provide in-
20 struction in core academic subjects in which such in-
21 dividuals are underrepresented; and

22 “(7) to increase the number of highly qualified
23 women, minorities, and individuals from other
24 underrepresented groups who are involved in the ad-

1 ministration of elementary schools and secondary
2 schools within the State.

3 **“SEC. 2016. STATE ADMINISTRATIVE EXPENSES.**

4 “Each State receiving a grant under section 2011(a)
5 may use not more than 5 percent of the amount set aside
6 in section 2012(a)(2) for the cost of—

7 “(1) planning and administering the activities
8 described in section 2013(b); and

9 “(2) making subgrants to local educational
10 agencies under section 2012.

11 **“SEC. 2017. LOCAL PLANS.**

12 “(a) IN GENERAL.—Each local educational agency
13 desiring a grant from the State under section 2012(a)(3)
14 shall submit a local plan to the State educational agency—

15 “(1) at such time, in such manner, and accom-
16 panied by such information as the State educational
17 agency may require; and

18 “(2) that describes how the local educational
19 agency will coordinate the activities for which assist-
20 ance is sought under this part with other programs
21 carried out under this Act, or other Acts, as appro-
22 priate.

23 “(b) LOCAL PLAN CONTENTS.—The local plan de-
24 scribed in subsection (a) shall, at a minimum—

1 “(1) describe how the local educational agency
2 will use the grant funds to meet the State perform-
3 ance objectives for teacher qualifications and profes-
4 sional development described in section 2014;

5 “(2) describe how the local educational agency
6 will hold elementary schools and secondary schools
7 accountable for meeting the requirements described
8 in this part;

9 “(3) contain an assurance that the local edu-
10 cational agency will target funds to elementary
11 schools and secondary schools served by the local
12 educational agency that—

13 “(A) have the lowest proportion of fully
14 qualified teachers; and

15 “(B) are identified for school improvement
16 under section 1116;

17 “(4) describe how the local educational agency
18 will coordinate professional development activities
19 authorized under section 2018(a) with professional
20 development activities provided through other Fed-
21 eral, State, and local programs, including those au-
22 thorized under titles I and III and, where applicable,
23 the Individuals with Disabilities Education Act and
24 the Carl D. Perkins Vocational and Technical Edu-
25 cation Act of 1998; and

1 “(5) describe how the local educational agency
2 has collaborated with teachers, principals, parents,
3 and administrators in the preparation of the local
4 plan.

5 **“SEC. 2018. LOCAL ACTIVITIES.**

6 “(a) IN GENERAL.—Each local educational agency
7 receiving a grant under section 2012(a)(3) shall use the
8 grant funds to—

9 “(1) support professional development activities,
10 consistent with section 2019, for—

11 “(A) teachers, in at least the areas of
12 reading, mathematics, and science; and

13 “(B) teachers, principals, and administra-
14 tors in order to provide such individuals with
15 the knowledge and skills to provide all students,
16 including female students, minority students,
17 limited English proficient students, students
18 with disabilities, and economically disadvan-
19 taged students, with the opportunity to meet
20 challenging State content and student perform-
21 ance standards;

22 “(2) provide professional development to teach-
23 ers, principals, and administrators to enhance the
24 use of technology within elementary schools and sec-

1 ondary schools in order to deliver more effective cur-
2 ricula instruction;

3 “(3) recruit and retain fully qualified teachers
4 and highly qualified principals, particularly for ele-
5 mentary schools and secondary schools located in
6 areas with high percentages of low-performing stu-
7 dents and students from families below the poverty
8 line;

9 “(4) recruit and retain fully qualified teachers
10 and high quality principals to serve in the elemen-
11 tary schools and secondary schools with the highest
12 proportion of low-performing students, such as
13 through—

14 “(A) mentoring programs for newly hired
15 teachers, including programs provided by mas-
16 ter teachers, and for newly hired principals; and

17 “(B) programs that provide other incen-
18 tives, including financial incentives, to retain—

19 “(i) teachers who have a record of
20 success in helping low-performing students
21 improve those students’ academic success;
22 and

23 “(ii) principals who have a record of
24 improving the performance of all students,
25 or significantly narrowing the gaps be-

1 tween minority students and nonminority
2 students, and economically disadvantaged
3 students and noneconomically disadvan-
4 taged students, within the elementary
5 schools or secondary schools served by the
6 principals; and

7 “(5) provide professional development that in-
8 corporates effective strategies, techniques, methods,
9 and practices for meeting the educational needs of
10 diverse groups of students, including female stu-
11 dents, minority students, students with disabilities,
12 limited English proficient students, and economically
13 disadvantaged students.

14 “(b) OPTIONAL ACTIVITIES.—Each local educational
15 agency receiving a grant under section 2012(a)(3) may
16 use the subgrant funds—

17 “(1) to provide a signing bonus or other finan-
18 cial incentive, such as differential pay for—

19 “(A) a teacher to teach in an academic
20 subject for which there exists a shortage of fully
21 qualified teachers within the elementary school
22 or secondary school in which the teacher teach-
23 es or within the elementary schools and sec-
24 ondary schools served by the local educational
25 agency; or

1 “(B) a highly qualified principal in a
2 school in which there is a large percentage of
3 children—

4 “(i) from low-income families; or

5 “(ii) with high percentages of low-per-
6 formance scores on State assessments;

7 “(2) to establish programs that—

8 “(A) recruit professionals into teaching
9 from other fields and provide such professionals
10 with alternative routes to teacher certification,
11 especially in the areas of mathematics, science,
12 and English language arts; and

13 “(B) provide increased teaching and ad-
14 ministration opportunities for fully qualified fe-
15 males, minorities, individuals with disabilities,
16 and other individuals underrepresented in the
17 teaching or school administration professions;

18 “(3) to establish programs and activities that
19 are designed to improve the quality of the teacher
20 and principal force, such as innovative professional
21 development programs (which may be provided
22 through partnerships, including partnerships with
23 institutions of higher education), and including pro-
24 grams that—

1 “(A) train teachers and principals to uti-
2 lize technology to improve teaching and learn-
3 ing; and

4 “(B) are consistent with the requirements
5 of section 2019;

6 “(4) to provide collaboratively designed per-
7 formance pay systems for teachers and principals
8 that encourage teachers and principals to work to-
9 gether to raise student performance;

10 “(5) to establish professional development pro-
11 grams that provide instruction in how to teach chil-
12 dren with different learning styles, particularly chil-
13 dren with disabilities and children with special learn-
14 ing needs (including children who are gifted and tal-
15 ented);

16 “(6) to establish professional development pro-
17 grams that provide instruction in how best to dis-
18 cipline children in the classroom, and to identify
19 early and appropriate interventions to help children
20 described in paragraph (5) learn;

21 “(7) to provide professional development pro-
22 grams that provide instruction in how to teach char-
23 acter education in a manner that—

24 “(A) reflects the values of parents, teach-
25 ers, and local communities; and

1 “(B) incorporates elements of good char-
2 acter, including honesty, citizenship, courage,
3 justice, respect, personal responsibility, and
4 trustworthiness;

5 “(8) to provide scholarships or other incentives
6 to assist teachers in attaining national board certifi-
7 cation;

8 “(9) to support activities designed to provide ef-
9 fective professional development for teachers of lim-
10 ited English proficient students; and

11 “(10) to establish other activities designed—

12 “(A) to improve professional development
13 for teachers, principals, and administrators that
14 are consistent with section 2019; and

15 “(B) to recruit and retain fully qualified
16 teachers and highly qualified principals.

17 “(c) ADMINISTRATIVE EXPENSES.—Each local edu-
18 cational agency receiving a grant under section 2012(a)(3)
19 may use not more than 1.5 percent of the grant funds
20 for any fiscal year for the cost of administering activities
21 under this part.

22 **“SEC. 2019. PROFESSIONAL DEVELOPMENT FOR TEACHERS.**

23 “(a) LIMITATION RELATING TO CURRICULUM AND
24 CONTENT AREAS.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), a local educational agency may not use
3 grant funds allocated under section 2012(a)(3) to
4 support a professional development activity for a
5 teacher that is not—

6 “(A) directly related to the curriculum for
7 which and content areas in which the teacher
8 provides instruction; or

9 “(B) designed to enhance the ability of the
10 teacher to understand and use the State’s chal-
11 lenging content standards for the academic sub-
12 ject in which the teacher provides instruction.

13 “(2) EXCEPTION.—Paragraph (1) shall not
14 apply to professional development activities that pro-
15 vide instruction in methods of disciplining children.

16 “(b) PROFESSIONAL DEVELOPMENT ACTIVITY.—A
17 professional development activity carried out under this
18 part shall—

19 “(1) be measured, in terms of progress de-
20 scribed in section 2014(a), using the specific per-
21 formance indicators established by the State in ac-
22 cordance with section 2014;

23 “(2) be tied to challenging State or local con-
24 tent standards and student performance standards;

1 “(3) be tied to scientifically based research
2 demonstrating the effectiveness of such activities in
3 increasing student achievement or substantially in-
4 creasing the knowledge and teaching skills of teach-
5 ers;

6 “(4) be of sufficient intensity and duration
7 (such as not to include 1-day or short-term work-
8 shops and conferences) to have a positive and lasting
9 impact on teachers’ performance in the classroom,
10 except that this paragraph shall not apply to an ac-
11 tivity that is 1 component described in a long-term
12 comprehensive professional development plan estab-
13 lished by a teacher and the teacher’s supervisor, and
14 based upon an assessment of the needs of the teach-
15 er, the teacher’s students, and the local educational
16 agency;

17 “(5) be developed with extensive participation
18 of teachers, principals, parents, administrators, and
19 local school boards of elementary schools and sec-
20 ondary schools to be served under this part, and in-
21 stitutions of higher education in the State, and, with
22 respect to any professional development program de-
23 scribed in paragraph (6) or (7) of section 2018(b),
24 shall, if applicable, be developed with extensive co-
25 ordination with, and participation of, professionals

1 with expertise in such type of professional develop-
2 ment;

3 “(6) to the extent appropriate, provide training
4 for teachers regarding using technology and applying
5 technology effectively in the classroom to improve
6 teaching and learning concerning the curriculum and
7 academic content areas, in which those teachers pro-
8 vide instruction; and

9 “(7) be directly related to the content areas in
10 which the teachers provide instruction and the State
11 content standards.

12 “(c) ACCOUNTABILITY.—

13 “(1) IN GENERAL.—A State shall notify a local
14 educational agency that the agency may be subject
15 to the action described in paragraph (3) if, after any
16 fiscal year, the State determines that the programs
17 or activities funded by the agency under this part
18 fail to meet the requirements of subsections (a) and
19 (b).

20 “(2) TECHNICAL ASSISTANCE.—A local edu-
21 cational agency that has received notification pursu-
22 ant to paragraph (1) may request technical assist-
23 ance from the State and an opportunity for such
24 local educational agency to comply with the require-
25 ments of subsections (a) and (b).

1 “(3) STATE EDUCATIONAL AGENCY ACTION.—If
2 a State educational agency determines that a local
3 educational agency failed to carry out the local edu-
4 cational agency’s responsibilities under this section,
5 the State educational agency shall take such action
6 as the agency determines to be necessary, consistent
7 with this section, to provide, or direct the local edu-
8 cational agency to provide, high-quality professional
9 development for teachers, principals, and adminis-
10 trators.

11 **“SEC. 2020. PARENTS’ RIGHT TO KNOW.**

12 “Each local educational agency receiving a grant
13 under section 2012(a)(3) shall meet the reporting require-
14 ments with respect to teacher qualifications described in
15 section 4401(h).

16 **“SEC. 2021. STATE REPORTS AND GAO STUDY.**

17 “(a) STATE REPORTS.—Each State educational
18 agency receiving a grant under this part shall annually
19 provide a report to the Secretary describing—

20 “(1) the progress the State is making in in-
21 creasing the percentages of fully qualified teachers
22 in the State to ensure that all teachers are fully
23 qualified not later than December 31, 2006, includ-
24 ing information regarding—

1 “(A) the percentage increase over the pre-
2 vious fiscal year in the number of fully qualified
3 teachers teaching in elementary schools and
4 secondary schools served by local educational
5 agencies receiving funds under title I; and

6 “(B) the percentage increase over the pre-
7 vious fiscal year in the number of core classes
8 being taught by fully qualified teachers in ele-
9 mentary schools and secondary schools being
10 served under title I;

11 “(2) the activities undertaken by the State edu-
12 cational agency and local educational agencies in the
13 State to attract and retain fully qualified teachers,
14 especially in geographic areas and content subject
15 areas in which a shortage of such teachers exist; and

16 “(3) the approximate percentage of Federal,
17 State, local, and nongovernmental resources being
18 expended to carry out activities described in para-
19 graph (2).

20 “(b) GAO STUDY.—Not later than September 30,
21 2005, the Comptroller General of the United States shall
22 prepare and submit to the Committee on Education and
23 the Workforce of the House of Representatives and the
24 Committee on Health, Education, Labor, and Pensions of
25 the Senate a study setting forth information regarding the

1 progress of States' compliance in increasing the percent-
2 age of fully qualified teachers, as defined in section
3 2002(1), for fiscal years 2001 through 2004.

4 **“SEC. 2021. EDUCATOR PARTNERSHIP GRANTS.**

5 “(a) SUBGRANTS.—

6 “(1) IN GENERAL.—A State receiving a grant
7 under section 2011(a) shall award subgrants, on a
8 competitive basis, from amounts made available
9 under section 2012(a)(1), to local educational agen-
10 cies, elementary schools, or secondary schools that
11 have formed educator partnerships, for the design
12 and implementation of programs that will enhance
13 professional development opportunities for teachers,
14 principals, and administrators, and will increase the
15 number of fully qualified teachers.

16 “(2) ALLOCATIONS.—A State awarding sub-
17 grants under this subsection shall allocate the
18 subgrant funds on a competitive basis and in a man-
19 ner that results in an equitable distribution of the
20 subgrant funds by geographic areas within the
21 State.

22 “(3) ADMINISTRATIVE EXPENSES.—Each edu-
23 cator partnership receiving a subgrant under this
24 subsection may use not more than 5 percent of the
25 subgrant funds for any fiscal year for the cost of

1 planning and administering programs under this sec-
2 tion.

3 “(b) EDUCATOR PARTNERSHIPS.—An educator part-
4 nership described in subsection (a) includes a cooperative
5 arrangement between—

6 “(1) a public elementary school or secondary
7 school (including a charter school), or a local edu-
8 cational agency; and

9 “(2) 1 or more of the following:

10 “(A) An institution of higher education.

11 “(B) An educational service agency.

12 “(C) A public or private not-for-profit edu-
13 cation organization.

14 “(D) A for-profit education organization.

15 “(E) An entity from outside the traditional
16 education arena, including a corporation or con-
17 sulting firm.

18 “(c) USE OF FUNDS.—An educator partnership re-
19 ceiving a subgrant under this section shall use the
20 subgrant funds for—

21 “(1) developing and enhancing of professional
22 development activities for teachers in core academic
23 subjects to ensure that the teachers have content
24 knowledge in the academic subjects in which the
25 teachers provide instruction;

1 “(2) developing and providing assistance to
2 local educational agencies and elementary schools
3 and secondary schools for sustained, high-quality
4 professional development activities for teachers, prin-
5 cipals, and administrators, that—

6 “(A) ensure that teachers, principals, and
7 administrators are able to use State content
8 standards, performance standards, and assess-
9 ments to improve instructional practices and
10 student achievement; and

11 “(B) may include intensive programs de-
12 signed to prepare a teacher who participates in
13 such a program to provide professional develop-
14 ment instruction to other teachers within the
15 participating teacher’s school;

16 “(3) increasing the number of fully qualified
17 teachers available to provide high-quality education
18 to limited English proficient students by—

19 “(A) working with institutions of higher
20 education that offer degree programs, to attract
21 more people into such programs, and to prepare
22 better new, English language teachers to pro-
23 vide effective language instruction to limited
24 English proficient students; and

1 “(B) supporting development and imple-
2 mentation of professional development pro-
3 grams for language instruction teachers to im-
4 prove the language proficiency of limited
5 English proficient students;

6 “(4) developing and implementing professional
7 development activities for principals and administra-
8 tors to enable the principals and administrators to
9 be effective school leaders and to improve student
10 achievement on challenging State content and stu-
11 dent performance standards, including professional
12 development relating to—

13 “(A) leadership skills;

14 “(B) recruitment, assignment, retention,
15 and evaluation of teachers and other staff;

16 “(C) effective instructional practices, in-
17 cluding the use of technology; and

18 “(D) parental and community involvement;

19 and

20 “(5) providing activities that enhance profes-
21 sional development opportunities for teachers, prin-
22 cipals, and administrators or will increase the num-
23 ber of fully qualified teachers.

24 “(d) APPLICATION REQUIRED.—Each educator part-
25 nership desiring a subgrant under this section shall submit

1 an application to the appropriate State educational agency
2 at such time, in such manner, and accompanied by such
3 information as the State educational agency may reason-
4 ably require.

5 “(e) COORDINATION.—Each educator partnership
6 that receives a subgrant under this section and a grant
7 under section 203 of the Higher Education Act of 1965
8 shall coordinate the activities carried out under such sec-
9 tion 203 with any related activities carried out under this
10 section.

11 **“SEC. 2023. AUTHORIZATION OF APPROPRIATIONS.**

12 “There are authorized to be appropriated to carry out
13 this part \$1,700,000,000 for fiscal year 2002 and such
14 sums as may be necessary for each of the 4 succeeding
15 fiscal years.

16 **“PART B—CLASS SIZE REDUCTION**

17 **“SEC. 2031. FINDINGS.**

18 “Congress makes the following findings:

19 “(1) Rigorous research has shown that students
20 attending small classes in the early grades make
21 more rapid educational gains than students in larger
22 classes, and that those gains persist through at least
23 the eighth grade.

24 “(2) The benefits of smaller classes are greatest
25 for lower-achieving, minority, poor, and inner-city

1 children, as demonstrated by a study that found that
2 urban fourth graders in smaller-than-average classes
3 were $\frac{3}{4}$ of a school year ahead of their counterparts
4 in larger-than-average classes.

5 “(3) Teachers in small classes can provide stu-
6 dents with more individualized attention, spend more
7 time on instruction and less time on other tasks, and
8 cover more material effectively, and are better able
9 to work with parents to further their children’s edu-
10 cation, than teachers in large classes.

11 “(4) Smaller classes allow teachers to identify
12 and work with students who have learning disabil-
13 ities sooner than is possible with larger classes, po-
14 tentially reducing those students’ needs for special
15 education services in the later grades.

16 “(5) The National Research Council report,
17 ‘Preventing Reading Difficulties in Young Children’,
18 recommends reducing class sizes, accompanied by
19 providing high-quality professional development for
20 teachers, as a strategy for improving student
21 achievement in reading.

22 “(6) Efforts to improve educational outcomes
23 by reducing class sizes in the early grades are likely
24 to be successful only if well-qualified teachers are
25 hired to fill additional classroom positions, and if

1 teachers receive intensive, ongoing professional de-
2 velopment.

3 “(7) Several States and school districts have
4 begun serious efforts to reduce class sizes in the
5 early elementary school grades, but those efforts
6 may be impeded by financial limitations or difficul-
7 ties in hiring highly qualified teachers.

8 “(8) The Federal Government can assist in
9 those efforts by providing funding for class size re-
10 ductions in grades 1 through 3, and by helping to
11 ensure that both new and current teachers who are
12 moving into smaller classrooms are well prepared.

13 **“SEC. 2032. PURPOSE.**

14 “The purpose of this part is to help States and local
15 educational agencies recruit, train, and hire 100,000 addi-
16 tional teachers in order to—

17 “(1) reduce nationally class size in grades 1
18 through 3 to an average of 18 students per regular
19 classroom; and

20 “(2) improve teaching in the early elementary
21 school grades so that all students can learn to read
22 independently and well by the end of the third
23 grade.

1 **“SEC. 2033. ALLOTMENTS TO STATES.**

2 “(a) RESERVATIONS FOR THE OUTLYING AREAS AND
3 THE BUREAU OF INDIAN AFFAIRS.—From the amount
4 appropriated under section 2042 for any fiscal year, the
5 Secretary shall reserve a total of not more than 1 percent
6 to make payments to—

7 “(1) outlying areas, on the basis of their respec-
8 tive needs, for activities, approved by the Secretary,
9 consistent with this part; and

10 “(2) the Secretary of the Interior for activities
11 approved by the Secretary of Education, consistent
12 with this part, in schools operated or supported by
13 the Bureau of Indian Affairs, on the basis of their
14 respective needs.

15 “(b) ALLOTMENTS TO STATES.—

16 “(1) IN GENERAL.—From the amount appro-
17 priated under section 2042 for a fiscal year and re-
18 maining after the Secretary makes reservations
19 under subsection (a), the Secretary shall make
20 grants by allotting to each State having a State ap-
21 plication approved under section 2034(c) an amount
22 that bears the same relationship to the remainder as
23 the greater of the amounts that the State received
24 in the preceding fiscal year under sections 1122 and
25 2202(b) (as such sections were in effect on the day
26 preceding the date of enactment of the Education

1 Reform Act) bears to the total of the greater
2 amounts that all States received under such sections
3 for the preceding fiscal year.

4 “(2) RATABLE REDUCTION.—If the sums made
5 available under paragraph (1) for any fiscal year are
6 insufficient to pay the full amounts that all States
7 are eligible to receive under paragraph (1) for such
8 year, the Secretary shall ratably reduce such
9 amounts for such year.

10 “(3) REALLOTMENT.—If any State chooses not
11 to participate in the program carried out under this
12 part, or fails to submit an approvable application
13 under this part, the Secretary shall reallocate the
14 amount that such State would have received under
15 paragraphs (1) and (2) to States having applications
16 approved under section 2034(c), in accordance with
17 paragraphs (1) and (2).

18 **“SEC. 2034. APPLICATIONS.**

19 “(a) APPLICATIONS REQUIRED.—The State edu-
20 cational agency for each State desiring a grant under this
21 part shall submit an application to the Secretary at such
22 time, in such form, and containing such information as
23 the Secretary may require.

24 “(b) CONTENTS.—The application shall include—

1 “(1) a description of the State’s goals for using
2 funds under this part to reduce average class sizes
3 in regular classrooms in grades 1 through 3, includ-
4 ing a description of class sizes in those classrooms,
5 for each local educational agency in the State (as of
6 the date of submission of the application);

7 “(2) a description of how the State educational
8 agency will allocate program funds made available
9 through the grant within the State;

10 “(3) a description of how the State will use
11 other funds, including other Federal funds, to re-
12 duce class sizes and to improve teacher quality and
13 reading achievement within the State; and

14 “(4) an assurance that the State educational
15 agency will submit to the Secretary such reports and
16 information as the Secretary may reasonably re-
17 quire.

18 “(c) APPROVAL OF APPLICATIONS.—The Secretary
19 shall approve a State application submitted under this sec-
20 tion if the application meets the requirements of this sec-
21 tion and holds reasonable promise of achieving the purpose
22 of this part.

23 **“SEC. 2035. WITHIN-STATE ALLOCATIONS.**

24 “(a) ALLOCATIONS TO LOCAL EDUCATIONAL AGEN-
25 CIES.—Each State receiving a grant under this part for

1 any fiscal year may reserve not more than 1 percent of
2 the grant funds for the cost of administering this part
3 and, using the remaining funds, shall make subgrants by
4 allocating to each local educational agency in the State
5 the sum of—

6 “(1) an amount that bears the same relation-
7 ship to 80 percent of the remainder as the school-
8 age population from families with incomes below the
9 poverty line in the area served by the local edu-
10 cational agency bears to the school-age population
11 from families with incomes below the poverty line in
12 the area served by all local educational agencies in
13 the State; and

14 “(2) an amount that bears the same relation-
15 ship to 20 percent of the remainder as the enroll-
16 ment of the school-age population in public and pri-
17 vate nonprofit elementary schools and secondary
18 schools in the area served by the local educational
19 agency bears to the enrollment of the school-age
20 population in public and private nonprofit elemen-
21 tary schools and secondary schools in the area
22 served by all local educational agencies in the State.

23 “(b) REALLOCATION.—If any local educational agen-
24 cy chooses not to participate in the program carried out
25 under this part, or fails to submit an approvable applica-

1 tion under this part, the State educational agency shall
2 reallocate the amount such local educational agency would
3 have received under subsection (a) to local educational
4 agencies having applications approved under section
5 2036(b), in accordance with subsection (a).

6 **“SEC. 2036. LOCAL APPLICATIONS.**

7 “(a) IN GENERAL.—Each local educational agency
8 desiring a subgrant under section 2035(a) shall submit an
9 application to the appropriate State educational agency at
10 such time, in such form, and containing such information
11 as the State educational agency may require, including a
12 description of the local educational agency’s program to
13 reduce class sizes by hiring additional highly qualified
14 teachers.

15 “(b) APPROVAL OF APPLICATIONS.—The State edu-
16 cational agency shall approve a local agency application
17 submitted under subsection (a) if the application meets
18 the requirements of subsection (a) and holds reasonable
19 promise of achieving the purpose of this part.

20 **“SEC. 2037. USES OF FUNDS.**

21 “(a) ADMINISTRATIVE EXPENSES.—Each local edu-
22 cational agency receiving a subgrant under section
23 2035(a) may use not more than 3 percent of the subgrant
24 funds for any fiscal year for the cost of administering this
25 part.

1 “(b) RECRUITMENT, TEACHER TESTING, AND PRO-
2 FESSIONAL DEVELOPMENT.—

3 “(1) IN GENERAL.—Each local educational
4 agency receiving subgrant funds under this section
5 shall use such subgrant funds to carry out effective
6 approaches to reducing class size with fully qualified
7 teachers who are certified within the State (includ-
8 ing teachers certified through State or local alter-
9 native routes) and who demonstrate competency in
10 the areas in which the teachers provide instruction,
11 to improve educational achievement for both regular
12 and special needs children, with particular consider-
13 ation given to reducing class size in the early ele-
14 mentary grades.

15 “(2) LOCAL ACTIVITIES.—

16 “(A) IN GENERAL.—Each local educational
17 agency receiving subgrant funds under this sec-
18 tion may use such subgrant funds for—

19 “(i) recruiting (including through the
20 use of signing bonuses, and other financial
21 incentives), hiring, and training fully quali-
22 fied regular and special education teachers
23 (which may include hiring special edu-
24 cation teachers to team-teach with regular
25 teachers in classrooms that contain both

1 children with disabilities and non-disabled
2 children) and teachers of special-needs
3 children, who are certified within the
4 State, including teachers who are certified
5 through State or local alternative routes,
6 have a bachelor's degree, and demonstrate
7 the general knowledge, teaching skills, and
8 subject matter knowledge required to teach
9 in the content areas in which the teachers
10 provide instruction;

11 “(ii) testing new teachers for aca-
12 demic content knowledge and satisfaction
13 of State certification requirements con-
14 sistent with title II of the Higher Edu-
15 cation Act of 1965; and

16 “(iii) providing professional develop-
17 ment (which may include such activities as
18 promoting retention and mentoring) to
19 teachers, including special education teach-
20 ers and teachers of special-needs children,
21 in order to meet the goal of ensuring that
22 all instructional staff have the subject mat-
23 ter knowledge, teaching knowledge, and
24 teaching skills necessary to teach effec-
25 tively in the content area or areas in which

1 they provide instruction, consistent with
2 title II of the Higher Education Act of
3 1965.

4 “(B) LIMITATIONS.—

5 “(i) IN GENERAL.—Except as pro-
6 vided in clause (ii), a local educational
7 agency may use not more than a total of
8 25 percent of the award received under
9 this section for activities described in sub-
10 paragraph (A)(ii) and (iii).

11 “(ii) ED-FLEX.—

12 “(I) WAIVER.—A local edu-
13 cational agency located in a State des-
14 ignated as an Ed-Flex Partnership
15 State under section 4(a)(1)(B) of the
16 Education Flexibility Partnership Act
17 of 1999, and in which 10 percent or
18 more of teachers in elementary
19 schools, as defined by section
20 8101(14), have not met applicable
21 State and local certification require-
22 ments (including certification through
23 State or local alternative routes), or if
24 such requirements have been waived,
25 may apply to the State educational

1 agency for a waiver that would permit
2 the agency to use more than 25 per-
3 cent of the funds it receives under this
4 section for activities described in sub-
5 paragraph (A)(iii) for the purpose of
6 helping teachers to become certified.

7 “(II) APPROVAL.—If the State
8 educational agency approves the local
9 educational agency’s application for a
10 waiver under subclause (I), the local
11 educational agency may use the funds
12 subject to the waiver for activities de-
13 scribed in subparagraph (A)(iii) that
14 are needed to ensure that at least 90
15 percent of the teachers in elementary
16 schools within the State are certified.

17 “(C) ADDITIONAL USES.—

18 “(i) IN GENERAL.—A local edu-
19 cational agency that has already reduced
20 class size in the early grades to 18 or less
21 children (or has already reduced class size
22 to a State or local class size reduction goal
23 that was in effect on the day before the en-
24 actment of the Department of Education
25 Appropriations Act, 2000, if that State or

1 local educational agency goal is 20 or
2 fewer children) may use funds received
3 under this section—

4 “(I) to make further class size
5 reductions in grades kindergarten
6 through 3;

7 “(II) to reduce class size in other
8 grades; or

9 “(III) to carry out activities to
10 improve teacher quality, including
11 professional development.

12 “(ii) PROFESSIONAL DEVELOP-
13 MENT.—If a local educational agency has
14 already reduced class size in the early
15 grades to 18 or fewer children and intends
16 to use funds provided under this Part to
17 carry out professional development activi-
18 ties, including activities to improve teacher
19 quality, then the State shall make the
20 award under section 2035 to the local edu-
21 cational agency.

22 “(c) SPECIAL RULE.—Notwithstanding subsection
23 (b), if the award to a local educational agency under sec-
24 tion 2035 is less than the starting salary for a new fully
25 qualified teacher teaching in a school served by that agen-

1 cy, and such teacher is certified within the State (which
2 may include certification through State or local alternative
3 routes), has a bachelor's degree, and demonstrates the
4 general knowledge, teaching skills, and subject matter
5 knowledge required to teach in the content areas the
6 teacher is assigned to provide instruction, then the agency
7 may use grant funds under this part to—

8 “(1) help pay the salary of a full- or part-time
9 teacher hired to reduce class size, which may be in
10 combination with other Federal, State, or local
11 funds; or

12 “(2) pay for activities described in subsection
13 (b), which may be related to teaching in smaller
14 classes.

15 **“SEC. 2038. PRIVATE SCHOOLS.**

16 “If a local educational agency uses funds made avail-
17 able under this Part for professional development activi-
18 ties, the local educational agency shall ensure the equitable
19 participation of private nonprofit elementary schools and
20 secondary schools in such activities.

21 **“SEC. 2039. TEACHER SALARIES AND BENEFITS.**

22 “A local educational agency may use grant funds pro-
23 vided under this part—

24 “(1) except as provided in paragraph (2), to in-
25 crease the salaries of, or provide benefits (other than

1 participation in professional development and enrich-
2 ment programs) to, teachers only if such teachers
3 were hired under this part; and

4 “(2) to pay the salaries of teachers hired under
5 section 307 of the Department of Education Appro-
6 priations Act of 1999 who, not later than the begin-
7 ning of the 2001–2002 school year, are fully quali-
8 fied, as defined in section 2002(1).

9 **“SEC. 2040. STATE REPORT REQUIREMENTS.**

10 “(a) REPORT ON ACTIVITIES.—A State educational
11 agency receiving funds under this part shall submit a re-
12 port to the Secretary providing information about the ac-
13 tivities in the State assisted under this part.

14 “(b) REPORT TO PARENTS.—Each State educational
15 agency and local educational agency receiving funds under
16 this part shall publicly issue a report to parents of children
17 who attend schools assisted under this part describing—

18 “(1) the agency’s progress in reducing class
19 size;

20 “(2) the agency’s progress in increasing the
21 percentage of classes in core academic areas that are
22 taught by fully qualified teachers who are certified
23 within the State and demonstrate competency in the
24 content areas in which the teachers provide instruc-
25 tion; and

1 “(3) the impact, if any, that hiring additional
2 highly qualified teachers and reducing class size has
3 had on increasing student academic achievement in
4 schools served by the agency.

5 “(c) PROFESSIONAL QUALIFICATIONS REPORT.—
6 Upon the request of a parent of a child attending a school
7 receiving assistance under this part, such school shall pro-
8 vide the parent with information regarding the profes-
9 sional qualifications of their child’s teacher.

10 **“SEC. 2041. SUPPLEMENT NOT SUPPLANT.**

11 “Each local educational agency receiving grant funds
12 under this part shall use such funds only to supplement,
13 and not to supplant, State and local funds that, in the
14 absence of such funds, would otherwise be spent for activi-
15 ties under this part.

16 **“SEC. 2042. AUTHORIZATION OF APPROPRIATIONS.**

17 “For the purpose of carrying out this part, there are
18 authorized to be appropriated \$1,400,000,000 for fiscal
19 year 2001, and such sums as may be necessary for each
20 of the 4 succeeding fiscal years.”.

1 **TITLE III—LANGUAGE MINORITY**
2 **STUDENTS AND INDIAN, NA-**
3 **TIVE HAWAIIAN, AND ALASKA**
4 **NATIVE EDUCATION**

5 **SEC. 301. LANGUAGE MINORITY STUDENTS.**

6 Title III (20 U.S.C. 6801 et seq.) is amended—

7 (1) by amending the heading for title III to
8 read as follows:

9 **“TITLE III—LANGUAGE MINOR-**
10 **ITY STUDENTS AND INDIAN,**
11 **NATIVE HAWAIIAN, AND ALAS-**
12 **KA NATIVE EDUCATION”;**

13 (2) by repealing section 3101 (20 U.S.C. 6801)
14 and part A (20 U.S.C. 6811 et seq.); and

15 (3) by inserting after the heading for title III
16 (as amended by paragraph (1)) the following:

17 **“Subtitle A—Language Minority**
18 **Students**

19 **“SEC. 3101. FINDINGS, POLICY, AND PURPOSE.**

20 “(a) FINDINGS.—Congress makes the following find-
21 ings:

22 “(1)(A) Educating limited English proficient
23 students is an urgent goal for many local edu-
24 cational agencies, but that goal is not being
25 achieved.

1 “(B) Each year, 640,000 limited English pro-
2 ficient students are not served by any sort of pro-
3 gram targeted to the students’ unique needs.

4 “(C) In 1998, only 15 percent of local edu-
5 cational agencies that applied for funding under en-
6 hancement grants and comprehensive school grants
7 received such funding.

8 “(2)(A) The school dropout rate for Hispanic
9 students, the largest group of limited English pro-
10 ficient students, is approximately 25 percent, and is
11 approximately 46 percent for Hispanic students born
12 outside of the United States.

13 “(B) A United States Department of Education
14 report regarding school dropout rates states that
15 language difficulty ‘may be a barrier to participation
16 in United States schools’.

17 “(C) Reading ability is a key predictor of grad-
18 uation and academic success.

19 “(3) Through fiscal year 1999, bilingual edu-
20 cation capacity and demonstration grants—

21 “(A) have spread funding too broadly to
22 make an impact on language instruction edu-
23 cational programs implemented by State edu-
24 cational agencies and local educational agencies;
25 and

1 “(B) have lacked concrete performance
2 measures.

3 “(4)(A) Since 1979, the number of limited
4 English proficient children in schools in the United
5 States has doubled, and demographic trends indicate
6 the population of limited English proficient children
7 will continue to increase.

8 “(B) Language-minority Americans speak vir-
9 tually all world languages plus many that are indige-
10 nous to the United States.

11 “(C) The rich linguistic diversity language-mi-
12 nority students bring to America’s classrooms en-
13 hances the learning environment for all students and
14 should be valued for the significant, positive impact
15 such diversity has on the entire school environment.

16 “(D) Parent and community participation in
17 educational language programs for limited English
18 proficient students contributes to program effective-
19 ness.

20 “(E) The Federal Government, as reflected in
21 title VI of the Civil Rights Act of 1964 (42 U.S.C.
22 2000d et seq.) and section 204(f) of the Equal Edu-
23 cation Opportunities Act of 1974 (20 U.S.C. 1703),
24 has a special and continuing obligation to ensure
25 that States and local educational agencies take ap-

1 appropriate action to provide equal educational oppor-
2 tunities to limited English proficient children and
3 youth.

4 “(F) The Federal Government also, as exempli-
5 fied by programs authorized under this title, has a
6 special and continuing obligation to assist States
7 and local educational agencies to develop the capaci-
8 ty to provide programs of instruction that offer lim-
9 ited English proficient children and youth equal edu-
10 cational opportunities.

11 “(5) Limited English proficient children and
12 youth face a number of challenges in receiving an
13 education that will enable them to participate fully
14 in American society, including—

15 “(A) disproportionate attendance in high-
16 poverty schools, as demonstrated by the fact
17 that, in 1994, 75 percent of limited English
18 proficient students attended schools in which at
19 least half of all students were eligible for free
20 or reduced-price meals;

21 “(B) the limited ability of parents of such
22 children and youth to participate fully in the
23 education of their children because of the par-
24 ents’ own limited English proficiency;

1 “(C) a shortage of teachers and other staff
2 who are professionally trained and qualified to
3 serve such children and youth; and

4 “(D) lack of appropriate performance and
5 assessment standards that distinguish between
6 language and academic achievement so that
7 there is equal accountability on the part of
8 State educational agencies and local educational
9 agencies for the achievement of limited English
10 proficient students in academic content while
11 acquiring English language skills.

12 “(b) POLICY.—Congress declares it to be the policy
13 of the United States that in order to ensure equal edu-
14 cational opportunity for all children and youth, and to pro-
15 mote educational excellence, the Federal Government
16 should—

17 “(1) assist State educational agencies, local
18 educational agencies, and community-based organi-
19 zations to build their capacity to establish, imple-
20 ment, and sustain programs of instruction and
21 English language development for children and
22 youth of limited English proficiency;

23 “(2) hold State educational agencies and local
24 educational agencies accountable for increases in

1 English proficiency and core content knowledge
2 among limited English proficient students; and

3 “(3) promote parental and community partici-
4 pation in limited English proficiency programs.

5 “(c) PURPOSE.—The purpose of this subtitle is to as-
6 sist all limited English proficient students so that those
7 students can meet or exceed the State proficient standard
8 level for academic performance in core subject areas ex-
9 pected of all elementary school and secondary school stu-
10 dents, and succeed in our Nation’s society, by—

11 “(1) streamlining existing language instruction
12 programs into a performance-based grant for State
13 and local educational agencies to help limited
14 English proficient students become proficient in
15 English;

16 “(2) increasing significantly the amount of Fed-
17 eral assistance to local educational agencies serving
18 such students while requiring that State educational
19 agencies and local educational agencies demonstrate
20 annual improvements in the English proficiency of
21 such students from the preceding fiscal year; and

22 “(3) providing State educational agencies and
23 local educational agencies with the flexibility to im-
24 plement instructional programs based on scientific

1 research that the agencies believe to be the most ef-
2 fective for teaching English.

3 **“SEC. 3102. DEFINITIONS.**

4 “Except as otherwise provided, for purposes of this
5 subtitle:

6 “(1) LIMITED ENGLISH PROFICIENT STU-
7 DENT.—The term ‘limited English proficient stu-
8 dent’ means an individual aged 5 through 17 en-
9 rolled in an elementary school or secondary school—

10 “(A) who—

11 “(i) was not born in the United States
12 or whose native language is a language
13 other than English; or

14 “(ii) is a Native American or Alaska
15 Native, or who is a native resident of the
16 outlying areas and comes from an environ-
17 ment where a language other than English
18 has had a significant impact on such indi-
19 vidual’s level of English language pro-
20 ficiency; or

21 “(iii) is migratory and whose native
22 language is other than English, and who
23 comes from an environment where a lan-
24 guage other than English is dominant; and

1 “(B) who has sufficient difficulty speaking,
2 reading, writing, or understanding the English
3 language, and whose difficulties may deny such
4 individual the opportunity to learn successfully
5 in classrooms where the language of instruction
6 is English or to participate fully in our society.

7 “(2) LANGUAGE INSTRUCTION EDUCATIONAL
8 PROGRAM.—The term ‘language instruction edu-
9 cational program’ means an instructional course in
10 which a limited English proficient student is placed
11 for the purpose of becoming proficient in the
12 English language.

13 “(3) SPECIALLY QUALIFIED AGENCY.—The
14 term ‘specially qualified agency’ means a local edu-
15 cational agency in a State that does not participate
16 in a program under this subtitle for a fiscal year.

17 “(4) STATE.—The term ‘State’ means each of
18 the several States of the United States, the District
19 of Columbia, and the Commonwealth of Puerto Rico.

20 **“SEC. 3103. PROGRAM AUTHORIZED.**

21 “(a) GRANTS AUTHORIZED.—The Secretary shall
22 award grants, from allotments under subsection (b), to
23 each State having a State plan approved under section
24 3105(c), to enable the State to help limited English pro-
25 ficient students become proficient in English.

1 “(b) RESERVATIONS AND ALLOTMENTS.—

2 “(1) RESERVATIONS.—From the amount appro-
3 priated under section 3110 to carry out this subtitle
4 for each fiscal year, the Secretary shall reserve—

5 “(A) $\frac{1}{2}$ of 1 percent of such amount for
6 payments to the Secretary of the Interior for
7 activities approved by the Secretary, consistent
8 with this subtitle, in schools operated or sup-
9 ported by the Bureau of Indian Affairs, on the
10 basis of their respective needs for assistance
11 under this subtitle; and

12 “(B) $\frac{1}{2}$ of 1 percent of such amount for
13 payments to outlying areas, to be allotted in ac-
14 cordance with their respective needs as deter-
15 mined by the Secretary, for activities, approved
16 by the Secretary, consistent with this subtitle.

17 “(2) STATE ALLOTMENTS.—From the amount
18 appropriated under section 3110 for any of the fiscal
19 years 2001 through 2005 that remains after making
20 reservations under paragraph (1), the Secretary
21 shall allot to each State having a State plan ap-
22 proved under section 3105(c) an amount that bears
23 the same relationship to the remainder as the num-
24 ber of limited English proficient students in the

1 State bears to the number of limited English pro-
2 ficient students in all States.

3 “(3) DATA.—For the purpose of determining
4 the number of limited English proficient students in
5 a State and in all States for each fiscal year, the
6 Secretary shall use data that will yield the most ac-
7 curate, up-to-date, numbers of such students,
8 including—

9 “(A) data available from the Bureau of the
10 Census; or

11 “(B) data submitted to the Secretary by
12 the States to determine the number of limited
13 English proficient students in a State and in all
14 States.

15 “(4) HOLD-HARMLESS AMOUNTS.—For fiscal
16 year 2001, and for each of the 4 succeeding fiscal
17 years, notwithstanding paragraph (2), the total
18 amount allotted to each State under this subsection
19 shall be not less than 100 percent of the total
20 amount the State was allotted under parts A and B
21 of title VII (as such title was in effect on the day
22 preceding the date of enactment of the Education
23 Reform Act).

24 “(c) DIRECT AWARDS TO SPECIALLY QUALIFIED
25 AGENCIES.—

1 “(1) NONPARTICIPATING STATE.—If a State
2 educational agency for a fiscal year elects not to par-
3 ticipate in a program under this subtitle, or does not
4 have an application approved under section 3105(c),
5 a specially qualified agency in such State desiring a
6 grant under this subtitle for the fiscal year shall
7 apply directly to the Secretary to receive a grant
8 under this subsection.

9 “(2) DIRECT AWARDS.—The Secretary may
10 award, on a competitive basis, the amount the State
11 educational agency is eligible to receive under sub-
12 section (b)(2) directly to specially qualified agencies
13 in the State desiring a grant under paragraph (1)
14 and having an application approved under section
15 3105(c).

16 “(3) ADMINISTRATIVE FUNDS.—A specially
17 qualified agency that receives a direct grant under
18 this subsection may use not more than 1 percent of
19 the grant funds for the administrative costs of car-
20 rying out this subtitle in the first year the agency
21 receives a grant under this subsection and 0.5 per-
22 cent for such costs in the second and each suc-
23 ceeding such year.

1 **“SEC. 3104. WITHIN-STATE ALLOCATIONS.**

2 “(a) GRANT AWARDS.—Each State educational agen-
3 cy receiving a grant under section 3103(a) shall use 95
4 percent of the grant funds to award subgrants, from allot-
5 ments under subsection (b), to local educational agencies
6 in the State to carry out the activities described in section
7 3107.

8 “(b) ALLOTMENT FORMULA.—Each State edu-
9 cational agency receiving a grant under this subtitle shall
10 award a grant to each local educational agency in the
11 State having a plan approved under section 3106 in an
12 amount that bears the same relationship to the amount
13 of funds appropriated under section 3110 as the school-
14 age population of limited English proficient students in
15 schools served by the local educational agency bears to the
16 school-age population of limited English proficient stu-
17 dents in schools served by all local educational agencies
18 in the State.

19 “(c) RESERVATIONS.—

20 “(1) STATE ACTIVITIES.—Each State edu-
21 cational agency receiving a grant under this subtitle
22 may reserve not more than 5 percent of the grant
23 funds to carry out activities described in the State
24 plan submitted under section 3105.

25 “(2) ADMINISTRATIVE EXPENSES.—From the
26 amount reserved under paragraph (1), a State edu-

1 “(C) develop annual performance objec-
2 tives, based on the English language develop-
3 ment standards described in subparagraph (A),
4 to raise the level of English proficiency of each
5 limited English proficient student;

6 “(2) contain an assurance that the State edu-
7 cational agency or specially qualified agency con-
8 sulted with local educational agencies, education-re-
9 lated community groups and nonprofit organizations,
10 parents, teachers, school administrators, and
11 English language instruction specialists, in the set-
12 ting of the performance objectives;

13 “(3) describe how—

14 “(A) in the case of a State educational
15 agency, the State educational agency will hold
16 local educational agencies and elementary
17 schools and secondary schools accountable for—

18 “(i) meeting the English proficiency
19 performance objectives described in section
20 3109; and

21 “(ii) making adequate yearly progress
22 with limited English proficient students in
23 the subject areas of core content knowl-
24 edge as described in section 1111; and

1 “(B) in the case of a specially qualified
2 agency, the agency will hold elementary schools
3 and secondary schools accountable for meeting
4 the English proficiency performance objectives
5 described in section 3109, and making adequate
6 yearly progress, including annual numerical
7 goals for improving the performance of limited
8 English proficient students on performance
9 standards described in section
10 1111(b)(1)(D)(ii);

11 “(4) describe the activities for which assistance
12 is sought, and how the activities will increase the
13 speed and effectiveness with which students learn
14 English;

15 “(5) in the case of a State educational agency,
16 describe how local educational agencies in the State
17 will be given the flexibility to teach English—

18 “(A) using language instruction curriculum
19 that is scientifically research based; and

20 “(B) in the manner the local educational
21 agencies determine to be the most effective; and

22 “(6) describe how—

23 “(A) in the case of a State educational
24 agency, the State educational agency will pro-
25 vide technical assistance to local educational

1 agencies and elementary schools and secondary
2 schools for the purposes of identifying and im-
3 plementing English language instruction edu-
4 cational programs and curricula that are sci-
5 entifically research based; and

6 “(B) in the case of a specially qualified
7 agency, the specially qualified agency will pro-
8 vide technical assistance to elementary schools
9 and secondary schools served by the specially
10 qualified agency for the purposes of identifying
11 and implementing English language instruction
12 educational programs and curricula that are
13 scientifically research based.

14 “(c) APPROVAL.—The Secretary, using a peer review
15 process, shall approve a State plan or a specially qualified
16 agency plan if the plan meets the requirements of this sec-
17 tion, and holds reasonable promise of achieving the pur-
18 pose described in section 3101(c).

19 “(d) DURATION OF THE PLAN.—

20 “(1) IN GENERAL.—Each State plan or spe-
21 cially qualified agency plan shall—

22 “(A) remain in effect for the duration of
23 the State’s or specially qualified agency’s par-
24 ticipation under this subtitle; and

1 “(B) be periodically reviewed and revised
2 by the State or specially qualified agency, as
3 necessary, to reflect changes in the State’s or
4 specially qualified agency’s strategies and pro-
5 grams under this subtitle.

6 “(2) **ADDITIONAL INFORMATION.**—If the State
7 educational agency or specially qualified agency
8 makes significant changes in its plan, such as the
9 adoption of new performance objectives or assess-
10 ment measures, the State educational agency or spe-
11 cially qualified agency shall submit such information
12 to the Secretary.

13 “(e) **CONSOLIDATED PLAN.**—A State plan submitted
14 under subsection (a) may be submitted as part of a con-
15 solidated plan under section 8302.

16 “(f) **SECRETARY ASSISTANCE.**—Pursuant to section
17 7004(a)(3), the Secretary shall provide assistance, if re-
18 quired, in the development of English language develop-
19 ment standards and English language proficiency assess-
20 ments.

21 **“SEC. 3106. LOCAL PLANS.**

22 “(a) **PLAN REQUIRED.**—Each local educational agen-
23 cy desiring a grant from the State educational agency
24 under section 3104(a) shall submit a plan to the State
25 educational agency at such time, in such manner, and ac-

1 accompanied by such information as the State educational
2 agency may require.

3 “(b) CONTENTS.—Each local educational agency plan
4 submitted under subsection (a) shall—

5 “(1) describe how the local educational agency
6 shall use the grant funds to meet the English pro-
7 ficiency performance objective described in section
8 3109;

9 “(2) describe how the local educational agency
10 will hold elementary schools and secondary schools
11 accountable for meeting the performance objectives;

12 “(3) contain an assurance that the local edu-
13 cational agency consulted with elementary schools
14 and secondary schools, education-related community
15 groups and nonprofit organizations, institutions of
16 higher education, parents, language instruction
17 teachers, school administrators, and English lan-
18 guage instruction specialists, in developing the local
19 educational agency plan; and

20 “(4) contain an assurance that the local edu-
21 cational agency will use the disaggregated results of
22 the student assessments required under section
23 1111(b)(4), and other measures or indicators avail-
24 able to the agency, to review annually the progress
25 of each school served by the agency under this part

1 and under title I to determine whether the schools
2 are making the annual progress necessary to ensure
3 that limited English proficient students attending
4 the schools will meet the proficient State content
5 and student performance standard within 10 years
6 of enactment of the Education Reform Act.

7 **“SEC. 3107. USES OF FUNDS.**

8 “(a) ADMINISTRATIVE EXPENSES.—Each local edu-
9 cational agency receiving a grant under section 3104 may
10 use not more than 1 percent of the grant funds for any
11 fiscal year for the cost of administering this subtitle.

12 “(b) ACTIVITIES.—Each local educational agency re-
13 ceiving grant funds under section 3104 shall use the grant
14 funds that are not used under subsection (a)—

15 “(1) to increase limited English proficient stu-
16 dents’ proficiency in English by providing high-qual-
17 ity English language instruction programs, such as
18 bilingual education programs and transitional edu-
19 cation or English immersion education programs,
20 that are—

21 “(A) tied to scientifically based research
22 demonstrating the effectiveness of the programs
23 in increasing English proficiency; and

24 “(B) approved by the State educational
25 agency;

1 “(2) to provide high-quality professional devel-
2 opment activities for teachers of limited English pro-
3 ficient students that are—

4 “(A) designed to enhance the ability of
5 such teachers to understand and use curricula,
6 assessment measures, and instructional strate-
7 gies for limited English proficient students;

8 “(B) tied to scientifically based research
9 demonstrating the effectiveness of such pro-
10 grams in increasing students’ English pro-
11 ficiency or substantially increasing the knowl-
12 edge and teaching skills of such teachers; and

13 “(C) of sufficient intensity and duration
14 (such as not to include 1-day or short-term
15 workshops and conferences) to have a positive
16 and lasting impact on the teacher’s perform-
17 ance in the classroom, except that this para-
18 graph shall not apply to an activity that is 1
19 component of a long-term, comprehensive pro-
20 fessional development plan established by a
21 teacher and the teacher’s supervisor based upon
22 an assessment of the teacher’s and supervisor’s
23 needs, the student’s needs, and the needs of the
24 local educational agency;

1 “(3) to identify, acquire, and upgrade curricula,
2 instructional materials, educational software, and as-
3 sessment procedures; and

4 “(4) to provide parent and community partici-
5 pation programs to improve English language in-
6 struction programs for limited English proficient
7 students.

8 **“SEC. 3108. PROGRAM REQUIREMENTS.**

9 “(a) PROHIBITION.—In carrying out this subtitle the
10 Secretary shall neither mandate nor preclude a particular
11 curricular or pedagogical approach to educating limited
12 English proficient students.

13 “(b) TEACHER ENGLISH FLUENCY.—Each local edu-
14 cational agency receiving grant funds under section 3104
15 shall certify to the State educational agency that all teach-
16 ers in any language instruction program for limited
17 English proficient students funded under this subtitle are
18 fluent in English.

19 **“SEC. 3109. PERFORMANCE OBJECTIVES.**

20 “(a) IN GENERAL.—Each State educational agency
21 or specifically qualified agency receiving a grant under this
22 subtitle shall develop annual numerical performance objec-
23 tives with respect to helping limited English proficient stu-
24 dents become proficient in English. The objectives shall
25 include incremental percentage increases for each fiscal

1 year a State receives a grant under this subtitle, including
2 increases in the number of limited English proficient stu-
3 dents demonstrating an increase in performance on annual
4 assessments in reading, writing, speaking, and listening
5 comprehension, from the preceding fiscal year.

6 “(b) ACCOUNTABILITY.—Each State educational
7 agency or specially qualified agency receiving a grant
8 under this subtitle shall be held accountable for meeting
9 the annual numerical performance objectives under this
10 subtitle and the adequate yearly progress levels for limited
11 English proficient students under section 1111(b)(2)(B)
12 (iv) and (vii). Any State educational agency or specially
13 qualified agency that fails to meet the annual performance
14 objectives shall be subject to sanctions under section 7001.

15 **“SEC. 3110. AUTHORIZATION OF APPROPRIATIONS.**

16 “There are authorized to be appropriated to carry out
17 this subtitle \$620,000,000 for fiscal year 2002, and such
18 sums as may be necessary for each of the 4 succeeding
19 fiscal years.

20 **“SEC. 3111. REGULATIONS AND NOTIFICATION.**

21 “(a) REGULATION RULE.—In developing regulations
22 under this subtitle, the Secretary shall consult with State
23 educational agencies, local educational agencies, organiza-
24 tions representing limited English proficient individuals,
25 and organizations representing teachers and other per-

1 sonnel involved in the education of limited English pro-
2 ficient students.

3 “(b) PARENTAL NOTIFICATION.—

4 “(1) IN GENERAL.—Each local educational
5 agency shall notify parents of a student partici-
6 pating in a language instruction educational pro-
7 gram under this subtitle of—

8 “(A) the student’s level of English pro-
9 ficiency, how such level was assessed, the status
10 of the student’s academic achievement, and the
11 implications of the student’s educational
12 strengths and needs for age- and grade-appro-
13 priate academic attainment, promotion, and
14 graduation;

15 “(B) what programs are available to meet
16 the student’s educational strengths and needs,
17 and how such programs differ in content and
18 instructional goals from other language instruc-
19 tion educational programs and, in the case of a
20 student with a disability, how such program
21 meets the objectives of the individualized edu-
22 cation program of such a student; and

23 “(C) the instructional goals of the lan-
24 guage instruction educational program, and
25 how the program will specifically help the lim-

1 ited English proficient student learn English
2 and meet age-appropriate standards for grade
3 promotion and graduation, including—

4 “(i) the characteristics, benefits, and
5 past academic results of the language in-
6 struction educational program and of in-
7 structional alternatives; and

8 “(ii) the reasons the student was iden-
9 tified as being in need of a language in-
10 struction educational program.

11 “(2) OPTION TO DECLINE.—

12 “(A) IN GENERAL.—Each parent described
13 in paragraph (1) shall also be informed that the
14 parent has the option of declining the enroll-
15 ment of their children or youth in a language
16 instruction educational program, and shall be
17 given an opportunity to decline such enrollment
18 if the parent so chooses.

19 “(B) OBLIGATIONS.—A local educational
20 agency shall not be relieved of any of the agen-
21 cy’s obligations under title VI of the Civil
22 Rights Act of 1964 (42 U.S.C. 2000d et seq.)
23 if a parent chooses not to enroll their child in
24 a language instruction educational program.

1 “(3) RECEIPT OF INFORMATION.—A parent de-
2 scribed in paragraph (1) shall receive, in a manner
3 and form understandable to the parent including, if
4 necessary and to the extent feasible, in the native
5 language of the parent, the information required by
6 this subsection. At a minimum, the parent shall
7 receive—

8 “(A) timely information about projects
9 funded under this subtitle; and

10 “(B) if the parent of a participating child
11 so desires, notice of opportunities for regular
12 meetings for the purpose of formulating and re-
13 sponding to recommendations from parents of
14 children assisted under this subtitle.

15 “(4) SPECIAL RULE.—A student shall not be
16 admitted to, or excluded from, any Federally as-
17 sisted language instruction educational program
18 solely on the basis of a surname or language-minor-
19 ity status.

20 “(5) LIMITATIONS ON CONDITIONS.—Nothing
21 in this subtitle shall be construed to authorize an of-
22 ficer or employee of the Federal Government to
23 mandate, direct, or control a State’s, local edu-
24 cational agency’s, elementary school’s, or secondary
25 school’s specific challenging English language devel-

1 opment standards or assessments, curricula, or pro-
2 gram of instruction, as a condition of eligibility to
3 receive grant funds under this subtitle.”.

4 **SEC. 302. EMERGENCY IMMIGRANT EDUCATION PROGRAM.**

5 (a) REPEALS, TRANSFERS, AND REDESIGNATIONS.—

6 Title III (20 U.S.C. 6801 et seq.) is further amended—

7 (1) by repealing part B (20 U.S.C. 6891 et
8 seq.), part C (20 U.S.C. 6921 et seq.), part D (20
9 U.S.C. 6951 et seq.), and part E (20 U.S.C. 6971
10 et seq.);

11 (2) by transferring part C of title VII (20
12 U.S.C. 7541 et seq.) to title III and inserting such
13 part after subtitle A (as inserted by section 301(3));

14 (3) by redesignating the heading for part C of
15 title VII (as transferred by paragraph (2)) as the
16 heading for subtitle B, and redesignating accord-
17 ingly the references to such part as the references to
18 such subtitle; and

19 (4) by redesignating section 7301 through 7309
20 (20 U.S.C. 7541, 7549) (as transferred by para-
21 graph (2)) as sections 3201 through 3209, respec-
22 tively, and redesignating accordingly the references
23 to such sections.

24 (b) AMENDMENTS.—Subtitle B of title III (as so
25 transferred and redesignated) is amended—

1 (1) in section 3205(a)(2) (as redesignated by
2 subsection (a)(4)), by striking “the Goals 2000:
3 Educate America Act,”; and

4 (2) in section 3209 (as redesignated by sub-
5 section (a)(4)), by striking “\$100,000,000” and all
6 that follows through “necessary for” and inserting
7 “such sums as may be necessary for fiscal year 2002
8 and”.

9 **SEC. 303. INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE**
10 **EDUCATION.**

11 (a) REPEALS, TRANSFERS, AND REDESIGNATIONS.—
12 Title III (20 U.S.C 6801 et seq.) is further amended—

13 (1) by transferring title IX (20 U.S.C. 7801 et
14 seq.) to title III and inserting such title after sub-
15 title B (as inserted by section 302(a)(2));

16 (2) by redesignating the heading for title IX (as
17 transferred by paragraph (1)) as the heading for
18 subtitle C, and redesignating accordingly the ref-
19 erences to such title as the references to such sub-
20 title;

21 (3) by redesignating sections 9101 and 9102
22 (20 U.S.C. 7801, 7802) (as transferred by para-
23 graph (1)) as sections 3301 and 3302, respectively,
24 and redesignating accordingly the references to such
25 sections;

1 (4) by redesignating sections 9111 through
2 9118 (20 U.S.C. 7811, 7818) (as transferred by
3 paragraph (1)) as sections 3311 through 3318, re-
4 spectively, and redesignating accordingly the ref-
5 erences to such sections;

6 (5) by redesignating sections 9121 through
7 9125 (20 U.S.C. 7831, 7835) (as transferred by
8 paragraph (1)) as sections 3321 through 3325, and
9 redesignating accordingly the references to such sec-
10 tion;

11 (6) by redesignating sections 9131 and 9141
12 (20 U.S.C. 7851, 7861) (as transferred by para-
13 graph (1)) as sections 3331 and 3341, respectively,
14 and redesignating accordingly the references to such
15 sections;

16 (7) by redesignating sections 9151 through
17 9154 (20 U.S.C. 7871, 7874) (as transferred by
18 paragraph (1)) as sections 3351 through 3354, re-
19 spectively, and redesignating accordingly the ref-
20 erences to such sections;

21 (8) by redesignating sections 9161 and 9162
22 (20 U.S.C. 7881, 7882) (as transferred by para-
23 graph (1)) as sections 3361 and 3362, respectively,
24 and redesignating accordingly the references to such
25 sections;

1 (9) by redesignating sections 9201 through
2 9212 (20 U.S.C. 7901, 7912) (as transferred by
3 paragraph (1)) as sections 3401 through 3412, re-
4 spectively, and redesignating accordingly the ref-
5 erences to such sections; and

6 (10) by redesignating sections 9301 through
7 9308 (20 U.S.C. 7931, 7938) (as transferred by
8 paragraph (1)) as sections 3501 through 3508, and
9 redesignating accordingly the references to such sec-
10 tions.

11 (b) AMENDMENTS.—Subtitle C of title III (as so
12 transferred and redesignated) is amended—

13 (1) by amending section 3314(b)(2)(A) (as re-
14 designated by subsection (a)(4)) to read as follows:

15 “(2)(A) is consistent with, and promotes the
16 goals in, the State and local improvement plans
17 under sections 1111 and 1112”;

18 (2) by amending section 3325(e) (as redesign-
19 nated by subsection (a)(5)) to read as follows:

20 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated such sums as may be
22 necessary to carry out this subpart for fiscal year 2001
23 and each of the 4 succeeding years.”;

24 (3) in section 3361(4)(E) (as redesignated by
25 subsection (a)(8)), by striking “the Act entitled the

1 ‘Improving America’s Schools Act of 1994’” and in-
2 serting “the Education Reform Act”;

3 (4) by amending section 3362 (as redesignated
4 by subsection (a)(8)) to read as follows:

5 **“SEC. 3262. AUTHORIZATION OF APPROPRIATIONS.**

6 “For the purpose of carrying out subparts 1 through
7 5 of this part, there are authorized to be appropriated to
8 the Department of Education such sums as may be nec-
9 essary for fiscal year 2002 and each of the 4 succeeding
10 years.”;

11 (5) in section 3404 (as redesignated by sub-
12 section (a)(9))—

13 (A) in subsection (i), by striking “Improv-
14 ing America’s Schools Act of 1994” and insert-
15 ing “Education Reform Act”; and

16 (B) in subsection (j), by striking
17 “\$500,000 for fiscal year 1995, and such sums
18 as may be necessary” and inserting “such sums
19 as may be necessary for fiscal year 2002, and”;

20 (6) in section 3405(c) (as redesignated by sub-
21 section (a)(9)), by striking “\$6,000,000 for fiscal
22 year 1995, and such sums as may be necessary” and
23 inserting “such sums as may be necessary for fiscal
24 year 2002, and”;

1 (7) in section 3406(e) (as redesignated by sub-
2 section (a)(9)), by striking “\$2,000,000 for fiscal
3 year 1995, and such sums as may be necessary” and
4 inserting “such sums as may be necessary for fiscal
5 year 2002, and”;

6 (8) in section 3407(e) (as redesignated by sub-
7 section (a)(9)), by striking “\$1,500,000 for fiscal
8 year 1995, and such sums as may be necessary” and
9 inserting “such sums as may be necessary for fiscal
10 year 2002, and”;

11 (9) in section 3408(c) (as redesignated by sub-
12 section (a)(9)), by striking “\$2,000,000 for fiscal
13 year 1995, and such sums as may be necessary” and
14 inserting “such sums as may be necessary for fiscal
15 year 2002, and”;

16 (10) in section 3409(d) (as redesignated by
17 subsection (a)(9)), by striking “\$2,000,000 for fiscal
18 year 1995, and such sums as may be necessary” and
19 inserting “such sums as may be necessary for fiscal
20 year 2002, and”;

21 (11) in section 3410(d) (as redesignated by
22 subsection (a)(9)), by striking “\$1,000,000 for fiscal
23 year 1995, and such sums as may be necessary” and
24 inserting “such sums as may be necessary for fiscal
25 year 2002, and”;

1 (12) in section 3504(c) (as redesignated by sub-
2 section (a)(10)), by striking “\$5,000,000 for fiscal
3 year 1995, and such sums as may be necessary” and
4 inserting “such sums as may be necessary for fiscal
5 year 2002, and”;

6 (13) in section 3505(e) (as redesignated by sub-
7 section (a)(10)), by striking “\$2,000,000 for fiscal
8 year 1995, and such sums as may be necessary” and
9 inserting “such sums as may be necessary for fiscal
10 year 2002, and”; and

11 (14) in section 3506(d) (as redesignated by
12 subsection (a)(10)), by striking “\$1,000,000 for fis-
13 cal year 1995, and such sums as may be necessary”
14 and inserting “such sums as may be necessary for
15 fiscal year 2002, and”.

16 **TITLE IV—PUBLIC SCHOOL**
17 **CHOICE**

18 **SEC. 401. PUBLIC SCHOOL CHOICE.**

19 (a) **MAGNET SCHOOLS AMENDMENTS.**—Section
20 5113(a) (20 U.S.C. 7213(a)) is amended—

21 (1) by striking “\$120,000,000” and inserting
22 “\$130,000,000”; and

23 (2) by striking “1995” and inserting “2002”.

24 (b) **CHARTER SCHOOLS AMENDMENTS.**—

1 (1) PARALLEL ACCOUNTABILITY.—Section
2 10302 (20 U.S.C. 8062) is amended by adding at
3 the end the following:

4 “(g) PARALLEL ACCOUNTABILITY.—Each State edu-
5 cational agency receiving a grant under this part shall
6 hold charter schools assisted under this part accountable
7 for adequate yearly progress for improving student per-
8 formance under title I and as established in the school’s
9 charter, including the use of the same standards and as-
10 sessments as established under title I.”.

11 (2) AUTHORIZATION OF APPROPRIATIONS.—
12 Section 10311 (20 U.S.C. 8067) is amended.—

13 (A) by striking “\$100,000,000” and in-
14 serting “\$200,000,000”; and

15 (B) by striking “1999” and inserting
16 “2001”.

17 (c) REPEALS, TRANSFERS AND REDESIGNATIONS.—
18 The Act (20 U.S.C. 6301 et seq.) is amended—

19 (1) by amending the heading for title IV (20
20 U.S.C. 7101 et seq.) to read as follows:

21 **“TITLE IV—PUBLIC SCHOOL**
22 **CHOICE”;**

23 (2) by amending section 4001 to read as fol-
24 lows:

1 **“SEC. 4001. FINDINGS, POLICY, AND PURPOSE.**

2 “(a) FINDINGS.—Congress makes the following find-
3 ings:

4 “(1)(A) Charter schools and magnet schools are
5 an integral part of the educational system in the
6 United States.

7 “(1)(B) Thirty-four States and the District of
8 Columbia have established charter schools.

9 “(1)(C) Magnet schools have been established
10 throughout the United States.

11 “(1)(D) A Department of Education evaluation
12 of charter schools shows that 59 percent of charter
13 schools reported that lack of start-up funds posed a
14 difficult or very difficult challenge for the school.

15 “(2) State educational agencies and local edu-
16 cational agencies should hold all schools accountable
17 for the improved performance of all students, includ-
18 ing students attending charter schools and magnet
19 schools, under State standards and student assess-
20 ment measures.

21 “(3) School report cards constitute the key in-
22 formational component used by parents for effective
23 public school choice.

24 “(b) POLICY.—Congress declares it to be the policy
25 of the United States—

1 “(1) to support and stimulate improved public
2 school performance through increased public elemen-
3 tary school and secondary school competition and in-
4 creased Federal financial assistance; and

5 “(2) to provide parents with more choices
6 among public school options.

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

9 “(1) To consolidate public school choice pro-
10 grams into 1 title.

11 “(2) To increase Federal assistance for magnet
12 schools and charter schools.

13 “(3) To help parents make better and more in-
14 formed choices by—

15 “(A) providing continued support and fi-
16 nancial assistance for magnet schools;

17 “(B) providing continued support and ex-
18 pansion of charter schools and charter school
19 districts; and

20 “(C) providing financial assistance to
21 States and local educational agencies for the de-
22 velopment of local educational agency and
23 school report cards.”;

1 (3) by repealing sections 4002 through 4004
2 (20 U.S.C. 7102, 7104), and part A (20 U.S.C.
3 7111 et seq.), of title IV;

4 (4) by transferring part A of title V (20 U.S.C.
5 7201 et seq.) (as amended by subsection (a)) to title
6 IV and inserting such part A after section 4001;

7 (5) by redesignating sections 5101 through
8 5113 (20 U.S.C. 7201, 7213) (as transferred by
9 paragraph (4)) as sections 4101 through 4113, re-
10 spectively, and by redesignating accordingly the ref-
11 erences to such sections in part A of title IV (as so
12 transferred);

13 (6) by transferring part C of title X (20 U.S.C.
14 8061 et seq.) (as amended by subsection (b)) to title
15 IV and inserting such part C after part A of title
16 IV (as transferred by paragraph (4));

17 (7) by redesignating part C of title IV (as
18 transferred by paragraph (6)) as part B of title IV;
19 and

20 (8) by redesignating sections 10301 through
21 10311 (20 U.S.C. 8061, 8067) (as transferred by
22 paragraph (6)) as sections 4201 through 4211, re-
23 spectively, and by redesignating accordingly the ref-
24 erences to such sections in such part B of title IV
25 (as so transferred and redesignated).

1 **SEC. 402. DEVELOPMENT OF PUBLIC SCHOOL CHOICE PRO-**
2 **GRAMS; REPORT CARDS.**

3 Title IV (20 U.S.C. 7101 et seq.) is further amended
4 by adding at the end the following:

5 **“PART C—DEVELOPMENT OF PUBLIC SCHOOL**
6 **CHOICE PROGRAMS**

7 **“SEC. 4301. GRANTS AUTHORIZED.**

8 “(a) IN GENERAL.—From amounts made available to
9 carry out this part for a fiscal year under section 4305,
10 and not reserved under subsection (b), the Secretary is
11 authorized to award grants, on a competitive basis, to local
12 educational agencies to enable the local educational agen-
13 cies to develop local public school choice programs.

14 “(b) RESERVATION FOR EVALUATION, TECHNICAL
15 ASSISTANCE, AND DISSEMINATION.—From the amount
16 appropriated under section 4305 for any fiscal year, the
17 Secretary may reserve not more than 5 percent to carry
18 out evaluations under subsection (c), to provide technical
19 assistance, and to disseminate information.

20 “(c) EVALUATIONS.—The Secretary may use funds
21 reserved under subsection (b) to carry out 1 or more eval-
22 uations of programs assisted under this part, which shall,
23 at a minimum, address—

24 “(1) how, and the extent to which, the pro-
25 grams supported with funds under this part promote
26 educational equity and excellence; and

1 “(2) the extent to which public schools of choice
2 supported with funds under this part are—

3 “(A) held accountable to the public;

4 “(B) effective in improving public edu-
5 cation; and

6 “(C) open and accessible to all students.

7 “(b) DURATION.—Grants under this part may be
8 awarded for a period not to exceed 3 years.

9 **“SEC. 4302. DEFINITION OF HIGH-POVERTY LOCAL EDU-
10 CATIONAL AGENCY.**

11 “In this part, the term ‘high-poverty local educational
12 agency’ means a local educational agency in which the per-
13 centage of children, ages 5 to 17, from families with in-
14 comes below the poverty line (as defined by the Office of
15 Management and Budget and revised annually in accord-
16 ance with section 673(2) of the Community Services Block
17 Grant Act (42 U.S.C. 9902(2))) applicable to a family of
18 the size involved for the most recent fiscal year for which
19 satisfactory data are available is 20 percent or greater.

20 **“SEC. 4303. USES OF FUNDS.**

21 “(a) IN GENERAL.—

22 “(1) PUBLIC SCHOOL CHOICE.—Funds under
23 this part may be used to demonstrate, develop, im-
24 plement, evaluate, and disseminate information on
25 innovative approaches to promote public school

1 choice, including the design and development of new
2 public school choice options, the development of new
3 strategies for overcoming barriers to effective public
4 school choice, and the design and development of
5 public school choice systems that promote high
6 standards for all students and the continuous im-
7 provement of all public schools.

8 “(2) INNOVATIVE APPROACHES.—Such ap-
9 proaches at the school, local educational agency, and
10 State levels may include—

11 “(A) inter-district approaches to public
12 school choice, including approaches that in-
13 crease equal access to high-quality educational
14 programs and diversity in schools;

15 “(B) public elementary and secondary pro-
16 grams that involve partnerships with institu-
17 tions of higher education and that are located
18 on the campuses of those institutions;

19 “(C) programs that allow students in pub-
20 lic secondary schools to enroll in postsecondary
21 courses and to receive both secondary and post-
22 secondary academic credit;

23 “(D) worksite satellite schools, in which
24 State or local educational agencies form part-
25 nerships with public or private employers, to

1 create public schools at parents' places of em-
2 ployment; and

3 “(E) approaches to school desegregation
4 that provide students and parents choice
5 through strategies other than magnet schools.

6 “(b) LIMITATIONS.—Funds under this part—

7 “(1) shall supplement, and not supplant, non-
8 Federal funds expended for existing public school
9 choice programs; and

10 “(2) may be used for providing transportation
11 services or costs, except that not more than 10 per-
12 cent of the funds received under this part shall be
13 used by the local educational agency to provide such
14 services or costs.

15 **“SEC. 4304. GRANT APPLICATION; PRIORITIES.**

16 “(a) APPLICATION REQUIRED.—A State or local edu-
17 cational agency desiring to receive a grant under this part
18 shall submit an application to the Secretary.

19 “(b) APPLICATION CONTENTS.—Each application
20 shall include—

21 “(1) a description of the program for which
22 funds are sought and the goals for such program;

23 “(2) a description of how the program funded
24 under this part will be coordinated with, and will

1 complement and enhance, programs under other re-
2 lated Federal and non-Federal projects;

3 “(3) if the program includes partners, the name
4 of each partner and a description of the partner’s
5 responsibilities;

6 “(4) a description of the policies and procedures
7 the applicant will use to ensure—

8 “(A) its accountability for results, includ-
9 ing its goals and performance indicators; and

10 “(B) that the program is open and acces-
11 sible to, and will promote high academic stand-
12 ards for, all students; and

13 “(5) such other information as the Secretary
14 may require.

15 “(c) PRIORITIES.—

16 “(1) HIGH-POVERTY AGENCIES.—The Secretary
17 shall give a priority to applications for projects that
18 would serve high-poverty local educational agencies.

19 “(2) PARTNERSHIPS.—The Secretary may give
20 a priority to applications demonstrating that the ap-
21 plicant will carry out the applicant’s project in part-
22 nership with 1 or more public and private agencies,
23 organizations, and institutions, including institutions
24 of higher education and public and private employ-
25 ers.

1 **“SEC. 4305. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated to carry out
3 this part \$100,000,000 for fiscal year 2002 and such sums
4 as may be necessary for each of the 4 succeeding fiscal
5 years.

6 **“PART D—REPORT CARDS**

7 **“SEC. 4401. REPORT CARDS.**

8 “(a) GRANTS AUTHORIZED.—The Secretary shall
9 award a grant, from allotments under subsection (b), to
10 each State having a State report card meeting the require-
11 ments described in subsection (g), to enable the State an-
12 nually to publish report cards for each elementary school
13 and secondary school that receives funding under this Act
14 and is served by the State.

15 “(b) RESERVATIONS AND ALLOTMENTS.—

16 “(1) RESERVATIONS.—From the amount appro-
17 priated under subsection (e) to carry out this part
18 for each fiscal year, the Secretary shall reserve—

19 “(A) $\frac{1}{2}$ of 1 percent of such amount for
20 payments to the Secretary of the Interior for
21 activities approved by the Secretary, consistent
22 with this part, in schools operated or supported
23 by the Bureau of Indian Affairs, on the basis
24 of their respective needs for assistance under
25 this part; and

1 “(B) $\frac{1}{2}$ of 1 percent of such amount for
2 payments to outlying areas, to be allotted in ac-
3 cordance with their respective needs for assist-
4 ance under this part, as determined by the Sec-
5 retary, for activities, approved by the Secretary,
6 consistent with this part.

7 “(2) STATE ALLOTMENTS.—From the amount
8 appropriated under subsection (e) for a fiscal year
9 and remaining after the Secretary makes reserva-
10 tions under paragraph (1), the Secretary shall allot
11 to each State having a State report card meeting the
12 requirements described in subsection (g) an amount
13 that bears the same relationship to the remainder as
14 the number of public school students enrolled in ele-
15 mentary schools and secondary schools in the State
16 bears to the number of such students so enrolled in
17 all States.

18 “(c) WITHIN-STATE ALLOCATIONS.—Each State
19 educational agency receiving a grant under subsection (a)
20 shall allocate the grant funds that remain after making
21 the reservation described in subsection (d) to each local
22 educational agency in the State in an amount that bears
23 the same relationship to the remainder as the number of
24 public school students enrolled in elementary schools and
25 secondary schools served by the local educational agency

1 bears to the number of such students so enrolled in all
2 local educational agencies within the State.

3 “(d) STATE RESERVATION OF FUNDS.—Each State
4 educational agency receiving a grant under subsection (a)
5 may reserve—

6 “(1) not more than 10 percent of the grant
7 funds to carry out activities described under sub-
8 sections (f) and (g), and (i)(1) for fiscal year 2002;
9 and

10 “(2) not more than 5 percent of the grant
11 funds to carry out activities described under sub-
12 sections (f) and (g), and (i)(1) for fiscal year 2002
13 and each of the 3 succeeding fiscal years.

14 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated to carry out this part
16 \$5,000,000 for fiscal year 2002 and such sums as may
17 be necessary for each of the 4 succeeding fiscal years.

18 “(f) ANNUAL STATE REPORT.—

19 “(1) REPORTS REQUIRED.—

20 “(A) IN GENERAL.—Except as provided in
21 paragraph (3), not later than the beginning of
22 the 2002–2003 school year, a State that re-
23 ceives assistance under this Act shall prepare
24 and disseminate an annual report on all elemen-
25 tary schools and secondary schools within the

1 State that receive funds under part A of title I
2 or part A of title II.

3 “(B) STATE REPORT CARDS ON EDU-
4 CATION.—In the case of a State that publishes
5 State report cards on education, the State shall
6 include in such report cards the information de-
7 scribed in subsection (g).

8 “(C) REPORT CARDS ON ALL PUBLIC
9 SCHOOLS.—In the case of a State that pub-
10 lishes a report card on all public elementary
11 schools and secondary schools in the State, the
12 State shall include, at a minimum, the informa-
13 tion described in subsection (g) for all schools
14 that receive funds under part A of title I or
15 part A of title II.

16 “(2) IMPLEMENTATION; REQUIREMENTS.—

17 “(A) IMPLEMENTATION.—The State shall
18 ensure implementation at all levels of the report
19 cards described in paragraph (1).

20 “(B) REQUIREMENTS.—Annual report
21 cards under this part shall be—

22 “(i) concise; and

23 “(ii) presented in a format and man-
24 ner that parents can understand including,

1 to the extent practicable, in a language the
2 parents can understand.

3 “(3) PUBLICATION THROUGH OTHER MEANS.—

4 In the event that the State provides no such report
5 card, the State shall, not later than the beginning of
6 the 2001–2002 school year, publicly report the infor-
7 mation described in subsection (g) for all schools
8 that receive funds under part A of title I or part A
9 of title II through other public means.

10 “(g) CONTENT OF ANNUAL STATE REPORTS.—

11 “(1) REQUIRED INFORMATION.—Each State de-
12 scribed in subsection (f)(1)(A), at a minimum, shall
13 include in the annual State report information on
14 each local educational agency and school that re-
15 ceives funds under part A of title I or part A of title
16 II within the State, including information
17 regarding—

18 “(A) student performance on statewide as-
19 sessments for the year for which the annual
20 State report is made, and the preceding year, in
21 at least English language arts and mathe-
22 matics, including—

23 “(i) a comparison of the proportions
24 of students who performed at the basic,
25 proficient, and advanced levels in each sub-

1 ject area, for each grade level at which as-
2 ssments are required under title I, with
3 proportions in each of the same 4 levels at
4 the same grade levels in the previous
5 school year;

6 “(ii) a statement on the 3-year trend
7 in the percentage of students performing
8 at the basic, proficient, and advanced levels
9 in each subject area, for each grade level
10 for which assessments are required under
11 title I; and

12 “(iii) a statement of the percentage of
13 students not tested and a listing of cat-
14 egories of the reasons why such students
15 were not tested;

16 “(B) student retention rates in grades, the
17 number of students completing advanced place-
18 ment courses, and 4-year graduation rates;

19 “(C) the professional qualifications of
20 teachers in the aggregate, including the per-
21 centage of teachers teaching with emergency or
22 provisional credentials, the percentage of class
23 sections not taught by fully qualified teachers,
24 and the percentage of teachers who are fully
25 qualified; and

1 “(D) the professional qualifications of
2 paraprofessionals in the aggregate, the number
3 of paraprofessionals in the aggregate, and the
4 ratio of paraprofessionals to teachers in the
5 classroom.

6 “(2) STUDENT DATA.—Student data in each re-
7 port shall contain disaggregated results for the fol-
8 lowing categories:

9 “(A) Racial and ethnic groups.

10 “(B) Gender.

11 “(C) Economically disadvantaged students,
12 as compared to students who are not economi-
13 cally disadvantaged.

14 “(D) Students with limited English pro-
15 ficiency, as compared to students who are pro-
16 ficient in English.

17 “(3) OPTIONAL INFORMATION.—A State may
18 include in the State annual report any other infor-
19 mation the State determines appropriate to reflect
20 school quality and school achievement, including by
21 grade level information on average class size and in-
22 formation on school safety, such as the incidence of
23 school violence and drug and alcohol abuse, and the
24 incidence of student suspensions and expulsions.

1 “(4) WAIVER.—The Secretary may grant a
2 waiver to a State seeking a waiver of the require-
3 ments of this subsection if the State demonstrates to
4 the Secretary that—

5 “(A) the content of existing State report
6 cards meets the goals of this part; and

7 “(B) the State is taking identifiable steps
8 to meet the requirements of this subsection.

9 “(h) LOCAL EDUCATIONAL AGENCY AND SCHOOL
10 REPORT CARDS.—

11 “(1) REPORT REQUIRED.—

12 “(A) IN GENERAL.—The State shall ensure
13 that each local educational agency, elementary
14 school, or secondary school receiving funds
15 under part A of title I or part A of title II in
16 the State, collects appropriate data and pub-
17 lishes an annual report card consistent with
18 this subsection.

19 “(B) REQUIRED INFORMATION.—Each
20 local educational agency, elementary school, and
21 secondary school described in subparagraph
22 (A), at a minimum, shall include in its annual
23 report card—

1 “(i) the information described in sub-
2 sections (g)(1) and (2) for each local edu-
3 cational agency and school;

4 “(ii) in the case of a local educational
5 agency—

6 “(I) information regarding the
7 number and percentage of schools
8 identified for school improvement, in-
9 cluding schools identified under sec-
10 tion 1116 of this Act, served by the
11 local educational agency;

12 “(II) information on the 3-year
13 trend in the number and percentage
14 of elementary schools and secondary
15 schools identified for school improve-
16 ment; and

17 “(III) information that shows
18 how students in the schools served by
19 the local educational agency perform
20 on the statewide assessment compared
21 to students in the State as a whole;

22 “(iii) in the case of an elementary
23 school or a secondary school—

1 “(I) information regarding
2 whether the school has been identified
3 for school improvement; and

4 “(II) information that shows how
5 the school’s students performed on the
6 statewide assessment compared to
7 students in schools served by the same
8 local educational agency and to all
9 students in the State; and

10 “(iii) other appropriate information,
11 whether or not the information is included
12 in the annual State report.

13 “(2) SPECIAL RULE.—A local educational agen-
14 cy that issues report cards for all public elementary
15 schools and secondary schools served by the agency
16 shall include, at a minimum, the information de-
17 scribed in subsection (g) for all schools that receive
18 funds under part A of title I or part A of title II.

19 “(i) DISSEMINATION AND ACCESSIBILITY OF RE-
20 PORTS AND REPORT CARDS.—

21 “(1) STATE REPORTS.—State annual reports
22 under subsection (g) shall be disseminated to all ele-
23 mentary schools, secondary schools, and local edu-
24 cational agencies in the State, and made broadly
25 available to the public through means such as post-

1 ing on the Internet and distribution to the media,
2 and through public agencies.

3 “(2) LOCAL REPORT CARDS.—Local educational
4 agency report cards under subsection (h) shall be
5 disseminated to all elementary schools and secondary
6 schools served by the local educational agency and to
7 all parents of students attending such schools, and
8 made broadly available to the public through means
9 such as posting on the Internet and distribution to
10 the media, and through public agencies.

11 “(3) SCHOOL REPORT CARDS.—Elementary
12 school and secondary school report cards under sub-
13 section (h) shall be disseminated to all parents of
14 students attending that school, and made broadly
15 available to the public, through means such as post-
16 ing on the Internet and distribution to the media,
17 and through public agencies.

18 “(j) PARENTS RIGHT-TO-KNOW.—

19 “(1) QUALIFICATIONS.—A local educational
20 agency that receives funds under part A of title I or
21 part A of title II shall provide, upon request, in an
22 understandable and uniform format, to any parent
23 of a student attending any school receiving funds
24 under part A of title I or part A of title II, informa-
25 tion regarding the professional qualifications of the

1 student's classroom teachers, including, at a
2 minimum—

3 “(A) whether the teacher has met State
4 certification or licensing criteria for the grade
5 levels and subject areas in which the teacher
6 provides instruction;

7 “(B) whether the teacher is teaching under
8 emergency or other provisional status through
9 which State certification or licensing criteria
10 are waived;

11 “(C) the baccalaureate degree major of the
12 teacher, any other graduate certification or de-
13 gree held by the teacher, and the field of dis-
14 cipline of each such certification or degree; and

15 “(D) whether the student is provided serv-
16 ices by paraprofessionals, and the qualifications
17 of any such paraprofessional.

18 “(2) ADDITIONAL INFORMATION.—In addition
19 to the information that parents may request under
20 paragraph (1), and the information provided in re-
21 port cards under this part, a school that receives
22 funds under part A of title I or part A of title II
23 shall provide, to the extent practicable, to each indi-
24 vidual parent or guardian—

1 “(A) information on the level of perform-
2 ance of the individual student, for whom they
3 are the parent or guardian, in each of the State
4 assessments as required under part A of title I;
5 and

6 “(B) timely notice that the student, for
7 whom they are the parent or guardian, was as-
8 signed or taught for 2 or more consecutive
9 weeks by a substitute teacher or by a teacher
10 not fully qualified.

11 “(k) COORDINATION OF STATE PLAN CONTENT.—A
12 State shall include in its plan under part A of title I or
13 part A of title II, an assurance that the State has in effect
14 a policy that meets the requirements of this section.

15 “(l) PRIVACY.—Information collected under this sec-
16 tion shall be collected and disseminated in a manner that
17 protects the privacy of individuals.

18 “(m) DEFINITION.—The term ‘State’ means each of
19 the several States of the United States, the District of
20 Columbia, and the Commonwealth of Puerto Rico.

21 **TITLE V—IMPACT AID**

22 **SEC. 501. IMPACT AID.**

23 (a) Section 8014 (20 U.S.C. 7714) is amended—

24 (1) in subsection (a)—

1 (A) by striking “\$16,750,000 for fiscal
2 year 1995 and”; and

3 (B) by inserting “fiscal year 2002 and”
4 after “necessary for”;

5 (2) in subsection (b)—

6 (A) by striking “\$775,000,000 for fiscal
7 year 1995 and”; and

8 (B) by inserting “fiscal year 2002 and”
9 after “necessary for”;

10 (3) in subsection (c)—

11 (A) by striking “\$45,000,000 for fiscal
12 year 1995 and”; and

13 (B) by inserting “fiscal year 2002 and”
14 after “necessary for”;

15 (4) in subsection (d)—

16 (A) by striking “\$2,000,000 for fiscal year
17 1995 and”; and

18 (B) by inserting “fiscal year 2002 and”
19 after “necessary for”;

20 (5) in subsection (e)—

21 (A) by striking “\$25,000,000 for fiscal
22 year 1995 and”; and

23 (B) by inserting “fiscal year 2002 and”
24 after “necessary for”;

25 (6) in subsection (f)—

1 (A) by striking “\$2,000,000 for fiscal year
2 1995 and”; and

3 (B) by inserting “fiscal year 2002 and”
4 after “necessary for”; and

5 (7) in subsection (g), by striking “1998” and
6 inserting “2002”.

7 (b) REPEALS, TRANSFERS, AND REDESIGNATIONS.—

8 The Act (20 U.S.C. 6301 et seq.) is amended—

9 (1) by repealing title V (20 U.S.C. 7201 et
10 seq.);

11 (2) by redesignating title VIII (20 U.S.C. 7701
12 et seq.) (as amended by subsection (a)) as title V,
13 and transferring the title to follow title IV (as
14 amended by section 402);

15 (3) by redesignating references to title VIII as
16 references to title V (as redesignated and trans-
17 ferred by paragraph (2)); and

18 (4) by redesignating sections 8001 through
19 8014 (20 U.S.C. 7701, 7714) (as transferred by
20 paragraph (2)) as sections 5001 through 5014, re-
21 spectively, and redesignating accordingly the ref-
22 erences to such sections.

1 **TITLE VI—HIGH PERFORMANCE**
2 **AND QUALITY EDUCATION**
3 **INITIATIVES**

4 **SEC. 601. HIGH PERFORMANCE AND QUALITY EDUCATION**
5 **INITIATIVES.**

6 Title VI (20 U.S.C. 7301 et seq.) is amended to read
7 as follows:

8 **“TITLE VI—HIGH PERFORMANCE**
9 **AND QUALITY EDUCATION**
10 **INITIATIVES**

11 **“SEC. 6001. DEFINITIONS OF STATE.**

12 “In this title:

13 “(1) **AUTHENTIC TASK.**—The term ‘authentic
14 task’ means a real world task that—

15 “(A) is challenging, meaningful, multidisci-
16 plinary, and interactive;

17 “(B) involves reasoning, problem solving,
18 and composition; and

19 “(C) is not a discrete component skill that
20 has no obvious connection with students’ activi-
21 ties outside of school.

22 “(2) **STATE.**—The term ‘State’ means each of
23 the several States, the District of Columbia, and the
24 Commonwealth of Puerto Rico.

1 **“SEC. 6002. PROGRAMS AUTHORIZED.**

2 “(a) GRANTS AUTHORIZED.—From the amount ap-
3 propriated under section 6009 for a fiscal year, the Sec-
4 retary shall award a grant to each State educational agen-
5 cy having a State plan approved under section 6005(a)(4)
6 to enable the State educational agency to award grants
7 to local educational agencies in the State.

8 “(b) RESERVATIONS AND ALLOTMENTS.—

9 “(1) RESERVATIONS.—From the amount appro-
10 priated under section 6009 for a fiscal year, the Sec-
11 retary shall reserve—

12 “(A) not more than $\frac{1}{2}$ of 1 percent of
13 such amount for payments to the Bureau of In-
14 dian Affairs for activities, approved by the Sec-
15 retary, consistent with this title;

16 “(B) not more than $\frac{1}{2}$ of 1 percent of
17 such amounts for payments to outlying areas,
18 to be allotted in accordance with their respec-
19 tive needs for assistance under this title as de-
20 termined by the Secretary, for activities, ap-
21 proved by the Secretary, consistent with this
22 title; and

23 “(C) such sums as may be necessary to
24 continue to support any multiyear award made
25 under titles III, IV, V (part B), or X (as such
26 titles were in effect on the day preceding the

1 date of enactment of the Education Reform
2 Act) until the completion of the multiyear
3 award.

4 “(2) STATE ALLOTMENTS.—

5 “(A) IN GENERAL.—From the amount ap-
6 propriated under section 6009 for a fiscal year
7 and remaining after the Secretary makes res-
8 ervations under paragraph (1), the Secretary
9 shall allot to each State having a State plan ap-
10 proved under section 6005(a)(4) the sum of—

11 “(i) an amount that bears the same
12 relationship to 50 percent of the remainder
13 as the amount the State received under
14 part A of title I bears to the amount all
15 States received under such part; and

16 “(ii) an amount that bears the same
17 relationship to 50 percent of the remainder
18 as the school-age population in the State
19 bears to the school-age population in all
20 States.

21 “(B) DATA.—For the purposes of deter-
22 mining the school-age population in a State and
23 in all States, the Secretary shall use the latest
24 available Bureau of the Census data.

1 “(c) STATE MINIMUM.—For any fiscal year, no State
2 shall be allotted under this section an amount that is less
3 than 0.4 percent of the total amount allotted to all States
4 under subsection (b)(2).

5 “(d) HOLD-HARMLESS AMOUNTS.—For fiscal year
6 2001, notwithstanding subsection (e), the amount allotted
7 to each State under this section shall be not less than 100
8 percent of the total amount the State was allotted in for-
9 mula grants under titles III, IV, and VI (as such titles
10 were in effect on the day preceding the date of enactment
11 of the Education Reform Act) for the preceding fiscal
12 year.

13 “(e) RATABLE REDUCTIONS.—If the sums made
14 available under subsection (b)(2)(A) for any fiscal year are
15 insufficient to pay the full amounts that all State edu-
16 cational agencies are eligible to receive under that sub-
17 section for such year, the Secretary shall ratably reduce
18 such amounts for such year.

19 **“SEC. 6003. WITHIN STATE ALLOCATION.**

20 “(a) SHORT TITLE.—Each State educational agency
21 for a State receiving a grant award under section
22 6003(b)(2) shall—

23 “(1) set aside not more than 1 percent of the
24 grant funds for the cost of administering the activi-
25 ties under this title;

1 “(2) set aside not more than 4 percent of the
2 grant funds to—

3 “(A) provide for the establishment of high-
4 quality, internationally competitive content and
5 student performance standards and strategies
6 that all students will be expected to meet;

7 “(B) provide for the establishment of high-
8 quality, rigorous assessments that include mul-
9 tiple measures and demonstrate comprehensive
10 knowledge;

11 “(C) encourage and enable all State edu-
12 cational agencies and local educational agencies
13 to develop, implement, and strengthen com-
14 prehensive education improvement plans that
15 address student achievement, teacher quality,
16 parent involvement, and reliable measurement
17 and evaluation methods; and

18 “(D) encourage and enable all States to
19 develop and implement value-added assess-
20 ments, including model value-added assessments
21 identified by the Secretary under section
22 7004(a)(6); and

23 “(3) using the remaining 95 percent of the
24 grant funds, make grants by allocating to each local
25 educational agency in the State having a local edu-

1 cational agency plan approved under section
2 6005(b)(3) the sum of—

3 “(A) an amount that bears the same rela-
4 tionship to 50 percent of such remainder as the
5 amount the local educational agency received
6 under part A of title I bears to the amount all
7 local educational agencies in the State received
8 under such part; and

9 “(B) an amount that bears the same rela-
10 tionship to 50 percent of such remainder as the
11 school-age population in the area served by the
12 local educational agency bears to the school-age
13 population in the area served by all local edu-
14 cational agencies in the State.

15 “(b) MATCHING REQUIREMENT.—

16 “(1) IN GENERAL.—Each eligible local edu-
17 cational agency receiving a grant under subsection
18 (a) shall contribute resources with respect to the
19 local authorized activities to be assisted under this
20 title in case or in-kind from non-Federal sources in
21 an amount equal to 25 percent of the Federal funds
22 awarded under the grant.

23 “(2) WAIVER.—A local educational agency may
24 apply to the State educational agency may grant a

1 waiver of the requirements of paragraph (1) to a
2 local educational agency that—

3 “(A) applies for such a waiver; and

4 “(B) demonstrates extreme circumstances
5 for being unable to meet such requirements.

6 **“SEC. 6004. PLANS.**

7 “(a) STATE PLANS.—

8 “(1) IN GENERAL.—The State educational
9 agency for each State desiring a grant under this
10 title shall submit a State plan to the Secretary at
11 such time, in such manner, and accompanied by
12 such information as the Secretary may require.

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

16 “(3) CONTENTS.—Each plan submitted under
17 paragraph (1) shall—

18 “(A) describe how the State educational
19 agency will assist each local educational agency
20 and school served under this title to comply
21 with the requirements described in section 6006
22 that are applicable to the local educational
23 agency or school;

1 “(B) certify that the State has in place the
2 standards and assessments required under sec-
3 tion 1111;

4 “(C) certify that the State educational
5 agency has a system, as required under section
6 1111, for—

7 “(i) holding each local educational
8 agency and school accountable for ade-
9 quate yearly progress (as defined in section
10 1111(b)(2)(B));

11 “(ii) identifying local educational
12 agencies and schools that are in need of
13 improvement and corrective action (as re-
14 quired in sections 1116 and 1117);

15 “(iii) assisting local educational agen-
16 cies and schools that are identified for im-
17 provement with the development of im-
18 provement plans; and

19 “(iv) providing technical assistance,
20 professional development, and other capac-
21 ity building as needed to get such agencies
22 and schools out of improvement status;

23 “(D) certify that the State educational
24 agency shall use the disaggregated results of
25 student assessments required under section

1 1111(b)(4), and other measures or indicators
2 available, to review annually the progress of
3 each local educational agency and school served
4 under this title to determine whether or not
5 each such agency and school is making ade-
6 quate yearly progress as required under section
7 1111;

8 “(E) certify that the State educational
9 agency will take action against a local edu-
10 cational agency that is in corrective action and
11 receiving funds under this title as described in
12 section 6006(d)(1);

13 “(F) describe what, if any, State and other
14 resources will be provided to local educational
15 agencies and schools served under this title to
16 carry out activities consistent with this title;
17 and

18 “(G) certify that the State educational
19 agency has a system to hold local educational
20 agencies accountable for meeting the annual
21 performance objectives required under sub-
22 section (b)(2)(C).

23 “(4) APPROVAL.—The Secretary, using a peer
24 review process, shall approve a State plan if the

1 State plan meets the requirements of this sub-
2 section.

3 “(5) DURATION OF THE PLAN.—Each State
4 plan shall remain in effect for the duration of the
5 State’s participation under this title.

6 “(6) REQUIREMENT.—A State shall not be eli-
7 gible to receive funds under this title unless the
8 State has established the standards and assessments
9 required under section 1111.

10 “(b) LOCAL PLANS.—

11 “(1) IN GENERAL.—Each local educational
12 agency shall annually submit a local educational
13 agency plan to the State educational agency at such
14 time, in such manner, and accompanied by such in-
15 formation as the State educational agency may re-
16 quire.

17 “(2) CONTENTS.—Each local educational agen-
18 cy shall—

19 “(A) describe the programs for which
20 funds allocated under section 6004(3) will be
21 used and the reasons for the selection of such
22 programs;

23 “(B) describe the methods the local edu-
24 cational agency will use to measure the annual
25 impact of programs described under subpara-

1 graph (A) and the extent to which such pro-
2 grams will increase student academic perform-
3 ance;

4 “(C) describe the annual, quantifiable, and
5 measurable performance goals and objectives
6 for each program described under subparagraph
7 (A) and the extent to which such goals and ob-
8 jectives are aligned with State content and stu-
9 dent performance standards;

10 “(D) describe how the local educational
11 agency will hold schools accountable for meeting
12 the intended performance objectives for each
13 program described under subparagraph (C);

14 “(E) provide an assurance that the local
15 educational agency has met the local plan re-
16 quirements described in section 1112 for—

17 “(i) holding schools accountable for
18 adequate yearly progress, including meet-
19 ing annual numerical goals for improving
20 the performance of all groups of students
21 based on the student performance stand-
22 ards set by the State under section
23 1111(b)(1)(D)(ii);

24 “(ii) identifying schools for school im-
25 provement or corrective action;

1 “(iii) fulfilling the local educational
2 agency’s school improvement responsibil-
3 ities described in section 1116, including
4 taking corrective actions under section
5 1116(c)(10); and

6 “(iv) providing technical assistance,
7 professional development, or other capacity
8 building to schools served by the agency;

9 “(F) certify that the local educational
10 agency will take action against a school that is
11 in corrective action and receiving funds under
12 this title as described under section 6006(d)(2);

13 “(G) describe what State and local re-
14 sources will be contributed to carrying out pro-
15 grams described under subparagraph (A);

16 “(H) provide assurances that the local edu-
17 cational agency consulted, at a minimum, with
18 parents, school board members, teachers, ad-
19 ministrators, business partners, education orga-
20 nizations, and community groups to develop the
21 local educational plan and select the programs
22 to be assisted under this title; and

23 “(I) provide assurances that the local edu-
24 cational agency will continue such consultation

1 on a regular basis and will provide the State
2 with annual evidence of such consultation.

3 “(3) APPROVAL.—The State, using a peer re-
4 view process, shall approve a local educational agen-
5 cy plan if the plan meets the requirements of this
6 subsection.

7 “(4) DURATION OF THE PLAN.—Each local
8 educational agency plan shall remain in effect for
9 the duration of the local educational agency’s par-
10 ticipation under this title.

11 “(5) PUBLIC REVIEW.—Each State educational
12 agency will make publicly available each local edu-
13 cational agency plan approved under paragraph (3).

14 **“SEC. 6005. LOCAL USES OF FUNDS AND ACCOUNTABILITY.**

15 “(a) ADMINISTRATIVE EXPENSES.—Each local edu-
16 cational agency receiving a grant award under section
17 6004(3) may use not more than 1 percent of the grant
18 funds for any fiscal year for the cost of administering this
19 title.

20 “(b) REQUIRED ACTIVITIES.—Each local educational
21 agency that receives a grant award under this title shall
22 use grant funds remaining after the reservation under
23 paragraph (a) in accordance with its local plan submitted
24 under section 6004(b).

1 “(c) LIMITATIONS FOR SCHOOLS AND LOCAL EDU-
2 CATIONAL AGENCIES IN CORRECTIVE ACTION.—

3 “(1) LOCAL EDUCATIONAL AGENCIES IN COR-
4 RECTIVE ACTION.—If a local educational agency is
5 identified for corrective action under section
6 1116(d), the State educational agency shall—

7 “(A) notwithstanding any other provision
8 of law, specify how the local educational agency
9 shall spend the grant funds in order to focus
10 the local educational agency on activities that
11 will be the most effective in raising student per-
12 formance levels; and

13 “(B) implement corrective action in ac-
14 cordance with the provisions for corrective ac-
15 tion described in section 1116(d).

16 “(2) SCHOOLS IN CORRECTIVE ACTION.—If a
17 school is identified for corrective action under sec-
18 tion 1116(c), the local educational agency shall—

19 “(A) specify how the school shall spend
20 grant funds received under this section in order
21 to focus on activities that will be the most effec-
22 tive in raising student performance levels; and

23 “(B) implement corrective action in ac-
24 cordance with the provisions for corrective ac-
25 tion described in section 1116(c)(10).

1 “(3) DURATION.—Limitations imposed on
2 schools and local educational agencies in corrective
3 action under paragraphs (1) and (2) shall remain in
4 effect until such time as the school or local edu-
5 cational agency has made sufficient improvement, as
6 determined by the State educational agency, and is
7 no longer in corrective action.

8 **“SEC. 6006. STATE AND LOCAL RESPONSIBILITIES.**

9 “(a) DATA REVIEW.—

10 “(1) STATE AND LOCAL REVIEW.—A State edu-
11 cational agency shall jointly review with a local edu-
12 cational agency described in section 6006(d)(1) the
13 local educational agency’s data gathered from stu-
14 dent assessments and other measures required under
15 section 1111(b)(4), in order to determine how the
16 local educational agency shall spend the grant funds
17 pursuant to section 6006(d)(1)(A) in order to sub-
18 stantially increase student performance levels.

19 “(1) SCHOOL AND LOCAL REVIEW.—A local
20 educational agency shall jointly review with a school
21 described in section 6006(d)(2) the school’s data
22 gathered from student assessments and other meas-
23 ures required under section 1111(b)(4), in order to
24 determine how the school shall spend grant funds

1 pursuant to section 6006(d)(2) in order to substan-
2 tially increase student performance levels.

3 “(b) TECHNICAL ASSISTANCE.—

4 “(1) STATE ASSISTANCE.—

5 “(A) A State educational agency shall pro-
6 vide, upon request by a local educational agency
7 receiving grant funds under this title, technical
8 assistance to the local educational agency and
9 schools served by the local educational agency,
10 including assistance in analyzing student per-
11 formance and the impact of programs assisted
12 under this title and identifying the best instruc-
13 tional strategies and methods for carrying out
14 such programs.

15 “(B) State assistance may be provided
16 by—

17 “(i) the State educational agency; or

18 “(ii) with the local educational agen-
19 cy’s approval, by an institution of higher
20 education, a private not-for-profit or for-
21 profit organization, an educational service
22 agency, the recipient of a Federal contract
23 or cooperative agreement as described in
24 section 7005, a nontraditional entity such
25 as a corporation or consulting firm, or any

1 other entity with experience in the pro-
2 gram area for which the assistance is being
3 sought.

4 “(2) LOCAL ASSISTANCE.—

5 “(A) A local educational agency shall pro-
6 vide, upon request by an elementary school or
7 secondary school served by the agency, technical
8 assistance to such school, including assistance
9 in analyzing student performance and the im-
10 pact of programs assisted under this title, and
11 identifying the best instructional strategies and
12 methods for carrying out such programs.

13 “(B) Local assistance may be provided
14 by—

15 “(i) the State educational agency or
16 local educational agency; or

17 “(ii) with the school’s approval, by an
18 institution of higher education, a private
19 not-for-profit or for-profit organization, an
20 educational service agency, the recipient of
21 a Federal contract or cooperative agree-
22 ment as described in section 7005, a non-
23 traditional entity such as a corporation or
24 consulting firm, or any other entity with

1 experience in the program area for which
2 the assistance is being sought.

3 **“SEC. 6007. LOCAL REPORTS.**

4 “Each local educational agency receiving funds under
5 this title shall annually publish and disseminate to the
6 public in a format and, to the extent practicable, in a lan-
7 guage that parents can understand, a report on—

8 “(1) information describing the use of funds in
9 the 4 category areas described in section 6006(b);

10 “(2) the impact of such programs and an as-
11 sessment of such programs’ effectiveness; and

12 “(3) the local educational agency’s progress to-
13 ward attaining the goals and objectives described
14 under section 6005(b), and the extent to which pro-
15 grams assisted under this title have increased stu-
16 dent achievement.

17 **“SEC. 6008. AUTHORIZATION OF APPROPRIATIONS.**

18 “There are authorized to be appropriated to carry out
19 this title \$1,000,000,000 for fiscal year 2001, and such
20 sums as may be necessary for each of the 4 succeeding
21 fiscal years.”.

22 **TITLE VII—ACCOUNTABILITY**

23 **SEC. 701. ACCOUNTABILITY.**

24 Title VII of the Act (20 U.S.C. 7401 et seq.) is
25 amended to read as follows:

1 **“TITLE VII—ACCOUNTABILITY**

2 **“SEC. 7001. SANCTIONS.**

3 “(a) THIRD FISCAL YEAR.—If performance objec-
4 tives established under a covered provision have not been
5 met by a State receiving grant funds under such provision
6 by the end of the third fiscal year for which the State
7 receives such grant funds, the Secretary shall reduce by
8 50 percent the amount the State is entitled to receive for
9 administrative expenses under such provision.

10 “(b) FOURTH FISCAL YEAR.—If the State fails to
11 meet the performance objectives established under a cov-
12 ered provision by the end of the fourth fiscal year for
13 which the State receives grant funds under the covered
14 provision, the Secretary shall reduce the total amount the
15 State receives under title VI by 30 percent.

16 “(c) DURATION.—If the Secretary determines, under
17 subsection (a) or (b), that a State failed to meet the per-
18 formance objectives established under a covered provision
19 for a fiscal year, the Secretary shall reduce grant funds
20 in accordance with subsection (a) or (b) for the State for
21 each subsequent fiscal year until the State demonstrates
22 that the State met the performance objectives for the fis-
23 cal year preceding the demonstration.

1 “(d) TECHNICAL ASSISTANCE.—The Secretary shall
2 provide technical assistance, if sought, to a State subjected
3 to sanctions under subsection (a) or (b).

4 “(e) LOCAL SANCTIONS.—

5 “(1) IN GENERAL.—Each State receiving assist-
6 ance under title I, II, III, or VI shall develop a sys-
7 tem to hold local educational agencies accountable
8 for meeting—

9 “(A) the performance objectives estab-
10 lished under part A of title II, part A of title
11 III, and title VI; and

12 “(B) the adequate yearly progress require-
13 ments established under part A of title I, and
14 required under part A of title III and title VI.

15 “(2) SANCTIONS.—A system developed under
16 paragraph (c) shall include a mechanism for sanc-
17 tioning local educational agencies for low perform-
18 ance with regard to failure to meet such perform-
19 ance objectives and adequate yearly progress levels.

20 “(f) DEFINITIONS.—In this section:

21 “(1) COVERED PROVISION.—The term ‘covered
22 provision’ means part A of title I, part A of title II,
23 part A of title III, and section 6005(b)(2)(C).

24 “(2) PERFORMANCE OBJECTIVES.—The term
25 ‘performance objectives’ means in the case of—

1 “(A) part A of title I, the adequate yearly
2 progress levels established under subsections
3 (b)(2)(A)(iii) and (b)(2)(B) of section 1111;

4 “(B) part A of title II, the set of perform-
5 ance objectives established in section 2014;

6 “(C) part A of title III, the set of perform-
7 ance objectives established in section 3109; and

8 “(D) title VI, the set of performance objec-
9 tives set by each local educational agency in
10 section 6005(b)(2)(C).

11 **“SEC. 7002. REWARDING HIGH PERFORMANCE.**

12 “(a) STATE REWARDS.—

13 “(1) IN GENERAL.—From amounts appro-
14 priated under subsection (d), and from amounts
15 made available as a result of reductions under sec-
16 tion 7001, the Secretary shall make awards to
17 States that—

18 “(A) for 3 consecutive years have—

19 “(i) exceeded the States’ performance
20 objectives established for any title under
21 this Act;

22 “(ii) exceeded their adequate yearly
23 progress levels established in section
24 1111(b);

1 “(iii) significantly narrowed the gaps
2 between minority and non-minority stu-
3 dents, and between economically disadvan-
4 taged and non-economically disadvantaged
5 students;

6 “(iv) raised all students to the pro-
7 ficient standard level prior to 10 years
8 from the date of enactment of the Edu-
9 cation Reform Act; or

10 “(v) significantly increased the per-
11 centage of core classes being taught by
12 fully qualified teachers teaching in schools
13 receiving funds under part A of title I; or

14 “(B) by not later than fiscal year 2003,
15 ensure that all teachers teaching in the States’
16 public elementary schools and secondary schools
17 are fully qualified.

18 “(2) STATE USE OF FUNDS.—

19 “(A) DEMONSTRATION SITES.—Each State
20 receiving an award under paragraph (1) shall
21 use a portion of the award that is not distrib-
22 uted under subsection (b) to establish dem-
23 onstration sites with respect to high-performing
24 schools (based on achievement or performance

1 levels) objectives and adequate yearly progress
2 in order to help low-performing schools.

3 “(B) IMPROVEMENT OF PERFORMANCE.—
4 Each State receiving an award under paragraph
5 (1) shall use the portion of the award that is
6 not used pursuant to subparagraph (A) or (C)
7 and is not distributed under subsection (b) for
8 the purpose of improving the level of perform-
9 ance of all elementary and secondary school
10 students in the State, based on State content
11 and performance standards.

12 “(C) RESERVATION FOR ADMINISTRATIVE
13 EXPENSES.—Each State receiving an award
14 under paragraph (1) may set aside not more
15 than $\frac{1}{2}$ of 1 percent of the award for the plan-
16 ning and administrative costs of carrying out
17 this section, including the costs of distributing
18 awards to local educational agencies.

19 “(b) LOCAL EDUCATIONAL AGENCY AWARDS.—

20 “(1) IN GENERAL.—Each State receiving an
21 award under subsection (a)(1) shall distribute 80
22 percent of the award funds to local educational
23 agencies in the State that—

24 “(A) for 3 consecutive years have—

1 “(i) exceeded the State-established
2 local educational agency performance ob-
3 jectives established for any title under this
4 Act;

5 “(ii) exceeded the adequate yearly
6 progress level established under section
7 1111(b)(2);

8 “(iii) significantly narrowed the gaps
9 between minority and nonminority stu-
10 dents, and between economically disadvan-
11 taged and noneconomically disadvantaged
12 students;

13 “(iv) raised all students enrolled in
14 schools within the local educational agency
15 to the proficient standard level prior to 10
16 years from the date of enactment of the
17 Education Reform Act; or

18 “(v) significantly increased the per-
19 centage of core classes being taught by
20 fully qualified teachers teaching in schools
21 receiving funds under part A of title I; or

22 “(B) not later than December 31, 2003,
23 ensured that all teachers teaching in the ele-
24 mentary schools and secondary schools served

1 by the local educational agencies are fully quali-
2 fied; or

3 “(C) have attained consistently high
4 achievement in another area that the State
5 deems appropriate to reward.

6 “(2) SCHOOL-BASED PERFORMANCE AWARDS.—
7 A local educational agency may use funds made
8 available under paragraph (1) for activities such as
9 school-based performance awards.

10 “(3) RESERVATION FOR ADMINISTRATIVE EX-
11 PENSES.—Each local educational agency receiving
12 an award under paragraph (1) may set aside not
13 more than $\frac{1}{2}$ of 1 percent of the award for the plan-
14 ning and administrative costs of carrying out this
15 section, including the costs of distributing awards to
16 eligible elementary schools and secondary schools,
17 teachers, and principals.

18 “(c) SCHOOL REWARDS.—Each local educational
19 agency receiving an award under subsection (b) shall con-
20 sult with teachers and principals to develop a reward sys-
21 tem, and shall use the award funds—

22 “(1) to reward individual schools that dem-
23 onstrate high performance with respect to—

24 “(A) increasing the academic achievement
25 of all students;

1 “(B) narrowing the academic achievement
2 gap described in section 1111(b)(2)(B)(vii);

3 “(C) improving teacher quality;

4 “(D) increasing high-quality professional
5 development for teachers, principals, and ad-
6 ministrators; or

7 “(E) improving the English proficiency of
8 limited English proficient students;

9 “(2) to reward collaborative teams of teachers,
10 or teams of teachers and principals, that—

11 “(A) significantly increase the annual per-
12 formance of low-performing students; or

13 “(B) significantly improve in a fiscal year
14 the English proficiency of limited English pro-
15 ficient students;

16 “(3) to reward principals who successfully raise
17 the performance of a substantial number of low-per-
18 forming students to high academic levels;

19 “(4) to develop or implement school district-
20 wide programs or policies to increase the level of
21 student performance on State assessments that are
22 aligned with State content standards; and

23 “(5) to reward schools for consistently high
24 achievement in another area that the local edu-
25 cational agency deems appropriate to reward.

1 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 \$200,000,000 for fiscal year 2001, and such sums as may
4 be necessary for each of the 4 succeeding fiscal years.

5 “(e) DEFINITION.—The term ‘low-performing stu-
6 dent’ means students who are below the basic State stand-
7 ard level.

8 **“SEC. 7003. SUPPLEMENT NOT SUPPLANT.**

9 “A State educational agency and local educational
10 agency shall use funds under this title to supplement, and,
11 not supplant, Federal, State, and local funds that, in the
12 absence of funds under this title, would otherwise be spent
13 for activities of the type described in section 7002.

14 **“SEC. 7004. SECRETARY’S ACTIVITIES.**

15 “(a) IN GENERAL.—Notwithstanding any other pro-
16 vision of this Act, from amounts appropriated under sub-
17 section (b) and not reserved under subsection (c), the Sec-
18 retary may—

19 “(1) support activities of the National Board
20 for Professional Teaching Standards;

21 “(2) study and disseminate information regard-
22 ing model programs assisted under this Act;

23 “(3) provide training and technical assistance
24 to States, local educational agencies, elementary
25 schools and secondary schools, Indian tribes, and

1 other recipients of grant funds under this Act that
2 are carrying out activities assisted under this Act,
3 including entering into contracts or cooperative
4 agreements with public or private nonprofit entities
5 or consortia of such entities, in order to provide
6 comprehensive training and technical assistance re-
7 lated to the administration and implementation of
8 activities assisted under this Act;

9 “(4) support activities that will promote sys-
10 temic education reform at the State and local levels;

11 “(5) award grants or contracts to public or pri-
12 vate nonprofit entities to enable the entities—

13 “(A) to develop and disseminate exemplary
14 reading, mathematics, science, and technology
15 educational practices, and instructional mate-
16 rials to States, local educational agencies, and
17 elementary schools and secondary schools; and

18 “(B) to provide technical assistance for the
19 implementation of teaching methods and assess-
20 ment tools for use by elementary schools and
21 secondary school students, teachers, and admin-
22 istrators;

23 “(6) disseminate information on models of
24 value-added assessments;

1 “(7) award a grant or contract to a public or
2 private nonprofit entity or consortium of such enti-
3 ties for the development and dissemination of exem-
4 plary programs and curricula for accelerated and ad-
5 vanced learning for all students, including gifted and
6 talented students;

7 “(8) award a grant or contract with Reading Is
8 Fundamental, Inc. and other public or private non-
9 profit entities to support and promote programs
10 which include the distribution of inexpensive books
11 to students and literacy activities that motivate chil-
12 dren to read; and

13 “(9) provide assistance to States—

14 “(A) by assisting in the development of
15 English language development standards and
16 high-quality assessments, if requested by a
17 State participating in activities under subtitle A
18 of title III; and

19 “(B) by developing native language tests
20 for limited English proficient students that a
21 State may administer to such students to assess
22 student achievement in at least reading, science,
23 and mathematics, consistent with section 1111.

24 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated to carry out this section

1 \$150,000,000 for fiscal year 2002, and such sums as may
2 be necessary for each of the 4 succeeding fiscal years.

3 “(c) RESERVATION.—From the amounts appro-
4 priated under subsection (b) the Secretary shall reserve
5 \$10,000,000 for the purposes of carrying out activities
6 under section 1202(c).”.

7 **TITLE VIII—GENERAL**
8 **PROVISIONS AND REPEALS**

9 **SEC. 801. REPEALS, TRANSFERS, AND REDESIGNATIONS RE-**
10 **GARDING TITLES VIII AND XIV.**

11 (a) IN GENERAL.—The Act (20 U.S.C. 6301 et seq.)
12 is amended—

13 (1) by inserting after title VII the following:

14 **“TITLE VIII—GENERAL**
15 **PROVISIONS”;**

16 (2) by repealing sections 14514 and 14603 (20
17 U.S.C. 8904, 8923);

18 (3)(A) by transferring title XIV (20 U.S.C.
19 8801 et seq.) to title VIII and inserting such title
20 after the title heading for title VIII; and

21 (B) by striking the title heading for title XIV;

22 (4)(A) by redesignating part H of title VIII (as
23 redesignated by paragraph (3)) as part I of title
24 VIII; and

1 (B) by redesignating the references to part H
2 of title VIII as references to part I of title VIII;

3 (5) by inserting after part G of title VIII the
4 following:

5 **“PART H—SUPPLEMENT, NOT SUPPLANT**

6 **“SEC. 8801. SUPPLEMENT, NOT SUPPLANT.**

7 “A State educational agency or local educational
8 agency shall use funds received under the Act to supple-
9 ment, and not supplant, State and local funds that, in the
10 absence of funds under this Act, would otherwise be spent
11 for activities under this Act.”;

12 (6) by redesignating the references to title XIV
13 as references to title VIII;

14 (7)(A) by redesignating sections 14101 through
15 14103 (20 U.S.C. 8801, 8803) (as transferred by
16 paragraph (3)) as sections 8101 through 8103, re-
17 spectively; and

18 (B) by redesignating the references to such sec-
19 tions 14101 through 14103 as references to sections
20 8101 through 8103, respectively;

21 (8)(A) by redesignating sections 14201 through
22 14206 (20 U.S.C. 8821, 8826) (as transferred by
23 paragraph (3)) as sections 8201 through 8206, re-
24 spectively; and

1 (B) by redesignating the references to such sec-
2 tions 14201 through 14206 as references to sections
3 8201 through 8206, respectively;

4 (9)(A) by redesignating sections 14301 through
5 14307 (20 U.S.C. 8851, 8857) (as transferred by
6 paragraph (3)) as sections 8301 through 8307, re-
7 spectively; and

8 (B) by redesignating the references to such sec-
9 tions 14301 through 14307 as references to sections
10 8301 through 8307, respectively;

11 (10)(A) by redesignating section 14401 (20
12 U.S.C. 8881) (as transferred by paragraph (3)) as
13 section 8401; and

14 (B) by redesignating the references to such sec-
15 tion 14401 as references to section 8401;

16 (11)(A) by redesignating sections 14501
17 through 14513 (20 U.S.C. 8891, 8903) (as trans-
18 ferred by paragraph (3)) as sections 8501 through
19 8513, respectively; and

20 (B) by redesignating the references to such sec-
21 tions 14501 through 14513 as references to sections
22 8501 through 8513, respectively;

23 (12)(A) by redesignating sections 14601 and
24 14602 (20 U.S.C. 8921, 8922) (as transferred by

1 paragraph (3)) as sections 8601 and 8602, respec-
2 tively; and

3 (B) by redesignating the references to such sec-
4 tions 14601 and 14602 as references to sections
5 8601 and 8602, respectively;

6 (13)(A) by redesignating section 14701 (20
7 U.S.C. 8941) (as transferred by paragraph (3)) as
8 section 8701; and

9 (B) by redesignating the references to such sec-
10 tion 14701 as references to section 8701; and

11 (14)(A) by redesignating sections 14801 and
12 14802 (20 U.S.C. 8961, 8962) (as transferred by
13 paragraph (3)) as sections 8901 and 8902, respec-
14 tively; and

15 (B) by redesignating the references to such sec-
16 tions 14801 and 14802 as references to sections
17 8901 and 8902, respectively.

18 (b) AMENDMENTS.—Title VIII (as so transferred and
19 redesignated) is amended—

20 (1) in section 8101(10) (as redesignated by
21 subsection (a)(7))—

22 (A) by striking subparagraphs (C) through
23 (F); and

24 (B) by adding after subparagraph (B) the
25 following:

1 “(C) part A of title II;

2 “(D) part A of title III; and

3 “(E) title IV.”;

4 (2) in section 8102 (as redesignated by sub-
5 section (a)(7)), by striking “VIII” and inserting
6 “V”;

7 (3) in section 8201 (as redesignated by sub-
8 section (a)(8))—

9 (A) in subsection (a)(2), by striking “, and
10 administrative funds under section 308(c) of
11 the Goals 2000: Educate America Act”; and

12 (B) by striking subsection (f);

13 (4) in section 8203(b) (as redesignated by sub-
14 section (a)(8)), by striking “Improving America’s
15 Schools Act of 1994” and inserting “Education Re-
16 form Act”;

17 (5) in section 8204 (as redesignated by sub-
18 section (a)(8))—

19 (A) by striking subsection (b); and

20 (B) in subsection (a)—

21 (i) in paragraph (2)—

22 (I) in the matter preceding sub-
23 paragraph (A), by striking “1995”
24 and inserting “2001”;

1 (II) in subparagraph (B), by in-
2 serting “professional development,”
3 after “curriculum development,”; and
4 (ii) in paragraph (4)—

5 (I) by striking “and section
6 410(b) of the Improving America’s
7 Schools Act of 1994”; and

8 (II) by striking “paragraph (2)”
9 and inserting “subsection (a)(2)”;

10 (III) by striking the following:

11 “(4) RESULTS.—” and inserting the following:
12 “(b) RESULTS.—”;

13 (IV) by striking the following:

14 “(A) develop” and inserting the following:
15 “(1) develop”; and

16 (V) by striking the following:

17 “(B) within” and inserting the following:
18 “(2) within”;

19 (6) in section 8205(a)(1) (as redesignated by
20 subsection (a)(8)), by striking “part A of title IX”
21 and inserting “part B of title III”;

22 (7) in section 8206 (as redesignated by sub-
23 section (a)(8))—

24 (A) by striking “(a) UNNEEDED PROGRAM
25 FUNDS.—”; and

1 (B) by striking subsection (b);

2 (8) in section 8302(a)(2) (as redesignated by
3 subsection (a)(9))—

4 (A) by striking subparagraph (C); and

5 (B) by redesignating subparagraphs (D)
6 and (E) as subparagraphs (C) and (D), respec-
7 tively;

8 (9) in section 8304(b) (as redesignated by sub-
9 section (a)(9)), by striking “Improving America’s
10 Schools Act of 1994” and inserting “Education Re-
11 form Act”;

12 (10) in section 8401 (as redesignated by sub-
13 section (a)(10))—

14 (A) in subsection (a), by striking “Except
15 as provided in subsection (c),” and inserting
16 “Notwithstanding any other provision regarding
17 waivers in this Act and except as provided in
18 subsection (c),”; and

19 (B) in subsection (c)(8), by striking “part
20 C of title X” and inserting “part B of title IV”;

21 (11) in section 8502 (as redesignated by sub-
22 section (a)(11)), by striking “VIII” and inserting
23 “V”;

24 (12) in section 8503(b)(1) (as redesignated by
25 subsection (a)(11))—

1 (A) by striking subparagraphs (B) through
2 (E);

3 (B) by redesignating subparagraph (A) as
4 subparagraph (B);

5 (C) by inserting before subparagraph (B)
6 the following:

7 “(A) part A of title I;” and

8 (D) by adding at the end the following:

9 “(C) title II;

10 “(D) title III;

11 “(E) title VI.”; and

12 (13) in section 8506(d) (as redesignated by
13 subsection (a)(11)), by striking “Improving Amer-
14 ica’s Schools Act of 1994” and inserting “Education
15 Reform Act”;

16 (14) in section 8513 (as redesignated by sub-
17 section (a)(11)), by striking “Improving America’s
18 Schools Act of 1994” each place it appears and in-
19 serting “Education Reform Act”;

20 (15) in section 8601 (as redesignated by sub-
21 section (a)(12))—

22 (A) in subsection (b)(3)—

23 (i) in subparagraph (A), by striking
24 “Improving America’s Schools Act of

1 1994” and inserting “Education Reform
2 Act”; and

3 (ii) in subparagraph (B), by striking
4 “Improving America’s Schools Act” and
5 inserting “Education Reform Act”; and

6 (B) in subsection (f), by striking “Improv-
7 ing America’s Schools Act of 1994” and insert-
8 ing “Education Reform Act”; and

9 (16) in section 8701(b) (as redesignated by
10 subsection (a)(13))—

11 (A) in paragraph (1)—

12 (i) in subparagraph (B)—

13 (I) in clause (i), by striking “Im-
14 proving America’s Schools Act of
15 1994” and inserting “Education Re-
16 form Act”;

17 (II) in clause (ii), by striking
18 “such as the initiatives under the
19 Goals 2000: Educate America Act,
20 and” and inserting “under”; and

21 (III) in clause (v), by striking “,
22 the Advisory Council on Education
23 Statistics, and the National Education
24 Goals Panel” and inserting “and the

1 Advisory Council on Education Statis-
2 tics”; and

3 (ii) in subparagraph (C)(ii), by strik-
4 ing “the School-to-Work Opportunities Act
5 of 1994, and the Goals 2000: Educate
6 America Act” and inserting “and the
7 School-to-Work Opportunities Act of
8 1994”; and

9 (B) in paragraph (3), by striking “1998”
10 and inserting “2004”.

11 **SEC. 802. OTHER REPEALS.**

12 Titles V and XIII (20 U.S.C. 7201 et seq., and 8601
13 et seq.) and the Goals 2000: Educate America Act (20
14 U.S.C. 5801 et seq.) are repealed.

15 **TITLE IX—TECHNOLOGY FOR**
16 **EDUCATION**

17 **SEC. 901. TECHNOLOGY FOR EDUCATION.**

18 Title X (20 U.S.C. 8001 et seq.) is amended to read
19 as follows:

20 **“SEC. 10101. SHORT TITLE.**

21 “‘This title may be cited as the ‘Technology for Edu-
22 cation Act of 2000’.

1 **“PART A—TECHNOLOGY FOR EDUCATION OF ALL**
2 **STUDENTS**

3 **“SEC. 10111. FINDINGS.**

4 “The Congress finds that—

5 “(1) technology can produce far greater oppor-
6 tunities for all students to learn to high standards,
7 promote efficiency and effectiveness in education,
8 and help propel our Nation’s school systems into
9 very immediate and dramatic reform, without which
10 our Nation will not meet the National Education
11 Goals by the target year 2000;

12 “(2) the use of technology as a tool in the
13 teaching and learning process is essential to the de-
14 velopment and maintenance of a technologically lit-
15 erate citizenry and an internationally competitive
16 workforce;

17 “(3) the acquisition and use of technology in
18 education throughout the United States has been in-
19 hibited by—

20 “(A) the absence of Federal leadership;

21 “(B) the inability of many State and local
22 educational agencies to invest in and support
23 needed technologies;

24 “(C) the limited exposure of students and
25 teachers to the power of technology as a cost-

1 effective tool to improve student learning and
2 achievement;

3 “(D) the lack of appropriate electrical and
4 telephone connections in the classroom; and

5 “(E) the limited availability of appropriate
6 technology-enhanced curriculum, instruction,
7 professional development, and administrative
8 support resources and services in the edu-
9 cational marketplace;

10 “(4) policies at the Federal, State, and local
11 levels concerning technology in education must ad-
12 dress disparities in the availability of technology to
13 different groups of students, give priority to serving
14 students in greatest need, and recognize that edu-
15 cational telecommunications and technology can ad-
16 dress educational equalization concerns and school
17 restructuring needs by providing universal access to
18 high-quality teaching and programs, particularly in
19 urban and rural areas;

20 “(5) the increasing use of new technologies and
21 telecommunications systems in business has in-
22 creased the gap between schooling and work force
23 preparation, and underscores the need for tech-
24 nology policies at the Federal, State, tribal, and

1 local levels that address preparation for school-to-
2 work transitions;

3 “(6) technology can enhance the ongoing pro-
4 fessional development of teachers and administrators
5 by providing constant access to updated research in
6 teaching and learning by means of telecommuni-
7 cations, and, through exposure to technology ad-
8 vancements, keep teachers and administrators ex-
9 cited and knowledgeable about unfolding opportuni-
10 ties for the classroom;

11 “(7) planned and creative uses of technology,
12 combined with teachers adequately trained in the
13 use of technology, can reshape our Nation’s tradi-
14 tional method of providing education and empower
15 teachers to create an environment in which students
16 are challenged through rigorous, rich classroom in-
17 struction provided at a pace suited to each student’s
18 learning style, and in which students have increased
19 opportunities to develop higher order thinking and
20 technical skills;

21 “(8) schools need new ways of financing the ac-
22 quisition and maintenance of educational technology;

23 “(9) the needs for educational technology differ
24 from State to State;

1 “(10) technology can provide students, parents,
2 teachers, other education professionals, communities,
3 and industry with increased opportunities for part-
4 nerships and with increased access to information,
5 instruction, and educational services in schools and
6 other settings, including homes, libraries, preschool
7 and child-care facilities, adult and family education
8 programs, and postsecondary institutions;

9 “(11) the Department, consistent with the over-
10 all national technology policy established by the
11 President, must assume a vital leadership and co-
12 ordinating role in developing the national vision and
13 strategy to infuse advanced technology throughout
14 all educational programs;

15 “(12) Federal support can ease the burden at
16 the State and local levels by enabling the acquisition
17 of advanced technology and initiating the develop-
18 ment of teacher training and support as well as new
19 educational products;

20 “(13) leadership at the Federal level should
21 consider guidelines to ensure that educational tech-
22 nology is accessible to all users with maximum inter-
23 operability nationwide;

1 “(14) the rapidly changing nature of technology
2 requires coordination and flexibility in Federal lead-
3 ership; and

4 “(15) technology has the potential to assist and
5 support the improvement of teaching and learning in
6 schools and other settings.

7 **“SEC. 10112. STATEMENT OF PURPOSE.**

8 “The purpose of this part is to support a comprehen-
9 sive system for the acquisition and use by elementary and
10 secondary schools in the United States of technology and
11 technology-enhanced curricula, instruction, and adminis-
12 trative support resources and services to improve the deliv-
13 ery of educational services. Such system shall include—

14 “(1) national leadership with respect to the
15 need for, and the provision of, appropriate tech-
16 nology-enhanced curriculum, instruction, and admin-
17 istrative programs to improve learning in the United
18 States, and to promote equal access for all students
19 to educational opportunities in order to achieve the
20 National Education Goals by the year 2000;

21 “(2) funding mechanisms which will support the
22 development, interconnection, implementation, im-
23 provement, and maintenance of an effective edu-
24 cational technology infrastructure, including activi-
25 ties undertaken by State and local educational agen-

1 cies to promote and provide equipment, training for
2 teachers and school library and media personnel,
3 and technical support;

4 “(3) support for technical assistance, profes-
5 sional development, information and resource dis-
6 semination, in order to help States, local educational
7 agencies, teachers, school library and media per-
8 sonnel, and administrators successfully integrate
9 technology into kindergarten through 12th grade
10 classrooms and library media centers;

11 “(4) support for the development of educational
12 and instructional programming in core subject areas,
13 which shall address the National Education Goals;

14 “(5) strengthening and building upon, but not
15 duplicating, existing telecommunications infrastruc-
16 tures dedicated to educational purposes;

17 “(6) development and evaluation of new and
18 emerging educational technologies, telecommuni-
19 cations networks, and state-of-the-art educational
20 technology products that promote the use of ad-
21 vanced technologies in the classroom and school li-
22 brary media center;

23 “(7) assessment data regarding state-of-the-art
24 uses of technologies in United States education upon
25 which commercial and noncommercial telecommuni-

1 cations entities, and governments can rely for deci-
2 sionmaking about the need for, and provision of, ap-
3 propriate technologies for education in the United
4 States;

5 “(8) ensuring that uses of educational tech-
6 nology are consistent with the overall national tech-
7 nology policy established by the President, and en-
8 suring that Federal technology-related policies and
9 programs will facilitate the use of technology in edu-
10 cation;

11 “(9) ensuring that activities supported under
12 this part will form the basis for sound State and
13 local decisions about investing in, sustaining, and ex-
14 panding uses of technology in education;

15 “(10) establishing working guidelines to ensure
16 maximum interoperability nationwide and ease of ac-
17 cess for the emerging technologies so that no school
18 system will be excluded from the technological revo-
19 lution;

20 “(11) ensuring that, as technological advances
21 are made, the educational uses of these advances are
22 considered and their applications are developed; and

23 “(12) encouragement of collaborative relation-
24 ships among the State agency for higher education,
25 the State library administrative agency, the State

1 telecommunications agency, and the State edu-
2 cational agency, in the area of technology support to
3 strengthen the system of education.

4 **“SEC. 10113. DEFINITIONS.**

5 “For purposes of this title—

6 “(1) the term ‘adult education’ has the same
7 meaning given such term by section 203 of the
8 Adult Education and Family Literacy Act;

9 “(2) the term ‘all students’ means students
10 from a broad range of backgrounds and cir-
11 cumstances, including disadvantaged students, stu-
12 dents with diverse racial, ethnic, and cultural back-
13 grounds, students with disabilities, students with
14 limited English proficiency, students who have
15 dropped out of school, and academically talented
16 students;

17 “(3) the term ‘information infrastructure’
18 means a network of communication systems de-
19 signed to exchange information among all citizens
20 and residents of the United States;

21 “(4) the term ‘instructional programming’
22 means the full range of audio and video data, text,
23 graphics, or additional state-of-the-art communica-
24 tions, including multimedia based resources distrib-
25 uted through interactive, command and control, or

1 passive methods for the purpose of education and
2 instruction;

3 “(5) the terms ‘interoperable’ and ‘interoper-
4 ability’ mean the ability to exchange easily data
5 with, and connect to, other hardware and software
6 in order to provide the greatest accessibility for all
7 students and other users;

8 “(6) the term ‘Office’ means the Office of Edu-
9 cational Technology;

10 “(7) the term ‘public telecommunications entity’
11 has the same meaning given to such term by section
12 397(12) of the Communications Act of 1934;

13 “(8) the term ‘regional educational laboratory’
14 means a regional educational laboratory supported
15 under section 941(h) of the Educational, Research,
16 Development, Dissemination, and Improvement Act
17 of 1994;

18 “(9) the term ‘State educational agency’ in-
19 cludes the Bureau of Indian Affairs for purposes of
20 serving schools funded by the Bureau of Indian Af-
21 fairs in accordance with this part;

22 “(10) the term ‘State library administrative
23 agency’ has the same meaning given to such term in
24 section 3 of the Library Services and Construction
25 Act; and

1 “(11) the term ‘technology’ means state-of-the-
2 art technology products and services, such as closed
3 circuit television systems, educational television and
4 radio programs and services, cable television, sat-
5 ellite, copper and fiber optic transmission, computer
6 hardware and software, video and audio laser and
7 CD-ROM discs, and video and audio tapes.

8 **“SEC. 10114. AUTHORIZATION OF APPROPRIATIONS; FUND-**
9 **ING RULE.**

10 “(a) AUTHORIZATION OF APPROPRIATIONS.—

11 “(1) SUBPARTS 1, 2, AND 3.—There are author-
12 ized to be appropriated \$200,000,000 for fiscal year
13 2002 and such sums as may be necessary for each
14 of the four succeeding fiscal years to carry out sub-
15 parts 1, 2, and 3, of which—

16 “(A)(i) \$3,000,000 shall be available to
17 carry out subpart 1 (National Programs for
18 Technology in Education) for any such year for
19 which the amount appropriated under this sub-
20 section is less than \$75,000,000; and

21 “(ii) \$5,000,000 shall be available to carry
22 out subpart 1 for any such year for which the
23 amount appropriated under this subsection is
24 equal to or greater than \$75,000,000;

1 “(B) \$10,000,000 shall be available to
2 carry out subpart 3 (Regional Technical Sup-
3 port and Professional Development) for each
4 such year; and

5 “(C) the remainder shall be available to
6 carry out subpart 2 (State and Local Programs
7 for School Technology Resources) for each such
8 year.

9 “(2) SUBPART 4.—For the purpose of carrying
10 out subpart 4, there are authorized to be appro-
11 priated \$50,000,000 for fiscal year 2001 and such
12 sums as may be necessary for each of the four suc-
13 ceeding fiscal years.

14 “(b) FUNDING RULE.—

15 “(1) APPROPRIATIONS OF LESS THAN
16 \$75,000,000.—For any fiscal year for which the
17 amount appropriated under subsection (a)(1) is less
18 than \$75,000,000, from the remainder of funds
19 made available under subsection (a)(1)(C) the Sec-
20 retary shall award grants for the National Challenge
21 Grants in accordance with section 10136.

22 “(2) APPROPRIATIONS EQUAL TO OR GREATER
23 THAN \$75,000,000.—For any fiscal year for which the
24 amount appropriated under subsection (a)(1) is
25 equal to or greater than \$75,000,000, from the re-

1 mainder of funds made available under subsection
2 (a)(1)(C) the Secretary shall award grants to State
3 educational agencies from allotments under section
4 10131, except that the Secretary may reserve, from
5 such remainder, such funds as the Secretary deter-
6 mines necessary to meet outstanding obligations for
7 such fiscal year to continue the National Challenge
8 Grants for Technology awarded under section
9 10136.

10 **“SEC. 10115. LIMITATION ON COSTS.**

11 “Not more than 5 percent of the funds under this
12 part that are made available to a recipient of funds under
13 this part for any fiscal year may be used by such recipient
14 for administrative costs or technical assistance.

15 **“Subpart 1—National Programs for Technology in**
16 **Education**

17 **“SEC. 10121. NATIONAL LONG-RANGE TECHNOLOGY PLAN.**

18 “(a) IN GENERAL.—The Secretary shall develop and
19 publish not later than 12 months after the date of the
20 enactment of the Education Reform Act, and update when
21 the Secretary determines appropriate, a national long-
22 range plan that supports the overall national technology
23 policy and carries out the purposes of this part.

24 “(b) PLAN REQUIREMENTS.—The Secretary shall—

1 “(1) develop the national long-range plan in
2 consultation with other Federal departments or
3 agencies, State and local education practitioners and
4 policymakers, experts in technology and the applica-
5 tions of technology to education, representatives of
6 distance learning consortia, representatives of tele-
7 communications partnerships receiving assistance
8 under the Star Schools Act, and providers of tech-
9 nology services and products;

10 “(2) transmit such plan to the President and to
11 the appropriate committees of the Congress; and

12 “(3) publish such plan in a form that is readily
13 accessible to the public.

14 “(c) CONTENTS OF THE PLAN.—The national long-
15 range plan shall describe the Secretary’s activities to pro-
16 mote the purposes of this title, including—

17 “(1) how the Secretary will encourage the effec-
18 tive use of technology to provide all students the op-
19 portunity to achieve State content standards and
20 State student performance standards, especially
21 through programs administered by the Department;

22 “(2) joint activities in support of the overall na-
23 tional technology policy with other Federal depart-
24 ments or agencies, such as the Office of Science and
25 Technology Policy, the National Endowment for the

1 Humanities, the National Endowment for the Arts,
2 the National Institute for Literacy, the National
3 Aeronautics and Space Administration, the National
4 Science Foundation, the Bureau of Indian Affairs,
5 and the Departments of Commerce, Energy, Health
6 and Human Services, and Labor—

7 “(A) to promote the use of technology in
8 education, training, and lifelong learning, in-
9 cluding plans for the educational uses of a na-
10 tional information infrastructure; and

11 “(B) to ensure that the policies and pro-
12 grams of such departments or agencies facili-
13 tate the use of technology for educational pur-
14 poses, to the extent feasible;

15 “(3) how the Secretary will work with edu-
16 cators, State and local educational agencies, and ap-
17 propriate representatives of the private sector to fa-
18 cilitate the effective use of technology in education;

19 “(4) how the Secretary will promote—

20 “(A) higher achievement of all students
21 through the integration of technology into the
22 curriculum;

23 “(B) increased access to the benefits of
24 technology for teaching and learning for schools

1 with a high number or percentage of children
2 from low-income families;

3 “(C) the use of technology to assist in the
4 implementation of State systemic reform strate-
5 gies;

6 “(D) the application of technological ad-
7 vances to use in education;

8 “(E) increased access to high quality adult
9 and family education services through the use
10 of technology for instruction and professional
11 development; and

12 “(F) increased opportunities for the pro-
13 fessional development of teachers in the use of
14 new technologies;

15 “(5) how the Secretary will determine, in con-
16 sultation with appropriate individuals, organizations,
17 industries, and agencies, the feasibility and desir-
18 ability of establishing guidelines to facilitate an easy
19 exchange of data and effective use of technology in
20 education;

21 “(6) how the Secretary will promote the ex-
22 change of information among States, local edu-
23 cational agencies, schools, consortia, and other enti-
24 ties concerning the effective use of technology in
25 education;

1 “(7) how the Secretary will utilize the outcomes
2 of the evaluation undertaken pursuant to section
3 10123 to promote the purposes of this part; and

4 “(8) the Secretary’s long-range measurable
5 goals and objectives relating to the purposes of this
6 part.

7 **“SEC. 10122. FEDERAL LEADERSHIP.**

8 “(a) PROGRAM AUTHORIZED.—In order to provide
9 Federal leadership in promoting the use of technology in
10 education, the Secretary, in consultation with the National
11 Science Foundation, the Department of Commerce, the
12 United States National Commission on Libraries and In-
13 formation Sciences, and other appropriate Federal agen-
14 cies, may carry out activities designed to achieve the pur-
15 poses of this part directly or by awarding grants or con-
16 tracts competitively and pursuant to a peer review process
17 to, or entering into contracts with, State educational agen-
18 cies, local educational agencies, institutions of higher edu-
19 cation, or other public and private nonprofit or for-profit
20 agencies and organizations.

21 “(b) ASSISTANCE.—

22 “(1) IN GENERAL.—The Secretary shall provide
23 assistance to the States to enable such States to
24 plan effectively for the use of technology in all
25 schools throughout the State in accordance with the

1 purpose and requirements of section 317 of the
2 Goals 2000: Educate America Act.

3 “(2) OTHER FEDERAL AGENCIES.—For the
4 purpose of carrying out coordinated or joint activi-
5 ties consistent with the purposes of this part, the
6 Secretary may accept funds from, and transfer
7 funds to, other Federal agencies.

8 “(c) USES OF FUNDS.—The Secretary shall use
9 funds made available to carry out this section for activities
10 designed to carry out the purpose of this part, such as—

11 “(1) providing assistance to technical assistance
12 providers to enable such providers to improve sub-
13 stantially the services such providers offer to edu-
14 cators regarding the uses of technology for edu-
15 cation, including professional development;

16 “(2) providing development grants to technical
17 assistance providers, to enable such providers to im-
18 prove substantially the services such providers offer
19 to educators on the educational uses of technology,
20 including professional development;

21 “(3) consulting with representatives of industry,
22 elementary and secondary education, higher edu-
23 cation, adult and family education, and appropriate
24 experts in technology and educational applications of

1 technology in carrying out activities under this sub-
2 part;

3 “(4) research on, and the development of,
4 guidelines to facilitate maximum interoperability, ef-
5 ficiency and easy exchange of data for effective use
6 of technology in education;

7 “(5) research on, and the development of, appli-
8 cations for education of the most advanced and
9 newly emerging technologies which research shall be
10 coordinated, when appropriate, with the Office of
11 Educational Research and Improvement, and other
12 Federal agencies;

13 “(6) the development, demonstration, and eval-
14 uation of the educational aspects of high perform-
15 ance computing and communications technologies
16 and of the national information infrastructure, in
17 providing professional development for teachers,
18 school librarians, and other educators; enriching aca-
19 demic curricula for elementary and secondary
20 schools; facilitating communications among schools,
21 local educational agencies, libraries, parents, and
22 local communities and in other such areas as the
23 Secretary deems appropriate;

24 “(7) the development, demonstration, and eval-
25 uation of applications of existing technology in pre-

1 school education, elementary and secondary edu-
2 cation, training and lifelong learning, and profes-
3 sional development of educational personnel;

4 “(8) the development and evaluation of software
5 and other products, including multimedia television
6 programming, that incorporate advances in tech-
7 nology and help achieve the National Education
8 Goals, State content standards and State student
9 performance standards;

10 “(9) the development, demonstration, and eval-
11 uation of model strategies for preparing teachers
12 and other personnel to use technology effectively to
13 improve teaching and learning;

14 “(10) the development of model programs that
15 demonstrate the educational effectiveness of tech-
16 nology in urban and rural areas and economically
17 distressed communities;

18 “(11) research on, and the evaluation of, the ef-
19 fectiveness and benefits of technology in education;

20 “(12) a biennial assessment of, and report to
21 the public regarding, the uses of technology in ele-
22 mentary and secondary education throughout the
23 United States upon which private businesses and
24 Federal, State, tribal, and local governments may
25 rely for decisionmaking about the need for, and pro-

1 vision of, appropriate technologies in schools, which
2 assessment and report shall use, to the extent pos-
3 sible, existing information and resources;

4 “(13) conferences on, and dissemination of in-
5 formation regarding, the uses of technology in edu-
6 cation;

7 “(14) the development of model strategies to
8 promote gender equity concerning access to, and the
9 use of, technology in the classroom;

10 “(15) encouraging collaboration between the
11 Department and other Federal agencies in the devel-
12 opment, implementation, evaluation and funding of
13 applications of technology for education, as appro-
14 priate; and

15 “(16) such other activities as the Secretary de-
16 termines will meet the purposes of this subpart.

17 “(d) NON-FEDERAL SHARE.—

18 “(1) IN GENERAL.—Subject to paragraphs (2)
19 and (3), the Secretary may require any recipient of
20 a grant or contract under this section to share in the
21 cost of the activities assisted under such grant or
22 contract, which non-Federal share shall be an-
23 nounced through a notice in the Federal Register
24 and may be in the form of cash or in-kind contribu-
25 tions, fairly valued.

1 “(2) INCREASE.—The Secretary may increase
2 the non-Federal share that is required of a recipient
3 of a grant or contract under this section after the
4 first year such recipient receives funds under such
5 grant or contract.

6 “(3) MAXIMUM.—The non-Federal share re-
7 quired under this section shall not exceed 50 percent
8 of the cost of the activities assisted pursuant to a
9 grant or contract under this section.

10 **“SEC. 10123. STUDY, EVALUATION AND REPORT OF FUND-**
11 **ING ALTERNATIVES.**

12 “The Secretary, through the Office of Educational
13 Technology, shall conduct a study to evaluate, and report
14 to the Congress on, the feasibility of several alternative
15 models for providing sustained and adequate funding for
16 schools throughout the United States so that such schools
17 are able to acquire and maintain technology-enhanced cur-
18 riculum, instruction, and administrative support resources
19 and services. Such report shall be submitted to the Con-
20 gress not later than one year after the date of enactment
21 of the Education Reform Act.

22 **“Subpart 2—State and Local Programs for School**
23 **Technology Resources**

24 **“SEC. 10131. ALLOTMENT AND REALLOTMENT.**

25 “(a) ALLOTMENT.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), each State educational agency shall be el-
3 igible to receive a grant under this subpart for a fis-
4 cal year in an amount which bears the same rela-
5 tionship to the amount made available under section
6 10114(a)(1)(C) for such year as the amount such
7 State received under part A of title I for such year
8 bears to the amount received for such year under
9 such part by all States.

10 “(2) MINIMUM.—No State educational agency
11 shall be eligible to receive a grant under paragraph
12 (1) in any fiscal year in an amount which is less
13 than one-half of one percent of the amount made
14 available under section 10115(a)(1)(C) for such
15 year.

16 “(b) REALLOTMENT OF UNUSED FUNDS.—

17 “(1) IN GENERAL.—The amount of any State
18 educational agency’s allotment under subsection (a)
19 for any fiscal year which the Secretary determines
20 will not be required for such fiscal year to carry out
21 this subpart shall be available for reallocation from
22 time to time, on such dates during such year as the
23 Secretary may determine, to other State educational
24 agencies in proportion to the original allotments to
25 such State educational agencies under subsection (a)

1 for such year, but with such proportionate amount
2 for any of such other State educational agencies
3 being reduced to the extent such amount exceeds the
4 sum the Secretary estimates such State needs and
5 will be able to use for such year.

6 “(2) OTHER REALLOTMENTS.—The total of re-
7 ductions under paragraph (1) shall be similarly real-
8 lotted among the State educational agencies whose
9 proportionate amounts were not so reduced. Any
10 amounts reallocated to a State educational agency
11 under this subsection during a year shall be deemed
12 a subpart of such agencies allotment under sub-
13 section (a) for such year.

14 **“SEC. 10132. SCHOOL TECHNOLOGY RESOURCE GRANTS.**

15 “(a) GRANTS TO STATES.—

16 “(1) IN GENERAL.—From amounts made avail-
17 able under section 10131, the Secretary, through the
18 Office of Educational Technology, shall award
19 grants to State educational agencies having applica-
20 tions approved under section 10133.

21 “(2) USE OF GRANTS.—(A) Each State edu-
22 cational agency receiving a grant under paragraph
23 (1) shall use such grant funds to award grants, on
24 a competitive basis, to local educational agencies to

1 enable such local educational agencies to carry out
2 the activities described in section 10134.

3 “(B) In awarding grants under subparagraph
4 (A), each State educational agency shall ensure that
5 each such grant is of sufficient duration, and of suf-
6 ficient size, scope, and quality, to carry out the pur-
7 poses of this part effectively.

8 “(b) TECHNICAL ASSISTANCE.—Each State edu-
9 cational agency receiving a grant under paragraph (1)
10 shall—

11 “(1) identify the local educational agencies
12 served by the State educational agency that—

13 “(A) have the highest number or percent-
14 age of children in poverty; and

15 “(B) demonstrate to such State edu-
16 cational agency the greatest need for technical
17 assistance in developing the application under
18 section 10133; and

19 “(2) offer such technical assistance to such
20 local educational agencies.

21 **“SEC. 10133. STATE APPLICATION.**

22 “To receive funds under this subpart, each State edu-
23 cational agency shall submit a statewide educational tech-
24 nology plan which may include plans submitted under the
25 Goals 2000: Educate America Act or other statewide tech-

1 nology plans which meet the requirements of this section.
2 Such application shall be submitted to the Secretary at
3 such time, in such manner, and accompanied by such in-
4 formation as the Secretary may reasonably require. Each
5 such application shall contain a systemic statewide plan
6 that—

7 “(1) outlines long-term strategies for financing
8 technology education in the State and describes how
9 business, industry, and other public and private
10 agencies, including libraries, library literacy pro-
11 grams, and institutions of higher education, can par-
12 ticipate in the implementation, ongoing planning,
13 and support of the plan; and

14 “(2) meets such other criteria as the Secretary
15 may establish in order to enable such agency to pro-
16 vide assistance to local educational agencies that
17 have the highest numbers or percentages of children
18 in poverty and demonstrate the greatest need for
19 technology, in order to enable such local educational
20 agencies, for the benefit of school sites served by
21 such local educational agencies, to carry out activi-
22 ties such as—

23 “(A) purchasing quality technology re-
24 sources;

1 “(B) installing various linkages necessary
2 to acquire connectivity;

3 “(C) integrating technology into the cur-
4 riculum in order to improve student learning
5 and achievement;

6 “(D) providing teachers and library media
7 personnel with training or access to training;

8 “(E) providing administrative and tech-
9 nical support and services that improve student
10 learning through enriched technology-enhanced
11 resources, including library media resources;

12 “(F) promoting in individual schools the
13 sharing, distribution, and application of edu-
14 cational technologies with demonstrated effec-
15 tiveness;

16 “(G) assisting schools in promoting parent
17 involvement;

18 “(H) assisting the community in providing
19 literacy-related services;

20 “(I) establishing partnerships with private
21 or public educational providers or other entities
22 to serve the needs of children in poverty; and

23 “(J) providing assurances that financial
24 assistance provided under this part shall supple-
25 ment, not supplant, State and local funds.

1 **“SEC. 10134. LOCAL USES OF FUNDS.**

2 “Each local educational agency, to the extent pos-
3 sible, shall use the funds made available under section
4 10132(a)(2) for—

5 “(1) developing, adapting, or expanding existing
6 and new applications of technology to support the
7 school reform effort;

8 “(2) funding projects of sufficient size and
9 scope to improve student learning and, as appro-
10 priate, support professional development, and pro-
11 vide administrative support;

12 “(3) acquiring connectivity linkages, resources,
13 and services, including the acquisition of hardware
14 and software, for use by teachers, students and
15 school library media personnel in the classroom or in
16 school library media centers, in order to improve
17 student learning by supporting the instructional pro-
18 gram offered by such agency to ensure that students
19 in schools will have meaningful access on a regular
20 basis to such linkages, resources and services;

21 “(4) providing ongoing professional develop-
22 ment in the integration of quality educational tech-
23 nologies into school curriculum and long-term plan-
24 ning for implementing educational technologies;

25 “(5) acquiring connectivity with wide area net-
26 works for purposes of accessing information and

1 educational programming sources, particularly with
2 institutions of higher education and public libraries;
3 and

4 “(6) providing educational services for adults
5 and families.

6 **“SEC. 10135. LOCAL APPLICATIONS.**

7 “Each local educational agency desiring assistance
8 from a State educational agency under section
9 10132(a)(2) shall submit an application, consistent with
10 the objectives of the systemic statewide plan, to the State
11 educational agency at such time, in such manner and ac-
12 companied by such information as the State educational
13 agency may reasonably require. Such application, at a
14 minimum, shall—

15 “(1) include a strategic, long-range (three- to
16 five-year), plan that includes—

17 “(A) a description of the type of tech-
18 nologies to be acquired, including specific provi-
19 sions for interoperability among components of
20 such technologies and, to the extent practicable,
21 with existing technologies;

22 “(B) an explanation of how the acquired
23 technologies will be integrated into the cur-
24 riculum to help the local educational agency en-

1 hance teaching, training, and student achieve-
2 ment;

3 “(C) an explanation of how programs will
4 be developed in collaboration with existing adult
5 literacy services providers to maximize the use
6 of such technologies;

7 “(D)(i) a description of how the local edu-
8 cational agency will ensure ongoing, sustained
9 professional development for teachers, adminis-
10 trators, and school library media personnel
11 served by the local educational agency to fur-
12 ther the use of technology in the classroom or
13 library media center; and

14 “(ii) a list of the source or sources of ongo-
15 ing training and technical assistance available
16 to schools, teachers and administrators served
17 by the local educational agency, such as State
18 technology offices, intermediate educational
19 support units, regional educational laboratories
20 or institutions of higher education;

21 “(E) a description of the supporting re-
22 sources, such as services, software and print re-
23 sources, which will be acquired to ensure suc-
24 cessful and effective use of technologies ac-
25 quired under this section;

1 “(F) the projected timetable for imple-
2 menting such plan in schools;

3 “(G) the projected cost of technologies to
4 be acquired and related expenses needed to im-
5 plement such plan; and

6 “(H) a description of how the local edu-
7 cational agency will coordinate the technology
8 provided pursuant to this subpart with other
9 grant funds available for technology from State
10 and local sources;

11 “(2) describe how the local educational agency
12 will involve parents, public libraries, business leaders
13 and community leaders in the development of such
14 plan;

15 “(3) describe how the acquired instructionally
16 based technologies will help the local educational
17 agency—

18 “(A) promote equity in education in order
19 to support State content standards and State
20 student performance standards that may be de-
21 veloped; and

22 “(B) provide access for teachers, parents
23 and students to the best teaching practices and
24 curriculum resources through technology; and

1 “(4) describe a process for the ongoing evalua-
2 tion of how technologies acquired under this
3 section—

4 “(A) will be integrated into the school cur-
5 riculum; and

6 “(B) will affect student achievement and
7 progress toward meeting the National Edu-
8 cation Goals and any challenging State content
9 standards and State student performance
10 standards that may be developed.

11 “(d) FORMATION OF CONSORTIA.—A local edu-
12 cational agency for any fiscal year may apply for financial
13 assistance as part of a consortium with other local edu-
14 cational agencies, institutions of higher education, inter-
15 mediate educational units, libraries, or other educational
16 entities appropriate to provide local programs. The State
17 educational agency may assist in the formation of con-
18 sortia among local educational agencies, providers of edu-
19 cational services for adults and families, institutions of
20 higher education, intermediate educational units, libraries,
21 or other appropriate educational entities to provide serv-
22 ices for the teachers and students in a local educational
23 agency at the request of such local educational agency.

24 “(e) COORDINATION OF APPLICATION REQUIRE-
25 MENTS.—If a local educational agency submitting an ap-

1 plication for assistance under this section has developed
2 a comprehensive education improvement plan, in conjunc-
3 tion with requirements under this Act or the Goals 2000:
4 Educate America Act, the State educational agency may
5 approve such plan, or a component of such plan, notwith-
6 standing the requirements of subsection (e) if the State
7 educational agency determines that such approval would
8 further the purposes of this subpart.

9 **“SEC. 10136. NATIONAL CHALLENGE GRANTS FOR TECH-**
10 **NOLOGY IN EDUCATION.**

11 “(a) GRANTS AUTHORIZED.—

12 “(1) IN GENERAL.—From amounts made avail-
13 able under section 10115(b)(1) for any fiscal year
14 the Secretary is authorized to award grants, on a
15 competitive basis, to consortia having applications
16 approved under subsection (d), which consortia shall
17 include at least one local educational agency with a
18 high percentage or number of children living below
19 the poverty line and may include other local edu-
20 cational agencies, State educational agencies, institu-
21 tions of higher education, businesses, academic con-
22 tent experts, software designers, museums, libraries,
23 or other appropriate entities.

24 “(2) DURATION.—Grants under this section
25 shall be awarded for a period of 5 years.

1 “(b) USE OF GRANTS.—Grants awarded under sub-
2 section (a) shall be used for activities similar to the activi-
3 ties described in section 10134.

4 “(c) PRIORITY.—In awarding grants under this sec-
5 tion, the Secretary shall give priority to consortia which
6 demonstrate in the application submitted under subsection
7 (d) that—

8 “(1) the project for which assistance is sought
9 is designed to serve areas with a high number or
10 percentage of disadvantaged students or the greatest
11 need for educational technology;

12 “(2) the project will directly benefit students
13 by, for example, integrating the acquired tech-
14 nologies into curriculum to help the local educational
15 agency enhance teaching, training, and student
16 achievement;

17 “(3) the project will ensure ongoing, sustained
18 professional development for teachers, administra-
19 tors, and school library media personnel served by
20 the local educational agency to further the use of
21 technology in the classroom or library media center;

22 “(4) the project will ensure successful, effective,
23 and sustainable use of technologies acquired under
24 this subsection; and

1 “(5) members of the consortia or other appro-
2 priate entities will contribute substantial financial
3 and other resources to achieve the goals of the
4 project.

5 “(d) APPLICATION.—Each local educational agency
6 desiring a grant under this section shall submit an appli-
7 cation to the Secretary at such time, in such manner, and
8 accompanied by such information as the Secretary may
9 reasonably require.

10 **“SEC. 10137. FEDERAL ADMINISTRATION.**

11 “(a) EVALUATION PROCEDURES.—The Secretary
12 shall develop procedures for State and local evaluations
13 of the programs under this subpart.

14 “(b) EVALUATION SUMMARY.—The Secretary shall
15 submit to the Congress four years after the enactment of
16 the Education Reform Act a summary of the State evalua-
17 tions of programs under this subpart in accordance with
18 the provisions of section 14701.

19 **“Subpart 3—Regional Technical Support and**
20 **Professional Development**

21 **“SEC. 10141. REGIONAL TECHNICAL SUPPORT AND PROFES-**
22 **SIONAL DEVELOPMENT.**

23 “(a) GRANTS AUTHORIZED.—

24 “(1) AUTHORITY.—The Secretary, through the
25 Office of Educational Technology, shall make grants

1 in accordance with the provisions of this section, to
2 regional entities such as the Eisenhower Mathe-
3 matics and Science Regional Consortia under part C
4 of title XIII, the regional education laboratories, the
5 comprehensive regional assistance centers, or such
6 other regional entities as may be designated or es-
7 tablished by the Secretary. In awarding grants
8 under this section, the Secretary shall give priority
9 to such consortia and shall ensure that each geo-
10 graphic region of the United States shall be served
11 by such a consortium.

12 “(2) REQUIREMENTS.—Each consortium receiv-
13 ing a grant under this section shall—

14 “(A) be composed of State educational
15 agencies, institutions of higher education, non-
16 profit organizations, or a combination thereof;

17 “(B) in cooperation with State and local
18 educational agencies, develop a regional pro-
19 gram that addresses professional development,
20 technical assistance, and information resource
21 dissemination, with special emphasis on meeting
22 the documented needs of educators and learners
23 in the region; and

24 “(C) foster regional cooperation and re-
25 source and coursework sharing.

1 “(b) FUNCTIONS.—

2 “(1) TECHNICAL ASSISTANCE.—Each consor-
3 tium receiving a grant under this section shall, to
4 the extent practicable—

5 “(A) collaborate with State educational
6 agencies and local educational agencies request-
7 ing collaboration, particularly in the develop-
8 ment of strategies for assisting those schools
9 with the highest numbers or percentages of dis-
10 advantaged students with little or no access to
11 technology in the classroom;

12 “(B) provide information, in coordination
13 with information available from the Secretary,
14 to State educational agencies, local educational
15 agencies, schools and adult education programs,
16 on the types and features of various educational
17 technology equipment and software available,
18 evaluate and make recommendations on equip-
19 ment and software that support the National
20 Education Goals and are suited for a school’s
21 particular needs, and compile and share infor-
22 mation regarding creative and effective applica-
23 tions of technology in the classroom and school
24 library media centers in order to support the
25 purposes of this part;

1 “(C) collaborate with such State edu-
2 cational agencies, local educational agencies, or
3 schools requesting to participate in the tailoring
4 of software programs and other supporting ma-
5 terials to meet challenging State content stand-
6 ards or challenging State student performance
7 standards that may be developed; and

8 “(D) provide technical assistance to facili-
9 tate use of the electronic dissemination net-
10 works by State and local educational agencies
11 and schools throughout the region.

12 “(2) PROFESSIONAL DEVELOPMENT.—Each
13 consortium receiving a grant under this section
14 shall, to the extent practicable—

15 “(A) develop and implement, in collabora-
16 tion with State educational agencies and insti-
17 tutions of higher education, technology-specific,
18 ongoing professional development, such as—

19 “(i) intensive school year and summer
20 workshops that use teachers, school librar-
21 ians, and school library personnel to train
22 other teachers, school librarians, and other
23 school library media personnel; and

24 “(ii) distance professional develop-
25 ment, including—

1 “(I) interactive training tele-
2 courses using researchers, educators,
3 and telecommunications personnel
4 who have experience in developing,
5 implementing, or operating edu-
6 cational and instructional technology
7 as a learning tool;

8 “(II) onsite courses teaching
9 teachers to use educational and in-
10 structional technology and to develop
11 their own instructional materials for
12 effectively incorporating technology
13 and programming in their own class-
14 rooms;

15 “(III) methods for successful in-
16 tegration of instructional technology
17 into the curriculum in order to im-
18 prove student learning and achieve-
19 ment;

20 “(IV) video conferences and sem-
21 inars which offer professional develop-
22 ment through peer interaction with
23 experts as well as other teachers using
24 technologies in their classrooms; and

1 “(V) mobile education technology
2 and training resources;

3 “(B) develop training resources that—

4 “(i) are relevant to the needs of the
5 region and schools within the region;

6 “(ii) are relevant to the needs of adult
7 literacy staff and volunteers, including on-
8 site courses on how to—

9 “(I) use instructional technology;
10 and

11 “(II) develop instructional mate-
12 rials for adult learning; and

13 “(iii) are aligned with the needs of
14 teachers and administrators in the region;

15 “(C) establish a repository of professional
16 development and technical assistance resources;

17 “(D) identify and link technical assistance
18 providers to State and local educational agen-
19 cies, as needed;

20 “(E) ensure that training, professional de-
21 velopment, and technical assistance meet the
22 needs of educators, parents, and students
23 served by the region;

24 “(F) assist colleges and universities within
25 the region to develop and implement preservice

1 training programs for students enrolled in
2 teacher education programs; and

3 “(G) assist local educational agencies and
4 schools in working with community members
5 and parents to develop support from commu-
6 nities and parents for educational technology
7 programs and projects.

8 “(3) INFORMATION AND RESOURCE DISSEMINA-
9 TION.—Each consortium receiving a grant under
10 this section shall, to the extent practicable—

11 “(A) assist State and local educational
12 agencies in the identification and procurement
13 of financial, technological and human resources
14 needed to implement technology plans;

15 “(B) provide outreach and, at the request
16 of a State or local educational agency, work
17 with such agency to assist in the development
18 and validation of instructionally based tech-
19 nology education resources; and

20 “(C) coordinate activities and establish
21 partnerships with organizations and institutions
22 of higher education that represent the interests
23 of the region as such interests pertain to the
24 application of technology in teaching, learning,
25 instructional management, dissemination, col-

1 lection and distribution of educational statistics,
2 and the transfer of student information.

3 “(4) COORDINATION.—Each consortium receiv-
4 ing a grant under this section shall work collabo-
5 ratively, and coordinate the services the consortium
6 provides, with appropriate regional and other enti-
7 ties assisted in whole or in part by the Department.

8 **“Subpart 4—Product Development**

9 **“SEC. 10151. EDUCATIONAL TECHNOLOGY PRODUCT DE-**
10 **VELOPMENT.**

11 “(a) PURPOSE.—It is the purpose of this subpart
12 to—

13 “(1) support development of curriculum-based
14 learning resources using state-of-the-art technologies
15 and techniques designed to improve student learn-
16 ing; and

17 “(2) support development of long-term com-
18 prehensive instructional programming and associated
19 support resources that ensure maximum access by
20 all educational institutions.

21 “(b) FEDERAL ASSISTANCE AUTHORIZED.—

22 “(1) IN GENERAL.—The Secretary shall provide
23 assistance, on a competitive basis, to eligible con-
24 sortia to enable such entities to develop, produce,
25 and distribute state-of-the-art technology-enhanced

1 instructional resources and programming for use in
2 the classroom or to support professional development
3 for teachers.

4 “(2) GRANTS AND LOANS AUTHORIZED.—In
5 carrying out the purposes of this section, the Sec-
6 retary is authorized to pay the Federal share of the
7 cost of the development, production, and distribution
8 of state-of-the-art technology enhanced instructional
9 resources and programming—

10 “(A) by awarding grants to, or entering
11 into contracts or cooperative agreements with,
12 eligible consortia; or

13 “(B) by awarding loans to eligible con-
14 sortia which—

15 “(i) shall be secured in such manner
16 and be repaid within such period, not ex-
17 ceeding 20 years, as may be determined by
18 the Secretary;

19 “(ii) shall bear interest at a rate de-
20 termined by the Secretary which shall be
21 not more than the total of one-quarter of
22 1 percent per annum added to the rate of
23 interest paid by the Secretary on funds ob-
24 tained from the Secretary of the Treasury;
25 and

1 “(iii) may be forgiven by the Sec-
2 retary, in an amount not to exceed 25 per-
3 cent of the total loan, under such terms
4 and conditions as the Secretary may con-
5 sider appropriate.

6 “(3) MATCHING REQUIREMENT.—The Sec-
7 retary may require any recipient of a grant or con-
8 tract under this subpart to share in the cost of the
9 activities assisted under such grant or contract,
10 which non-Federal share shall be announced through
11 a notice in the Federal Register and may be in the
12 form of cash or in-kind contributions, fairly valued.

13 “(4) ELIGIBLE CONSORTIUM.—For the purpose
14 of this subsection, the term ‘eligible consortium’
15 means a consortium—

16 “(A) that shall include—

17 “(i) a State or local educational agen-
18 cy; and

19 “(ii) a business, industry, or tele-
20 communications entity; and

21 “(B) that may include—

22 “(i) a public or private nonprofit orga-
23 nization; or

24 “(ii) a postsecondary institution.

1 “(5) PRIORITIES.—In awarding assistance
2 under this section, the Secretary shall give priority
3 to applications describing programs or systems
4 that—

5 “(A) promote the acquisition of higher-
6 order thinking skills and promise to raise the
7 achievement levels of all students, particularly
8 disadvantaged students who are not realizing
9 their potential;

10 “(B) are aligned with challenging State
11 content standards and State and local cur-
12 rriculum frameworks;

13 “(C) may be adapted and applied nation-
14 ally at a reasonable cost over a broad tech-
15 nology platform;

16 “(D) convert technology resources devel-
17 oped with support from the Department of De-
18 fense and other Federal agencies for effective
19 use in the classroom;

20 “(E) show promise of reducing the costs of
21 providing high-quality instruction;

22 “(F) show promise of expanding access to
23 high-quality instruction in content areas which
24 would otherwise not be available to students in
25 rural and urban communities or who are served

1 by other educational agencies with limited fi-
2 nancial resources;

3 “(G) are developed in consultation with
4 classroom teachers;

5 “(H) are developed through consultation
6 and collaboration with appropriate education
7 entities in designing the product to ensure rel-
8 evance to the voluntary national content stand-
9 ards, the voluntary national student perform-
10 ance standards and State curriculum frame-
11 works; and

12 “(I) are developed so that the product can
13 be adapted for use by adults in need of literacy
14 services, including English as a second language
15 and preparation for a secondary school diploma
16 or its recognized equivalent.

17 “(6) REQUIREMENTS FOR FEDERAL ASSIST-
18 ANCE.—Each eligible consortium desiring Federal
19 assistance under this section shall submit an appli-
20 cation to the Secretary at such time and in such
21 manner as the Secretary may prescribe. Each appli-
22 cation shall include—

23 “(A) a description of how the product will
24 improve the achievement levels of students;

1 “(B) a description of how the activities as-
2 sisted under this section will promote profes-
3 sional development of teachers and administra-
4 tors in the uses and applications of the product,
5 including the development of training materials;

6 “(C) a description of design, development,
7 field testing, evaluation, and distribution of
8 products, where appropriate;

9 “(D) an assurance that the product shall
10 effectively serve a significant number or per-
11 centage of economically disadvantaged students;

12 “(E) plans for dissemination of products to
13 a wide audience of learners;

14 “(F) a description of how the product can
15 be adapted for use by students with disabilities
16 including provisions for closed captioning or de-
17 scriptive video, where appropriate;

18 “(G) a description of how ownership and
19 rights to the use and marketing of any product
20 developed by the consortium, including intellec-
21 tual property rights, will be allocated among
22 consortium participants; and

23 “(H) a description of the contributions, in-
24 cluding services and funds, to be made by each
25 member of the consortium, and how any reve-

1 nues derived from the sale of any product devel-
2 oped by the consortium shall be distributed.

3 “(c) CONSUMER REPORT.—The Secretary shall pro-
4 vide for the independent evaluation of products developed
5 under this section and shall disseminate information about
6 products developed pursuant to provisions of this section
7 to State and local educational agencies, and other organi-
8 zations or individuals that the Secretary determines to be
9 appropriate, through print and electronic media that are
10 accessible to the education community at large.

11 “(d) PROCEEDS.—The Secretary shall not prohibit
12 an eligible consortium or any of the members of such con-
13 sortium from receiving financial benefits from the dis-
14 tribution of any products resulting from the assistance re-
15 ceived under this section. Notwithstanding any other pro-
16 vision of law, any profits or royalties received by a State
17 educational agency, local educational agency, or other non-
18 profit member of an eligible consortium receiving assist-
19 ance under this section shall be used to support further
20 development of curriculum-based learning resources, serv-
21 ices, and programming or to provide access to such prod-
22 ucts for a wider audience.

23 **“PART B—STAR SCHOOLS PROGRAM**

24 **“SEC. 10201. SHORT TITLE.**

25 “‘This part may be cited as the ‘Star Schools Act’.

1 **“SEC. 10202. FINDINGS.**

2 “The Congress finds that—

3 “(1) the Star Schools program has helped to
4 encourage the use of distance learning strategies to
5 serve multi-State regions primarily by means of sat-
6 ellite and broadcast television;

7 “(2) in general, distance learning programs
8 have been used effectively to provide students in
9 small, rural, and isolated schools with courses and
10 instruction, such as science and foreign language in-
11 struction, that the local educational agency is not
12 otherwise able to provide; and

13 “(3) distance learning programs may also be
14 used to—

15 “(A) provide students of all ages in all
16 types of schools and educational settings with
17 greater access to high-quality instruction in the
18 full range of core academic subjects that will
19 enable such students to meet challenging, inter-
20 nationally competitive, educational standards;

21 “(B) expand professional development op-
22 portunities for teachers;

23 “(C) contribute to achievement of the Na-
24 tional Education Goals; and

25 “(D) expand learning opportunities for ev-
26 eryone.

1 **“SEC. 10203. PURPOSE.**

2 “It is the purpose of this part to encourage improved
3 instruction in mathematics, science, and foreign languages
4 as well as other subjects, such as literacy skills and voca-
5 tional education, and to serve underserved populations, in-
6 cluding the disadvantaged, illiterate, limited-English pro-
7 ficient, and individuals with disabilities, through a star
8 schools program under which grants are made to eligible
9 telecommunication partnerships to enable such partner-
10 ships to—

11 “(1) develop, construct, acquire, maintain and
12 operate telecommunications audio and visual facili-
13 ties and equipment;

14 “(2) develop and acquire educational and in-
15 structional programming; and

16 “(3) obtain technical assistance for the use of
17 such facilities and instructional programming.

18 **“SEC. 10204. GRANTS AUTHORIZED.**

19 “(a) **AUTHORITY.**—The Secretary, through the Office
20 of Educational Technology, is authorized to make grants,
21 in accordance with the provisions of this part, to eligible
22 entities to pay the Federal share of the cost of—

23 “(1) the development, construction, acquisition,
24 maintenance and operation of telecommunications
25 facilities and equipment;

1 “(2) the development and acquisition of live,
2 interactive instructional programming;

3 “(3) the development and acquisition of
4 preservice and inservice teacher training programs
5 based on established research regarding teacher-to-
6 teacher mentoring, effective skill transfer, and ongo-
7 ing, in-class instruction;

8 “(4) the establishment of teleconferencing facili-
9 ties and resources for making interactive training
10 available to teachers;

11 “(5) obtaining technical assistance; and

12 “(6) the coordination of the design and
13 connectivity of telecommunications networks to
14 reach the greatest number of schools.

15 “(b) DURATION.—

16 “(1) IN GENERAL.—The Secretary shall award
17 grants pursuant to subsection (a) for a period of 5
18 years.

19 “(2) RENEWAL.—Grants awarded pursuant to
20 subsection (a) may be renewed for one additional
21 three-year period.

22 “(c) AUTHORIZATION OF APPROPRIATIONS.—

23 “(1) IN GENERAL.—There are authorized to be
24 appropriated \$60,000,000 for fiscal year 2002, and

1 such sums as may be necessary for each of the four
2 succeeding fiscal years, to carry out this part.

3 “(2) AVAILABILITY.—Funds appropriated pur-
4 suant to the authority of subsection (a) shall remain
5 available until expended.

6 “(d) LIMITATIONS.—

7 “(1) IN GENERAL.—A grant under this section
8 shall not exceed—

9 “(A) five years in duration; and

10 “(B) \$10,000,000 in any one fiscal year.

11 “(2) INSTRUCTIONAL PROGRAMMING.—Not less
12 than 25 percent of the funds available to the Sec-
13 retary in any fiscal year under this part shall be
14 used for the cost of instructional programming.

15 “(3) SPECIAL RULE.—Not less than 50 percent
16 of the funds available in any fiscal year under this
17 part shall be used for the cost of facilities, equip-
18 ment, teacher training or retraining, technical assist-
19 ance, or programming, for local educational agencies
20 which are eligible to receive assistance under part
21 A of title I.

22 “(e) FEDERAL SHARE.—

23 “(1) IN GENERAL.—The Federal share of the
24 cost of projects funded under this section shall not
25 exceed—

1 “(A) 75 percent for the first and second
2 years for which an eligible telecommunications
3 partnership receives a grant under this part;

4 “(B) 60 percent for the third and fourth
5 such years; and

6 “(C) 50 percent for the fifth such year.

7 “(2) REDUCTION OR WAIVER.—The Secretary
8 may reduce or waive the requirement of the non-
9 Federal share under paragraph (1) upon a showing
10 of financial hardship.

11 “(f) AUTHORITY TO ACCEPT FUNDS FROM OTHER
12 AGENCIES.—The Secretary is authorized to accept funds
13 from other Federal departments or agencies to carry out
14 the purposes of this section, including funds for the pur-
15 chase of equipment.

16 “(g) COORDINATION.—The Department, the Na-
17 tional Science Foundation, the Department of Agriculture,
18 the Department of Commerce, and any other Federal de-
19 partment or agency operating a telecommunications net-
20 work for educational purposes, shall coordinate the activi-
21 ties assisted under this part with the activities of such de-
22 partment or agency relating to a telecommunications net-
23 work for educational purposes.

1 “(h) CLOSED CAPTIONING AND DESCRIPTIVE
2 VIDEO.—Each entity receiving funds under this part is
3 encouraged to provide—

4 “(1) closed captioning of the verbal content of
5 such program, where appropriate, to be broadcast by
6 way of line 21 of the vertical blanking interval, or
7 by way of comparable successor technologies; and

8 “(2) descriptive video of the visual content of
9 such program, as appropriate.

10 **“SEC. 10205. ELIGIBLE ENTITIES.**

11 “(a) ELIGIBLE ENTITIES.—

12 “(1) REQUIRED PARTICIPATION.—The Sec-
13 retary may make a grant under section 10204 to
14 any eligible entity, if at least one local educational
15 agency is participating in the proposed project.

16 “(2) ELIGIBLE ENTITY.—For the purpose of
17 this part, the term ‘eligible entity’ may include—

18 “(A) a public agency or corporation estab-
19 lished for the purpose of developing and oper-
20 ating telecommunications networks to enhance
21 educational opportunities provided by edu-
22 cational institutions, teacher training centers,
23 and other entities, except that any such agency
24 or corporation shall represent the interests of
25 elementary and secondary schools that are eligi-

1 ble to participate in the program under part A
2 of title I; or

3 “(B) a partnership that will provide tele-
4 communications services and which includes 3
5 or more of the following entities, at least 1 of
6 which shall be an agency described in clause (i)
7 or (ii):

8 “(i) a local educational agency that
9 serves a significant number of elementary
10 and secondary schools that are eligible for
11 assistance under part A of title I, or ele-
12 mentary and secondary schools operated or
13 funded for Indian children by the Depart-
14 ment of the Interior eligible under section
15 1121(b)(2);

16 “(ii) a State educational agency;

17 “(iii) adult and family education pro-
18 grams;

19 “(iv) an institution of higher edu-
20 cation or a State higher education agency;

21 “(v) a teacher training center or acad-
22 emy that—

23 “(I) provides teacher pre-service
24 and in-service training; and

1 “(II) receives Federal financial
2 assistance or has been approved by a
3 State agency;

4 “(vi) (I) a public or private entity
5 with experience and expertise in the plan-
6 ning and operation of a telecommuni-
7 cations network, including entities involved
8 in telecommunications through satellite,
9 cable, telephone, or computer; or

10 “(II) a public broadcasting entity with
11 such experience; or

12 “(vii) a public or private elementary
13 or secondary school.

14 “(b) SPECIAL RULE.—An eligible entity receiving as-
15 sistance under this part shall be organized on a statewide
16 or multistate basis.

17 **“SEC. 10206. APPLICATIONS.**

18 “(a) APPLICATIONS REQUIRED.—Each eligible entity
19 which desires to receive a grant under section 10204 shall
20 submit an application to the Secretary, at such time, in
21 such manner, and containing or accompanied by such in-
22 formation as the Secretary may reasonably require.

23 “(b) STAR SCHOOL AWARD APPLICATIONS.—Each
24 application submitted pursuant to subsection (a) shall—

1 “(1) describe how the proposed project will as-
2 sist in achieving the National Education Goals, how
3 such project will assist all students to have an op-
4 portunity to learn to challenging State standards,
5 how such project will assist State and local edu-
6 cational reform efforts, and how such project will
7 contribute to creating a high quality system of life-
8 long learning;

9 “(2) describe the telecommunications facilities
10 and equipment and technical assistance for which
11 assistance is sought, which may include—

12 “(A) the design, development, construction,
13 acquisition, maintenance and operation of State
14 or multistate educational telecommunications
15 networks and technology resource centers;

16 “(B) microwave, fiber optics, cable, and
17 satellite transmission equipment or any com-
18 bination thereof;

19 “(C) reception facilities;

20 “(D) satellite time;

21 “(E) production facilities;

22 “(F) other telecommunications equipment
23 capable of serving a wide geographic area;

24 “(G) the provision of training services to
25 instructors who will be using the facilities and

1 equipment for which assistance is sought, in-
2 cluding training in using such facilities and
3 equipment and training in integrating programs
4 into the classroom curriculum; and

5 “(H) the development of educational and
6 related programming for use on a telecommuni-
7 cations network;

8 “(3) in the case of an application for assistance
9 for instructional programming, describe the types of
10 programming which will be developed to enhance in-
11 struction and training and provide assurances that
12 such programming will be designed in consultation
13 with professionals (including classroom teachers)
14 who are experts in the applicable subject matter and
15 grade level;

16 “(4) describe how the eligible entity has en-
17 gaged in sufficient survey and analysis of the area
18 to be served to ensure that the services offered by
19 the eligible entity will increase the availability of
20 courses of instruction in English, mathematics,
21 science, foreign languages, arts, history, geography,
22 or other disciplines;

23 “(5) describe the professional development poli-
24 cies for teachers and other school personnel to be
25 implemented to ensure the effective use of the tele-

1 communications facilities and equipment for which
2 assistance is sought;

3 “(6) describe the manner in which historically
4 underserved students (such as students from low-in-
5 come families, limited English proficient students,
6 students with disabilities, or students who have low
7 literacy skills) and their families, will participate in
8 the benefits of the telecommunications facilities,
9 equipment, technical assistance, and programming
10 assisted under this part;

11 “(7) describe how existing telecommunications
12 equipment, facilities, and services, where available,
13 will be used;

14 “(8) provide assurances that the financial inter-
15 est of the United States in the telecommunications
16 facilities and equipment will be protected for the
17 useful life of such facilities and equipment;

18 “(9) provide assurances that a significant por-
19 tion of any facilities and equipment, technical assist-
20 ance, and programming for which assistance is
21 sought for elementary and secondary schools will be
22 made available to schools or local educational agen-
23 cies that have a high number or percentage of chil-
24 dren eligible to be counted under part A of title I;

1 “(10) provide assurances that the applicant will
2 use the funds provided under this part to supple-
3 ment and not supplant funds otherwise available for
4 the purposes of this part;

5 “(11) if any member of the consortia receives
6 assistance under subpart 3 of part A, describe how
7 funds received under this part will be coordinated
8 with funds received for educational technology in the
9 classroom under such section;

10 “(12) describe the activities or services for
11 which assistance is sought, such as—

12 “(A) providing facilities, equipment, train-
13 ing services, and technical assistance;

14 “(B) making programs accessible to stu-
15 dents with disabilities through mechanisms such
16 as closed captioning and descriptive video serv-
17 ices;

18 “(C) linking networks around issues of na-
19 tional importance (such as elections) or to pro-
20 vide information about employment opportuni-
21 ties, job training, or student and other social
22 service programs;

23 “(D) sharing curriculum resources between
24 networks and development of program guides
25 which demonstrate cooperative, cross-network

1 listing of programs for specific curriculum
2 areas;

3 “(E) providing teacher and student sup-
4 port services including classroom and training
5 support materials which permit student and
6 teacher involvement in the live interactive dis-
7 tance learning telecasts;

8 “(F) incorporating community resources
9 such as libraries and museums into instruc-
10 tional programs;

11 “(G) providing professional development
12 for teachers, including, as appropriate, training
13 to early childhood development and Head Start
14 teachers and staff and vocational education
15 teachers and staff, and adult and family edu-
16 cators;

17 “(H) providing programs for adults to
18 maximize the use of telecommunications facili-
19 ties and equipment;

20 “(I) providing teacher training on proposed
21 or established voluntary national content stand-
22 ards in mathematics and science and other dis-
23 ciplines as such standards are developed; and

24 “(J) providing parent education programs
25 during and after the regular school day which

1 reinforce a student’s course of study and ac-
2 tively involve parents in the learning process;

3 “(13) describe how the proposed project as a
4 whole will be financed and how arrangements for fu-
5 ture financing will be developed before the project
6 expires;

7 “(14) provide an assurance that a significant
8 portion of any facilities, equipment, technical assist-
9 ance, and programming for which assistance is
10 sought for elementary and secondary schools will be
11 made available to schools in local educational agen-
12 cies that have a high percentage of children counted
13 for the purpose of part A of title I;

14 “(15) provide an assurance that the applicant
15 will provide such information and cooperate in any
16 evaluation that the Secretary may conduct under
17 this part; and

18 “(16) include such additional assurances as the
19 Secretary may reasonably require.

20 “(c) PRIORITIES.—The Secretary, in approving appli-
21 cations for grants authorized under section 10204, shall
22 give priority to applications describing projects that—

23 “(1) propose high-quality plans to assist in
24 achieving one or more of the National Education
25 Goals, will provide instruction consistent with State

1 content standards, or will otherwise provide signifi-
2 cant and specific assistance to States and local edu-
3 cational agencies undertaking systemic education re-
4 form;

5 “(2) will provide services to programs serving
6 adults, especially parents, with low levels of literacy;

7 “(3) will serve schools with significant numbers
8 of children counted for the purposes of part A of
9 title I;

10 “(4) ensure that the eligible entity will—

11 “(A) serve the broadest range of institu-
12 tions, programs providing instruction outside of
13 the school setting, programs serving adults, es-
14 pecially parents, with low levels of literacy, in-
15 stitutions of higher education, teacher training
16 centers, research institutes, and private indus-
17 try;

18 “(B) have substantial academic and teach-
19 ing capabilities, including the capability of
20 training, retraining, and inservice upgrading of
21 teaching skills and the capability to provide pro-
22 fessional development;

23 “(C) provide a comprehensive range of
24 courses for educators to teach instructional
25 strategies for students with different skill levels;

1 “(D) provide training to participating edu-
2 cators in ways to integrate telecommunications
3 courses into existing school curriculum;

4 “(E) provide instruction for students,
5 teachers, and parents;

6 “(F) serve a multistate area; and

7 “(G) give priority to the provision of equip-
8 ment and linkages to isolated areas; and

9 “(5) involve a telecommunications entity (such
10 as a satellite, cable, telephone, computer, or public
11 or private television stations) participating in the eli-
12 gible entity and donating equipment or in-kind serv-
13 ices for telecommunications linkages.

14 “(d) GEOGRAPHIC DISTRIBUTION.—In approving ap-
15 plications for grants authorized under section 10204, the
16 Secretary shall, to the extent feasible, ensure an equitable
17 geographic distribution of services provided under this
18 part.

19 **“SEC. 10207. LEADERSHIP AND EVALUATION ACTIVITIES.**

20 “(a) RESERVATION.—From the amount appropriated
21 pursuant to the authority of section 10204(c)(1) in each
22 fiscal year, the Secretary may reserve not more than 5
23 percent of such amount for national leadership, evalua-
24 tion, and peer review activities.

1 “(b) METHOD OF FUNDING.—The Secretary may
2 fund the activities described in subsection (a) directly or
3 through grants, contracts, and cooperative agreements.

4 “(c) USES OF FUNDS.—

5 “(1) LEADERSHIP.—Funds reserved for leader-
6 ship activities under subsection (a) may be used
7 for—

8 “(A) disseminating information, including
9 lists and descriptions of services available from
10 grant recipients under this part; and

11 “(B) other activities designed to enhance
12 the quality of distance learning activities na-
13 tionwide.

14 “(2) EVALUATION.—Funds reserved for evalua-
15 tion activities under subsection (a) may be used to
16 conduct independent evaluations of the activities as-
17 sisted under this part and of distance learning in
18 general, including—

19 “(A) analyses of distance learning efforts,
20 including such efforts that are assisted under
21 this part and such efforts that are not assisted
22 under this part; and

23 “(B) comparisons of the effects, including
24 student outcomes, of different technologies in
25 distance learning efforts.

1 “(3) PEER REVIEW.—Funds reserved for peer
2 review activities under subsection (a) may be used
3 for peer review of—

4 “(A) applications for grants under this
5 part; and

6 “(B) activities assisted under this part.

7 **“SEC. 10208. DEFINITIONS.**

8 “As used in this part—

9 “(1) the term ‘educational institution’ means an
10 institution of higher education, a local educational
11 agency, or a State educational agency;

12 “(2) the term ‘instructional programming’
13 means courses of instruction and training courses
14 for elementary and secondary students, teachers,
15 and others, and materials for use in such instruction
16 and training that have been prepared in audio and
17 visual form on tape, disc, film, or live, and presented
18 by means of telecommunications devices; and

19 “(3) the term ‘public broadcasting entity’ has
20 the same meaning given such term in section 397 of
21 the Communications Act of 1934.

22 **“SEC. 10209. ADMINISTRATIVE PROVISIONS.**

23 “(a) CONTINUING ELIGIBILITY.—

24 “(1) IN GENERAL.—In order to be eligible to
25 receive a grant under section 10204 for a second 3-

1 year grant period an eligible entity shall demonstrate
2 in the application submitted pursuant to section
3 10206 that such partnership shall—

4 “(A) continue to provide services in the
5 subject areas and geographic areas assisted
6 with funds received under this part for the pre-
7 vious 5-year grant period; and

8 “(B) use all grant funds received under
9 this part for the second 3-year grant period to
10 provide expanded services by—

11 “(i) increasing the number of stu-
12 dents, schools or school districts served by
13 the courses of instruction assisted under
14 this part in the previous fiscal year;

15 “(ii) providing new courses of instruc-
16 tion; and

17 “(iii) serving new populations of un-
18 derserved individuals, such as children or
19 adults who are disadvantaged, have lim-
20 ited-English proficiency, are individuals
21 with disabilities, are illiterate, or lack sec-
22 ondary school diplomas or their recognized
23 equivalent.

24 “(2) SPECIAL RULE.—Grant funds received
25 pursuant to paragraph (1) shall be used to supple-

1 ment and not supplant services provided by the
2 grant recipient under this part in the previous fiscal
3 year.

4 “(b) FEDERAL ACTIVITIES.—The Secretary may as-
5 sist grant recipients under section 10204 in acquiring sat-
6 ellite time, where appropriate, as economically as possible.

7 **“SEC. 10210. OTHER ASSISTANCE.**

8 “(a) SPECIAL STATEWIDE NETWORK.—

9 “(1) IN GENERAL.—The Secretary, through the
10 Office of Educational Technology, may provide as-
11 sistance to a statewide telecommunications network
12 under this subsection if such network—

13 “(A) provides 2-way full motion interactive
14 video and audio communications;

15 “(B) links together public colleges and uni-
16 versities and secondary schools throughout the
17 State; and

18 “(C) meets any other requirements deter-
19 mined appropriate by the Secretary.

20 “(2) STATE CONTRIBUTION.—A statewide tele-
21 communications network assisted under paragraph
22 (1) shall contribute, either directly or through pri-
23 vate contributions, non-Federal funds equal to not
24 less than 50 percent of the cost of such network.

25 “(b) SPECIAL LOCAL NETWORK.—

1 “(1) IN GENERAL.—The Secretary may provide
2 assistance, on a competitive basis, to a local edu-
3 cational agency or consortium thereof to enable such
4 agency or consortium to establish a high technology
5 demonstration program.

6 “(2) PROGRAM REQUIREMENTS.—A high tech-
7 nology demonstration program assisted under para-
8 graph (1) shall—

9 “(A) include 2-way full motion interactive
10 video, audio and text communications;

11 “(B) link together elementary and sec-
12 ondary schools, colleges, and universities;

13 “(C) provide parent participation and fam-
14 ily programs;

15 “(D) include a staff development program;
16 and

17 “(E) have a significant contribution and
18 participation from business and industry.

19 “(3) SPECIAL RULE.—Each high technology
20 demonstration program assisted under paragraph
21 (1) shall be of sufficient size and scope to have an
22 effect on meeting the National Education Goals.

23 “(4) MATCHING REQUIREMENT.—A local edu-
24 cational agency or consortium receiving a grant
25 under paragraph (1) shall provide, either directly or

1 through private contributions, non-Federal matching
2 funds equal to not less than 50 percent of the
3 amount of the grant.

4 “(c) TELECOMMUNICATIONS PROGRAMS FOR CON-
5 TINUING EDUCATION.—

6 “(1) AUTHORITY.—The Secretary is authorized
7 to award grants, on a competitive basis, to eligible
8 entities to enable such partnerships to develop and
9 operate one or more programs which provide on-line
10 access to educational resources in support of con-
11 tinuing education and curriculum requirements rel-
12 evant to achieving a secondary school diploma or its
13 recognized equivalent. The program authorized by
14 this section shall be designed to advance adult lit-
15 eracy, secondary school completion and the acquisi-
16 tion of specified competency by the end of the 12th
17 grade, as envisioned by the Goals 2000: Educate
18 America Act.

19 “(2) APPLICATION.—Each eligible entity desir-
20 ing a grant under this section shall submit an appli-
21 cation to the Secretary. Each such application
22 shall—

23 “(A) demonstrate that the applicant will
24 use publicly funded or free public telecommuni-
25 cations infrastructure to deliver video, voice and

1 data in an integrated service to support and as-
2 sist in the acquisition of a secondary school di-
3 ploma or its recognized equivalent;

4 “(B) assure that the content of the mate-
5 rials to be delivered is consistent with the ac-
6 creditation requirements of the State for which
7 such materials are used;

8 “(C) incorporate, to the extent feasible,
9 materials developed in the Federal departments
10 and agencies and under appropriate federally
11 funded projects and programs;

12 “(D) assure that the applicant has the
13 technological and substantive experience to
14 carry out the program; and

15 “(E) contain such additional assurances as
16 the Secretary may reasonably require.

17 **“PART C—READY-TO-LEARN TELEVISION**

18 **“SEC. 10301. READY-TO-LEARN.**

19 “(a) IN GENERAL.—The Secretary is authorized to
20 award grants to or enter into contracts or cooperative
21 agreements with eligible entities described in section
22 10302(b) to develop, produce, and distribute educational
23 and instructional video programming for preschool and el-
24 ementary school children and their parents in order to fa-
25 cilitate the achievement of the National Education Goals.

1 “(b) AVAILABILITY.—In making such grants, con-
2 tracts, or cooperative agreements, the Secretary shall en-
3 sure that recipients make programming widely available
4 with support materials as appropriate to young children,
5 their parents, child care workers, and Head Start pro-
6 viders to increase the effective use of such programming.

7 **“SEC. 10302. EDUCATIONAL PROGRAMMING.**

8 “(a) AWARDS.—The Secretary shall award grants,
9 contracts, or cooperative agreements to eligible entities
10 to—

11 “(1) facilitate the development directly or
12 through contracts with producers of children and
13 family educational television programming, edu-
14 cational programming for preschool and elementary
15 school children, and accompanying support materials
16 and services that promote the effective use of such
17 programming; and

18 “(2) enable such entities to contract with enti-
19 ties (such as public telecommunications entities and
20 those funded under the Star Schools Act) so that
21 programs developed under this section are dissemi-
22 nated and distributed to the widest possible audience
23 appropriate to be served by the programming by the
24 most appropriate distribution technologies.

1 “(b) ELIGIBLE ENTITIES.—To be eligible to receive
2 a grant, contract, or cooperative agreement under sub-
3 section (a), an entity shall be—

4 “(1) a nonprofit entity (including a public tele-
5 communications entity) able to demonstrate a capaci-
6 ty for the development and distribution of edu-
7 cational and instructional television programming of
8 high quality for preschool and elementary school
9 children; and

10 “(2) able to demonstrate a capacity to contract
11 with the producers of children’s television program-
12 ming for the purpose of developing educational tele-
13 vision programming of high quality for preschool
14 and elementary school children.

15 “(c) CULTURAL EXPERIENCES.—Programming de-
16 veloped under this section shall reflect the recognition of
17 diverse cultural experiences and the needs and experiences
18 of both boys and girls in engaging and preparing young
19 children for schooling.

20 **“SEC. 10303. DUTIES OF SECRETARY.**

21 “The Secretary is authorized—

22 “(1) to establish and administer a Special
23 Projects of National Significance program to award
24 grants, contracts, or cooperative agreements to pub-
25 lic and nonprofit private entities, or local public tele-

1 vision stations or such public television stations that
2 are part of a consortium with one or more State
3 educational agencies, local educational agencies, local
4 schools, institutions of higher education, or commu-
5 nity-based organizations of demonstrated effective-
6 ness, for the purpose of—

7 “(A) addressing the learning needs of
8 young children in limited English proficient
9 households, and developing appropriate edu-
10 cational and instructional television program-
11 ming to foster the school readiness of such chil-
12 dren;

13 “(B) developing programming and support
14 materials to increase family literacy skills
15 among parents to assist parents in teaching
16 their children and utilizing educational tele-
17 vision programming to promote school readi-
18 ness; and

19 “(C) identifying, supporting, and enhanc-
20 ing the effective use and outreach of innovative
21 programs that promote school readiness;

22 “(2) to establish within the Department a clear-
23 inghouse to compile and provide information, refer-
24 rals and model program materials and programming
25 obtained or developed under this part to parents,

1 child care providers, and other appropriate individ-
2 uals or entities to assist such individuals and entities
3 in accessing programs and projects under this part;
4 and

5 “(3) to develop and disseminate training mate-
6 rials, including—

7 “(A) interactive programs and programs
8 adaptable to distance learning technologies that
9 are designed to enhance knowledge of children’s
10 social and cognitive skill development and posi-
11 tive adult-child interactions; and

12 “(B) support materials to promote the ef-
13 fective use of materials developed under para-
14 graph (2);

15 among parents, Head Start providers, in-home and
16 center based day care providers, early childhood de-
17 velopment personnel, and elementary school teach-
18 ers, public libraries, and after school program per-
19 sonnel caring for preschool and elementary school
20 children;

21 “(4) coordinate activities with the Secretary of
22 Health and Human Services in order to—

23 “(A) maximize the utilization of quality
24 educational programming by preschool and ele-
25 mentary school children, and make such pro-

1 gramming widely available to federally funded
2 programs serving such populations; and

3 “(B) provide information to recipients of
4 funds under Federal programs that have major
5 training components for early childhood devel-
6 opment, including Head Start, Even Start, and
7 State training activities funded under the Child
8 Care Development Block Grant Act of 1990 re-
9 garding the availability and utilization of mate-
10 rials developed under paragraph (3) to enhance
11 parent and child care provider skills in early
12 childhood development and education.

13 **“SEC. 10304. APPLICATIONS.**

14 “Each eligible entity desiring a grant, contract, or co-
15 operative agreement under section 10301 or 10303 shall
16 submit an application to the Secretary at such time, in
17 such manner, and accompanied by such information as the
18 Secretary may reasonably require.

19 **“SEC. 10305. REPORTS AND EVALUATION.**

20 “(a) ANNUAL REPORT TO SECRETARY.—An entity
21 receiving funds under section 10301 shall prepare and
22 submit to the Secretary an annual report which contains
23 such information as the Secretary may require. At a min-
24 imum, the report shall describe the program activities un-

1 ertaken with funds received under this section,
2 including—

3 “(1) the programming that has been developed
4 directly or indirectly by the entity, and the target
5 population of the programs developed;

6 “(2) the support materials that have been de-
7 veloped to accompany the programming, and the
8 method by which such materials are distributed to
9 consumers and users of the programming;

10 “(3) the means by which programming devel-
11 oped under this section has been distributed, includ-
12 ing the distance learning technologies that have been
13 utilized to make programming available and the geo-
14 graphic distribution achieved through such tech-
15 nologies; and

16 “(4) the initiatives undertaken by the entity to
17 develop public-private partnerships to secure non-
18 Federal support for the development and distribu-
19 tion and broadcast of educational and instructional
20 programming.

21 “(b) REPORT TO CONGRESS.—The Secretary shall
22 prepare and submit to the relevant committees of Con-
23 gress a biannual report which includes—

24 “(1) a summary of the information made avail-
25 able under section 10302(a); and

1 “(2) a description of the training materials
2 made available under section 10303(3), the manner
3 in which outreach has been conducted to inform par-
4 ents and child care providers of the availability of
5 such materials, and the manner in which such mate-
6 rials have been distributed in accordance with such
7 section.

8 **“SEC. 10306. ADMINISTRATIVE COSTS.**

9 “With respect to the implementation of section
10 10302, entities receiving a grant, contract, or cooperative
11 agreement from the Secretary may use not more than 5
12 percent of the amounts received under such section for
13 the normal and customary expenses of administering the
14 grant, contract, or cooperative agreement.

15 **“SEC. 10307. DEFINITION.**

16 “For the purposes of this part, the term ‘distance
17 learning’ means the transmission of educational or in-
18 structional programming to geographically dispersed indi-
19 viduals and groups via telecommunications.

20 **“SEC. 10308. AUTHORIZATION OF APPROPRIATIONS.**

21 “(a) IN GENERAL.—There are authorized to be ap-
22 propriated to carry out this part, \$16,000,000 for fiscal
23 year 2002, and such sums as may be necessary for each
24 of the four succeeding fiscal years. Not less than 60 per-
25 cent of the amounts appropriated under this subsection

1 for each fiscal year shall be used to carry out section
2 10302.

3 “(b) SPECIAL PROJECTS.—Of the amount appro-
4 priated under subsection (b) for each fiscal year, at least
5 10 percent of such amount shall be used for each such
6 fiscal year for activities under section 10303(1)(C).

7 **“PART D—TELECOMMUNICATIONS**
8 **DEMONSTRATION PROJECT FOR MATHEMATICS**
9 **“SEC. 10401. PROJECT AUTHORIZED.**

10 “The Secretary is authorized to make grants to a
11 nonprofit telecommunications entity, or partnership of
12 such entities, for the purpose of carrying out a national
13 telecommunications-based demonstration project to im-
14 prove the teaching of mathematics. The demonstration
15 project authorized by this part shall be designed to assist
16 elementary and secondary school teachers in preparing all
17 students for achieving State content standards.

18 **“SEC. 10402. APPLICATION REQUIRED.**

19 “(a) IN GENERAL.—Each nonprofit telecommuni-
20 cations entity, or partnership of such entities, desiring a
21 grant under this part shall submit an application to the
22 Secretary. Each such application shall—

23 “(1) demonstrate that the applicant will use the
24 existing publicly funded telecommunications infra-
25 structure to deliver video, voice and data in an inte-

1 grated service to train teachers in the use of new
2 standards-based curricula materials and learning
3 technologies;

4 “(2) assure that the project for which assist-
5 ance is sought will be conducted in cooperation with
6 appropriate State educational agencies, local edu-
7 cational agencies, State or local nonprofit public
8 telecommunications entities, and a national mathe-
9 matics education professional association that has
10 developed content standards;

11 “(3) assure that a significant portion of the
12 benefits available for elementary and secondary
13 schools from the project for which assistance is
14 sought will be available to schools of local edu-
15 cational agencies which have a high percentage of
16 children counted for the purpose of part A of title
17 I; and

18 “(4) contain such additional assurances as the
19 Secretary may reasonably require.

20 “(b) APPROVAL OF APPLICATIONS; NUMBER OF
21 DEMONSTRATION SITES.—In approving applications
22 under this section, the Secretary shall assure that the
23 demonstration project authorized by this part is conducted
24 at elementary and secondary school sites in at least 15
25 States.

1 **“SEC. 10403. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out
3 this part, \$5,000,000 for the fiscal year 2002, and such
4 sums as may be necessary for each of the four succeeding
5 fiscal years.

6 **“PART E—ELEMENTARY MATHEMATICS AND**
7 **SCIENCE EQUIPMENT PROGRAM**

8 **“SEC. 10501. SHORT TITLE.**

9 “This part may be cited as the ‘Elementary Mathe-
10 matics and Science Equipment Act’.

11 **“SEC. 10502. STATEMENT OF PURPOSE.**

12 “It is the purpose of this part to raise the quality
13 of instruction in mathematics and science in the Nation’s
14 elementary schools by providing equipment and materials
15 necessary for hands-on instruction through assistance to
16 State and local educational agencies.

17 **“SEC. 10503. PROGRAM AUTHORIZED.**

18 “The Secretary is authorized to make allotments to
19 State educational agencies under section 10504 to enable
20 such agencies to award grants to local educational agen-
21 cies for the purpose of providing equipment and materials
22 to elementary schools to improve mathematics and science
23 education in such schools.

1 **“SEC. 10504. ALLOTMENTS OF FUNDS.**

2 “(a) IN GENERAL.—From the amount appropriated
3 under section 10509 for any fiscal year, the Secretary
4 shall reserve—

5 “(1) not more than one-half of 1 percent for al-
6 lotment among Guam, American Samoa, the Virgin
7 Islands, and the Northern Mariana Islands accord-
8 ing to their respective needs for assistance under
9 this part; and

10 “(2) one-half of 1 percent for programs for In-
11 dian students served by schools funded by the Sec-
12 retary of the Interior which are consistent with the
13 purposes of this part.

14 “(b) ALLOTMENT.—

15 “(1) IN GENERAL.—The remainder of the
16 amount so appropriated (after meeting requirements
17 in subsection (a)) shall be allotted among State edu-
18 cational agencies so that—

19 “(A) one-half of such remainder shall be
20 distributed by allotting to each State edu-
21 cational agency an amount which bears the
22 same ratio to such one-half of such remainder
23 as the number of children aged 5 to 17, inclu-
24 sive, in the State bears to the number of such
25 children in all States; and

1 “(B) one-half of such remainder shall be
2 distributed according to each State’s share of
3 allocations under part A of title I.

4 “(2) MINIMUM.—Except as provided in para-
5 graph (3), no State educational agency shall receive
6 an allotment under this subsection for any fiscal
7 year in an amount that is—

8 “(A) less than one-half of 1 percent of the
9 amount made available under this subsection
10 for such fiscal year; or

11 “(B) less than the amount allotted to such
12 State for fiscal year 1988 under title II of the
13 Education for Economic Security Act.

14 “(3) RATABLE REDUCTIONS.—(A) If the sums
15 made available under this part for any fiscal year
16 are insufficient to pay the full amounts that all
17 State educational agencies are eligible to receive
18 under paragraph (2)(B) for such year, the Secretary
19 shall ratably reduce the allotment to such agencies
20 for such year.

21 “(B) If additional funds become available for
22 making payments under paragraph (2)(B) for such
23 fiscal year, allotments that were reduced under sub-
24 paragraph (A) shall be increased on the same basis
25 as such allotments were reduced.

1 “(c) REALLOTMENT OF UNUSED FUNDS.—The
2 amount of any State educational agency’s allotment under
3 subsection (b) for any fiscal year to carry out this part
4 which the Secretary determines will not be required for
5 that fiscal year to carry out this part shall be available
6 for reallocation from time to time, on such dates during
7 that year as the Secretary may determine, to other State
8 educational agencies in proportion to the original allot-
9 ments to those State educational agencies under sub-
10 section (b) for that year but with such proportionate
11 amount for any of those other State educational agencies
12 being reduced to the extent it exceeds the sum the Sec-
13 retary estimates that the State educational agency needs
14 and will be able to use for that year, and the total of those
15 reductions shall be similarly reallocated among the State
16 educational agencies whose proportionate amounts were
17 not so reduced. Any amounts reallocated to a State edu-
18 cational agency under this subsection during a year shall
19 be deemed a part of the State educational agency’s allot-
20 ment under subsection (b) for that year.

21 “(d) DEFINITION.—For the purposes of this part the
22 term ‘State’ means each of the 50 States, the District of
23 Columbia, and the Commonwealth of Puerto Rico.

24 “(e) DATA.—The number of children aged 5 to 17,
25 inclusive, in the State and in all States shall be determined

1 by the Secretary on the basis of the most recent satisfac-
2 tory data available to the Secretary.

3 **“SEC. 10505. STATE APPLICATION.**

4 “(a) APPLICATION.—Each State educational agency
5 desiring to receive an allotment under this part shall file
6 an application with the Secretary which covers a period
7 of 5 fiscal years. Such application shall be filed at such
8 time, in such manner, and containing or accompanied by
9 such information as the Secretary may reasonably require.

10 “(b) CONTENTS OF APPLICATION.—Each application
11 described in subsection (a) shall—

12 “(1) provide assurances that—

13 “(A) the State educational agency shall use
14 the allotment provided under this part to award
15 grants to local educational agencies within the
16 State to enable such local educational agencies
17 to provide assistance to schools served by such
18 agency to carry out the purpose of this part;

19 “(B) the State educational agency will pro-
20 vide such fiscal control and funds accounting as
21 the Secretary may require;

22 “(C) every public elementary school in the
23 State is eligible to receive assistance under this
24 part once over the 5-year duration of the pro-
25 gram assisted under this part;

1 “(D) funds provided under this part will
2 supplement, not supplant, State and local funds
3 made available for activities authorized under
4 this part;

5 “(E) during the 5-year period described in
6 the application, the State educational agency
7 will evaluate its standards and programs for
8 teacher preparation and inservice professional
9 development for elementary mathematics and
10 science;

11 “(F) the State educational agency will take
12 into account the needs for greater access to and
13 participation in mathematics and science by
14 students and teachers from historically under-
15 represented groups, including females, minori-
16 ties, individuals with limited English pro-
17 ficiency, the economically disadvantaged, and
18 individuals with disabilities; and

19 “(G) that the needs of teachers and stu-
20 dents in areas with high concentrations of low-
21 income students and sparsely populated areas
22 will be given priority in awarding assistance
23 under this part;

24 “(2) provide, if appropriate, a description of
25 how funds paid under this part will be coordinated

1 with State and local funds and other Federal re-
2 sources, particularly with respect to programs for
3 the professional development and inservice training
4 of elementary school teachers in science and mathe-
5 matics; and

6 “(3) describe procedures—

7 “(A) for submitting applications for pro-
8 grams described in section 10506 for distribu-
9 tion of assistance under this part within the
10 State; and

11 “(B) for approval of applications by the
12 State educational agency, including appropriate
13 procedures to assure that such agency will not
14 disapprove an application without notice and
15 opportunity for a hearing.

16 “(c) STATE ADMINISTRATION.—Not more than 5
17 percent of the funds allotted to each State educational
18 agency under this part shall be used for the administrative
19 costs of such agency associated with carrying out the pro-
20 gram assisted under this part.

21 **“SEC. 10506. LOCAL APPLICATION.**

22 “(a) APPLICATION.—A local educational agency that
23 desires to receive a grant under this part shall submit an
24 application to the State educational agency. Each such ap-
25 plication shall contain assurances that each school served

1 by the local educational agency shall be eligible for assist-
2 ance under this part only once.

3 “(b) CONTENTS OF APPLICATION.—Each application
4 described in subsection (a) shall—

5 “(1) describe how the local educational agency
6 plans to set priorities on the use and distribution
7 among schools of grant funds received under this
8 part to meet the purpose of this part;

9 “(2) include assurances that the local edu-
10 cational agency has made every effort to match on
11 a dollar-for-dollar basis from private or public
12 sources the funds received under this part, except
13 that no such application shall be penalized or denied
14 assistance under this part based on failure to pro-
15 vide such matching funds;

16 “(3) describe, if applicable, how funds under
17 this part will be coordinated with State, local, and
18 other Federal resources, especially with respect to
19 programs for the professional development and in-
20 service training of elementary school teachers in
21 science and mathematics; and

22 “(4) describe the process which will be used to
23 determine different levels of assistance to be award-
24 ed to schools with different needs.

1 “(c) PRIORITY.—In awarding grants under this part,
2 the State educational agency shall give priority to applica-
3 tions that—

4 “(1) assign highest priority to providing assist-
5 ance to schools which—

6 “(A) are most seriously underequipped; or

7 “(B) serve large numbers or percentages of
8 economically disadvantaged students;

9 “(2) are attentive to the needs of underrep-
10 resented groups in science and mathematics;

11 “(3) demonstrate how science and mathematics
12 equipment will be part of a comprehensive plan of
13 curriculum planning or implementation and teacher
14 training supporting hands-on laboratory activities;
15 and

16 “(4) assign priority to providing equipment and
17 materials for students in grades 1 through 6.

18 **“SEC. 10507. PROGRAM REQUIREMENTS.**

19 “(a) COORDINATION.—Each State educational agen-
20 cy receiving an allotment under this part shall—

21 “(1) disseminate information to school districts
22 and schools, including private nonprofit elementary
23 schools, regarding the program assisted under this
24 part;

1 “(2) evaluate applications of local educational
2 agencies;

3 “(3) award grants to local educational agencies
4 based on the priorities described in section 10506(c);
5 and

6 “(4) evaluate local educational agencies’ end-of-
7 year summaries and submit such evaluation to the
8 Secretary.

9 “(b) LIMITATIONS ON USE OF FUNDS.—

10 “(1) IN GENERAL.—Except as provided in para-
11 graph (2), grant funds and matching funds under
12 this part only shall be used to purchase science
13 equipment, science materials, or mathematical ma-
14 nipulative materials and shall not be used for com-
15 puters, computer peripherals, software, textbooks, or
16 staff development costs.

17 “(2) CAPITAL IMPROVEMENTS.—Grant funds
18 under this part may not be used for capital improve-
19 ments. Not more than 50 percent of any matching
20 funds provided by the local educational agency may
21 be used for capital improvements of classroom
22 science facilities to support the hands-on instruction
23 that this part is intended to support, such as the in-
24 stallation of electrical outlets, plumbing, lab tables
25 or counters, or ventilation mechanisms.

1 **“SEC. 10508. FEDERAL ADMINISTRATION.**

2 “(a) **TECHNICAL ASSISTANCE AND EVALUATION**
3 **PROCEDURES.**—The Secretary shall provide technical as-
4 sistance and, in consultation with State and local rep-
5 resentatives of the program assisted under this part, shall
6 develop procedures for State and local evaluations of the
7 programs assisted under this part.

8 “(b) **REPORT.**—The Secretary shall report to the
9 Congress each year on the program assisted under this
10 part in accordance with section 10701.

11 **“SEC. 10509. AUTHORIZATION OF APPROPRIATIONS.**

12 “There are authorized to be appropriated
13 \$30,000,000 for fiscal year 2002, and such sums as may
14 be necessary for each of the four succeeding fiscal years,
15 to carry out this part.”.

16 **TITLE X—SAFE AND DRUG-FREE**
17 **SCHOOLS AND COMMUNITIES**

18 **SEC. 1001. SAFE AND DRUG-FREE SCHOOLS AND COMMU-**
19 **NITIES.**

20 Title XI (20 U.S.C. 8401 et seq.) is amended to read
21 as follows:

1 **“TITLE XI—SAFE AND DRUG-**
2 **FREE SCHOOLS AND COMMU-**
3 **NITIES**

4 **“SEC. 11001. SHORT TITLE.**

5 “This title may be cited as the ‘Safe and Drug-Free
6 Schools and Communities Act of 2000’.

7 **“SEC. 11002. FINDINGS.**

8 “The Congress finds as follows:

9 “(1) The seventh National Education Goal pro-
10 vides that by the year 2000, all schools in America
11 will be free of drugs and violence and the unauthor-
12 ized presence of firearms and alcohol, and offer a
13 disciplined environment that is conducive to learn-
14 ing.

15 “(2) The widespread illegal use of alcohol and
16 other drugs among the Nation’s secondary school
17 students, and increasingly by students in elementary
18 schools as well, constitutes a grave threat to such
19 students’ physical and mental well-being, and signifi-
20 cantly impedes the learning process. For example,
21 data show that students who drink tend to receive
22 lower grades and are more likely to miss school be-
23 cause of illness than students who do not drink.

24 “(3) Our Nation’s schools and communities are
25 increasingly plagued by violence and crime. Approxi-

1 mately 3,000,000 thefts and violent crimes occur in
2 or near our Nation's schools every year, the equiva-
3 lent of more than 16,000 incidents per school day.

4 “(4) Violence that is linked to prejudice and in-
5 tolerance victimizes entire communities leading to
6 more violence and discrimination.

7 “(5) The tragic consequences of violence and
8 the illegal use of alcohol and drugs by students are
9 felt not only by students and such students' families,
10 but by such students' communities and the Nation,
11 which can ill afford to lose such students' skills, tal-
12 ents, and vitality.

13 “(6) While use of illegal drugs is a serious
14 problem among a minority of teenagers, alcohol use
15 is far more widespread. The proportion of high
16 school students using alcohol, though lower than a
17 decade ago, remains unacceptably high. By the 8th
18 grade, 70 percent of youth report having tried alco-
19 hol and by the 12th grade, about 88 percent have
20 used alcohol. Alcohol use by young people can and
21 does have adverse consequences for users, their fam-
22 ilies, communities, schools, and colleges.

23 “(7) Alcohol and tobacco are widely used by
24 young people. Such use can, and does, have adverse
25 consequences for young people, their families, com-

1 communities, schools, and colleges. Drug prevention pro-
2 grams for youth that address only controlled drugs
3 send an erroneous message that alcohol and tobacco
4 do not present significant problems, or that society
5 is willing to overlook their use. To be credible, mes-
6 sages opposing illegal drug use by youth should ad-
7 dress alcohol and tobacco as well.

8 “(8) Every day approximately 3,000 children
9 start smoking. Thirty percent of all secondary school
10 seniors are smokers. Half of all new smokers begin
11 smoking before the age of 14, 90 percent of such
12 smokers begin before the age of 21, and the average
13 age of the first use of smokeless tobacco is under the
14 age of 10. Use of tobacco products has been linked
15 to serious health problems. Drug education and pre-
16 vention programs that include tobacco have been ef-
17 fective in reducing teenage use of tobacco.

18 “(9) Drug and violence prevention programs
19 are essential components of a comprehensive strat-
20 egy to promote school safety and to reduce the de-
21 mand for and use of drugs throughout the Nation.
22 Schools and local organizations in communities
23 throughout the Nation have a special responsibility
24 to work together to combat the growing epidemic of
25 violence and illegal drug use and should measure the

1 success of their programs against clearly defined
2 goals and objectives.

3 “(10) Students must take greater responsibility
4 for their own well-being, health, and safety if schools
5 and communities are to achieve the goals of pro-
6 viding a safe, disciplined, and drug-free learning en-
7 vironment.

8 **“SEC. 11003. PURPOSE.**

9 “The purpose of this title is to support programs to
10 meet the seventh National Education Goal by preventing
11 violence in and around schools and by strengthening pro-
12 grams that prevent the illegal use of alcohol, tobacco, and
13 drugs, involve parents, and are coordinated with related
14 Federal, State, and community efforts and resources,
15 through the provision of Federal assistance to—

16 “(1) States for grants to local educational agen-
17 cies and educational service agencies and consortia
18 of such agencies to establish, operate, and improve
19 local programs of school drug and violence preven-
20 tion, early intervention, rehabilitation referral, and
21 education in elementary and secondary schools (in-
22 cluding intermediate and junior high schools);

23 “(2) States for grants to, and contracts with,
24 community-based organizations and other public and
25 private nonprofit agencies and organizations for pro-

1 grams of drug and violence prevention, early inter-
2 vention, rehabilitation referral, and education;

3 “(3) States for development, training, technical
4 assistance, and coordination activities;

5 “(4) public and private nonprofit organizations
6 to conduct training, demonstrations, and evaluation,
7 and to provide supplementary services for the pre-
8 vention of drug use and violence among students
9 and youth; and

10 “(5) institutions of higher education to estab-
11 lish, operate, expand, and improve programs of
12 school drug and violence prevention, education, and
13 rehabilitation referral for students enrolled in col-
14 leges and universities.

15 **“SEC. 11004. FUNDING.**

16 “There are authorized to be appropriated—

17 “(1) \$440,000,000 for fiscal year 2002, and
18 such sums as may be necessary for each of the four
19 succeeding fiscal years, for State grants under sub-
20 part 1; and

21 “(2) \$155,000,000 for fiscal year 2002, and
22 such sums as may be necessary for each of the four
23 succeeding fiscal years, for national programs under
24 subpart 2.

1 **“PART A—STATE GRANTS FOR DRUG AND**
2 **VIOLENCE PREVENTION PROGRAMS**
3 **“Subpart 1—State Grants for Drug and Violence**
4 **Prevention Programs**

5 **“SEC. 11011. RESERVATIONS AND ALLOTMENTS.**

6 “(a) RESERVATIONS.—From the amount made avail-
7 able under section 11004(a) to carry out this subpart for
8 each fiscal year, the Secretary—

9 “(1) shall reserve 1 percent of such amount for
10 grants under this subpart to Guam, American
11 Samoa, the Virgin Islands, and the Commonwealth
12 of the Northern Mariana Islands, to be allotted in
13 accordance with the Secretary’s determination of
14 their respective needs;

15 “(2) shall reserve 1 percent of such amount for
16 the Secretary of the Interior to carry out programs
17 under this part for Indian youth;

18 “(3) may reserve not more than \$1,000,000 for
19 the national impact evaluation required by section
20 11117(a); and

21 “(4) shall reserve 0.2 percent of such amount
22 for programs for Native Hawaiians under section
23 11118.

24 “(b) STATE ALLOTMENTS.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), the Secretary shall, for each fiscal year,
3 allocate among the States—

4 “(A) one-half of the remainder not re-
5 served under subsection (a) according to the
6 ratio between the school-aged population of
7 each State and the school-aged population of all
8 the States; and

9 “(B) one-half of such remainder according
10 to the ratio between the amount each State re-
11 ceived under part A of title I for the preceding
12 year and the sum of such amounts received by
13 all the States.

14 “(2) MINIMUM.—For any fiscal year, no State
15 shall be allotted under this subsection an amount
16 that is less than one-half of 1 percent of the total
17 amount allotted to all the States under this sub-
18 section.

19 “(3) REALLOTMENT.—The Secretary may
20 reallocate any amount of any allotment to a State if the
21 Secretary determines that the State will be unable to
22 use such amount within two years of such allotment.
23 Such reallocations shall be made on the same basis
24 as allotments are made under paragraph (1).

1 “(4) DEFINITIONS.—For the purpose of this
2 subsection—

3 “(A) the term ‘State’ means each of the 50
4 States, the District of Columbia, and the Com-
5 monwealth of Puerto Rico; and

6 “(B) the term ‘local educational agency’
7 includes educational service agencies and con-
8 sortia of such agencies.

9 **“SEC. 11112. STATE APPLICATIONS.**

10 “(a) IN GENERAL.—In order to receive an allotment
11 under section 11111 for any fiscal year, a State shall sub-
12 mit to the Secretary, at such time as the Secretary may
13 require, an application that—

14 “(1) describes how funds under this subpart
15 will be coordinated with programs under this Act,
16 the Goals 2000: Educate America Act, and other
17 Acts, as appropriate, in accordance with the provi-
18 sions of section 14306;

19 “(2) contains the results of the State’s needs
20 assessment for drug and violence prevention pro-
21 grams, which shall be based on the results of on-
22 going State evaluation activities, including data on
23 the prevalence of drug use and violence by youth in
24 schools and communities;

1 “(3) contains assurances that the sections of
2 the application concerning the funds provided to the
3 chief executive officer and the State educational
4 agency were developed separately by such officer or
5 agency, respectively, but in consultation and coordi-
6 nation with appropriate State officials and others,
7 including the chief State school officer, the chief ex-
8 ecutive officer, the head of the State alcohol and
9 drug abuse agency, the heads of the State health
10 and mental health agencies, the head of the State
11 criminal justice planning agency, the head of the
12 State child welfare agency, the head of the State
13 board of education, or their designees, and rep-
14 resentatives of parents, students, and community-
15 based organizations;

16 “(4) contains an assurance that the State will
17 cooperate with, and assist, the Secretary in con-
18 ducting a national impact evaluation of programs re-
19 quired by section 11117(a); and

20 “(5) includes any other information the Sec-
21 retary may require.

22 “(b) STATE EDUCATIONAL AGENCY FUNDS.—A
23 State’s application under this section shall also contain a
24 comprehensive plan for the use of funds under section
25 11113(a) by the State educational agency that includes—

1 “(1) a statement of the State educational agen-
2 cy’s measurable goals and objectives for drug and vi-
3 olence prevention and a description of the proce-
4 dures such agency will use for assessing and publicly
5 reporting progress toward meeting those goals and
6 objectives;

7 “(2) a plan for monitoring the implementation
8 of, and providing technical assistance regarding, the
9 drug and violence prevention programs conducted by
10 local educational agencies in accordance with section
11 11116;

12 “(3) a description of how the State educational
13 agency will use funds under section 11113(b);

14 “(4) a description of how the State educational
15 agency will coordinate such agency’s activities under
16 this subpart with the chief executive officer’s drug
17 and violence prevention programs under this subpart
18 and with the prevention efforts of other State agen-
19 cies;

20 “(5) an explanation of the criteria the State
21 educational agency will use to identify which local
22 educational agencies receive supplemental funds
23 under section 11113(d)(2)(A)(ii) and how the sup-
24 plemental funds will be allocated among such local
25 educational agencies; and

1 “(6) a description of the procedures the State
2 educational agency will use to review applications
3 from local educational agencies under section 11115.

4 “(c) GOVERNOR’S FUNDS.—A State’s application
5 under this section shall also contain a comprehensive plan
6 for the use of funds under section 11114(a) by the chief
7 executive officer that includes—

8 “(1) a statement of the chief executive officer’s
9 measurable goals and objectives for drug and vio-
10 lence prevention and a description of the procedures
11 to be used for assessing and publicly reporting
12 progress toward meeting such goals and objectives;

13 “(2) a description of how the chief executive of-
14 ficer will coordinate such officer’s activities under
15 this part with the State educational agency and
16 other State agencies and organizations involved with
17 drug and violence prevention efforts;

18 “(3) a description of how funds reserved under
19 section 11114(a) will be used so as not to duplicate
20 the efforts of the State educational agency and local
21 educational agencies with regard to the provision of
22 school-based prevention efforts and services and how
23 those funds will be used to serve populations not
24 normally served by the State educational agency,

1 such as school dropouts and youth in detention cen-
2 ters;

3 “(4) a description of how the chief executive of-
4 ficer will award funds under section 11114(a) and a
5 plan for monitoring the performance of, and pro-
6 viding technical assistance to, recipients of such
7 funds;

8 “(5) a description of the special outreach activi-
9 ties that will be carried out to maximize the partici-
10 pation of community-based organizations of dem-
11 onstrated effectiveness which provide services in low-
12 income communities; and

13 “(6) a description of how funds will be used to
14 support community-wide comprehensive drug and vi-
15 olence prevention planning.

16 “(d) PEER REVIEW.—The Secretary shall use a peer
17 review process in reviewing State applications under this
18 section.

19 “(e) INTERIM APPLICATION.—Notwithstanding any
20 other provisions of this section, a State may submit for
21 fiscal year 2002 a one-year interim application and plan
22 for the use of funds under this subpart that are consistent
23 with the requirements of this section and contain such in-
24 formation as the Secretary may specify in regulations. The
25 purpose of such interim application and plan shall be to

1 afford the State the opportunity to fully develop and re-
2 view such State's application and comprehensive plan oth-
3 erwise required by this section. A State may not receive
4 a grant under this subpart for a fiscal year subsequent
5 to fiscal year 2001 unless the Secretary has approved such
6 State's application and comprehensive plan in accordance
7 with this subpart.

8 **“SEC. 11113. STATE AND LOCAL EDUCATIONAL AGENCY**
9 **PROGRAMS.**

10 “(a) USE OF FUNDS.—

11 “(1) IN GENERAL.—Except as provided in para-
12 graph (2), an amount equal to 80 percent of the
13 total amount allocated to a State under section
14 11111 for each fiscal year shall be used by the State
15 educational agency and its local educational agencies
16 for drug and violence prevention activities in accord-
17 ance with this section.

18 “(2) EXCEPTION.—(A) If a State has, on or be-
19 fore January 1, 2002, established an independent
20 State agency for the purpose of administering all of
21 the funds described in section 5121 of this Act (as
22 such section was in effect on the day preceding the
23 date of the enactment of the Improving America's
24 Schools Act of 1994), then—

1 “(i) an amount equal to 80 percent of the
2 total amount allocated to such State under sec-
3 tion 11111 for each fiscal year shall be used by
4 the State educational agency and its local edu-
5 cational agencies for drug and violence preven-
6 tion activities in accordance with this section;
7 and

8 “(ii) an amount equal to 20 percent of
9 such total amount shall be used by such inde-
10 pendent State agency for drug and violence pre-
11 vention activities in accordance with this sec-
12 tion.

13 “(B) Not more than 5 percent of the amount
14 reserved under subparagraph (A)(ii) may be used for
15 administrative costs of the independent State agency
16 incurred in carrying out the activities described in
17 such subparagraph.

18 “(C) For purposes of this paragraph, the term
19 ‘independent State agency’ means an independent
20 agency with a board of directors or a cabinet level
21 agency whose chief executive officer is appointed by
22 the chief executive officer of the State and confirmed
23 with the advice and consent of the senate of such
24 State.

25 “(b) STATE LEVEL PROGRAMS.—

1 “(1) IN GENERAL.—A State educational agency
2 shall use not more than 5 percent of the amount
3 available under subsection (a) for activities such
4 as—

5 “(A) training and technical assistance con-
6 cerning drug and violence prevention for local
7 educational agencies and educational service
8 agencies, including teachers, administrators,
9 coaches and athletic directors, other staff, par-
10 ents, students, community leaders, health serv-
11 ice providers, local law enforcement officials,
12 and judicial officials;

13 “(B) the development, identification, dis-
14 semination, and evaluation of the most readily
15 available, accurate, and up-to-date curriculum
16 materials (including videotapes, software, and
17 other technology-based learning resources), for
18 consideration by local educational agencies;

19 “(C) making available to local educational
20 agencies cost effective programs for youth vio-
21 lence and drug abuse prevention;

22 “(D) demonstration projects in drug and
23 violence prevention;

1 “(E) training, technical assistance, and
2 demonstration projects to address violence asso-
3 ciated with prejudice and intolerance;

4 “(F) financial assistance to enhance re-
5 sources available for drug and violence preven-
6 tion in areas serving large numbers of economi-
7 cally disadvantaged children or sparsely popu-
8 lated areas, or to meet other special needs con-
9 sistent with the purposes of this subpart; and

10 “(G) the evaluation of activities carried out
11 within the State under this part.

12 “(2) SPECIAL RULE.—A State educational
13 agency may carry out activities under this subsection
14 directly, or through grants or contracts.

15 “(c) STATE ADMINISTRATION.—A State educational
16 agency may use not more than 4 percent of the amount
17 reserved under subsection (a) for the administrative costs
18 of carrying out its responsibilities under this part.

19 “(d) LOCAL EDUCATIONAL AGENCY PROGRAMS.—

20 “(1) IN GENERAL.—A State educational agency
21 shall distribute not less than 91 percent of the
22 amount made available under subsection (a) for each
23 fiscal year to local educational agencies in accord-
24 ance with this subsection.

1 “(2) DISTRIBUTION.—(A) Of the amount dis-
2 tributed under paragraph (1), a State educational
3 agency shall distribute—

4 “(i) 70 percent of such amount to local
5 educational agencies, based on the relative en-
6 rollments in public and private nonprofit ele-
7 mentary and secondary schools within the
8 boundaries of such agencies; and

9 “(ii) 30 percent of such amount to local
10 educational agencies that the State educational
11 agency determines have the greatest need for
12 additional funds to carry out drug and violence
13 prevention programs authorized by this subpart.

14 “(B) Where appropriate and to the extent con-
15 sistent with the needs assessment conducted by the
16 State, not less than 25 percent of the amount dis-
17 tributed under subparagraph (A)(ii) for a fiscal year
18 shall be distributed to local educational agencies lo-
19 cated in rural and urban areas.

20 “(C)(i) A State educational agency shall dis-
21 tribute funds under subparagraph (A)(ii) to not
22 more than 10 percent of the local educational agen-
23 cies in the State, or five such agencies, whichever is
24 greater.

1 “(ii) In determining which local educational
2 agencies have the greatest need for additional funds,
3 the State educational agency shall consider objective
4 data such as—

5 “(I) high rates of alcohol or drug use
6 among youth;

7 “(II) high rates of victimization of youth
8 by violence and crime;

9 “(III) high rates of arrests and convictions
10 of youth for violent or drug- or alcohol-related
11 crime;

12 “(IV) the extent of illegal gang activity;

13 “(V) high incidence of violence associated
14 with prejudice and intolerance;

15 “(VI) high rates of referrals of youths to
16 drug and alcohol abuse treatment and rehabili-
17 tation programs;

18 “(VII) high rates of referrals of youths to
19 juvenile court;

20 “(VIII) high rates of expulsions and sus-
21 pensions of students from schools; and

22 “(IX) high rates of reported cases of child
23 abuse and domestic violence.

24 “(e) REALLOCATION OF FUNDS.—If a local edu-
25 cational agency chooses not to apply to receive the amount

1 allocated to such agency under subsection (d), or if such
2 agency's application under section 11115 is disapproved
3 by the State educational agency, the State educational
4 agency shall reallocate such amount to one or more of the
5 local educational agencies determined by the State edu-
6 cational agency under subsection (d)(2)(C)(ii) to have the
7 greatest need for additional funds.

8 “(f) RETURN OF FUNDS TO STATE EDUCATIONAL
9 AGENCY; REALLOCATION.—

10 “(1) RETURN.—Except as provided in para-
11 graph (2), upon the expiration of the 1-year period
12 beginning on the date that a local educational agen-
13 cy or educational service agency under this title re-
14 ceives its allocation under this title—

15 “(A) such agency shall return to the State
16 educational agency any funds from such alloca-
17 tion that remain unobligated; and

18 “(B) the State educational agency shall re-
19 allocate any such amount to local educational
20 agencies or educational service agencies that
21 have plans for using such amount for programs
22 or activities on a timely basis.

23 “(2) REALLOCATION.—In any fiscal year, a
24 local educational agency, may retain for obligation in
25 the succeeding fiscal year—

1 “(A) an amount equal to not more than 25
2 percent of the allocation it receives under this
3 title for such fiscal year; or

4 “(B) upon a demonstration of good cause
5 by such agency or consortium, a greater
6 amount approved by the State educational
7 agency.

8 **“SEC. 11114. GOVERNOR’S PROGRAMS.**

9 “(a) USE OF FUNDS.—

10 “(1) IN GENERAL.—An amount equal to 20
11 percent of the total amount allocated to a State
12 under section 11111(1) for each fiscal year shall be
13 used by the chief executive officer of such State for
14 drug and violence prevention programs and activities
15 in accordance with this section.

16 “(2) LAW ENFORCEMENT EDUCATION PART-
17 NERSHIPS.—A chief executive officer shall use not
18 less than 10 percent of the 20 percent of the total
19 amount described in paragraph (1) for each fiscal
20 year for law enforcement education partnerships in
21 accordance with subsection (d).

22 “(3) ADMINISTRATIVE COSTS.—A chief execu-
23 tive officer may use not more than 5 percent of the
24 20 percent of the total amount described in para-
25 graph (1) for the administrative costs incurred in

1 carrying out the duties of such officer under this
2 section.

3 “(b) PROGRAMS AUTHORIZED.—

4 “(1) IN GENERAL.—A chief executive officer
5 shall use funds made available under subsection
6 (a)(1) for grants to or contracts with parent groups,
7 community action and job training agencies, commu-
8 nity-based organizations, and other public entities
9 and private nonprofit organizations and consortia
10 thereof. In making such grants and contracts, a
11 chief executive officer shall give priority to programs
12 and activities described in subsection (c) for—

13 “(A) children and youth who are not nor-
14 mally served by State or local educational agen-
15 cies; or

16 “(B) populations that need special services
17 or additional resources (such as preschoolers,
18 youth in juvenile detention facilities, runaway
19 or homeless children and youth, pregnant and
20 parenting teenagers, and school dropouts).

21 “(2) PEER REVIEW.—Grants or contracts
22 awarded under this subsection shall be subject to a
23 peer review process.

1 “(c) AUTHORIZED ACTIVITIES.—Grants and con-
2 tracts under subsection (b) shall be used for programs and
3 activities such as—

4 “(1) disseminating information about drug and
5 violence prevention;

6 “(2) training parents, law enforcement officials,
7 judicial officials, social service providers, health serv-
8 ice providers and community leaders about drug and
9 violence prevention, comprehensive health education,
10 early intervention, pupil services, or rehabilitation
11 referral;

12 “(3) developing and implementing comprehen-
13 sive, community-based drug and violence prevention
14 programs that link community resources with
15 schools and integrate services involving education,
16 vocational and job skills training and placement, law
17 enforcement, health, mental health, community serv-
18 ice, mentoring, and other appropriate services;

19 “(4) planning and implementing drug and vio-
20 lence prevention activities that coordinate the efforts
21 of State agencies with efforts of the State edu-
22 cational agency and its local educational agencies;

23 “(5) activities to protect students traveling to
24 and from school;

1 “(6) before-and-after school recreational, in-
2 structional, cultural, and artistic programs that en-
3 courage drug- and violence-free lifestyles;

4 “(7) activities that promote the awareness of
5 and sensitivity to alternatives to violence through
6 courses of study that include related issues of intol-
7 erance and hatred in history;

8 “(8) developing and implementing activities to
9 prevent and reduce violence associated with preju-
10 dice and intolerance;

11 “(9) developing and implementing strategies to
12 prevent illegal gang activity;

13 “(10) coordinating and conducting community-
14 wide violence and safety assessments and surveys;

15 “(11) service-learning projects that encourage
16 drug- and violence-free lifestyles; and

17 “(12) evaluating programs and activities as-
18 sisted under this section.

19 “(d) LAW ENFORCEMENT EDUCATION PARTNER-
20 SHIPS.—A chief executive officer shall use funds under
21 subsection (a)(2) to award grants to State, county or local
22 law enforcement agencies (including district attorneys) in
23 consortium with local educational agencies or community-
24 based agencies for the purposes of carrying out drug abuse
25 and violence prevention activities, such as—

1 “(1) Project Drug Abuse Resistance Education
2 and other programs which provide classroom instruc-
3 tion by uniformed law enforcement officials that is
4 designed to teach students to recognize and resist
5 pressures to experiment that influence such children
6 to use controlled substances or alcohol;

7 “(2) Project Legal Lives and other programs in
8 which district attorneys provide classroom instruc-
9 tion in the law and legal system which emphasizes
10 interactive learning techniques, such as mock trial
11 competitions;

12 “(3) partnerships between law enforcement and
13 child guidance professionals; and

14 “(4) before- and after-school activities.

15 **“SEC. 11115. LOCAL APPLICATIONS.**

16 “(a) APPLICATION REQUIRED.—

17 “(1) IN GENERAL.—In order to be eligible to
18 receive a distribution under section 11113(d) for any
19 fiscal year, a local educational agency shall submit,
20 at such time as the State educational agency re-
21 quires, an application to the State educational agen-
22 cy for approval. Such an application shall be amend-
23 ed, as necessary, to reflect changes in the local edu-
24 cational agency’s program.

1 “(2) DEVELOPMENT.—(A) A local educational
2 agency shall develop its application under subsection
3 (a)(1) in consultation with a local or substate re-
4 gional advisory council that includes, to the extent
5 possible, representatives of local government, busi-
6 ness, parents, students, teachers, pupil services per-
7 sonnel, appropriate State agencies, private schools,
8 the medical profession, law enforcement, community-
9 based organizations, and other groups with interest
10 and expertise in drug and violence prevention.

11 “(B) In addition to assisting the local edu-
12 cational agency to develop an application under this
13 section, the advisory council established or des-
14 ignated under subparagraph (A) shall, on an ongo-
15 ing basis—

16 “(i) disseminate information about drug
17 and violence prevention programs, projects, and
18 activities conducted within the boundaries of
19 the local educational agency;

20 “(ii) advise the local educational agency
21 regarding—

22 “(I) how best to coordinate such agen-
23 cy’s activities under this subpart with
24 other related programs, projects, and ac-
25 tivities; and

1 “(II) the agencies that administer
2 such programs, projects, and activities;
3 and

4 “(iii) review program evaluations and other
5 relevant material and make recommendations to
6 the local educational agency on how to improve
7 such agency’s drug and violence prevention pro-
8 grams.

9 “(b) CONTENTS OF APPLICATIONS.—An application
10 under this section shall contain—

11 “(1) an objective analysis of the current use
12 (and consequences of such use) of alcohol, tobacco,
13 and controlled, illegal, addictive or harmful sub-
14 stances as well as the violence, safety, and discipline
15 problems among students who attend the schools of
16 the applicant (including private school students who
17 participate in the applicant’s drug and violence pre-
18 vention program) that is based on ongoing local as-
19 sessment or evaluation activities;

20 “(2) a detailed explanation of the local edu-
21 cational agency’s comprehensive plan for drug and
22 violence prevention, which shall include a description
23 of—

24 “(A) how the plan will be coordinated with
25 programs under this Act, the Goals 2000: Edu-

1 cate America Act, and other Acts, as appro-
2 priate, in accordance with the provisions of sec-
3 tion 14306;

4 “(B) the local educational agency’s meas-
5 urable goals for drug and violence prevention,
6 and a description of how such agency will as-
7 sess and publicly report progress toward attain-
8 ing these goals;

9 “(C) how the local educational agency will
10 use its distribution under this subpart;

11 “(D) how the local educational agency will
12 coordinate such agency’s programs and projects
13 with community-wide efforts to achieve such
14 agency’s goals for drug and violence prevention;
15 and

16 “(E) how the local educational agency will
17 coordinate such agency’s programs and projects
18 with other Federal, State, and local programs
19 for drug-abuse prevention, including health pro-
20 grams; and

21 “(3) such other information and assurances as
22 the State educational agency may reasonably re-
23 quire.

24 “(c) REVIEW OF APPLICATION.—

1 “(1) IN GENERAL.—In reviewing local applica-
2 tions under this section, a State educational agency
3 shall use a peer review process or other methods of
4 assuring the quality of such applications.

5 “(2) CONSIDERATIONS.—(A) In determining
6 whether to approve the application of a local edu-
7 cational agency under this section, a State edu-
8 cational agency shall consider the quality of the local
9 educational agency’s comprehensive plan under sub-
10 section (b)(2) and the extent to which such plan is
11 coordinated with programs under this Act, the Goals
12 2000: Educate America Act, in accordance with the
13 provisions of section 14306.

14 “(B) A State educational agency may dis-
15 approve a local educational agency application under
16 this section in whole or in part and may withhold,
17 limit, or place restrictions on the use of funds allot-
18 ted to such a local educational agency in a manner
19 the State educational agency determines will best
20 promote the purposes of this part, except that a
21 local educational agency shall be afforded an oppor-
22 tunity to appeal any such disapproval.

1 **“SEC. 11116. LOCAL DRUG AND VIOLENCE PREVENTION**
2 **PROGRAMS.**

3 “(a) PROGRAM REQUIREMENTS.—A local educational
4 agency shall use funds received under this subpart to
5 adopt and carry out a comprehensive drug and violence
6 prevention program which shall—

7 “(1) be designed, for all students and employ-
8 ees, to—

9 “(A) prevent the use, possession, and dis-
10 tribution of tobacco, alcohol, and illegal drugs
11 by students and to prevent the illegal use, pos-
12 session, and distribution of such substances by
13 employees;

14 “(B) prevent violence and promote school
15 safety; and

16 “(C) create a disciplined environment con-
17 ducive to learning; and

18 “(2) include activities to promote the involve-
19 ment of parents and coordination with community
20 groups and agencies, including the distribution of in-
21 formation about the local educational agency’s
22 needs, goals, and programs under this subpart.

23 “(b) AUTHORIZED ACTIVITIES.—A comprehensive
24 drug and violence prevention program carried out under
25 this subpart may include—

1 “(1) age-appropriate, developmentally based
2 drug prevention and education programs for all stu-
3 dents, from the preschool level through grade 12,
4 that address the legal, social, personal and health
5 consequences of the use of illegal drugs, promote a
6 sense of individual responsibility, and provide infor-
7 mation about effective techniques for resisting peer
8 pressure to use illegal drugs;

9 “(2) programs of drug prevention, comprehen-
10 sive health education, early intervention, pupil serv-
11 ices, mentoring, or rehabilitation referral, which em-
12 phasize students’ sense of individual responsibility
13 and which may include—

14 “(A) the dissemination of information
15 about drug prevention;

16 “(B) the professional development of
17 school personnel, parents, students, law enforce-
18 ment officials, judicial officials, health service
19 providers and community leaders in prevention,
20 education, early intervention, pupil services or
21 rehabilitation referral; and

22 “(C) the implementation of strategies, in-
23 cluding strategies to integrate the delivery of
24 services from a variety of providers, to combat
25 illegal alcohol, tobacco and drug use, such as—

1 “(i) family counseling;

2 “(ii) early intervention activities that
3 prevent family dysfunction, enhance school
4 performance, and boost attachment to
5 school and family; and

6 “(iii) activities, such as community
7 service and service-learning projects, that
8 are designed to increase students’ sense of
9 community;

10 “(3) age-appropriate, developmentally based vi-
11 olence prevention and education programs for all
12 students, from the preschool level through grade 12,
13 that address the legal, health, personal, and social
14 consequences of violent and disruptive behavior, in-
15 cluding sexual harassment and abuse, and victimiza-
16 tion associated with prejudice and intolerance, and
17 that include activities designed to help students de-
18 velop a sense of individual responsibility and respect
19 for the rights of others, and to resolve conflicts with-
20 out violence;

21 “(4) violence prevention programs for school-
22 aged youth, which emphasize students’ sense of indi-
23 vidual responsibility and may include—

24 “(A) the dissemination of information
25 about school safety and discipline;

1 “(B) the professional development of
2 school personnel, parents, students, law enforce-
3 ment officials, judicial officials, and community
4 leaders in designing and implementing strate-
5 gies to prevent school violence;

6 “(C) the implementation of strategies, such
7 as conflict resolution and peer mediation, stu-
8 dent outreach efforts against violence, anti-
9 crime youth councils (which work with school
10 and community-based organizations to discuss
11 and develop crime prevention strategies), and
12 the use of mentoring programs, to combat
13 school violence and other forms of disruptive
14 behavior, such as sexual harassment and abuse;
15 and

16 “(D) the development and implementation
17 of character education programs, as a compo-
18 nent of a comprehensive drug or violence pre-
19 vention program, that are tailored by commu-
20 nities, parents and schools; and

21 “(E) comprehensive, community-wide
22 strategies to prevent or reduce illegal gang ac-
23 tivities;

24 “(5) supporting “safe zones of passage” for
25 students between home and school through such

1 measures as Drug- and Weapon-Free School Zones,
2 enhanced law enforcement, and neighborhood pa-
3 trols;

4 “(6) acquiring and installing metal detectors
5 and hiring security personnel;

6 “(7) professional development for teachers and
7 other staff and curricula that promote the awareness
8 of and sensitivity to alternatives to violence through
9 courses of study that include related issues of intol-
10 erance and hatred in history;

11 “(8) the promotion of before-and-after school
12 recreational, instructional, cultural, and artistic pro-
13 grams in supervised community settings;

14 “(9) drug abuse resistance education programs,
15 designed to teach students to recognize and resist
16 pressures to use alcohol or other drugs, which may
17 include activities such as classroom instruction by
18 uniformed law enforcement officers, resistance tech-
19 niques, resistance to peer pressure and gang pres-
20 sure, and provision for parental involvement; and

21 “(10) the evaluation of any of the activities au-
22 thorized under this subsection.

23 “(c) LIMITATIONS.—

24 “(1) IN GENERAL.—Not more than 20 percent
25 of the funds made available to a local educational

1 agency under this subpart may be used to carry out
2 the activities described in paragraphs (5) and (6) of
3 subsection (b).

4 “(2) SPECIAL RULE.—A local educational agen-
5 cy shall only be able to use funds received under this
6 subpart for activities described in paragraphs (5)
7 and (6) of subsection (b) if funding for such activi-
8 ties is not received from other Federal agencies.

9 **“SEC. 11117. EVALUATION AND REPORTING.**

10 “(a) NATIONAL IMPACT EVALUATION.—

11 “(1) BIENNIAL EVALUATION.—The Secretary,
12 in consultation with the Secretary of Health and
13 Human Services, the Director of the Office of Na-
14 tional Drug Control Policy, and the Attorney Gen-
15 eral, shall conduct an independent biennial evalua-
16 tion of the national impact of programs assisted
17 under this subpart and of other recent and new ini-
18 tiatives to combat violence in schools and submit a
19 report of the findings of such evaluation to the
20 President and the Congress.

21 “(2) DATA COLLECTION.—(A) The National
22 Center for Education Statistics shall collect data to
23 determine the frequency, seriousness, and incidence
24 of violence in elementary and secondary schools in
25 the States. The Secretary shall collect the data

1 using, wherever appropriate, data submitted by the
2 States pursuant to subsection (b)(2)(B).

3 “(B) Not later than January 1, 2004, the Sec-
4 retary shall submit to the Congress a report on the
5 data collected under this subsection, together with
6 such recommendations as the Secretary determines
7 appropriate, including estimated costs for imple-
8 menting any recommendation.

9 “(b) STATE REPORT.—

10 “(1) IN GENERAL.—By October 1, 2003, and
11 every third year thereafter, the chief executive offi-
12 cer of the State, in cooperation with the State edu-
13 cational agency, shall submit to the Secretary a
14 report—

15 “(A) on the implementation and outcomes
16 of State programs under section 11114 and sec-
17 tion 11113(b) and local educational agency pro-
18 grams under section 11113(d), as well as an as-
19 sessment of their effectiveness; and

20 “(B) on the State’s progress toward at-
21 taining its goals for drug and violence preven-
22 tion under subsections (b)(1) and (c)(1) of sec-
23 tion 11112.

24 “(2) SPECIAL RULE.—The report required by
25 this subsection shall be—

1 “(A) in the form specified by the Sec-
2 retary;

3 “(B) based on the State’s ongoing evalua-
4 tion activities, and shall include data on the
5 prevalence of drug use and violence by youth in
6 schools and communities; and

7 “(C) made readily available to the public.

8 “(c) LOCAL EDUCATIONAL AGENCY REPORT.—Each
9 local educational agency receiving funds under this sub-
10 part shall submit to the State educational agency such in-
11 formation, and at such intervals, that the State requires
12 to complete the State report required by subsection (b),
13 including information on the prevalence of drug use and
14 violence by youth in the schools and the community. Such
15 information shall be made readily available to the public.

16 **“SEC. 11118. PROGRAMS FOR NATIVE HAWAIIANS.**

17 “(a) GENERAL AUTHORITY.—From the funds made
18 available pursuant to section 11111(a)(4) to carry out this
19 section, the Secretary shall make grants to or enter into
20 cooperative agreements or contracts with organizations
21 primarily serving and representing Native Hawaiians
22 which are recognized by the Governor of the State of Ha-
23 waii to plan, conduct, and administer programs, or por-
24 tions thereof, which are authorized by and consistent with

1 the provisions of this title for the benefit of Native Hawai-
2 ians.

3 “(b) DEFINITION OF NATIVE HAWAIIAN.—For the
4 purposes of this section, the term ‘Native Hawaiian’
5 means any individual any of whose ancestors were natives,
6 prior to 1778, of the area which now comprises the State
7 of Hawaii.

8 **“Subpart 2—National Programs**

9 **“SEC. 11121. FEDERAL ACTIVITIES.**

10 “(a) PROGRAM AUTHORIZED.—From funds made
11 available to carry out this subpart under section 11004(2),
12 the Secretary, in consultation with the Secretary of Health
13 and Human Services, the Director of the Office of Na-
14 tional Drug Control Policy, the Chair of the Ounce of Pre-
15 vention Council, and the Attorney General, shall carry out
16 programs to prevent the illegal use of drugs and violence
17 among, and promote safety and discipline for, students at
18 all educational levels from preschool through the postsec-
19 ondary level. The Secretary shall carry out such programs
20 directly, or through grants, contracts, or cooperative
21 agreements with public and private nonprofit organiza-
22 tions and individuals, or through agreements with other
23 Federal agencies, and shall coordinate such programs with
24 other appropriate Federal activities. Such programs may
25 include—

1 “(1) the development and demonstration of in-
2 novative strategies for training school personnel,
3 parents, and members of the community, including
4 the demonstration of model preservice training pro-
5 grams for prospective school personnel;

6 “(2) demonstrations and rigorous evaluations of
7 innovative approaches to drug and violence preven-
8 tion;

9 “(3) the provision of information on drug abuse
10 education and prevention to the Secretary of Health
11 and Human Services for dissemination by the clear-
12 inghouse for alcohol and drug abuse information es-
13 tablished under section 501(d)(16) of the Public
14 Health Service Act;

15 “(4) the development of curricula related to
16 child abuse prevention and education and the train-
17 ing of personnel to teach child abuse education and
18 prevention to elementary and secondary school-
19 children;

20 “(5) program evaluations in accordance with
21 section 14701 that address issues not addressed
22 under section 11117(a);

23 “(6) direct services to schools and school sys-
24 tems afflicted with especially severe drug and vio-
25 lence problems;

1 “(7) activities in communities designated as
2 empowerment zones or enterprise communities that
3 will connect schools to community-wide efforts to re-
4 duce drug and violence problems;

5 “(8) developing and disseminating drug and vi-
6 olence prevention materials, including video-based
7 projects and model curricula;

8 “(9) developing and implementing a comprehen-
9 sive violence prevention strategy for schools and
10 communities, that may include conflict resolution,
11 peer mediation, the teaching of law and legal con-
12 cepts, and other activities designed to stop violence;

13 “(10) the implementation of innovative activi-
14 ties, such as community service projects, designed to
15 rebuild safe and healthy neighborhoods and increase
16 students’ sense of individual responsibility;

17 “(11) grants to noncommercial telecommuni-
18 cations entities for the production and distribution
19 of national video-based projects that provide young
20 people with models for conflict resolution and re-
21 sponsible decisionmaking;

22 “(12) the development of education and train-
23 ing programs, curricula, instructional materials, and
24 professional training and development for preventing
25 and reducing the incidence of crimes and conflicts

1 motivated by hate in localities most directly affected
2 by hate crimes; and

3 “(13) other activities that meet unmet national
4 needs related to the purposes of this title.

5 “(b) PEER REVIEW.—The Secretary shall use a peer
6 review process in reviewing applications for funds under
7 this section.

8 **“SEC. 11123. HATE CRIME PREVENTION.**

9 “(a) GRANT AUTHORIZATION.—From funds made
10 available to carry out this subpart under section 11004(1)
11 the Secretary may make grants to local educational agen-
12 cies and community-based organizations for the purpose
13 of providing assistance to localities most directly affected
14 by hate crimes.

15 “(b) USE OF FUNDS.—

16 “(1) PROGRAM DEVELOPMENT.—Grants under
17 this section may be used to improve elementary and
18 secondary educational efforts, including—

19 “(A) development of education and train-
20 ing programs designed to prevent and to reduce
21 the incidence of crimes and conflicts motivated
22 by hate;

23 “(B) development of curricula for the pur-
24 pose of improving conflict or dispute resolution
25 skills of students, teachers, and administrators;

1 “(C) development and acquisition of equip-
2 ment and instructional materials to meet the
3 needs of, or otherwise be part of, hate crime or
4 conflict programs; and

5 “(D) professional training and develop-
6 ment for teachers and administrators on the
7 causes, effects, and resolutions of hate crimes
8 or hate-based conflicts.

9 “(2) IN GENERAL.—In order to be eligible to
10 receive a grant under this section for any fiscal year,
11 a local educational agency, or a local educational
12 agency in conjunction with a community-based orga-
13 nization, shall submit an application to the Secretary
14 in such form and containing such information as the
15 office may reasonably require.

16 “(3) REQUIREMENTS.—Each application under
17 paragraph (2) shall include—

18 “(A) a request for funds for the purposes
19 described in this section;

20 “(B) a description of the schools and com-
21 munities to be served by the grants; and

22 “(C) assurances that Federal funds re-
23 ceived under this section shall be used to sup-
24 plement, not supplant, non-Federal funds.

1 “(4) COMPREHENSIVE PLAN.—Each application
2 shall include a comprehensive plan that contains—

3 “(A) a description of the hate crime or
4 conflict problems within the schools or the com-
5 munity targeted for assistance;

6 “(B) a description of the program to be
7 developed or augmented by such Federal and
8 matching funds;

9 “(C) assurances that such program or ac-
10 tivity shall be administered by or under the su-
11 pervision of the applicant;

12 “(D) proper and efficient administration of
13 such program; and

14 “(E) fiscal control and fund accounting
15 procedures as may be necessary to ensure pru-
16 dent use, proper disbursement, and accurate ac-
17 counting of funds received under this section.

18 “(c) AWARD OF GRANTS.—

19 “(1) SELECTION OF RECIPIENTS.—The Sec-
20 retary shall consider the incidence of crimes and
21 conflicts motivated by bias in the targeted schools
22 and communities in awarding grants under this sec-
23 tion.

24 “(2) GEOGRAPHIC DISTRIBUTION.—The Sec-
25 retary shall attempt, to the extent practicable, to

1 achieve an equitable geographic distribution of grant
2 awards.

3 “(3) DISSEMINATION OF INFORMATION.—The
4 Secretary shall attempt, to the extent practicable, to
5 make available information regarding successful hate
6 crime prevention programs, including programs es-
7 tablished or expanded with grants under this section.

8 “(d) REPORTS.—The Secretary shall submit to the
9 Congress a report every two years which shall contain a
10 detailed statement regarding grants and awards, activities
11 of grant recipients, and an evaluation of programs estab-
12 lished under this section.

13 **“Subpart 3—General Provisions**

14 **“SEC. 11131. DEFINITIONS.**

15 “For the purposes of this part:

16 “(1) COMMUNITY-BASED ORGANIZATION.—The
17 term ‘community-based organization’ means a pri-
18 vate nonprofit organization which is representative
19 of a community or significant segments of a commu-
20 nity and which provides educational or related serv-
21 ices to individuals in the community.

22 “(2) DRUG AND VIOLENCE PREVENTION.—The
23 term ‘drug and violence prevention’ means—

24 “(A) with respect to drugs, prevention,
25 early intervention, rehabilitation referral, or

1 education related to the illegal use of alcohol
2 and the use of controlled, illegal, addictive, or
3 harmful substances, including inhalants and an-
4 abolic steroids;

5 “(B) prevention, early intervention, smok-
6 ing cessation activities, or education, related to
7 the use of tobacco by children and youth eligible
8 for services under this title; and

9 “(C) with respect to violence, the pro-
10 motion of school safety, such that students and
11 school personnel are free from violent and dis-
12 ruptive acts, including sexual harassment and
13 abuse, and victimization associated with preju-
14 dice and intolerance, on school premises, going
15 to and from school, and at school-sponsored ac-
16 tivities, through the creation and maintenance
17 of a school environment that is free of weapons
18 and fosters individual responsibility and respect
19 for the rights of others.

20 “(3) HATE CRIME.—The term ‘hate crime’
21 means a crime as described in section 1(b) of the
22 Hate Crime Statistics Act of 1990.

23 “(4) NONPROFIT.—The term ‘nonprofit’, as ap-
24 plied to a school, agency, organization, or institution
25 means a school, agency, organization, or institution

1 owned and operated by one or more nonprofit cor-
2 porations or associations, no part of the net earnings
3 of which inures, or may lawfully inure, to the benefit
4 of any private shareholder or individual.

5 “(5) SCHOOL-AGED POPULATION.—The term
6 ‘school-aged population’ means the population aged
7 five through 17, as determined by the Secretary on
8 the basis of the most recent satisfactory data avail-
9 able from the Department of Commerce.

10 “(6) SCHOOL PERSONNEL.—The term ‘school
11 personnel’ includes teachers, administrators, guid-
12 ance counselors, social workers, psychologists,
13 nurses, librarians, and other support staff who are
14 employed by a school or who perform services for the
15 school on a contractual basis.

16 **“SEC. 11132. MATERIALS.**

17 “(a) ‘WRONG AND HARMFUL’ MESSAGE.—Drug pre-
18 vention programs supported under this part shall convey
19 a clear and consistent message that the illegal use of alco-
20 hol and other drugs is wrong and harmful.

21 “(b) CURRICULUM.—The Secretary shall not pre-
22 scribe the use of specific curricula for programs supported
23 under this part, but may evaluate the effectiveness of such
24 curricula and other strategies in drug and violence preven-
25 tion.

1 **“SEC. 11133. PROHIBITED USES OF FUNDS.**

2 “No funds under this part may be used for—

3 “(1) construction (except for minor remodeling
4 needed to accomplish the purposes of this part); and

5 “(2) medical services, drug treatment or reha-
6 bilitation, except for pupil services or referral to
7 treatment for students who are victims of or wit-
8 nesses to crime or who use alcohol, tobacco, or
9 drugs.

10 **“SEC. 11134. QUALITY RATING.**

11 “(a) IN GENERAL.—The chief executive officer of
12 each State, or in the case of a State in which the constitu-
13 tion or law of such State designates another individual,
14 entity, or agency in the State to be responsible for edu-
15 cation activities, such individual, entity, or agency, is au-
16 thorized and encouraged—

17 “(1) to establish a standard of quality for drug,
18 alcohol, and tobacco prevention programs imple-
19 mented in public elementary schools and secondary
20 schools in the State in accordance with subsection
21 (b); and

22 “(2) to identify and designate, upon application
23 by a public elementary school or secondary school,
24 any such school that achieves such standard as a
25 quality program school.

1 “(b) CRITERIA.—The standard referred to in sub-
2 section (a) shall address, at a minimum—

3 “(1) a comparison of the rate of illegal use of
4 drugs, alcohol, and tobacco by students enrolled in
5 the school for a period of time to be determined by
6 the chief executive officer of the State;

7 “(2) the rate of suspensions or expulsions of
8 students enrolled in the school for drug, alcohol, or
9 tobacco-related offenses;

10 “(3) the effectiveness of the drug, alcohol, or
11 tobacco prevention program as proven by research;

12 “(4) the involvement of parents and community
13 members in the design of the drug, alcohol, and to-
14 bacco prevention program; and

15 “(5) the extent of review of existing community
16 drug, alcohol, and tobacco prevention programs be-
17 fore implementation of the public school program.

18 “(c) REQUEST FOR QUALITY PROGRAM SCHOOL
19 DESIGNATION.—A school that wishes to receive a quality
20 program school designation shall submit a request and
21 documentation of compliance with this section to the chief
22 executive officer of the State or the individual, entity, or
23 agency described in subsection (a), as the case may be.

24 “(d) PUBLIC NOTIFICATION.—Not less than once a
25 year, the chief executive officer of each State or the indi-

1 vidual, entity, or agency described in subsection (a), as
 2 the case may be, shall make available to the public a list
 3 of the names of each public school in the State that has
 4 received a quality program school designation in accord-
 5 ance with this section.”.

6 **TITLE XI—PROGRAMS OF**
 7 **NATIONAL SIGNIFICANCE**

8 **SEC. 1101. PROGRAMS OF NATIONAL SIGNIFICANCE.**

9 Title XII (20 U.S.C. 8501 et seq.) is amended to read
 10 as follows:

11 **“TITLE XII—PROGRAMS OF**
 12 **NATIONAL SIGNIFICANCE**

13 **“PART A—FUND FOR THE IMPROVEMENT OF**
 14 **EDUCATION**

15 **“SEC. 12101. FUND FOR THE IMPROVEMENT OF EDU-**
 16 **CATION.**

17 “(a) FUND AUTHORIZED.—From funds appropriated
 18 under subsection (d), the Secretary is authorized to sup-
 19 port nationally significant programs and projects to im-
 20 prove the quality of education, assist all students to meet
 21 challenging State content standards and challenging State
 22 student performance standards, and contribute to achieve-
 23 ment of the National Education Goals. The Secretary is
 24 authorized to carry out such programs and projects di-
 25 rectly or through grants to, or contracts with, State and

1 local educational agencies, institutions of higher edu-
2 cation, and other public and private agencies, organiza-
3 tions, and institutions.

4 “(b) USES OF FUNDS.—

5 “(1) IN GENERAL.—Funds under this section
6 may be used for—

7 “(A) activities that will promote systemic
8 education reform at the State and local levels,
9 such as—

10 “(i) research and development related
11 to challenging State content and chal-
12 lenging State student performance stand-
13 ards;

14 “(ii) the development and evaluation
15 of model strategies for—

16 “(I) assessment of student learn-
17 ing;

18 “(II) professional development
19 for teachers and administrators;

20 “(III) parent and community in-
21 volvement; and

22 “(IV) other aspects of systemic
23 reform;

24 “(iii) developing and evaluating strat-
25 egies for eliminating ability-grouping prac-

1 tices, and developing policies and programs
2 that place all students on a college-pre-
3 paratory path of study, particularly in aca-
4 demic fields such as mathematics, science,
5 English, and social studies, including com-
6 prehensive inservice programs for teachers
7 and pupil services personnel and academic
8 enrichment programs that supplement reg-
9 ular courses for students;

10 “(iv) developing and evaluating pro-
11 grams that directly involve parents and
12 family members in the academic progress
13 of their children;

14 “(v) developing and evaluating strate-
15 gies for integrating instruction and assess-
16 ment such that teachers and administra-
17 tors can focus on what students should
18 know and be able to do at particular grade
19 levels, which instruction shall promote the
20 synthesis of knowledge, encourage the de-
21 velopment of problem-solving skills drawing
22 on a vast range of disciplines, and promote
23 the development of higher order thinking
24 by all students; and

1 “(vi) developing and evaluating strate-
2 gies for supporting professional develop-
3 ment for teachers across all disciplines and
4 for pupil services personnel, guidance coun-
5 selors, and administrators, including in-
6 service training that improves the skills of
7 pupil services personnel, counselors and
8 administrators for working with students
9 from diverse populations;

10 “(B) demonstrations at the State and local
11 levels that are designed to yield nationally sig-
12 nificant results, including approaches to public
13 school choice and school-based decisionmaking;

14 “(C) joint activities with other agencies to
15 assist the effort to achieve the National Edu-
16 cation Goals, including activities related to im-
17 proving the transition from preschool to school
18 and from school to work, as well as activities
19 related to the integration of education and
20 health and social services;

21 “(D) activities to promote and evaluate
22 counseling and mentoring for students, includ-
23 ing intergenerational mentoring;

24 “(E) activities to promote and evaluate co-
25 ordinated pupil services programs;

1 “(F) activities to promote comprehensive
2 health education;

3 “(G) activities to promote environmental
4 education;

5 “(H) activities to promote consumer, eco-
6 nomic, and personal finance education, such as
7 saving, investing, and entrepreneurial edu-
8 cation;

9 “(I) activities to promote programs to as-
10 sist students to demonstrate competence in for-
11 eign languages;

12 “(J) studies and evaluation of various edu-
13 cation reform strategies and innovations being
14 pursued by the Federal Government, States,
15 and local educational agencies;

16 “(K) activities to promote metric edu-
17 cation;

18 “(L) the identification and recognition of
19 exemplary schools and programs, such as Blue
20 Ribbon Schools;

21 “(M) programs designed to promote gen-
22 der equity in education by evaluating and elimi-
23 nating gender bias in instruction and edu-
24 cational materials, identifying, and analyzing
25 gender inequities in educational practices, and

1 implementing and evaluating educational poli-
2 cies and practices designed to achieve gender
3 equity;

4 “(N) programs designed to reduce exces-
5 sive student mobility, retain students who move
6 within a school district at the same school, edu-
7 cate parents about the effect of mobility on a
8 child’s education and encourage parents to par-
9 ticipate in school activities;

10 “(O) experiential-based learning, such as
11 service-learning;

12 “(P) the development and expansion of
13 public-private partnership programs which ex-
14 tend the learning experience, via computers, be-
15 yond the classroom environment into student
16 homes through such programs as the Buddy
17 System Computer Project;

18 “(Q) other programs and projects that
19 meet the purposes of this section;

20 “(R) activities to promote child abuse edu-
21 cation and prevention programs;

22 “(S) activities to raise standards and ex-
23 pectations for academic achievement among all
24 students, especially disadvantaged students tra-
25 ditionally underserved in schools;

1 “(T) activities to provide the academic
2 support, enrichment and motivation to enable
3 all students to reach such standards;

4 “(U) demonstrations relating to the plan-
5 ning and evaluations of the effectiveness of
6 projects under which local educational agencies
7 or schools contract with private management
8 organizations to reform a school or schools;

9 “(V) demonstrations that are designed to
10 test whether prenatal and counseling provided
11 to pregnant students may have a positive effect
12 on pregnancy outcomes, with such education
13 and counseling emphasizing the importance of
14 prenatal care, the value of sound diet and nutri-
15 tion habits, and the harmful effects of smoking,
16 alcohol, and substance abuse on fetal develop-
17 ment;

18 “(W) programs under section 12102;

19 “(X) programs under section 12103;

20 “(Y) programs under section 12104; and

21 “(Z) programs under section 12105;

22 “(2) ADDITIONAL USES.—The Secretary may
23 also use funds under this section to complete the
24 project periods for direct grants or contracts award-
25 ed under the provisions of this Act, the Fund for the

1 Improvement and Reform of Schools and Teaching
2 Act, or title III of the Education for Economic Secu-
3 rity Act, as such Acts were in effect on the day pre-
4 ceding the date of the enactment of the Improving
5 America's Schools Act of 1994.

6 “(3) SPECIAL RULE.—The Secretary shall not
7 make available more than \$1,000,000 to carry out
8 paragraph (1)(R), nor more than \$1,000,000 to
9 carry out paragraph (1)(V) during the period begin-
10 ning on October 1, 2002, through September 30,
11 2007.

12 “(c) AWARDS.—

13 “(1) IN GENERAL.—The Secretary may—

14 “(A) make awards under this section on
15 the basis of competitions announced by the Sec-
16 retary; and

17 “(B) support meritorious unsolicited pro-
18 posals.

19 “(2) SPECIAL RULE.—The Secretary shall en-
20 sure that programs, projects, and activities sup-
21 ported under this section are designed so that the ef-
22 fectiveness of such programs, projects, and activities
23 is readily ascertainable.

24 “(3) PEER REVIEW.—The Secretary shall use a
25 peer review process in reviewing applications for as-

1 sistance under this section and may use funds ap-
2 propriated under subsection (d) for the cost of such
3 peer review.

4 “(d) AUTHORIZATION.—For the purpose of carrying
5 out this section, there are authorized to be appropriated
6 \$250,000,000 for fiscal year 2002 and such sums as may
7 be necessary for each of the four succeeding fiscal years.

8 **“SEC. 12102. ELEMENTARY SCHOOL COUNSELING DEM-**
9 **ONSTRATION.**

10 “(a) COUNSELING DEMONSTRATION.—

11 “(1) IN GENERAL.—The Secretary may award
12 grants under this section to establish or expand ele-
13 mentary school counseling programs.

14 “(2) PRIORITY.—In awarding grants under this
15 section, the Secretary shall give special consideration
16 to applications describing programs that—

17 “(A) demonstrate the greatest need for
18 new or additional counseling services among the
19 children in the elementary schools served by the
20 applicant;

21 “(B) propose the most promising and inno-
22 vative approaches for initiating or expanding el-
23 ementary school counseling; and

24 “(C) show the greatest potential for rep-
25 lication and dissemination.

1 “(3) **EQUITABLE DISTRIBUTION.**—In awarding
2 grants under this section, the Secretary shall ensure
3 an equitable geographic distribution among the re-
4 gions of the United States and among urban, subur-
5 ban, and rural areas.

6 “(4) **DURATION.**—A grant under this section
7 shall be awarded for a period not to exceed three
8 years.

9 “(5) **MAXIMUM GRANT.**—A grant under this
10 section shall not exceed \$400,000 for any fiscal year.

11 “(b) **APPLICATIONS.**—

12 “(1) **IN GENERAL.**—Each local educational
13 agency desiring a grant under this section shall sub-
14 mit an application to the Secretary at such time, in
15 such manner, and accompanied by such information
16 as the Secretary may reasonably require.

17 “(2) **CONTENTS.**—Each application for a grant
18 under this section shall—

19 “(A) describe the elementary school popu-
20 lation to be targeted by the program, the par-
21 ticular personal, social, emotional, educational,
22 and career development needs of such popu-
23 lation, and the current school counseling re-
24 sources available for meeting such needs;

1 “(B) describe the activities, services, and
2 training to be provided by the program and the
3 specific approaches to be used to meet the
4 needs described in subparagraph (A);

5 “(C) describe the methods to be used to
6 evaluate the outcomes and effectiveness of the
7 program;

8 “(D) describe the collaborative efforts to
9 be undertaken with institutions of higher edu-
10 cation, businesses, labor organizations, commu-
11 nity groups, social service agencies, and other
12 public or private entities to enhance the pro-
13 gram and promote school-linked services inte-
14 gration;

15 “(E) describe collaborative efforts with in-
16 stitutions of higher education which specifically
17 seek to enhance or improve graduate programs
18 specializing in the preparation of elementary
19 school counselors, school psychologists, and
20 school social workers;

21 “(F) document that the applicant has the
22 personnel qualified to develop, implement, and
23 administer the program;

1 “(G) describe how any diverse cultural
2 populations, if applicable, would be served
3 through the program;

4 “(H) assure that the funds made available
5 under this part for any fiscal year will be used
6 to supplement and, to the extent practicable, in-
7 crease the level of funds that would otherwise
8 be available from non-Federal sources for the
9 program described in the application, and in no
10 case supplant such funds from non-Federal
11 sources; and

12 “(I) assure that the applicant will appoint
13 an advisory board composed of parents, school
14 counselors, school psychologists, school social
15 workers, other pupil services personnel, teach-
16 ers, school administrators, and community lead-
17 ers to advise the local educational agency on the
18 design and implementation of the program.

19 “(c) USE OF FUNDS.—

20 “(1) IN GENERAL.—Grant funds under this sec-
21 tion shall be used to initiate or expand elementary
22 school counseling programs that comply with the re-
23 quirements in paragraph (2).

24 “(2) PROGRAM REQUIREMENTS.—Each pro-
25 gram assisted under this section shall—

1 “(A) be comprehensive in addressing the
2 personal, social, emotional, and educational
3 needs of all students;

4 “(B) use a developmental, preventive ap-
5 proach to counseling;

6 “(C) increase the range, availability, quan-
7 tity, and quality of counseling services in the el-
8 ementary schools of the local educational agen-
9 cy;

10 “(D) expand counseling services only
11 through qualified school counselors, school psy-
12 chologists, and school social workers;

13 “(E) use innovative approaches to increase
14 children’s understanding of peer and family re-
15 lationships, work and self, decisionmaking, aca-
16 demic and career planning, or to improve social
17 functioning;

18 “(F) provide counseling services that are
19 well-balanced among classroom group and small
20 group counseling, individual counseling, and
21 consultation with parents, teachers, administra-
22 tors, and other pupil services personnel;

23 “(G) include inservice training for school
24 counselors, school social workers, school psy-

1 chologists, other pupil services personnel, teach-
2 ers, and instructional staff;

3 “(H) involve parents of participating stu-
4 dents in the design, implementation, and eval-
5 uation of a counseling program;

6 “(I) involve collaborative efforts with insti-
7 tutions of higher education, businesses, labor
8 organizations, community groups, social service
9 agencies, or other public or private entities to
10 enhance the program and promote school-linked
11 services integration; and

12 “(J) evaluate annually the effectiveness
13 and outcomes of the counseling services and ac-
14 tivities assisted under this section.

15 “(3) REPORT.—The Secretary shall issue a re-
16 port evaluating the programs assisted pursuant to
17 each grant under this subsection at the end of each
18 grant period in accordance with section 14701, but
19 in no case later than January 30, 2005.

20 “(4) DISSEMINATION.—The Secretary shall
21 make the programs assisted under this section avail-
22 able for dissemination, either through the National
23 Diffusion Network or other appropriate means.

24 “(5) LIMIT ON ADMINISTRATION.—Not more
25 than five percent of the amounts made available

1 under this section in any fiscal year shall be used
2 for administrative costs to carry out this section.

3 “(d) DEFINITIONS.—For purposes of this section—

4 “(1) the term ‘school counselor’ means an indi-
5 vidual who has documented competence in coun-
6 seling children and adolescents in a school setting
7 and who—

8 “(A) possesses State licensure or certifi-
9 cation granted by an independent professional
10 regulatory authority;

11 “(B) in the absence of such State licensure
12 or certification, possesses national certification
13 in school counseling or a specialty of counseling
14 granted by an independent professional organi-
15 zation; or

16 “(C) holds a minimum of a master’s de-
17 gree in school counseling from a program ac-
18 credited by the Council for Accreditation of
19 Counseling and Related Educational Programs
20 or the equivalent;

21 “(2) the term ‘school psychologist’ means an in-
22 dividual who—

23 “(A) possesses a minimum of 60 graduate
24 semester hours in school psychology from an in-
25 stitution of higher education and has completed

1 1,200 clock hours in a supervised school psy-
2 chology internship, of which 600 hours shall be
3 in the school setting;

4 “(B) possesses State licensure or certifi-
5 cation in the State in which the individual
6 works; or

7 “(C) in the absence of such State licensure
8 or certification, possesses national certification
9 by the National School Psychology Certification
10 Board;

11 “(3) the term ‘school social worker’ means an
12 individual who holds a master’s degree in social
13 work and is licensed or certified by the State in
14 which services are provided or holds a school social
15 work specialist credential; and

16 “(4) the term ‘supervisor’ means an individual
17 who has the equivalent number of years of profes-
18 sional experience in such individual’s respective dis-
19 cipline as is required of teaching experience for the
20 supervisor or administrative credential in the State
21 of such individual.

22 **“SEC. 12103. PARTNERSHIPS IN CHARACTER EDUCATION**
23 **PILOT PROJECT.**

24 “(a) PROGRAM AUTHORIZED.—

1 “(1) IN GENERAL.—The Secretary is authorized
2 to make up to a total of ten grants annually to part-
3 nerships of State educational agencies and local edu-
4 cational agencies for the design and implementation
5 of character education programs that incorporate
6 the elements of character listed in subsection (d), as
7 well as other character elements identified by appli-
8 cants.

9 “(2) MAXIMUM AMOUNT OF GRANT.—No State
10 educational agency shall receive more than a total of
11 \$1,000,000 in grants under this part.

12 “(3) DURATION.—Each grant under this sec-
13 tion shall be awarded for a period not to exceed five
14 years, of which the State educational agency shall
15 not use more than one year for planning and pro-
16 gram design.

17 “(b) STATE EDUCATIONAL AGENCY APPLICA-
18 TIONS.—

19 “(1) REQUIREMENT.—Each State educational
20 agency desiring a grant under this section shall sub-
21 mit an application to the Secretary at such time and
22 in such manner as the Secretary may require.

23 “(2) PARTNERSHIPS.—Each State educational
24 agency desiring a grant under this section shall form
25 a partnership with at least one local educational

1 agency to be eligible for funding. The partnership
2 shall pursue State and local initiatives to meet the
3 objectives of this section.

4 “(3) APPLICATION.—Each application under
5 this section shall include—

6 “(A) a list of the local educational agencies
7 entering into the partnership with the State
8 educational agency;

9 “(B) a description of the goals of the part-
10 nership;

11 “(C) a description of activities that will be
12 pursued by the participating local educational
13 agencies, including—

14 “(i) how parents, students, and other
15 members of the community, including
16 members of private and nonprofit organi-
17 zations, will be involved in the design and
18 implementation of the program;

19 “(ii) curriculum and instructional
20 practices;

21 “(iii) methods of teacher training and
22 parent education that will be used or devel-
23 oped; and

24 “(iv) examples of activities that will
25 be carried out under this part;

1 “(D) a description of how the State edu-
2 cational agency will provide technical and pro-
3 fessional assistance to its local educational
4 agency partners in the development and imple-
5 mentation of character education programs;

6 “(E) a description of how the State edu-
7 cational agency will evaluate the success of local
8 programs and how local educational agencies
9 will evaluate the progress of their own pro-
10 grams;

11 “(F) a description of how the State edu-
12 cational agency will assist other interested local
13 educational agencies that are not members of
14 the original partnership in designing and estab-
15 lishing programs;

16 “(G) a description of how the State edu-
17 cational agency will establish a clearinghouse
18 for information on model programs, materials,
19 and other information the State and local edu-
20 cational agencies determine to be appropriate;

21 “(H) an assurance that the State edu-
22 cational agency will annually provide to the Sec-
23 retary such information as may be required to
24 determine the effectiveness of the program; and

1 “(I) any other information that the Sec-
2 retary may require.

3 “(4) NON-PARTNER LOCAL EDUCATIONAL
4 AGENCIES.—Any local educational agency that was
5 not a partner with the State when the application
6 was submitted may become a partner by submitting
7 an application for partnership to the State edu-
8 cational agency, containing such information that
9 the State educational agency may require.

10 “(c) EVALUATION AND PROGRAM DEVELOPMENT.—

11 “(1) REQUIREMENT.—Each State educational
12 agency receiving a grant under this section shall
13 submit to the Secretary a comprehensive evaluation
14 of the program assisted under this part, including
15 the impact on students, teachers, administrators,
16 parents, and others—

17 “(A) by the mid-term of the program; and

18 “(B) not later than one year after comple-
19 tion of such program.

20 “(2) CONTRACTS FOR EVALUATION.—Each
21 State educational agency receiving a grant under
22 this section may contract with outside sources, in-
23 cluding institutions of higher education, and private
24 and nonprofit organizations, for purposes of evalu-
25 ating their program and measuring the success of

1 the program toward fostering in students the ele-
2 ments of character listed in subsection (b).

3 “(3) FACTORS.—Factors which may be consid-
4 ered in evaluating the success of the program may
5 include—

6 “(A) discipline problems;

7 “(B) students’ grades;

8 “(C) participation in extracurricular activi-
9 ties;

10 “(D) parental and community involvement;

11 “(E) faculty and administration involve-
12 ment; and

13 “(F) student and staff morale.

14 “(4) MATERIALS AND PROGRAM DEVELOP-
15 MENT.—Local educational agencies, after consulting
16 with the State educational agency, may contract
17 with outside sources, including institutions of higher
18 education, and private and nonprofit organizations,
19 for assistance in developing curriculum, materials,
20 teacher training, and other activities related to char-
21 acter education.

22 “(d) ELEMENTS OF CHARACTER.—

23 “(1) IN GENERAL.—Applicants desiring funding
24 under this part shall develop character education

1 programs that incorporate the following elements of
2 character:

3 “(A) Caring.

4 “(B) Civic virtue and citizenship.

5 “(C) Justice and fairness.

6 “(D) Respect.

7 “(E) Responsibility.

8 “(F) Trustworthiness.

9 “(G) Any other elements deemed appro-
10 priate by the members of the partnership.

11 “(2) ADDITIONAL ELEMENTS OF CHARACTER.—

12 A local educational agency participating under this
13 section may, after consultation with schools and
14 communities of such agency, define additional ele-
15 ments of character that the agency determines to be
16 important to the schools and communities of such
17 agency.

18 “(e) USE OF FUNDS.—Of the total funds received by
19 a State educational agency in any fiscal year under this
20 section—

21 “(1) not more than 30 percent of such funds
22 may be retained by the State educational agency, of
23 which—

1 “(A) not more than 10 percent of such
2 funds may be used for administrative purposes;
3 and

4 “(B) the remainder of such funds may be
5 used for—

6 “(i) collaborative initiatives with local
7 educational agencies;

8 “(ii) the establishment of the clearing-
9 house, preparation of materials, teacher
10 training; and

11 “(iii) other appropriate activities; and

12 “(2) the remaining of such funds shall be used
13 to award subgrants to local educational agencies, of
14 which—

15 “(A) not more than 10 percent of such
16 funds may be retained for administrative pur-
17 poses; and

18 “(B) the remainder of such funds may be
19 used to—

20 “(i) award subgrants to schools within
21 the local educational agency; and

22 “(ii) pursue collaborative efforts with
23 the State educational agency.

24 “(f) SELECTION OF GRANTEES.—

1 “(1) CRITERIA.—The Secretary shall select,
2 through peer review, partnerships to receive grants
3 under this section on the basis of the quality of the
4 applications submitted under subsection (b), taking
5 into consideration such factors as—

6 “(A) the quality of the activities proposed
7 by local educational agencies;

8 “(B) the extent to which the program fos-
9 ters in students the elements of character;

10 “(C) the extent of parental, student, and
11 community involvement;

12 “(D) the number of local educational agen-
13 cies involved in the effort;

14 “(E) the quality of the plan for measuring
15 and assessing success; and

16 “(F) the likelihood that the goals of the
17 program will be realistically achieved.

18 “(2) DIVERSITY OF PROJECTS.—The Secretary
19 shall approve applications under this section in a
20 manner that ensures, to the extent practicable, that
21 programs assisted under this section—

22 “(A) serve different areas of the Nation,
23 including urban, suburban, and rural areas; and

1 “(B) serve schools that serve minorities,
2 Native Americans, students of limited-English
3 proficiency, and disadvantaged students.

4 **“SEC. 12104. PROMOTING SCHOLAR-ATHLETE COMPETI-**
5 **TIONS.**

6 “(a) IN GENERAL.—The Secretary is authorized to
7 award a grant to a nonprofit organization to reimburse
8 such organizations for the costs of conducting scholar-ath-
9 lete games.

10 “(b) PRIORITY.—In awarding the grant under sub-
11 section (a), the Secretary shall give priority to a nonprofit
12 organization that—

13 “(1) is described in section 501(c)(3) of, and
14 exempt from taxation under section 501(a) of, the
15 Internal Revenue Code of 1986, and is affiliated
16 with a university capable of hosting a large edu-
17 cational, cultural, and athletic event that will serve
18 as a national model;

19 “(2) has the capability and experience in ad-
20 ministering federally funded scholar-athlete games;

21 “(3) has the ability to provide matching funds,
22 on a dollar-for-dollar basis, from foundations and
23 the private sector for the purpose of conducting a
24 scholar-athlete program;

1 “(4) has the organizational structure and capa-
2 bility to administer a model scholar-athlete program;

3 “(5) has the organizational structure and exper-
4 tise to replicate the scholar-athlete program in var-
5 ious venues throughout the United States inter-
6 nationally; and

7 “(6) has plans for conducting scholar-athlete
8 games without Federal assistance.

9 **“SEC. 12105. SMALLER LEARNING COMMUNITIES.**

10 “(a) IN GENERAL.—Each local educational agency
11 desiring a grant under this section shall submit an appli-
12 cation to the Secretary at such time, in such manner, and
13 accompanied by such information as the Secretary may
14 require. Each such application shall describe—

15 “(1) strategies and methods the applicant will
16 use to create the smaller learning community or
17 communities;

18 “(2) curriculum and instructional practices, in-
19 cluding any particular themes or emphases, to be
20 used in the learning environment;

21 “(3) the extent of involvement of teachers and
22 other school personnel in investigating, designing,
23 implementing and sustaining the smaller learning
24 community or communities;

1 “(4) the process to be used for involving stu-
2 dents, parents and other stakeholders in the develop-
3 ment and implementation of the smaller learning
4 community or communities;

5 “(5) any cooperation or collaboration among
6 community agencies, organizations, businesses, and
7 others to develop or implement a plan to create the
8 smaller learning community or communities;

9 “(6) the training and professional development
10 activities that will be offered to teachers and others
11 involved in the activities assisted under this part;

12 “(7) the goals and objectives of the activities
13 assisted under this part, including a description of
14 how such activities will better enable all students to
15 reach challenging State content standards and State
16 student performance standards;

17 “(8) the methods by which the applicant will
18 assess progress in meeting such goals and objectives;

19 “(9) if the smaller learning community or com-
20 munities exist as a school-within-a-school, the rela-
21 tionship, including governance and administration,
22 of the smaller learning community to the rest of the
23 school;

24 “(10) a description of the administrative and
25 managerial relationship between the local edu-

1 cational agency and the smaller learning community
2 or communities, including how such agency will dem-
3 onstrate a commitment to the continuity of the
4 smaller learning community or communities, includ-
5 ing the continuity of student and teacher assignment
6 to a particular learning community;

7 “(11) how the applicant will coordinate or use
8 funds provided under this part with other funds pro-
9 vided under this Act or other Federal laws;

10 “(12) grade levels or ages of students who will
11 participate in the smaller learning community or
12 communities; and

13 “(13) the method of placing students in the
14 smaller learning community or communities, such
15 that students are not placed according to ability,
16 performance or any other measure, so that students
17 are placed at random or by their own choice, not
18 pursuant to testing or other judgments.

19 “(b) AUTHORIZED ACTIVITIES.—Funds under this
20 section may be used—

21 “(1) to study the feasibility of creating the
22 smaller learning community or communities as well
23 as effective and innovative organizational and in-
24 structional strategies that will be used in the smaller
25 learning community or communities;

1 “(2) to research, develop and implement strate-
2 gies for creating the smaller learning community or
3 communities, as well as effective and innovative
4 changes in curriculum and instruction, geared to
5 high State content standards and State student per-
6 formance standards;

7 “(3) to provide professional development for
8 school staff in innovative teaching methods that
9 challenge and engage students to be used in the
10 smaller learning community or communities; and

11 “(4) to develop and implement strategies to in-
12 clude parents, business representatives, local institu-
13 tions of higher education, community-based organi-
14 zations, and other community members in the small-
15 er learning communities, as facilitators of activities
16 that enable teachers to participate in professional
17 development activities, as well as to provide links be-
18 tween students and their community.

19 **“SEC. 12106. NATIONAL STUDENT AND PARENT MOCK ELEC-**
20 **TION.**

21 “(a) IN GENERAL.—The Secretary is authorized to
22 award grants to national nonprofit, nonpartisan organiza-
23 tions that work to promote voter participation in American
24 elections to enable such organizations to carry out voter

1 education activities for students and their parents. Such
2 activities shall—

3 “(1) be limited to simulated national elections
4 that permit participation by students and parents
5 from all 50 States in the United States; and

6 “(2) consist of—

7 “(A) school forums and local cable call-in
8 shows on the national issues to be voted upon
9 in an ‘issue forum’;

10 “(B) speeches and debates before students
11 and parents by local candidates or stand-ins for
12 such candidates;

13 “(C) quiz team competitions, mock press
14 conferences and speechwriting competitions;

15 “(D) weekly meetings to follow the course
16 of the campaign; or

17 “(E) school and neighborhood campaigns
18 to increase voter turnout, including newsletters,
19 posters, telephone chains, and transportation.

20 “(b) REQUIREMENT.—Each organization receiving a
21 grant under this section shall present awards to out-
22 standing student and parent mock election projects.

23 **“SEC. 12107. MODEL PROJECTS.**

24 “(a) PROGRAM AUTHORIZED.—The Secretary is au-
25 thorized to award grants to cultural institutions to enable

1 such institutions to develop and expand model projects of
2 outreach activities for at-risk children in the communities
3 served by such institutions, including activities which inte-
4 grate such institution’s cultural programming with other
5 disciplines, including environmental, mathematics, and
6 science programs.

7 “(b) PRIORITY.—In awarding grants under this sec-
8 tion the Secretary shall give priority to activities that are
9 part of an overall State, local, and private commitment,
10 seek to improve learning for at-risk youth, and are sub-
11 stantially funded by State, local, or private funds.

12 **“PART B—GIFTED AND TALENTED CHILDREN**

13 **“SEC. 12201. SHORT TITLE.**

14 “This part may be cited as the ‘Jacob K. Javits Gift-
15 ed and Talented Students Education Act of 2000’.

16 **“SEC. 12202. FINDINGS AND PURPOSES.**

17 “(a) FINDINGS.—The Congress finds and declares
18 that—

19 “(1) all students can learn to high standards
20 and must develop their talents and realize their po-
21 tential if the United States is to prosper;

22 “(2) gifted and talented students are a national
23 resource vital to the future of the Nation and its se-
24 curity and well-being;

1 “(3) too often schools fail to challenge students
2 to do their best work, and students who are not
3 challenged will not learn to challenging State content
4 standards and challenging State student perform-
5 ance standards, fully develop their talents, and real-
6 ize their potential;

7 “(4) unless the special abilities of gifted and
8 talented students are recognized and developed dur-
9 ing such students’ elementary and secondary school
10 years, much of such students’ special potential for
11 contributing to the national interest is likely to be
12 lost;

13 “(5) gifted and talented students from economi-
14 cally disadvantaged families and areas, and students
15 of limited-English proficiency are at greatest risk of
16 being unrecognized and of not being provided ade-
17 quate or appropriate educational services;

18 “(6) State and local educational agencies and
19 private nonprofit schools often lack the necessary
20 specialized resources to plan and implement effective
21 programs for the early identification of gifted and
22 talented students and for the provision of edu-
23 cational services and programs appropriate to their
24 special needs;

1 “(7) the Federal Government can best carry out
2 the limited but essential role of stimulating research
3 and development and personnel training and pro-
4 viding a national focal point of information and
5 technical assistance that is necessary to ensure that
6 the Nation’s schools are able to meet the special
7 educational needs of gifted and talented students,
8 and thereby serve a profound national interest; and

9 “(8) the experience and knowledge gained in
10 developing and implementing programs for gifted
11 and talented students can and should be used as a
12 basis to—

13 “(A) develop a rich and challenging cur-
14 riculum for all students; and

15 “(B) provide all students with important
16 and challenging subject matter to study and en-
17 courage the habits of hard work.

18 “(b) STATEMENT OF PURPOSE.—It is the purpose of
19 this part—

20 “(1) to provide financial assistance to State and
21 local educational agencies, institutions of higher edu-
22 cation, and other public and private agencies and or-
23 ganizations, to initiate a coordinated program of re-
24 search, demonstration projects, personnel training,
25 and similar activities designed to build a nationwide

1 capability in elementary and secondary schools to
2 meet the special educational needs of gifted and tal-
3 ented students;

4 “(2) to encourage the development of rich and
5 challenging curricula for all students through the
6 appropriate application and adaptation of materials
7 and instructional methods developed under this part;
8 and

9 “(3) to supplement and make more effective the
10 expenditure of State and local funds, for the edu-
11 cation of gifted and talented students.

12 **“SEC. 12203. CONSTRUCTION.**

13 “Nothing in this part shall be construed to prohibit
14 a recipient of funds under this part from serving gifted
15 and talented students simultaneously with students with
16 similar educational needs, in the same educational settings
17 where appropriate.

18 **“SEC. 12204. AUTHORIZED PROGRAMS.**

19 “(a) ESTABLISHMENT OF PROGRAM.—

20 “(1) IN GENERAL.—From the sums appro-
21 priated under section 12207 in any fiscal year the
22 Secretary (after consultation with experts in the
23 field of the education of gifted and talented stu-
24 dents) shall make grants to or enter into contracts
25 with State educational agencies, local educational

1 agencies, institutions of higher education, or other
2 public agencies and private agencies and organiza-
3 tions (including Indian tribes and Indian organiza-
4 tions (as such terms are defined by the Indian Self-
5 Determination and Education Assistance Act) and
6 Native Hawaiian organizations) to assist such agen-
7 cies, institutions, and organizations which submit
8 applications in carrying out programs or projects au-
9 thorized by this part that are designed to meet the
10 educational needs of gifted and talented students, in-
11 cluding the training of personnel in the education
12 of gifted and talented students and in the use, where
13 appropriate, of gifted and talented services, mate-
14 rials, and methods for all students.

15 “(2) APPLICATION.—Each entity desiring as-
16 sistance under this part shall submit an application
17 to the Secretary at such time, in such manner, and
18 containing such information as the Secretary may
19 reasonably require. Each such application shall de-
20 scribe how—

21 “(A) the proposed gifted and talented serv-
22 ices, materials, and methods can be adapted, if
23 appropriate, for use by all students; and

24 “(B) the proposed programs can be evalu-
25 ated.

1 “(b) USES OF FUNDS.—Programs and projects as-
2 sisted under this section may include—

3 “(1) professional development (including fellow-
4 ships) for personnel (including leadership personnel)
5 involved in the education of gifted and talented stu-
6 dents;

7 “(2) establishment and operation of model
8 projects and exemplary programs for serving gifted
9 and talented students, including innovative methods
10 for identifying and educating students who may not
11 be served by traditional gifted and talented pro-
12 grams, summer programs, mentoring programs,
13 service learning programs, and cooperative programs
14 involving business, industry, and education;

15 “(3) training of personnel and parents involved
16 in gifted and talented programs with respect to the
17 impact of gender role socialization on the edu-
18 cational needs of gifted and talented children and in
19 gender equitable education methods, techniques and
20 practices;

21 “(4) implementing innovative strategies, such
22 as cooperative learning, peer tutoring and service
23 learning;

24 “(5) strengthening the capability of State edu-
25 cational agencies and institutions of higher edu-

1 cation to provide leadership and assistance to local
2 educational agencies and nonprofit private schools in
3 the planning, operation, and improvement of pro-
4 grams for the identification and education of gifted
5 and talented students and the appropriate use of
6 gifted and talented programs and methods to serve
7 all students;

8 “(6) programs of technical assistance and infor-
9 mation dissemination, including how gifted and tal-
10 ented programs and methods, where appropriate,
11 may be adapted for use by all students; and

12 “(7) carrying out—

13 “(A) research on methods and techniques
14 for identifying and teaching gifted and talented
15 students, and for using gifted and talented pro-
16 grams and methods to serve all students; and

17 “(B) program evaluations, surveys, and the
18 collection, analysis, and development of infor-
19 mation needed to accomplish the purposes of
20 this part.

21 “(c) ESTABLISHMENT OF NATIONAL CENTER.—

22 “(1) IN GENERAL.—The Secretary (after con-
23 sultation with experts in the field of the education
24 of gifted and talented students) shall establish a Na-
25 tional Center for Research and Development in the

1 Education of Gifted and Talented Children and
2 Youth through grants to or contracts with one or
3 more institutions of higher education or State edu-
4 cational agency, or a combination or consortium of
5 such institutions and agencies, for the purpose of
6 carrying out activities described in paragraph (7) of
7 subsection (b).

8 “(2) DIRECTOR.—Such National Center shall
9 have a Director. The Secretary may authorize the
10 Director to carry out such functions of the National
11 Center as may be agreed upon through arrange-
12 ments with other institutions of higher education,
13 State or local educational agencies, or other public
14 or private agencies and organizations.

15 “(d) LIMITATION.—Not more than 30 percent of the
16 funds available in any fiscal year to carry out the pro-
17 grams and projects authorized by this section may be used
18 to conduct activities pursuant to subsection (b)(7) or (c).

19 “(e) COORDINATION.—Research activities supported
20 under this section—

21 “(1) shall be carried out in consultation with
22 the Office of Educational Research and Improve-
23 ment to ensure that such activities are coordinated
24 with and enhance the research and development ac-
25 tivities supported by such Office; and

1 “(2) may include collaborative research activi-
2 ties which are jointly funded and carried out with
3 such Office.

4 **“SEC. 12205. PROGRAM PRIORITIES.**

5 “(a) GENERAL PRIORITY.—In the administration of
6 this part the Secretary shall give highest priority—

7 “(1) to the identification of and the provision of
8 services to gifted and talented students who may not
9 be identified and served through traditional assess-
10 ment methods (including economically disadvantaged
11 individuals, individuals of limited-English pro-
12 ficiency, and individuals with disabilities); and

13 “(2) to programs and projects designed to de-
14 velop or improve the capability of schools in an en-
15 tire State or region of the Nation through coopera-
16 tive efforts and participation of State and local edu-
17 cational agencies, institutions of higher education,
18 and other public and private agencies and organiza-
19 tions (including business, industry, and labor), to
20 plan, conduct, and improve programs for the identi-
21 fication of and service to gifted and talented stu-
22 dents, such as mentoring and apprenticeship pro-
23 grams.

24 “(b) SERVICE PRIORITY.—In approving applications
25 for assistance under section 12204(a)(2), the Secretary

1 shall assure that in each fiscal year at least one-half of
2 the applications approved under such section address the
3 priority described in subsection (a)(1).

4 **“SEC. 12206. GENERAL PROVISIONS.**

5 “(a) PARTICIPATION OF PRIVATE SCHOOL CHILDREN
6 AND TEACHERS.—In making grants and entering into
7 contracts under this part, the Secretary shall ensure,
8 where appropriate, that provision is made for the equitable
9 participation of students and teachers in private nonprofit
10 elementary and secondary schools, including the participa-
11 tion of teachers and other personnel in professional devel-
12 opment programs serving such children.

13 “(b) REVIEW, DISSEMINATION, AND EVALUATION.—
14 The Secretary shall—

15 “(1) use a peer review process in reviewing ap-
16 plications under this part;

17 “(2) ensure that information on the activities
18 and results of programs and projects funded under
19 this part is disseminated to appropriate State and
20 local agencies and other appropriate organizations,
21 including nonprofit private organizations; and

22 “(3) evaluate the effectiveness of programs
23 under this part in accordance with section 14701,
24 both in terms of the impact on students traditionally
25 served in separate gifted and talented programs and

1 on other students, and submit the results of such
2 evaluation to Congress not later than January 1,
3 2005.

4 “(c) PROGRAM OPERATIONS.—The Secretary shall
5 ensure that the programs under this part are administered
6 within the Department by a person who has recognized
7 professional qualifications and experience in the field of
8 the education of gifted and talented students and who
9 shall—

10 “(1) administer the programs authorized by
11 this part;

12 “(2) coordinate all programs for gifted and tal-
13 ented students administered by the Department;

14 “(3) serve as a focal point of national leader-
15 ship and information on the educational needs of
16 gifted and talented students and the availability of
17 educational services and programs designed to meet
18 such needs; and

19 “(4) assist the Assistant Secretary of the Office
20 of Educational Research and Improvement in identi-
21 fying research priorities which reflect the needs of
22 gifted and talented students.

23 **“SEC. 12207. AUTHORIZATION OF APPROPRIATIONS.**

24 “There are authorized to be appropriated \$7,500,000
25 for fiscal year 2002 and such sums as may be necessary

1 for each of the four succeeding fiscal years to carry out
2 the provisions of this part.

3 **“PART D—ARTS IN EDUCATION**

4 **“Subpart 1—Arts Education**

5 **“SEC. 12401. SUPPORT FOR ARTS EDUCATION.**

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

7 “(1) the arts are forms of understanding and
8 ways of knowing that are fundamentally important
9 to education;

10 “(2) the arts are important to excellent edu-
11 cation and to effective school reform;

12 “(3) the most significant contribution of the
13 arts to education reform is the transformation of
14 teaching and learning;

15 “(4) such transformation is best realized in the
16 context of comprehensive, systemic education reform;

17 “(5) demonstrated competency in the arts for
18 American students is among the National Education
19 Goals;

20 “(6) participation in performing arts activities
21 has proven to be an effective strategy for promoting
22 the inclusion of persons with disabilities in main-
23 stream settings;

1 “(7) opportunities in the arts have enabled per-
2 sons of all ages with disabilities to participate more
3 fully in school and community activities;

4 “(8) the arts can motivate at-risk students to
5 stay in school and become active participants in the
6 educational process; and

7 “(9) arts education should be an integral part
8 of the elementary and secondary school curriculum.

9 “(b) PURPOSES.—The purposes of this subpart are
10 to—

11 “(1) support systemic education reform by
12 strengthening arts education as an integral part of
13 the elementary and secondary school curriculum;

14 “(2) help ensure that all students have the op-
15 portunity to learn to challenging State content
16 standards and challenging State student perform-
17 ance standards in the arts; and

18 “(3) support the national effort to enable all
19 students to demonstrate competence in the arts in
20 accordance with the National Education Goals.

21 “(c) ELIGIBLE RECIPIENTS.—In order to carry out
22 the purposes of this subpart, the Secretary is authorized
23 to award grants to, or enter into contracts or cooperative
24 agreements with—

25 “(1) State educational agencies;

1 “(2) local educational agencies;

2 “(3) institutions of higher education;

3 “(4) museums and other cultural institutions;

4 and

5 “(5) other public and private agencies, institu-
6 tions, and organizations.

7 “(d) AUTHORIZED ACTIVITIES.—Funds under this
8 subpart may be used for—

9 “(1) research on arts education;

10 “(2) the development of, and dissemination of
11 information about, model arts education programs;

12 “(3) the development of model arts education
13 assessments based on high standards;

14 “(4) the development and implementation of
15 curriculum frameworks for arts education;

16 “(5) the development of model preservice and
17 inservice professional development programs for arts
18 educators and other instructional staff;

19 “(6) supporting collaborative activities with
20 other Federal agencies or institutions involved in
21 arts education, such as the National Endowment for
22 the Arts, the Institute of Museum and Library Serv-
23 ices, the John F. Kennedy Center for the Per-
24 forming Arts, Very Special Arts, and the National
25 Gallery of Art;

1 “(7) supporting model projects and programs in
2 the performing arts for children and youth through
3 arrangements made with the John F. Kennedy Cen-
4 ter for the Performing Arts;

5 “(8) supporting model projects and programs
6 by Very Special Arts which assure the participation
7 in mainstream settings in arts and education pro-
8 grams of individuals with disabilities;

9 “(9) supporting model projects and programs to
10 integrate arts education into the regular elementary
11 and secondary school curriculum; and

12 “(10) other activities that further the purposes
13 of this subpart.

14 “(e) COORDINATION.—

15 “(1) IN GENERAL.—A recipient of funds under
16 this subpart shall, to the extent possible, coordinate
17 projects assisted under this subpart with appropriate
18 activities of public and private cultural agencies, in-
19 stitutions, and organizations, including museums,
20 arts education associations, libraries, and theaters.

21 “(2) SPECIAL RULE.—In carrying out this sub-
22 part, the Secretary shall coordinate with the Na-
23 tional Endowment for the Arts, the Institute of Mu-
24 seum and Library Services, the John F. Kennedy

1 Center for the Performing Arts, Very Special Arts,
2 and the National Gallery of Art.

3 “(f) AUTHORIZATION.—

4 “(1) IN GENERAL.—For the purpose of car-
5 rying out this subpart, there are authorized to be
6 appropriated \$28,000,000 for fiscal year 2002 and
7 such sums as may be necessary for each of the four
8 succeeding fiscal years.

9 “(2) SPECIAL RULE.—If the amount appro-
10 priated under paragraph (1) for any fiscal year is
11 \$9,000,000 or less, then such amount shall only be
12 available to carry out the activities described in
13 paragraphs (7) and (8) of subsection (d).

14 **“Subpart 2—Cultural Partnerships for At-Risk**

15 **Children and Youth**

16 **“SEC. 12411. FINDINGS AND PURPOSE.**

17 “(a) FINDINGS.—The Congress finds:

18 “(1) With local school budget cuts there are in-
19 adequate arts and cultural programs available for
20 children and youth in schools, especially at the ele-
21 mentary school level.

22 “(2) The arts promote progress in academic
23 subjects as shown by research conducted by the Na-
24 tional Endowment for the Arts.

1 “(3) Children and youth who receive instruction
2 in the arts and humanities, or who are involved in
3 cultural activities, remain in school longer and are
4 more successful than children who do not receive
5 such instruction.

6 “(4) Learning in the arts and humanities pro-
7 motes progress in other academic subjects, and gen-
8 erates positive self-esteem and a greater sense of ac-
9 complishment in young people.

10 “(5) School-university and school-cultural insti-
11 tution partnerships that upgrade teacher training in
12 the arts and humanities have significantly contrib-
13 uted to improved instruction and achievement levels
14 of school-aged children.

15 “(6) Museum outreach, cultural activities and
16 informal education for at-risk children and youth
17 have contributed significantly to the educational
18 achievement and enhanced interest in learning of at-
19 risk children and youth.

20 “(7) The Goals 2000: Educate America Act,
21 other legislation and local, State and national re-
22 sources support the integration of the arts and hu-
23 manities into the regular curriculum and school day
24 for all children.

1 “(8) While all children benefit from instruction
2 in the arts and the humanities, at-risk children and
3 youth have a special, additional need for arts and
4 cultural programs both in school and after school.

5 “(b) PURPOSE.—The purpose of this subpart is to
6 make demonstration grants to eligible entities to improve
7 the educational performance and future potential of at-
8 risk children and youth by providing comprehensive and
9 coordinated educational and cultural services.

10 **“SEC. 12412. PROGRAM AUTHORIZED.**

11 “(a) IN GENERAL.—The Secretary is authorized to
12 award grants to eligible entities to pay the Federal share
13 of the costs of the activities described in section 12413.

14 “(b) SPECIAL REQUIREMENTS.—

15 “(1) IN GENERAL.—The Secretary shall award
16 grants under this subpart only to programs designed
17 to—

18 “(A) promote and enhance educational and
19 cultural activities;

20 “(B) provide multi-year services to at-risk
21 children and youth and to integrate community
22 cultural resources into in-school and after-
23 school educational programs;

1 “(C) provide integration of community cul-
2 tural resources into the regular curriculum and
3 school day;

4 “(D) focus school and cultural resources in
5 the community on coordinated cultural services
6 to address the needs of at-risk children and
7 youth;

8 “(E) provide effective cultural programs to
9 facilitate the transition from preschool pro-
10 grams to elementary school programs, including
11 programs under the Head Start Act and part H
12 of the Individuals with Disabilities Education
13 Act;

14 “(F) facilitate school-to-work transition
15 from secondary schools and alternative schools
16 to job training, higher education and employ-
17 ment through educational programs and activi-
18 ties that utilize school resources;

19 “(G) increase parental and community in-
20 volvement in the educational, social, and cul-
21 tural development of at-risk children and youth;
22 or

23 “(H)(i) develop programs and strategies
24 that provide high-quality coordinated edu-
25 cational and cultural services; and

1 “(ii) provide a model to replicate such
2 services in other schools and communities.

3 “(2) PARTNERSHIP.—An interagency partner-
4 ship comprised of the Secretary of Education, the
5 Chairman of the National Endowment for the Hu-
6 manities, the Chairman of the National Endowment
7 for the Arts, and the Director of the Institute of
8 Museum and Library Services, or their designees,
9 shall establish criteria and procedures for awarding
10 grants, including the establishment of panels to re-
11 view the applications, and shall administer the
12 grants program authorized by this section. The Sec-
13 retary shall publish such criteria and procedures in
14 the Federal Register.

15 “(3) COORDINATION.—Grants may only be
16 awarded under this subpart to eligible entities that
17 agree to coordinate activities carried out under other
18 Federal, State, and local grants, received by the
19 members of the partnership for purposes and target
20 populations described in this subpart, into an inte-
21 grated service delivery system located at a school,
22 cultural, or other community-based site accessible to
23 and utilized by at-risk youth.

1 “(4) ELIGIBLE ENTITIES.—For purposes of this
2 subpart, the term ‘eligible entity’ means a partner-
3 ship between—

4 “(A) a local educational agency or an indi-
5 vidual school that is eligible to participate in a
6 schoolwide program under section 1114; and

7 “(B) at least one institution of higher edu-
8 cation, museum, local arts agency, or cultural
9 entity that is accessible to individuals within the
10 school district of such local educational agency
11 or school, and that has a history of providing
12 quality services to the community, which may
13 include—

14 “(i) nonprofit institutions of higher
15 education, museums, libraries, performing,
16 presenting and exhibiting arts organiza-
17 tions, literary arts organizations, State and
18 local arts organizations, cultural institu-
19 tions, and zoological and botanical organi-
20 zations; or

21 “(ii) private for-profit entities with a
22 history of training children and youth in
23 the arts.

24 “(5) GEOGRAPHIC DISTRIBUTION.—In awarding
25 grants under this subpart the Secretary, to the ex-

1 tent feasible, shall ensure an equitable geographic
2 distribution of such grants.

3 “(6) DURATION.—Grants made under this sub-
4 part may be renewable for a maximum of five years
5 if the Secretary determines that the eligible recipient
6 has made satisfactory progress toward the achieve-
7 ment of the program objectives described in the ap-
8 plication.

9 “(7) MODELS.—The Secretary, in consultation
10 with the Chairman of the National Endowment for
11 the Humanities, the Chairman of the National En-
12 dowment for the Arts and the director of the Insti-
13 tute of Museum and Library Services, or their des-
14 ignees, shall submit successful models under this
15 title to the National Diffusion Network for review.

16 “(c) TARGET POPULATION.—To be eligible for a
17 grant under this subpart, an eligible entity shall serve—

18 “(1) students enrolled in schools participating
19 in a schoolwide program under section 1114 and the
20 families of such students to the extent practicable;

21 “(2) out-of-school children and youth at risk of
22 disadvantages resulting from teenage parenting, sub-
23 stance abuse, recent migration, disability, limited-
24 English proficiency, illiteracy, being the child of a

1 teenage parent, living in a single parent household,
2 or dropping out of school; or

3 “(3) any combination of in-school and out-of-
4 school at-risk children and youth.

5 **“SEC. 12413. AUTHORIZED ACTIVITIES.**

6 “(a) IN GENERAL.—Grants awarded under this sub-
7 part may be used—

8 “(1) to plan, develop, acquire, expand, and im-
9 prove school-based or community-based coordinated
10 educational and cultural programs to strengthen the
11 educational performance and future potential of in-
12 school or out-of-school at-risk children and youth
13 through grants, cooperative agreements, contracts
14 for services, or administrative coordination;

15 “(2) to provide at-risk students with integrated
16 cultural activities designed to develop a love of learn-
17 ing that fosters the smooth transition of preschool
18 children to elementary school;

19 “(3) to design collaborative cultural activities
20 for students in secondary or alternative schools that
21 ensure the smooth transition to job training, higher
22 education, or full employment;

23 “(4) to provide child care for children of at-risk
24 students who would not otherwise be able to partici-
25 pate in the program;

1 “(5) to provide transportation necessary for
2 participation in the program;

3 “(6) to work with existing school personnel to
4 develop curriculum materials and programs in the
5 arts;

6 “(7) to work with existing school personnel on
7 staff development activities that encourage the inte-
8 gration of the arts into the curriculum;

9 “(8) for stipends that allow local artists to work
10 with at-risk children and youth in schools;

11 “(9) for training individuals who are not
12 trained to work with children and youth;

13 “(10) for cultural programs that encourage the
14 active participation of parents in the education of
15 their children;

16 “(11) for programs that use the arts and cul-
17 ture to reform current school practices, including
18 lengthening the school day or academic year;

19 “(12) for equipment or supplies that the Sec-
20 retary determines appropriate; and

21 “(13) for evaluation, administration, and super-
22 vision.

23 “(b) PLANNING GRANTS.—

24 “(1) APPLICATION.—An eligible entity may
25 submit an application to the Secretary for a plan-

1 ning grant for an amount not to exceed \$50,000.
2 Such grants shall be for periods of not more than
3 one year.

4 “(2) LIMIT ON PLANNING GRANTS.—Not more
5 than 10 percent of the amounts appropriated in each
6 fiscal year under this subpart shall be used for
7 grants under this subsection, and an eligible entity
8 may receive not more than one such planning grant.

9 “(c) GENERAL PROVISIONS.—

10 “(1) IN GENERAL.—Each eligible entity desir-
11 ing a grant under this subpart shall submit an appli-
12 cation to the Secretary at such time, in such man-
13 ner, and accompanied by such information as the
14 Secretary may reasonably require.

15 “(2) CONTENTS.—Each application submitted
16 pursuant to paragraph (1) shall—

17 “(A) describe the cultural entity or entities
18 that will participate in the partnership;

19 “(B) describe the target population to be
20 served;

21 “(C) describe the services to be provided;

22 “(D) describe a plan for evaluating the
23 success of the program;

24 “(E) in the case of each local educational
25 agency or school participating in the eligible re-

1 recipient partnership, describe how the activities
2 assisted under this subpart will be perpetuated
3 beyond the duration of the grant;

4 “(F) describe the manner in which the eli-
5 gible entity will improve the educational
6 achievement or future potential of at-risk youth
7 through more effective coordination of cultural
8 services in the community;

9 “(G) describe the overall and operational
10 goals of the program;

11 “(H) describe the nature and location of
12 all planned sites where services will be delivered
13 and a description of services which will be pro-
14 vided at each site; and

15 “(I) describe training that will be provided
16 to individuals who are not trained to work with
17 children and youth, and how teachers will be in-
18 volved.

19 **“SEC. 12414. PAYMENTS; AMOUNTS OF AWARD; COST**
20 **SHARE; LIMITATIONS.**

21 “(a) PAYMENTS.—

22 “(1) IN GENERAL.—The Secretary shall pay to
23 each eligible recipient having an application ap-
24 proved under section 12413(c) the Federal share of
25 the cost of the activities described in the application.

1 “(2) SPECIAL RULE.—(A) Grants awarded
2 under this subpart shall be of sufficient size, scope,
3 and quality to be effective.

4 “(B) The Secretary shall award grants under
5 this subpart so as to ensure nonduplication of serv-
6 ices provided by grant recipients and services pro-
7 vided by—

8 “(i) the National Endowment for the Hu-
9 manities;

10 “(ii) the National Endowment for the Arts;
11 and

12 “(iii) the Institute of Museum and Library
13 Services.

14 “(b) COST SHARE.—

15 “(1) FEDERAL SHARE.—The Federal share of a
16 grant under this subpart shall be 80 percent of the
17 cost of carrying out the activities described in the
18 application.

19 “(2) NON-FEDERAL SHARE.—The non-Federal
20 share of a grant under this subpart shall be 20 per-
21 cent of the cost of carrying out the activities de-
22 scribed in the application and may be in cash or in
23 kind, fairly evaluated, including the provision of
24 equipment, services, or facilities.

25 “(c) LIMITATIONS.—

1 “(1) NONINSTRUCTIONAL SERVICES.—Not
2 more than 25 percent of the grant funds provided in
3 any fiscal year under this subpart may be used for
4 noninstructional activities such as the activities de-
5 scribed in paragraphs (4), (5), and (12) of section
6 12413(a).

7 “(2) SUPPLEMENT AND NOT SUPPLANT.—
8 Grant funds awarded under this part shall be used
9 to supplement not supplant the amount of funds
10 made available from non-Federal sources, for the ac-
11 tivities assisted under this subpart, in amounts that
12 exceed the amounts expended for such activities in
13 the year preceding the year for which the grant is
14 awarded.

15 “(3) ADMINISTRATIVE COSTS.—(A) The Sec-
16 retary may reserve not more than five percent of the
17 grant funds received under this subpart in each fis-
18 cal year for the costs of administration.

19 “(B) Each eligible recipient may reserve not
20 more than 5 percent of any grant funds received
21 under this subpart in each fiscal year for the costs
22 of administration.

23 **“SEC. 12415. AUTHORIZATION OF APPROPRIATIONS.**

24 ““There are authorized to be appropriated to carry out
25 this subpart, \$45,000,000 for fiscal year 2002, and such

1 sums as may be necessary for each of the four succeeding
2 fiscal years.

3 **“PART E—INEXPENSIVE BOOK DISTRIBUTION**
4 **PROGRAM**

5 **“SEC. 12501. INEXPENSIVE BOOK DISTRIBUTION PROGRAM**
6 **FOR READING MOTIVATION.**

7 “(a) AUTHORIZATION.—The Secretary is authorized
8 to enter into a contract with Reading is Fundamental
9 (RIF) (hereafter in this section referred to as “the con-
10 tractor”) to support and promote programs, which include
11 the distribution of inexpensive books to students, that mo-
12 tivate children to read.

13 “(b) REQUIREMENTS OF CONTRACT.—Any contract
14 entered into under subsection (a) shall—

15 “(1) provide that the contractor will enter into
16 subcontracts with local private nonprofit groups or
17 organizations, or with public agencies, under which
18 each subcontractor will agree to establish, operate,
19 and provide the non-Federal share of the cost of
20 reading motivation programs that include the dis-
21 tribution of books, by gift, to the extent feasible, or
22 loan, to children from birth through secondary
23 school age, including those in family literacy pro-
24 grams;

1 “(2) provide that funds made available to sub-
2 contractors will be used only to pay the Federal
3 share of the cost of such programs;

4 “(3) provide that in selecting subcontractors for
5 initial funding, the contractor will give priority to
6 programs that will serve a substantial number or
7 percentage of children with special needs, such as—

8 “(A) low-income children, particularly in
9 high-poverty areas;

10 “(B) children at risk of school failure;

11 “(C) children with disabilities;

12 “(D) foster children;

13 “(E) homeless children;

14 “(F) migrant children;

15 “(G) children without access to libraries;

16 “(H) institutionalized or incarcerated chil-
17 dren; and

18 “(I) children whose parents are institu-
19 tionalized or incarcerated;

20 “(4) provide that the contractor will provide
21 such technical assistance to subcontractors as may
22 be necessary to carry out the purpose of this section;

23 “(5) provide that the contractor will annually
24 report to the Secretary the number of, and describe,
25 programs funded under paragraph (3); and

1 “(6) include such other terms and conditions as
2 the Secretary determines to be appropriate to ensure
3 the effectiveness of such programs.

4 “(c) RESTRICTION ON PAYMENTS.—The Secretary
5 shall make no payment of the Federal share of the cost
6 of acquiring and distributing books under any contract
7 under this section unless the Secretary determines that
8 the contractor or subcontractor, as the case may be, has
9 made arrangements with book publishers or distributors
10 to obtain books at discounts at least as favorable as dis-
11 counts that are customarily given by such publisher or dis-
12 tributor for book purchases made under similar cir-
13 cumstances in the absence of Federal assistance.

14 “(d) DEFINITION OF ‘FEDERAL SHARE’.—For the
15 purpose of this section, the term ‘Federal share’ means,
16 with respect to the cost to a subcontractor of purchasing
17 books to be paid under this section, 75 percent of such
18 costs to the subcontractor, except that the Federal share
19 for programs serving children of migrant or seasonal
20 farmworkers shall be 100 percent of such costs to the sub-
21 contractor.

22 “(e) AUTHORIZATION OF APPROPRIATIONS.—For the
23 purpose of carrying out this section, there are authorized
24 to be appropriated \$10,300,000 for fiscal year 2002 and

1 such sums as may be necessary for each of the four suc-
2 ceeding fiscal years.

3 **“PART F—CIVIC EDUCATION**

4 **“SEC. 12601. INSTRUCTION ON THE HISTORY AND PRIN-**
5 **CIPLES OF DEMOCRACY IN THE UNITED**
6 **STATES.**

7 “(a) GENERAL AUTHORITY.—

8 “(1) PROGRAM ESTABLISHED.—(A) The Sec-
9 retary is authorized to carry out a program to en-
10 hance the attainment of the third and sixth National
11 Education Goals by educating students about the
12 history and principles of the Constitution of the
13 United States, including the Bill of Rights, and to
14 foster civic competence and responsibility.

15 “(B) Such program shall be known as ‘We the
16 People . . . The Citizen and the Constitution’.

17 “(2) EDUCATIONAL ACTIVITIES.—The program
18 required by paragraph (1) shall—

19 “(A) continue and expand the educational
20 activities of the ‘We the People . . . The Cit-
21 izen and the Constitution’ program adminis-
22 tered by the Center for Civic Education; and

23 “(B) enhance student attainment of chal-
24 lenging content standards in civics and govern-
25 ment.

1 “(3) CONTRACT OR GRANT AUTHORIZED.—The
2 Secretary is authorized to award a grant or enter
3 into a contract with the Center for Civic Education
4 to carry out the program described in paragraph (1).

5 “(b) PROGRAM CONTENT.—The education program
6 authorized by this section shall provide—

7 “(1) a course of instruction on the basic prin-
8 ciples of our Nation’s constitutional democracy and
9 the history of the Constitution and the Bill of
10 Rights;

11 “(2) at the request of a participating school,
12 school and community simulated congressional hear-
13 ings following the course of study; and

14 “(3) an annual national competition of simu-
15 lated congressional hearings for secondary students
16 who wish to participate in such program.

17 “(c) AVAILABILITY OF PROGRAM.—The education
18 program authorized by this section shall be made available
19 to public and private elementary and secondary schools in
20 the 435 congressional districts, the Commonwealth of
21 Puerto Rico, the Virgin Islands, Guam, American Samoa,
22 and the District of Columbia.

23 “(d) SPECIAL RULE.—After the provisions of sub-
24 section (b) have been implemented, funds provided under
25 this section may be used for—

1 “(1) advanced training of teachers about the
2 United States Constitution and the political system
3 the United States created; or

4 “(2) a course of instruction at the middle
5 school level on the roles of State and local govern-
6 ments in the Federal system established by the Con-
7 stitution, which course shall provide for—

8 “(A) optional school and community simu-
9 lated State legislative hearings;

10 “(B) an annual competition of simulated
11 legislative hearings at the State legislative dis-
12 trict, State, and national levels for middle
13 school students who wish to participate in the
14 program; and

15 “(C) participation by public and private
16 middle schools in the 50 States, the District of
17 Columbia, the Commonwealth of Puerto Rico,
18 Guam, American Samoa, the Virgin Islands,
19 and the Commonwealth of the Northern Mar-
20 iana Islands.

21 **“SEC. 12602. INSTRUCTION IN CIVICS, GOVERNMENT, AND**

22 **THE LAW.**

23 “(a) PROGRAM ESTABLISHED.—The Secretary is au-
24 thorized to carry out a program of awarding grants and
25 contracts to assist State and local educational agencies

1 and other public and private nonprofit agencies, organiza-
2 tions, and institutions to enhance—

3 “(1) attainment by students of challenging
4 State content standards and challenging State stu-
5 dent performance standards in civics, government,
6 and the law; and

7 “(2) attainment by the Nation of the third and
8 the sixth National Education Goals.

9 “(b) AUTHORIZED ACTIVITIES.—Assistance under
10 this section may support new and ongoing programs in
11 elementary and secondary schools that provide for—

12 “(1) the development and implementation of
13 curricular programs that enhance student under-
14 standing of—

15 “(A) the values and principles which un-
16 derlie, and the institutions and processes which
17 comprise, our Nation’s system of government;

18 “(B) the role of law in our constitutional
19 democracy, including activities to promote—

20 “(i) legal literacy;

21 “(ii) a dedication by students to the
22 use of nonviolent means of conflict resolu-
23 tion such as arbitration, mediation, nego-
24 tiation, trials, and appellate hearings; and

1 “(iii) respect for cultural diversity and
2 acceptance of cultural differences; and

3 “(C) the rights and responsibilities of citi-
4 zenship;

5 “(2) professional development for teachers, in-
6 cluding preservice and inservice training;

7 “(3) outside-the-classroom learning experiences
8 for students, including community service activities;

9 “(4) the active participation of community lead-
10 ers, from the public and private sectors, in the
11 schools; and

12 “(5) the provision of technical assistance to
13 State and local educational agencies and other insti-
14 tutions and organizations working to further the
15 progress of the Nation in attaining the third and
16 sixth National Education Goals regarding civics and
17 government.

18 “(c) APPLICATIONS, PEER REVIEW AND PRIORITY.—

19 “(1) SUBMISSION OF APPLICATIONS.—A State
20 or local educational agency, other public or private
21 nonprofit agency, organization, or institution that
22 desires to receive a grant or enter into a contract
23 under this section shall submit an application to the
24 Secretary at such time, in such manner, and con-

1 taining or accompanied by such information as the
2 Secretary may reasonably require.

3 “(2) PEER REVIEW.—(A) The Secretary shall
4 convene a panel of individuals for purpose of review-
5 ing and rating applications submitted under para-
6 graph (1).

7 “(B) Such individuals shall have experience
8 with education programs in civics, government, and
9 the law.

10 “(3) PRIORITY.—In awarding grants or award-
11 ing contracts under this section, the Secretary shall
12 give priority consideration to applications which pro-
13 pose the operation of statewide programs.

14 “(d) DURATION OF GRANTS AND EXCEPTION.—

15 “(1) DURATION.—Except as provided in para-
16 graph (2), the Secretary shall award grants and con-
17 tracts under this section for periods of two or three
18 years.

19 “(2) EXCEPTION.—The Secretary may award a
20 grant or a contract under this section for a period
21 of less than 2 years if the Secretary determines that
22 special circumstances exist which warrant a 1-year
23 grant or contract award.

1 **“SEC. 12603. REPORT; AUTHORIZATION OF APPROPRIA-**
2 **TIONS.**

3 “(a) REPORT.—The Secretary shall report, on a bien-
4 nial basis to the Committee on Education and Labor of
5 the House of Representatives and to the Committee on
6 Labor and Human Resources of the Senate regarding the
7 distribution and use of funds authorized under this part.

8 “(b) AUTHORIZATION OF APPROPRIATIONS.—

9 “(1) IN GENERAL.—There are authorized to be
10 appropriated to carry out this part \$15,000,000 for
11 fiscal year 2001 and such sums as may be necessary
12 for each of the four succeeding fiscal years.

13 “(2) ALLOCATION.—Except as provided in
14 paragraph (3), from the amount appropriated under
15 subsection (a), the Secretary shall allocate—

16 “(A) 40 percent of such amount to carry
17 out section 12601; and

18 “(B) 60 percent of such amount to carry
19 out section 12602.

20 “(3) SPECIAL RULE.—From funds appropriated
21 under paragraph (1), the Secretary shall make avail-
22 able for fiscal year 2001 and each succeeding fiscal
23 year thereafter for the programs under sections
24 12101 and 12102 not less than the amount made
25 available for fiscal year 1994 to carry out such pro-
26 grams under sections 4609 and 1562, respectively,

1 of this Act (as such sections were in effect on the
2 day preceding the date of enactment of the Improv-
3 ing America’s Schools Act of 1994).

4 **“PART G—ALLEN J. ELLENDER FELLOWSHIP**
5 **PROGRAM**

6 **“SEC. 12701. FINDINGS.**

7 “The Congress finds as follows:

8 “(1) It is a worthwhile goal to ensure that all
9 students in America are prepared for responsible
10 citizenship and that all students should have the op-
11 portunity to be involved in activities that promote
12 and demonstrate good citizenship.

13 “(2) It is a worthwhile goal to ensure that
14 America’s educators have access to programs for the
15 continued improvement of their professional skills.

16 “(3) Allen J. Ellender, a Senator from Lou-
17 isiana and President pro tempore of the United
18 States Senate, had a distinguished career in public
19 service characterized by extraordinary energy and
20 real concern for young people. Senator Ellender pro-
21 vided valuable support and encouragement to the
22 Close Up Foundation, a nonpartisan, nonprofit foun-
23 dation promoting knowledge and understanding of
24 the Federal Government among young people and
25 educators. Therefore, it is a fitting and appropriate

1 **“SEC. 12712. APPLICATIONS.**

2 “(a) APPLICATION REQUIRED.—No grant under this
3 subpart may be made except upon an application at such
4 time, in such manner, and accompanied by such informa-
5 tion as the Secretary may reasonably require.

6 “(b) CONTENTS OF APPLICATION.—Each such appli-
7 cation shall contain provisions to assure—

8 “(1) that fellowship grants are made to eco-
9 nomically disadvantaged middle and secondary
10 school students;

11 “(2) that every effort will be made to ensure
12 the participation of students from rural and small
13 town areas, as well as from urban areas, and that
14 in awarding fellowships to economically disadvan-
15 taged students, special consideration will be given to
16 the participation of students with special educational
17 needs, including student with disabilities, ethnic mi-
18 nority students, and gifted and talented students;
19 and

20 “(3) the proper disbursement of the funds re-
21 ceived under this subpart.

22 **“Subpart 2—Program for Middle and Secondary**
23 **School Teachers**

24 **“SEC. 12721. ESTABLISHMENT.**

25 “(a) GENERAL AUTHORITY.—The Secretary is au-
26 thorized to make grants in accordance with the provisions

1 of this subpart to the Close Up Foundation of Wash-
2 ington, District of Columbia, a nonpartisan, nonprofit
3 foundation, for the purpose of assisting the Close Up
4 Foundation in carrying out its programs of teaching skills
5 enhancement for middle and secondary school teachers.

6 “(b) USE OF FUNDS.—Grants under this subpart
7 shall be used only for financial assistance to teachers who
8 participate in the program described in subsection (a). Fi-
9 nancial assistance received pursuant to this subpart by
10 such individuals shall be known as Allen J. Ellender fel-
11 lowships.

12 **“SEC. 12722. APPLICATIONS.**

13 “(a) APPLICATION REQUIRED.—No grant under this
14 subpart may be made except upon an application at such
15 time, in such manner, and accompanied by such informa-
16 tion as the Secretary may reasonably require.

17 “(b) CONTENTS OF APPLICATION.—Each such appli-
18 cation shall contain provisions to assure—

19 “(1) that fellowship grants are made only to
20 teachers who have worked with at least one student
21 from such teacher’s school who participates in the
22 programs described in section 12711(a);

23 “(2) that not more than one teacher in each
24 school participating in the programs provided for in

1 section 12711(a) may receive a fellowship in any fis-
2 cal year; and

3 “(3) the proper disbursement of the funds re-
4 ceived under this subpart.

5 **“Subpart 3—Programs for Recent Immigrants,**
6 **Students of Migrant Parents and Older Americans**

7 **“SEC. 12731. ESTABLISHMENT.**

8 “(a) GENERAL AUTHORITY.—

9 “(1) IN GENERAL.—The Secretary is authorized
10 to make grants in accordance with the provisions of
11 this subpart to the Close Up Foundation of Wash-
12 ington, District of Columbia, a nonpartisan, non-
13 profit foundation, for the purpose of assisting the
14 Close Up Foundation in carrying out its programs
15 of increasing understanding of the Federal Govern-
16 ment among economically disadvantaged older Amer-
17 icans, recent immigrants and students of migrant
18 parents.

19 “(2) DEFINITION.—For the purpose of this
20 subpart, the term ‘older American’ means an indi-
21 vidual who has attained 55 years of age.

22 “(b) USE OF FUNDS.—Grants under this subpart
23 shall be used for financial assistance to economically dis-
24 advantaged older Americans, recent immigrants and stu-
25 dents of migrant parents who participate in the program

1 described in subsection (a). Financial assistance received
2 pursuant to this subpart by such individuals shall be
3 known as Allen J. Ellender fellowships.

4 **“SEC. 12732. APPLICATIONS.**

5 “(a) APPLICATION REQUIRED.—No grant under this
6 subpart may be made except upon application at such
7 time, in such manner, and accompanied by such informa-
8 tion as the Secretary may reasonably require.

9 “(b) CONTENTS OF APPLICATION.—Except such ap-
10 plication shall contain provisions to assure—

11 “(1) that fellowship grants are made to eco-
12 nomically disadvantaged older Americans, recent im-
13 migrants and students of migrant parents;

14 “(2) that every effort will be made to ensure
15 the participation of older Americans, recent immi-
16 grants and students of migrant parents from rural
17 and small town areas, as well as from urban areas,
18 and that in awarding fellowships, special consider-
19 ation will be given to the participation of older
20 Americans, recent immigrants and students of mi-
21 grant parents with special needs, including individ-
22 uals with disabilities, ethnic minorities, and gifted
23 and talented students;

24 “(3) that activities permitted by subsection (a)
25 are fully described; and

1 “(4) the proper disbursement of the funds re-
2 ceived under this subpart.

3 **“Subpart 4—General Provisions**

4 **“SEC. 12741. ADMINISTRATIVE PROVISIONS.**

5 “(a) GENERAL RULE.—Payments under this part
6 may be made in installments, in advance, or by way of
7 reimbursement, with necessary adjustments on account of
8 underpayment or overpayment.

9 “(b) AUDIT RULE.—The Comptroller General of the
10 United States or any of the Comptroller General’s duly
11 authorized representatives shall have access for the pur-
12 pose of audit and examination to any books, documents,
13 papers, and records that are pertinent to any grant under
14 this part.

15 **“SEC. 12742. AUTHORIZATION OF APPROPRIATIONS.**

16 “(a) IN GENERAL.—There are authorized to be ap-
17 propriated to carry out the provisions of subparts 1, 2,
18 and 3 of this part \$4,400,000 for fiscal year 2002 and
19 such sums as may be necessary of each of the four suc-
20 ceeding fiscal years.

21 “(b) SPECIAL RULE.—Of the funds appropriated
22 pursuant to subsection (a), not more than 30 percent may
23 be used for teachers associated with students participating
24 in the programs described in section 12711(a).

1 **“PART H—21ST CENTURY COMMUNITY LEARNING**
2 **CENTERS**

3 **“SEC. 12801. SHORT TITLE.**

4 “This part may be cited as the ‘21st Century Com-
5 munity Learning Centers Act’.

6 **“SEC. 12802. FINDINGS.**

7 “The Congress finds that—

8 “(1) a local public school often serves as a cen-
9 ter for the delivery of education and human re-
10 sources for all members of a community;

11 “(2) public schools, primarily in rural and inner
12 city communities, should collaborate with other pub-
13 lic and nonprofit agencies and organizations, local
14 businesses, educational entities (such as vocational
15 and adult education programs, school-to-work pro-
16 grams, community colleges, and universities), rec-
17 reational, cultural, and other community and human
18 service entities, for the purpose of meeting the needs
19 of, and expanding the opportunities available to, the
20 residents of the communities served by such schools;

21 “(3) by using school facilities, equipment, and
22 resources, communities can promote a more efficient
23 use of public education facilities, especially in rural
24 and inner city areas where limited financial re-
25 sources have enhanced the necessity for local public
26 schools to become social service centers;

1 “(4) the high technology, global economy of the
2 21st century will require lifelong learning to keep
3 America’s workforce competitive and successful, and
4 local public schools should provide centers for life-
5 long learning and educational opportunities for indi-
6 viduals of all ages; and

7 “(5) 21st Century Community Learning Cen-
8 ters enable the entire community to develop an edu-
9 cation strategy that addresses the educational needs
10 of all members of local communities.

11 **“SEC. 12803. PROGRAM AUTHORIZATION.**

12 “(a) GRANTS BY THE SECRETARY.—The Secretary is
13 authorized, in accordance with the provisions of this part,
14 to award grants to rural and inner-city public elementary
15 or secondary schools, or consortia of such schools, to en-
16 able such schools or consortia to plan, implement, or to
17 expand projects that benefit the educational, health, social
18 service, cultural, and recreational needs of a rural or
19 inner-city community.

20 “(b) EQUITABLE DISTRIBUTION.—In awarding
21 grants under this part, the Secretary shall assure an equi-
22 table distribution of assistance among the States, among
23 urban and rural areas of the United States, and among
24 urban and rural areas of a State.

1 “(c) GRANT PERIOD.—The Secretary shall award
2 grants under this part for a period not to exceed 3 years.

3 “(d) AMOUNT.—The Secretary shall not award a
4 grant under this part in any fiscal year in an amount less
5 than \$35,000.

6 **“SEC. 12804. APPLICATION REQUIRED.**

7 “(a) APPLICATION.—To be eligible to receive a grant
8 under this part, an elementary or secondary school or con-
9 sortium shall submit an application to the Secretary at
10 such time, in such manner, and accompanied by such in-
11 formation as the Secretary may reasonably prescribe.
12 Each such application shall include—

13 “(1) a comprehensive local plan that enables
14 the school or consortium to serve as a center for the
15 delivery of education and human resources for mem-
16 bers of a community;

17 “(2) an evaluation of the needs, available re-
18 sources, and goals and objectives for the proposed
19 project in order to determine which activities will be
20 undertaken to address such needs; and

21 “(3) a description of the proposed project,
22 including—

23 “(A) a description of the mechanism that
24 will be used to disseminate information in a

1 manner that is understandable and accessible to
2 the community;

3 “(B) identification of Federal, State, and
4 local programs to be merged or coordinated so
5 that public resources may be maximized;

6 “(C) a description of the collaborative ef-
7 forts to be undertaken by community-based or-
8 ganizations, related public agencies, businesses,
9 or other appropriate organizations;

10 “(D) a description of how the school or
11 consortium will serve as a delivery center for
12 existing and new services, especially for inter-
13 active telecommunication used for education
14 and professional training; and

15 “(E) an assurance that the school or con-
16 sortium will establish a facility utilization policy
17 that specifically states—

18 “(i) the rules and regulations applica-
19 ble to building and equipment use; and

20 “(ii) supervision guidelines.

21 “(b) PRIORITY.—The Secretary shall give priority to
22 applications describing projects that offer a broad selec-
23 tion of services which address the needs of the community.

1 **“SEC. 12805. USES OF FUNDS.**

2 “Grants awarded under this part may be used to
3 plan, implement, or expand community learning centers
4 which include not less than four of the following activities:

5 “(1) Literacy education programs.

6 “(2) Senior citizen programs.

7 “(3) Children’s day care services.

8 “(4) Integrated education, health, social service,
9 recreational, or cultural programs.

10 “(5) Summer and weekend school programs in
11 conjunction with recreation programs.

12 “(6) Nutrition and health programs.

13 “(7) Expanded library service hours to serve
14 community needs.

15 “(8) Telecommunications and technology edu-
16 cation programs for individuals of all ages.

17 “(9) Parenting skills education programs.

18 “(10) Support and training for child day care
19 providers.

20 “(11) Employment counseling, training, and
21 placement.

22 “(12) Services for individuals who leave school
23 before graduating from secondary school, regardless
24 of the age of such individual.

25 “(13) Services for individuals with disabilities.

1 **“SEC. 12806. DEFINITION.**

2 “For the purpose of this part, the term ‘community
3 learning center’ means an entity within a public elemen-
4 tary or secondary school building that—

5 “(1) provides educational, recreational, health,
6 and social service programs for residents of all ages
7 within a local community; and

8 “(2) is operated by a local educational agency
9 in conjunction with local governmental agencies,
10 businesses, vocational education programs, institu-
11 tions of higher education, community colleges, and
12 cultural, recreational, and other community and
13 human service entities.

14 **“SEC. 12807. AUTHORIZATION OF APPROPRIATIONS.**

15 “There are authorized to be appropriated
16 \$850,000,000 for fiscal year 2002, and such sums as may
17 be necessary for each of the four succeeding fiscal years,
18 to carry out this part.

19 **“PART I—URBAN AND RURAL EDUCATION**
20 **ASSISTANCE**

21 **“SEC. 12851. AUTHORIZATION OF APPROPRIATIONS.**

22 “(a) **DEMONSTRATION GRANTS.—**

23 “(1) **IN GENERAL.—**There are authorized to be
24 appropriated \$125,000,000 for fiscal year 2002, and
25 such sums as may be necessary for each of the four

1 succeeding fiscal years, to carry out subparts 1 and
2 2 (other than section 12875).

3 “(2) RESERVATION FOR SUBPART 1.—The Sec-
4 retary shall reserve 50 percent of the amount appro-
5 priated under paragraph (1) to carry out subpart 1.

6 “(3) RESERVATION FOR SUBPART 2.—The Sec-
7 retary shall reserve 50 percent of the amount appro-
8 priated under paragraph (1) to carry out subpart 2
9 (other than section 12875).

10 “(b) HIGHER EDUCATION GRANTS.—There are au-
11 thorized to be appropriated \$25,000,000 for fiscal year
12 2002 and such sums as may be necessary for each of the
13 four succeeding fiscal years to carry out section 12875.

14 “(c) FEDERAL FUNDS TO SUPPLEMENT NOT SUP-
15 PLANT NON-FEDERAL FUNDS.—An eligible local edu-
16 cational agency may use funds received under this part
17 only to supplement and, to the extent practicable, increase
18 the level of funds that would, in the absence of such Fed-
19 eral funds, be made available from non-Federal sources
20 for the education of students participating in activities as-
21 sisted under this part, and in no such case may such funds
22 be used to supplant funds from non-Federal sources.

23 **“SEC. 12852. DEFINITIONS.**

24 “Except as otherwise provided, for the purposes of
25 this part:

1 “(1) CENTRAL CITY.—The term ‘central city’
2 has the same meaning used by the Bureau of the
3 Census.

4 “(2) METROPOLITAN STATISTICAL AREA.—The
5 term ‘metropolitan statistical area’ has the same
6 meaning used by the Bureau of the Census.

7 “(3) POVERTY LEVEL.—The term ‘poverty
8 level’ means the criteria of poverty used by the Bu-
9 reau of the Census in compiling the most recent de-
10 cennial census.

11 “(4) RURAL ELIGIBLE LOCAL EDUCATIONAL
12 AGENCY.—The term ‘rural eligible local educational
13 agency’ means a local educational agency—

14 “(A)(i) in which at least 15 percent of the
15 children enrolled in the schools served by such
16 agency are eligible to be counted under part A
17 of title I; and

18 “(ii) which is not in a metropolitan statis-
19 tical area; or

20 “(B) in which the total enrollment in the
21 schools served by such agency is less than 2,500
22 students and that does not serve schools located
23 in a metropolitan statistical area.

1 “(5) URBAN ELIGIBLE LOCAL EDUCATIONAL
2 AGENCY.—The term ‘urban eligible local educational
3 agency’ means a local educational agency that—

4 “(A) serves the largest central city in a
5 State;

6 “(B) enrolls more than 30,000 students
7 and serves a central city with a population of
8 at least 200,000 in a metropolitan statistical
9 area; or

10 “(C) enrolls between 25,000 and 30,000
11 students and serves a central city with a popu-
12 lation of at least 140,000 in a metropolitan sta-
13 tistical area.

14 **“Subpart 1—Urban Education Demonstration Grants**

15 **“SEC. 12861. FINDINGS.**

16 “‘The Congress finds that—

17 “(1) the ability of the Nation’s major urban
18 public school systems to meet the Nation’s edu-
19 cational goals will determine the country’s economic
20 competitiveness and academic standing in the world
21 community;

22 “(2) the quality of public education in the Na-
23 tion’s major urban areas has a direct effect on the
24 economic development of the Nation’s inner-cities;

1 “(3) the success of urban public schools in
2 boosting the achievement of its minority youth at-
3 tending such schools will determine the ability of the
4 Nation to close the gap between the ‘haves and the
5 have-nots’ in society;

6 “(4) the cost to America’s businesses to provide
7 remedial education to high school graduates is ap-
8 proximately \$21,000,000,000 per year;

9 “(5) approximately one-third of the Nation’s
10 workforce will be members of minority groups by the
11 year 2000;

12 “(6) urban schools enroll a disproportionately
13 large share of the Nation’s poor and ‘at-risk’ youth;

14 “(7) urban schools enroll approximately one-
15 third of the Nation’s poor, 40 percent of the Na-
16 tion’s African American children, and 30 percent of
17 the Nation’s Hispanic youth;

18 “(8) nearly 20 percent of the Nation’s limited-
19 English-proficient children and 15 percent of the
20 Nation’s disabled youth are enrolled in urban public
21 schools;

22 “(9) the academic performance of students in
23 the average inner-city public school system is below
24 that of students in most other kinds of school sys-
25 tems;

1 “(10) urban public school systems have higher
2 dropout rates, more problems with health care, and
3 less parental participation than other kinds of school
4 systems;

5 “(11) urban preschoolers have one-half the ac-
6 cess to early childhood development programs as do
7 other children;

8 “(12) shortages of teachers in urban public
9 school systems are 2.5 times greater than such
10 shortages in other kinds of school systems;

11 “(13) declining numbers of urban minority high
12 school graduates are pursuing postsecondary edu-
13 cational opportunities;

14 “(14) urban public school systems have greater
15 problems with teenage pregnancy, discipline, drug
16 abuse, and gangs than do other kinds of school sys-
17 tems;

18 “(15) 75 percent of urban public school build-
19 ings are over 25 years old, 33 percent of such build-
20 ings are over 50 years old, and such buildings are
21 often in serious disrepair and create poor and de-
22 moralizing working and learning conditions;

23 “(16) solving the challenges facing our Nation’s
24 urban schools will require the concerted and collabo-

1 rative efforts of all levels of government and all sec-
2 tors of the community;

3 “(17) Federal and State funding of urban pub-
4 lic schools has not adequately reflected need; and

5 “(18) Federal funding that is well-targeted,
6 flexible, and accountable would contribute signifi-
7 cantly to addressing the comprehensive needs of
8 inner-city public schools.

9 **“SEC. 12862. PURPOSE.**

10 “It is the purpose of this subpart to provide financial
11 assistance to—

12 “(1) assist urban public schools in meeting the
13 National Education Goals;

14 “(2) improve the educational and social well-
15 being of urban public school children;

16 “(3) close the achievement gap between urban
17 and nonurban public school children, while improv-
18 ing the achievement level of all children nationally;

19 “(4) conduct coordinated research on urban
20 public education problems, solutions, and promising
21 practices;

22 “(5) improve the Nation’s global economic and
23 educational competitiveness by improving the Na-
24 tion’s urban schools; and

1 “(6) encourage community, parental, and busi-
2 ness collaboration in the improvement of urban
3 schools.

4 **“SEC. 12863. URBAN SCHOOL GRANTS.**

5 “(a) AUTHORITY.—The Secretary is authorized to
6 make grants to eligible local educational agencies serving
7 an urban area or State educational agencies in the case
8 where the State educational agency is the local educational
9 agency for activities designed to assist in local school im-
10 provement efforts and school reform, and to assist the
11 schools of such agencies in meeting the National Edu-
12 cation Goals.

13 “(b) AUTHORIZED ACTIVITIES.—Funds under this
14 section may be used to—

15 “(1) increase the academic achievement of
16 urban public school children to at least the national
17 average, such as—

18 “(A) effective public schools programs;

19 “(B) tutoring, mentoring, and other activi-
20 ties to improve academic achievement directly;

21 “(C) activities designed to increase the
22 participation of minority and female students in
23 entry level and advanced courses in mathe-
24 matics and science;

25 “(D) supplementary academic instruction;

1 “(E) efforts to improve problem-solving
2 and higher-order thinking skills;

3 “(F) programs to increase student motiva-
4 tion for learning; and

5 “(G) efforts to lengthen the school day or
6 school year, or to reduce class sizes;

7 “(2) ensure the readiness of all urban public
8 school children for school, such as—

9 “(A) full workday, full calendar-year com-
10 prehensive early childhood development pro-
11 grams;

12 “(B) parenting classes and parent involve-
13 ment activities;

14 “(C) activities designed to coordinate pre-
15 kindergarten and child care programs;

16 “(D) efforts to integrate developmentally
17 appropriate prekindergarten services into the
18 overall public school program;

19 “(E) upgrading the qualifications of early
20 childhood education staff and standards for
21 programs;

22 “(F) collaborative efforts with health and
23 social service agencies to provide comprehensive
24 services and to facilitate the transition from
25 home to school;

1 “(G) establishment of comprehensive child
2 care centers in public secondary schools for stu-
3 dents who are parents and their children; and

4 “(H) augmenting early childhood develop-
5 ment programs to meet the special educational
6 and cultural needs of limited-English-proficient
7 preschool children;

8 “(3) increase the graduation rates of urban
9 public school students to at least the national aver-
10 age, such as—

11 “(A) dropout prevention activities and sup-
12 port services for public school students at-risk
13 of dropping out of school;

14 “(B) reentry, outreach, and support activi-
15 ties to recruit students who have dropped out of
16 school to return to school;

17 “(C) development of systemwide policies
18 and practices that encourage students to stay in
19 school;

20 “(D) efforts to provide individualized stu-
21 dent support, such as mentoring programs;

22 “(E) collaborative activities between
23 schools, parents, community groups, agencies,
24 and institutions of higher education aimed at

1 preventing individuals from dropping out of
2 school;

3 “(F) programs to increase student attend-
4 ance; and

5 “(G) alternative programs for students, es-
6 pecially bilingual and special education stu-
7 dents, who have dropped out of school or are at
8 risk of dropping out of school;

9 “(4) prepare urban public school students to
10 enter higher education, pursue careers, and exercise
11 their responsibilities as citizens, such as—

12 “(A) activities designed to increase the
13 number and percentages of students, particu-
14 larly minority students, enrolling in postsec-
15 ondary educational institutions after graduation
16 from public secondary schools;

17 “(B) in-school youth employment, voca-
18 tional education, and career education programs
19 that improve the transition from school to work;

20 “(C) activities designed in collaboration
21 with colleges and universities to assist urban
22 public school graduates in completing higher
23 education;

24 “(D) efforts to increase voter registration
25 among eligible public secondary school students;

1 “(E) activities designed to promote com-
2 munity service and volunteerism among stu-
3 dents, parents, teachers, and the community;
4 and

5 “(F) civic education and other programs
6 designed to enhance responsible citizenship and
7 understanding of the political process;

8 “(5) recruit and retain qualified teachers, such
9 as—

10 “(A) school-based management projects
11 and activities;

12 “(B) programs designed to test efforts to
13 increase the professionalization of teachers or to
14 bring teachers up to national voluntary stand-
15 ards;

16 “(C) alternative routes to certification for
17 qualified individuals from business, the military,
18 and other fields;

19 “(D) efforts to recruit and retain teachers,
20 particularly minority teachers, specializing in
21 critical shortage areas, including early child-
22 hood teachers, mathematics and science teach-
23 ers, and special education and bilingual teach-
24 ers;

1 “(E) upgrading the skills of teacher aides
2 and paraprofessionals to permit such individ-
3 uals to become certified teachers;

4 “(F) activities specifically designed to in-
5 crease the number of minority teachers in
6 urban schools;

7 “(G) incentives for teachers to work in
8 inner-city public schools; and

9 “(H) collaborative activities with urban
10 universities to revise and upgrade teacher train-
11 ing programs;

12 “(6) provide for ongoing staff development to
13 increase the professional capacities of the teaching
14 staff and the skills of teacher aides and paraprofes-
15 sionals;

16 “(7) decrease the use of drugs and alcohol
17 among urban public school students and enhance the
18 physical and emotional health of such students, such
19 as—

20 “(A) activities designed to improve the
21 self-esteem and self-worth of urban public
22 school students;

23 “(B) the provision of health care services
24 and other social services and the coordination of
25 such services with other health care providers;

1 “(C) programs designed to improve safety
2 and discipline and reduce in-school violence,
3 vandalism, and gang activity;

4 “(D) activities that begin in the early
5 grades and are designed to prevent drug and al-
6 cohol abuse and smoking among students and
7 teachers;

8 “(E) collaborative activities with other
9 agencies, businesses, and community groups to
10 discourage the advertisement and glorification
11 of drugs and alcohol;

12 “(F) efforts to enhance health education
13 and nutrition education; and

14 “(G) alternative public schools, and
15 schools-within-schools programs, including bilin-
16 gual and special education programs for public
17 school students with special needs; or

18 “(8) plan, develop, operate, or expand programs
19 and activities that are designed to assist urban pub-
20 lic schools in meeting the National Education Goals,
21 including—

22 “(A) training of teachers and other edu-
23 cational personnel in subject areas, or in in-
24 structional technology and methods that will
25 improve the delivery of services in urban set-

1 tings and assist in the achievement of the Na-
2 tional Education Goals, including staff develop-
3 ment efforts that emphasize multicultural and
4 gender and disability bias-free curricula;

5 “(B) coordination and collaboration with
6 other municipal agencies, child care organiza-
7 tions, universities, or the private sector;

8 “(C) parental involvement and outreach ef-
9 forts and other activities designed to enhance
10 parental encouragement of student learning;

11 “(D) pupil services and other support serv-
12 ices that contribute to progress in achieving
13 National Education Goals;

14 “(E) efforts to acquire and improve access
15 to educational technology;

16 “(F) assist the schools most in need of
17 services by replicating successful efforts of
18 other urban local educational agencies and ex-
19 panding successful programs within the eligible
20 agency; or

21 “(G) efforts to improve and strengthen the
22 curriculum and coordinate services across grade
23 levels.

24 “(c) APPLICATIONS.—

1 “(1) IN GENERAL.—An eligible local edu-
2 cational agency desiring to receive a grant under
3 this section shall submit an application to the Sec-
4 retary at such time, in such manner, and accom-
5 panied by such information as the Secretary may
6 reasonably require, consistent with this section.

7 “(2) DURATION.—An application submitted
8 pursuant to paragraph (1) may be for a period of
9 not more than five years.

10 “(d) PAYMENTS.—The Secretary shall make an
11 award only to urban eligible local educational agencies
12 that—

13 “(1) comply with the provisions of section
14 12866; and

15 “(2) demonstrate to the satisfaction of the Sec-
16 retary that the data submitted pursuant to section
17 12861 shows progress toward meeting National
18 Education Goals.

19 “(e) ADMINISTRATIVE COSTS.—Not more than five
20 percent of any award made under this subpart may be
21 used for administrative costs.

22 **“SEC. 12864. SPECIAL RULES.**

23 “(a) SPECIAL CONSIDERATION.—In making awards
24 under this subpart, the Secretary shall give special consid-

1 eration to urban eligible local educational agencies in
2 which there is—

3 “(1) low achievement;

4 “(2) high poverty; and

5 “(3) racial isolation.

6 “(b) FLEXIBILITY.—Each urban eligible local edu-
7 cational agency shall have the flexibility to serve homeless
8 children, children in schools undergoing desegregation, im-
9 migrants, migrants, or other highly mobile populations
10 within the program assisted under this subpart.

11 **“Subpart 2—Rural Education Demonstration Grants**

12 **“SEC. 12871. FINDINGS.**

13 “The Congress finds that—

14 “(1) the ability of America’s rural public school
15 systems to meet the National Education Goals will
16 contribute to the economic competitiveness and aca-
17 demic standing of the Nation in the world commu-
18 nity;

19 “(2) approximately 60 percent of the Nation’s
20 public school districts are rural with a population of
21 less than 2,500;

22 “(3) about 1 out of every 4 of America’s rural
23 school children are living below the poverty line;

24 “(4) the quality of public education in the rural
25 areas of the Nation has a direct effect on the eco-

1 nomic development of the rural communities of the
2 Nation;

3 “(5) the success of rural public schools in
4 boosting the achievement of minority youth attend-
5 ing such schools will determine the ability of the Na-
6 tion to close the gap between the haves and the
7 have-nots in society;

8 “(6) the academic performance of students in
9 the average rural school system is below that of stu-
10 dents in most other suburban school systems;

11 “(7) the average age of rural public school
12 buildings is more than 45 years old and such build-
13 ings are often in serious disrepair, creating poor and
14 demoralizing working and learning conditions;

15 “(8) shortages of teachers for rural public
16 school systems is greater than in other kinds of
17 school systems;

18 “(9) solving the challenges facing the Nation’s
19 rural public schools will require the concerted and
20 collaborative efforts of all levels of government and
21 all sectors of the community;

22 “(10) additional Federal funding would con-
23 tribute significantly to addressing the comprehensive
24 needs of rural schools;

1 “(11) rural public schools enroll a disproportio-
2 tionately large share of the Nation’s poor and at-risk
3 youth;

4 “(12) a declining number of rural public sec-
5 ondary school graduates are pursuing postsecondary
6 education opportunities;

7 “(13) rural preschoolers have less access to
8 early childhood development programs than other
9 children; and

10 “(14) Federal and State funding of rural public
11 schools has not adequately reflected need.

12 **“SEC. 12872. PURPOSE.**

13 “‘It is the purpose of this subpart to provide financial
14 assistance to rural public schools most in need, to encour-
15 age the comprehensive restructuring of America’s rural
16 schools, the appropriate use of telecommunications tech-
17 nologies for learning, and to support innovative programs
18 which improve performance through programs and
19 projects designed to—

20 “(1) assist rural public schools in meeting Na-
21 tional Education Goals;

22 “(2) encourage rural public schools to engage in
23 school reform;

1 “(3) develop pilot projects that experiment with
2 innovative ways to teach rural public school children
3 more effectively;

4 “(4) improve the educational and social well-
5 being of rural public school children;

6 “(5) close the achievement gap between children
7 attending rural public schools and other children,
8 while improving the achievement level of all children
9 nationally;

10 “(6) conduct coordinated research on rural edu-
11 cation problems, solutions, promising practices, and
12 distance learning technologies;

13 “(7) improve the Nation’s global economic and
14 educational competitiveness by improving the Na-
15 tion’s rural public schools;

16 “(8) encourage community, parental, and busi-
17 ness collaboration in the improvement of rural public
18 schools;

19 “(9) encourage rural school consortia for the
20 purpose of increasing efficiency and course offerings;

21 “(10) encourage a positive role for rural public
22 schools in local rural entrepreneurship and the iden-
23 tification of rural community economic development
24 opportunities;

1 “(11) encourage community-as-school concepts,
2 which include the role public schools can play to as-
3 sist with rural community economic revitalization;
4 and

5 “(12) provide for the recruitment and meaning-
6 ful inservice opportunities for rural public school
7 teachers.

8 **“SEC. 12873. RURAL SCHOOL GRANTS.**

9 “(a) AUTHORITY.—The Secretary is authorized to
10 make grants to rural eligible local educational agencies,
11 or State educational agencies in the case where the State
12 educational agency is the local educational agency, for ac-
13 tivities designed to assist in local school improvement ef-
14 forts.

15 “(b) AWARD RULES.—

16 “(1) LESS THAN \$50,000,000.—If the amount
17 made available to carry out this subpart for any fis-
18 cal year is less than \$50,000,000, the Secretary
19 shall award grants under this section on a competi-
20 tive basis.

21 “(2) EQUAL TO OR GREATER THAN
22 \$50,000,000.—If the amount made available to carry
23 out this subpart for any fiscal year is equal to or
24 greater than \$50,000,000, the Secretary shall award
25 grants under this section so that a rural eligible

1 local educational agency in each State receives such
2 a grant.

3 “(c) ADMINISTRATIVE COSTS.—Not more than five
4 percent of a grant awarded under section 12573 shall be
5 used for administrative costs.

6 “(d) DURATION.—Each grant under this section shall
7 be awarded for a period of not more than five years.

8 **“SEC. 12874. USES OF FUNDS.**

9 “(a) IN GENERAL.—Grant funds made available
10 under section 12873 may be used by rural eligible local
11 educational agencies to meet the National Education
12 Goals through programs designed to—

13 “(1) increase the academic achievement of rural
14 public school children to at least the national aver-
15 age of such achievement, including education reform
16 initiatives, such as—

17 “(A) effective public schools programs;

18 “(B) tutoring, mentoring, and other activi-
19 ties to improve academic achievement directly;

20 “(C) supplementary academic instruction;

21 “(D) efforts to improve problem-solving
22 and higher-order critical thinking skills; and

23 “(E) efforts to lengthen the school day,
24 school year, or reduce class sizes;

1 “(2) develop pilot projects that experiment with
2 innovative ways to teach rural public school children
3 more effectively;

4 “(3) encourage the formation of rural school
5 consortia for the purpose of increasing efficiency and
6 course offerings;

7 “(4) provide meaningful inservice training op-
8 portunities for rural public school teachers;

9 “(5) assist rural schools in acquiring and im-
10 proving access to educational technology, including
11 distance learning technologies;

12 “(6) ensure the readiness of all rural children
13 for school, such as—

14 “(A) full workday, full calendar-year com-
15 prehensive early childhood development pro-
16 grams;

17 “(B) parenting classes, including parenting
18 classes for teenage parents, and parent involve-
19 ment activities;

20 “(C) activities designed to coordinate pre-
21 kindergarten and child care programs;

22 “(D) efforts to integrate developmentally
23 appropriate prekindergarten services into the
24 overall public school program;

1 “(E) improving the skills of early child-
2 hood education staff and standards for pro-
3 grams;

4 “(F) collaborative efforts with health and
5 social service agencies to provide comprehensive
6 services and to facilitate the transition from
7 home to school;

8 “(G) establishment of comprehensive child
9 care centers in public secondary schools for stu-
10 dent parents and their children; and

11 “(H) augmenting early childhood develop-
12 ment programs to meet the special educational
13 and cultural needs of limited-English proficient
14 children, children with disabilities, and migrant
15 preschool children;

16 “(7) increase the graduation rates of rural pub-
17 lic school students to at least the national average
18 of such rate, when funds are used to serve secondary
19 schools, such as—

20 “(A) dropout prevention activities and sup-
21 port services for students at-risk of dropping
22 out of school;

23 “(B) reentry, outreach and support activi-
24 ties to recruit students who have dropped out of
25 school to return to school;

1 “(C) development of systemwide policies
2 and practices that encourage students to stay in
3 school;

4 “(D) efforts to provide individualized stu-
5 dent support;

6 “(E) collaborative activities between
7 schools, parents, community groups, agencies,
8 and institutions of higher education aimed at
9 preventing individuals from dropping out of
10 school;

11 “(F) programs to increase student attend-
12 ance; and

13 “(G) alternative programs for students, es-
14 pecially bilingual, special education, and mi-
15 grant students, who have dropped out of school
16 or are at risk of dropping out of school;

17 “(8) prepare rural public school students to
18 enter higher education, pursue careers, and exercise
19 their responsibilities as citizens, such as—

20 “(A) activities designed to increase the
21 number and percentages of students, enrolling
22 in postsecondary educational institutions after
23 graduation from secondary schools;

1 “(B) in-school youth employment, voca-
2 tional education, and career education programs
3 that improve the transition from school to work;

4 “(C) activities designed in collaboration
5 with colleges and universities to assist rural
6 public school graduates in completing higher
7 education;

8 “(D) activities designed in conjunction
9 with community colleges to provide a kinder-
10 garten through grade 14 experience for rural
11 public school secondary school students;

12 “(E) efforts to increase voter registration
13 among eligible public secondary school students
14 attending schools served by rural eligible local
15 educational agencies;

16 “(F) activities designed to promote com-
17 munity service and volunteerism among stu-
18 dents, parents, teachers, and the community;

19 “(G) civic education, law-related education,
20 and other programs designed to enhance re-
21 sponsible citizenship and understanding of the
22 political process; and

23 “(H) encouraging a positive role for rural
24 public schools in local rural entrepreneurship

1 and the identification of rural community eco-
2 nomic development opportunities;

3 “(9) recruit and retain qualified teachers, such
4 as—

5 “(A) school-based management projects
6 and activities;

7 “(B) programs designed to increase the
8 status of the teaching profession;

9 “(C) alternative routes to certification for
10 qualified individuals from business, the military,
11 and other fields;

12 “(D) efforts to recruit and retain teachers
13 in critical shortage areas, including early child-
14 hood teachers, mathematics and science teach-
15 ers, foreign language teachers, and special edu-
16 cation and bilingual teachers;

17 “(E) upgrading the skills of existing class-
18 room teachers through the use of year-round,
19 systematic, comprehensive inservice training
20 programs;

21 “(F) upgrading the skills of teacher aides
22 and paraprofessionals to assist such individuals
23 in becoming certified teachers;

1 “(G) efforts specifically designed to in-
2 crease the number of minority teachers in rural
3 public schools;

4 “(H) programs designed to encourage par-
5 ents and students to enter the teaching profes-
6 sion;

7 “(I) incentives for teachers to work in
8 rural public schools;

9 “(J) collaborative activities with colleges
10 and universities to revise and upgrade teacher
11 training programs to meet the needs of rural
12 public school students; and

13 “(K) training activities for the purpose of
14 incorporating distance learning technologies; or

15 “(10) decrease the use of drugs and alcohol
16 among rural public school students, and to enhance
17 the physical and emotional health of such students,
18 such as—

19 “(A) activities designed to improve the
20 self-esteem and self-worth of rural students;

21 “(B) the provision of health care services
22 and other social services and the coordination of
23 such services with other health care providers;

1 “(C) programs designed to improve safety
2 and discipline and reduce in-school violence and
3 vandalism;

4 “(D) activities that begin in the early
5 grades and are designed to prevent drug and al-
6 cohol abuse and smoking among students;

7 “(E) collaborative activities with other
8 agencies, businesses, and community groups;

9 “(F) efforts to enhance health education
10 and nutrition education; and

11 “(G) alternative public schools, and
12 schools-within-schools programs, including bilin-
13 gual, migrant, and special education programs
14 for students with special needs.

15 “(b) APPLICATIONS.—Each eligible entity desiring a
16 grant under section 12873 shall submit an application to
17 the Secretary at such time, in such manner, and accom-
18 panied by such information as the Secretary may reason-
19 ably require. Each grant awarded under section 12873
20 shall be of sufficient size and scope to achieve significant
21 rural school improvement.

22 **“SEC. 12875. HIGHER EDUCATION GRANTS.**

23 “(a) GRANTS.—The Secretary is authorized to make
24 grants to institutions of higher education, consortia of
25 such institutions, or partnerships between institutions of

1 higher education and local educational agencies to assist
2 rural schools and rural eligible local educational agencies
3 in undertaking local school improvement activities.

4 “(b) AUTHORIZED ACTIVITIES.—Grant funds under
5 this section may be used to—

6 “(1) assist rural schools in meeting National
7 Education Goals;

8 “(2) assist in the recruitment and training of
9 teachers in rural schools;

10 “(3) assist rural schools in the development of
11 appropriate innovative school improvement initia-
12 tives;

13 “(4) provide inservice training opportunities for
14 teachers in rural schools; and

15 “(5) provide technical assistance in the use and
16 installation of innovative telecommunications tech-
17 nology.

18 “(c) APPLICATIONS.—Each eligible entity desiring a
19 grant under this section shall submit an application to the
20 Secretary at such time, in such manner, and accompanied
21 by such information as the Secretary may reasonably re-
22 quire.

1 **“Subpart 3—White House Conferences**

2 **“SEC. 12881. WHITE HOUSE CONFERENCE ON URBAN EDU-**
3 **CATION.**

4 “(a) AUTHORIZATION TO CALL CONFERENCE.—

5 “(1) IN GENERAL.—The President is author-
6 ized to call and conduct a White House Conference
7 on Urban Education (referred to in this section as
8 the ‘Conference’) which shall be held not earlier than
9 November 1, 2002, and not later than October 30,
10 2004.

11 “(2) PURPOSE.—The purpose of the Conference
12 shall be to—

13 “(A) develop recommendations and strate-
14 gies for the improvement of urban education;

15 “(B) marshal the forces of the private sec-
16 tor, governmental agencies at all levels, parents,
17 teachers, communities, and education officials
18 to assist urban public schools in achieving Na-
19 tional Education Goals; and

20 “(C) conduct the initial planning for a per-
21 manent national advisory commission on urban
22 education.

23 “(b) COMPOSITION OF CONFERENCE.—

24 “(1) IN GENERAL.—The Conference shall be
25 comprised of 12 individuals, including—

1 “(A) representatives of urban public school
2 systems, including members of the governing
3 body of local educational agencies, and school
4 superintendents;

5 “(B) representatives of the Congress, the
6 Department of Education, and other Federal
7 agencies;

8 “(C) State elected officials and representa-
9 tives from State educational agencies; and

10 “(D) individuals with special knowledge of
11 and expertise in urban education.

12 “(2) SELECTION.—The President shall select
13 one-third of the participants of the Conference, the
14 majority leader of the Senate, in consultation with
15 the minority leader of the Senate, shall select one-
16 third of such participants, and the Speaker of the
17 House of Representatives, in consultation with the
18 minority leader of the House, shall select the re-
19 maining one-third of such participants.

20 “(3) REPRESENTATION.—In selecting the par-
21 ticipants of the Conference, the President, the ma-
22 jority leader of the Senate, and the Speaker of the
23 House of Representatives shall ensure that the par-
24 ticipants are as representative of the ethnic, racial,
25 and linguistic diversity of cities as is practicable.

1 “(c) REPORT.—

2 “(1) IN GENERAL.—Not later than 120 days
3 following the termination of the Conference, a final
4 report of the Conference, containing such findings
5 and recommendations as may be made by the Con-
6 ference, shall be submitted to the President. The
7 final report shall be made public and, not later than
8 90 days after receipt by the President, transmitted
9 to the Congress together with a statement of the
10 President containing recommendations for imple-
11 menting the report.

12 “(2) PUBLICATION AND DISTRIBUTION.—The
13 Conference is authorized to publish and distribute
14 the report described in this section. Copies of the re-
15 port shall be provided to the Federal depository li-
16 braries and made available to local urban public
17 school leaders.

18 **“SEC. 12882. WHITE HOUSE CONFERENCE ON RURAL EDU-
19 CATION.**

20 “(a) AUTHORIZATION TO CALL CONFERENCE.—

21 “(1) IN GENERAL.—The President is author-
22 ized to call and conduct a White House Conference
23 on Rural Education (hereafter in this section re-
24 ferred to as the ‘Conference’).

1 “(2) DATE.—The Conference shall be held not
2 earlier than November 1, 2001, and not later than
3 October 30, 2002.

4 “(3) PURPOSE.—The purposes of the Con-
5 ference shall be to—

6 “(A) develop recommendations and strate-
7 gies for the improvement of rural public edu-
8 cation;

9 “(B) marshal the forces of the private sec-
10 tor, governmental agencies at all levels, parents,
11 teachers, communities, and education officials
12 to assist rural public schools in achieving Na-
13 tional Education Goals, and make recommenda-
14 tions on the roles rural public schools can play
15 to assist with local rural community economic
16 revitalization; and

17 “(C) conduct the initial planning for a per-
18 manent national commission on rural public
19 education.

20 “(b) COMPOSITION OF CONFERENCE.—

21 “(1) IN GENERAL.—The Conference shall be
22 comprised of—

23 “(A) representatives of eligible public
24 school systems, including members of the gov-

1 erning body of local educational agencies, school
2 superintendents, and classroom teachers;

3 “(B) representatives of the Congress, the
4 Department, and other Federal agencies;

5 “(C) State elected officials and representa-
6 tives from State educational agencies;

7 “(D) individuals with special knowledge of,
8 and expertise in, rural education, including in-
9 dividuals involved with rural postsecondary edu-
10 cation; and

11 “(E) individuals with special knowledge of,
12 and expertise in, rural business.

13 “(2) SELECTION.—The President shall select
14 one-third of the participants of the Conference, the
15 majority leader of the Senate, in consultation with
16 the minority leader of the Senate, shall select one-
17 third of such participants, and the Speaker of the
18 House of Representatives, in consultation with the
19 minority leader of the House, shall select the re-
20 maining one-third of such participants.

21 “(3) REPRESENTATION.—In selecting the par-
22 ticipants of the Conference, the President, the ma-
23 jority leader of the Senate, and the Speaker of the
24 House of Representatives shall ensure that the par-
25 ticipants are as representative of the ethnic, racial,

1 and language diversity of rural areas as is prac-
2 ticable.

3 “(c) REPORT.—

4 “(1) IN GENERAL.—Not later than 120 days
5 following the termination of the Conference, a final
6 report of the Conference, containing such findings
7 and recommendations as may be made by the Con-
8 ference, shall be submitted to the President. The
9 final report shall be made public and, not later than
10 90 days after receipt by the President, transmitted
11 to the Congress together with a statement of the
12 President containing recommendations for imple-
13 menting the report.

14 “(2) PUBLICATION AND DISTRIBUTION.—The
15 Conference is authorized to publish and distribute
16 the report described in this section. Copies of the re-
17 port shall be provided to the Federal depository li-
18 braries and made available to local rural school lead-
19 ers and teachers.

20 **“PART J—NATIONAL WRITING PROJECT**

21 **“SEC. 12891. FINDINGS.**

22 “The Congress finds that—

23 “(1) the United States faces a crisis in writing
24 in schools and in the workplace;

1 “(2) the writing problem has been magnified by
2 the rapidly changing student populations and the
3 growing number of at-risk students due to limited
4 English proficiency;

5 “(3) over the past two decades, universities and
6 colleges across the country have reported increasing
7 numbers of entering freshmen who are unable to
8 write at a level equal to the demands of college
9 work;

10 “(4) American businesses and corporations are
11 concerned about the limited writing skills of entry-
12 level workers, and a growing number of executives
13 are reporting that advancement was denied to them
14 due to inadequate writing abilities;

15 “(5) the writing problem has been magnified by
16 the rapidly changing student populations in the Na-
17 tion’s schools and the growing number of students
18 who are at risk because of limited English pro-
19 ficiency;

20 “(6) writing and reading are both fundamental
21 to learning, yet writing has been historically ne-
22 glected in the schools and colleges, and most teach-
23 ers in the United States elementary schools, sec-
24 ondary schools, and colleges have not been trained to
25 teach writing;

1 “(7) since 1973, the only national program to
2 address the writing problem in the Nation’s schools
3 has been the National Writing Project, a network of
4 collaborative university-school programs whose goal
5 is to improve the quality of student writing and the
6 teaching of writing at all grade levels and to extend
7 the uses of writing as a learning process through all
8 disciplines;

9 “(8) the National Writing Project offers sum-
10 mer and school year inservice teacher training pro-
11 grams and a dissemination network to inform and
12 teach teachers of developments in the field of writ-
13 ing;

14 “(9) the National Writing Project is a nation-
15 ally recognized and honored nonprofit organization
16 that recognizes that there are teachers in every re-
17 gion of the country who have developed successful
18 methods for teaching writing and that such teachers
19 can be trained and encouraged to train other teach-
20 ers;

21 “(10) the National Writing Project has become
22 a model for programs to improve teaching in such
23 other fields as mathematics, science, history, lit-
24 erature, performing arts, and foreign languages;

1 “(11) the National Writing Project teacher-
2 teaching-teachers program identifies and promotes
3 what is working in the classrooms of the Nation’s
4 best teachers;

5 “(12) the National Writing Project teacher-
6 teaching-teachers project is a positive program that
7 celebrates good teaching practices and good teachers
8 and through its work with schools increases the Na-
9 tion’s corps of successful classroom teachers;

10 “(13) evaluations of the National Writing
11 Project document the positive impact the project has
12 had on improving the teaching of writing, student
13 performance, and student thinking and learning abil-
14 ity;

15 “(14) the National Writing Project programs
16 offer career-long education to teachers, and teachers
17 participating in the National Writing Project receive
18 graduate academic credit;

19 “(15) each year over 100,000 teachers volun-
20 tarily seek training in National Writing Project in-
21 tensive summer institutes and workshops and school
22 year in-service programs through one of the 154 re-
23 gional sites located in 45 States, the Commonwealth
24 of Puerto Rico, and in 4 sites that serve United

1 States teachers in United States dependent and
2 independent schools;

3 “(16) 250 National Writing Project sites are
4 needed to establish regional sites to serve all teach-
5 ers;

6 “(17) private foundation resources, although
7 generous in the past, are inadequate to fund all of
8 the National Writing Project sites needed and the
9 future of the program is in jeopardy without secure
10 financial support;

11 “(18) independent evaluation studies have
12 found the National Writing Project to be highly cost
13 effective compared to other professional development
14 programs for teachers; and

15 “(19) during 1991, the first year of Federal
16 support for the National Writing Project, the Na-
17 tional Writing Project matched the \$1,951,975 in
18 Federal support with \$9,485,504 in matching funds
19 from State, local, and other sources.

20 **“SEC. 12892. NATIONAL WRITING PROJECT.**

21 “(a) AUTHORIZATION.—The Secretary is authorized
22 to make a grant to the National Writing Project (hereafter
23 in this section referred to as the ‘grantee’), a nonprofit
24 educational organization which has as its primary purpose
25 the improvement of the quality of student writing and

1 learning, and the teaching of writing as a learning process
2 in the Nation’s classrooms—

3 “(1) to support and promote the establishment
4 of teacher training programs, including the dissemi-
5 nation of effective practices and research findings
6 regarding the teaching of writing and administrative
7 activities;

8 “(2) to support classroom research on effective
9 teaching practice and to document student perform-
10 ance;

11 “(3) to coordinate activities assisted under this
12 section with activities assisted under title II; and

13 “(4) to pay the Federal share of the cost of
14 such programs.

15 “(b) REQUIREMENTS OF GRANT.—The grant shall
16 provide that—

17 “(1) the grantee will enter into contracts with
18 institutions of higher education or other nonprofit
19 educational providers (hereafter in this section re-
20 ferred to as ‘contractors’) under which the contrac-
21 tors will agree to establish, operate, and provide the
22 non-Federal share of the cost of teacher training
23 programs in effective approaches and processes for
24 the teaching of writing;

1 “(2) funds made available by the Secretary to
2 the grantee pursuant to any contract entered into
3 under this section will be used to pay the Federal
4 share of the cost of establishing and operating teach-
5 er training programs as provided in paragraph (1);
6 and

7 “(3) the grantee will meet such other conditions
8 and standards as the Secretary determines to be
9 necessary to assure compliance with the provisions
10 of this section and will provide such technical assist-
11 ance as may be necessary to carry out the provisions
12 of this section.

13 “(c) TEACHER TRAINING PROGRAMS.—The teacher
14 training programs authorized in subsection (a) shall—

15 “(1) be conducted during the school year and
16 during the summer months;

17 “(2) train teachers who teach grades kinder-
18 garten through college;

19 “(3) select teachers to become members of a
20 National Writing Project teacher network whose
21 members will conduct writing workshops for other
22 teachers in the area served by each National Writing
23 Project site; and

24 “(4) encourage teachers from all disciplines to
25 participate in such teacher training programs.

1 “(d) FEDERAL SHARE.—

2 “(1) IN GENERAL.—Except as provided in para-
3 graph (2) or (3) and for purposes of subsection (a),
4 the term ‘Federal share’ means, with respect to the
5 costs of teacher training programs authorized in
6 subsection (a), 50 percent of such costs to the con-
7 tractor.

8 “(2) WAIVER.—The Secretary may waive the
9 provisions of paragraph (1) on a case-by-case basis
10 if the National Advisory Board described in sub-
11 section (f) determines, on the basis of financial need,
12 that such waiver is necessary.

13 “(3) MAXIMUM.—The Federal share of the
14 costs of teacher training programs conducted pursu-
15 ant to subsection (a) may not exceed \$40,000 for
16 any one contractor, or \$200,000 for a statewide pro-
17 gram administered by any one contractor in at least
18 five sites throughout the State.

19 “(e) CLASSROOM TEACHER GRANTS.—

20 “(1) IN GENERAL.—The National Writing
21 Project may reserve an amount not to exceed 5 per-
22 cent of the amount appropriated pursuant to the au-
23 thority of this section to make grants, on a competi-
24 tive basis, to elementary and secondary school teach-

1 ers to pay the Federal share of the cost of enabling
2 such teachers to—

3 “(A) conduct classroom research;

4 “(B) publish models of student writing;

5 “(C) conduct research regarding effective
6 practices to improve the teaching of writing;
7 and

8 “(D) conduct other activities to improve
9 the teaching and uses of writing.

10 “(2) SUPPLEMENT AND NOT SUPPLANT.—
11 Grants awarded pursuant to paragraph (1) shall be
12 used to supplement and not supplant State and local
13 funds available for the purposes set forth in para-
14 graph (1).

15 “(3) MAXIMUM GRANT AMOUNT.—Each grant
16 awarded pursuant to this subsection shall not exceed
17 \$2,000.

18 “(4) FEDERAL SHARE.—For the purpose of
19 this subsection the term ‘Federal share’ means, with
20 respect to the costs of activities assisted under this
21 subsection, 50 percent of such costs to the elemen-
22 tary or secondary school teacher.

23 “(f) NATIONAL ADVISORY BOARD.—

1 “(1) ESTABLISHMENT.—The National Writing
2 Project shall establish and operate a National Advi-
3 sory Board.

4 “(2) COMPOSITION.—The National Advisory
5 Board established pursuant to paragraph (1) shall
6 consist of—

7 “(A) national educational leaders;

8 “(B) leaders in the field of writing; and

9 “(C) such other individuals as the National
10 Writing Project deems necessary.

11 “(3) DUTIES.—The National Advisory Board
12 established pursuant to paragraph (1) shall—

13 “(A) advise the National Writing Project
14 on national issues related to student writing
15 and the teaching of writing;

16 “(B) review the activities and programs of
17 the National Writing Project; and

18 “(C) support the continued development of
19 the National Writing Project.

20 “(g) EVALUATION.—

21 “(1) IN GENERAL.—The Secretary shall con-
22 duct an independent evaluation by grant or contract
23 of the teacher training programs administered pur-
24 suant to this Act in accordance with section 14701.

25 Such evaluation shall specify the amount of funds

1 expended by the National Writing Project and each
2 contractor receiving assistance under this section for
3 administrative costs. The results of such evaluation
4 shall be made available to the appropriate commit-
5 tees of the Congress.

6 “(2) FUNDING LIMITATION.—The Secretary
7 shall reserve not more than \$150,000 from the total
8 amount appropriated pursuant to the authority of
9 subsection (i) for fiscal year 2001 and the four suc-
10 ceeding fiscal years to conduct the evaluation de-
11 scribed in paragraph (1).

12 “(h) APPLICATION REVIEW.—

13 “(1) REVIEW BOARD.—The National Writing
14 Project shall establish and operate a National Re-
15 view Board that shall consist of—

16 “(A) leaders in the field of research in
17 writing; and

18 “(B) such other individuals as the Na-
19 tional Writing Project deems necessary.

20 “(2) DUTIES.—The National Review Board
21 shall—

22 “(A) review all applications for assistance
23 under this subsection; and

1 “(B) recommend applications for assist-
2 ance under this subsection for funding by the
3 National Writing Project.

4 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated for the grant to the Na-
6 tional Writing Project, \$4,000,000 for fiscal year 2002,
7 and such sums as may be necessary for each of the four
8 succeeding fiscal years, to carry out the provisions of this
9 section.”.

○