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United States Congressional Ser











REAUTHORIZATION OF THE ELEMENTARY AND  
SECONDARY EDUCATION ACT OF 1965

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MESSAGE

FROM

**THE PRESIDENT OF THE UNITED STATES**

TRANSMITTING

HIS ADMINISTRATION'S PROPOSAL FOR REAUTHORIZATION OF  
THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965



MAY 24, 1999.—Message and accompanying papers referred to the Committee on Education and the Workforce, Armed Services, and Banking and Financial Services and ordered to be printed

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U.S. GOVERNMENT PRINTING OFFICE

WASHINGTON : 1999





*To the Congress of the United States:*

I am pleased to transmit for your immediate consideration the "Educational Excellence for All Children Act of 1999," my Administration's proposal for reauthorization of the Elementary and Secondary Education Act of 1965 (ESEA) and other elementary and secondary education programs.

My proposal builds on the positive trends achieved under current law. The "Improving America's Schools Act of 1994," which reauthorized the ESEA 5 years ago, and the "Goals 2000: Educate America Act" gave States and school districts a framework for integrating Federal resources in support of State and local reforms based on high academic standards. In response, 48 States, the District of Columbia, and Puerto Rico have adopted State-level standards. Recent results of the National Assessment of Educational Progress (NAEP) show improved performance for the economically disadvantaged and other at-risk students who are the primary focus of ESEA programs. NAEP reading scores for 9-year olds in high-poverty schools have improved significantly since 1992, while mathematics achievement has also increased nationally. Students in high-poverty schools and the lowest-performing students—the specific target populations for the ESEA Title I program—have registered gains in both reading and math achievement.

I am encouraged by these positive trends, but educational results for many children remain far below what they should be. My proposal to reauthorize the ESEA is based on four themes reflecting lessons from research and the experience of implementing the 1994 Act.

First, we would continue to focus on high academic standards for all children. The underlying purposes of every program within the ESEA is to help all children reach challenging State and local academic standards. States have largely completed the first stage of standards-based reform by developing content standards for all children. My bill would support the next stage of reform by helping States, schools districts, schools, and teachers use these standards to guide classroom instruction and assessment.

My proposal for reauthorizing Title I, for example, would require States to hold school districts and schools accountable for student performance against State standards, including helping the lowest-performing students continually to improve. The bill also would continue to target Federal elementary and secondary education resources on those students furthest from meeting State and local standards, with a particular emphasis on narrowing the gap in achievement between disadvantaged students and their more affluent peers. In this regard, my proposal would phase in equal treatment of Puerto Rico in ESEA funding formulas, so that poor children in Puerto Rico are treated similarly to those in the rest of the country for the purpose of formula allocations.

Second, my proposal responds to research showing that while qualified teachers are critical to improving student achievement, far too many teachers are not prepared to teach to high standards. Teacher quality is a particular problem in high-poverty schools, and the problem is often exacerbated by the use of paraprofessionals in instructional roles.

My bill addresses teacher quality by holding States accountable for stronger enforcement of their own certification and licensure requirements, while at the same time providing substantial support for State and local professional development efforts. The Teaching to High Standards initiative in Title II would help move challenging educational standards into every classroom by providing teachers with sustained and intensive high-quality professional development in core academic subjects, supporting new teachers during their first 3 years in the classroom, and ensuring that all teachers are proficient in relevant content knowledge and teaching skills.

The Technology for Education initiative under Title III would expand the availability of educational technology as a tool to help teachers implement high standards in the classroom, particularly in high-poverty schools. My bill also would extend, over the next 7 years, the Class-Size Reduction initiative, which aims to reduce class sizes in the early grades by helping districts to hire and train 100,000 teachers. And the Title VII Bilingual Education proposal would help ensure that all teachers are well trained to teach students with limited English proficiency, who are found in more and more classrooms with each passing year.

Third, my bill would increase support for safe, healthy, disciplined, and drug-free learning environments where all children feel connected, motivated, and challenged to learn and where parents are welcomed and involved. The recent tragedy at Columbine High School in Littleton, Colorado, reminds us that we must be ever vigilant against the risks of violence and other dangerous behaviors in our schools. Our reauthorization bill includes several measures to help mitigate these risks.

We would strengthen the Safe and Drug-Free Schools and Communities Act by concentrating funds on districts with the greatest need for drug- and violence-prevention programs, and by emphasizing the use of research-based programs of proven effectiveness. Moreover, with respect to students who bring weapons to school, this proposal would require schools to refer such students to a mental health professional for assessment and require counseling for those who pose an imminent threat to themselves or others; allow funding for programs that educate students about the risks associated with guns; expand character education programs; and promote alternative schools and second chance programs. A new School Emergency Response to Violence program would provide rapid assistance to school districts that have experienced violence or other trauma that disrupts the learning environment.

My High School Reform initiative would support innovative reforms to improve student achievement in high schools, such as expanding the connections between adults and students that are necessary for effective learning and healthy personal development. This new initiative would provide resources to help transform 5,000

high schools into places where students receive individual attention, are motivated to learn, are provided with challenging courses, and are encouraged to develop and pursue long-term educational and career goals.

Fourth, in response to clear evidence that standards-based reforms work best when States have strong accountability systems in place, my proposal would encourage each State to establish a single, rigorous accountability system for all schools. The bill also would require States to end social promotion and traditional retention practices; phase out the use of teachers with emergency certificates and the practice of assigning teachers "out-of-field;" and implement sound discipline policies in every school. Finally, the bill would give parents an important new accountability tool by requiring State, district, and school-level report cards that will help them evaluate the quality of the schools their children attend.

Based on high standards for all students, high-quality professional development for teachers, safe and disciplined learning environments, and accountability to parents and taxpayers, the Educational Excellence for All Children Act of 1999 provides a solid foundation for raising student achievement and narrowing the achievement gap between disadvantaged students and their more advantaged peers. More important, it will help prepare all of our children, and thus the Nation, for the challenges of the 21st century. I urge the Congress to take prompt and favorable action on this proposal.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *May 21, 1999.*



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## A BILL

12 To amend the Elementary and Secondary Education Act of  
13 1965, to reauthorize and make improvements to that Act, and  
14 for other purposes.

15 Be it enacted by the Senate and House of  
16 Representatives of the United States of America in Congress  
17 assembled, That this Act may be cited as the "Educational  
18 Excellence for All Children Act of 1999."  
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31 SEC. 2. The Elementary and Secondary Education Act of  
32 1965 (20 U.S.C. 6301 et seq., hereinafter in this Act  
33 referred to as "the ESEA") is amended--

34 (1) in section 1, by amending the heading  
35 thereof to read as follows: "SHORT TITLE"; and

36 (2) by inserting immediately after section 1 the  
37 following new section:

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## 20 AMERICA'S EDUCATION GOALS

21 SEC. 3. (a) FINDINGS. The Congress finds that:

22 (1) America's Education Goals (formerly the

23 National Education Goals) are very ambitious, and purposely

24 designed to set high expectations for educational

25 performance at every stage of an individual's life, from

26 the preschool years through adulthood.

27 (2) With a focus by policymakers, educators, and

28 the public on the Goals, the Nation will be able to raise

29 its overall level of educational achievement.

30 (3) Since the 1990 adoption of the National

31 Education Goals, some progress has been made toward

32 achieving those Goals. Areas in which the Nation has made

33 progress toward these Goals during the last decade include:

1                   (A) On Goal #1, that all children will  
2 start school ready to learn, there has been an increase in  
3 the percentages of-

4                   (i) preschool children whose parents  
5 read to them or tell them stories; and

6                   (ii) 2-year-old children who have been  
7 fully immunized against preventable childhood diseases.

8                   (B) On Goal #3, that all students  
9 demonstrate competency over challenging subject matter, the  
10 percentage of fourth, eighth, and twelfth grade students  
11 who meet the Goals Panel's performance standard in  
12 mathematics has increased.

13                   (C) On Goal #5, that United States students  
14 become first in the world in mathematics and science  
15 achievement, the percentage of all college degrees awarded  
16 that are in mathematics and science has increased for all  
17 students.

18                   (D) On Goal #7, that every school in the  
19 United States will be free of drugs, violence, and the  
20 unauthorized presence of firearms and alcohol, the  
21 percentage of students who report that they have been  
22 threatened or injured at school has decreased.

1                   (4) Areas in which the Nation has been  
2 unsuccessful in making progress toward these Goals during  
3 the last decade include:

4                   (A) On Goal #4, that all teachers have  
5 access to programs for the continued improvement of their  
6 professional skills, the percentage of secondary school  
7 teachers who hold a degree in the subject that is their  
8 main teaching assignment has decreased.

9                   (B) On Goal #6, that every adult will be  
10 literate and prepared to compete in the global economy and  
11 exercise the rights of citizenship-

12                   (i) fewer adults with a high school  
13 diploma or less, and who need additional training, are  
14 participating in adult education than individuals who have  
15 a postsecondary education; and

16                   (ii) the difference between the  
17 percentage of Black high school graduates who complete a  
18 college degree and the percentage of white high school  
19 graduates who complete a college degree has increased.

20                   (C) On Goal #7, that every school in the  
21 United States will be free of drugs, violence, and the  
22 unauthorized presence of firearms and alcohol-

1 (i) the percentage of students  
2 reporting that they have used an illicit drug, or that  
3 someone offered to sell or give them drugs, has increased;

4 (ii) the percentage of public school  
5 teachers who report that they were threatened or injured at  
6 school has increased; and

7 (iii) a higher percentage of secondary  
8 school teachers report that student disruptions in their  
9 classrooms interfere with their teaching.

10 (5) Because States began the 1990s at various  
11 levels of achievement with respect to each of the Goals,  
12 the time and effort needed to reach the Goals will vary  
13 from State to State and from Goal to Goal.

14 (6) Individual States have made significant  
15 progress toward the Goals, and some States have made  
16 progress in multiple areas. Areas in which States have  
17 made progress toward the Goals during the last decade  
18 include:

19 (A) With respect to Goal #1, that all  
20 children will start school ready to learn--

21 (i) 35 States have reduced the  
22 percentage of infants born with one or more of four health  
23 risks;

1 (ii) 50 States have increased the  
2 percentage of mothers receiving early prenatal care; and

3 (iii) 47 States have increased the  
4 percentage of children with disabilities participating in  
5 preschool.

6 (B) With respect to Goal #2, that at least  
7 90 percent of all students graduate from high school--

8 (i) 10 States have increased the  
9 percentage of young adults who have a high school diploma;  
10 and

11 (ii) 3 States have reduced the  
12 percentage of students in grades 9 through 12 who leave  
13 school without completing a recognized program of secondary  
14 education.

15 (C) With respect to Goal #3, that all  
16 students demonstrate competency over subject matter--

17 (i) 27 States have increased the  
18 percentage of 8th-grade students who achieved to at least  
19 the 'proficient' standard on the 1996 National Assessment  
20 of Educational Progress (NAEP) in mathematics; and

21 (ii) 50 States have increased the  
22 percentage of students that received a score on an Advanced  
23 Placement examination that permitted the students to earn  
24 college credits in the subject area tested.



1                   (D) With respect to Goal #4, that all  
2 teachers have access to programs for the continued  
3 improvement of their professional skills, 17 States have  
4 increased the percentage of public school teachers who  
5 received support from a master or mentor teacher during  
6 their first year of teaching.

7                   (E) With respect to Goal #5, that United  
8 States students become first in the world in mathematics  
9 and science achievement--

10                   (i) 47 States have increased the  
11 percentage of all degrees that were awarded in mathematics  
12 and science;

13                   (ii) 33 States have increased the  
14 percentage of all degrees in mathematics and science that  
15 were awarded to minority students; and

16                   (iii) 42 States have increased the  
17 percentage of all degrees in mathematics and science that  
18 were awarded to female students.

19                   (F) With respect to Goal #6, that every  
20 adult will be literate and prepared to compete in the  
21 global economy and exercise the rights of citizenship--

22                   (i) 39 States have increased the  
23 percentage of high school graduates who immediately enroll  
24 in an institution of higher education; and

1 (ii) 10 States have increased the  
2 percentage of their citizens who registered to vote.

3 (G) With respect to Goal #8, that every  
4 school will promote partnerships that increase parental  
5 involvement, 17 States have increased the influence of  
6 parent associations in setting public school policies.

7 (7) Areas in which States have been unsuccessful  
8 in making progress toward these Goals during the 1990s  
9 include:

10 (A) On Goal #1, that all children will  
11 start school ready to learn, the percentage of infants born  
12 at low birthweight has increased in 32 States.

13 (B) On Goal #2, that at least 90 percent of  
14 all students graduate from high school, the high school  
15 dropout rate has increased in 10 States.

16 (C) On Goal #6, that every adult will be  
17 literate and prepared to compete in the global economy and  
18 exercise the rights of citizenship, lower percentages of  
19 students are enrolling in college immediately after high  
20 school in 11 States.

21 (D) On Goal #7, that every school in the  
22 United States will be free of drugs, violence, and the  
23 unauthorized presence of firearms and alcohol-

1 (i) student use of marijuana has  
2 increased in 16 States;

3 (ii) the percentage of students who  
4 report that drugs are available on school property has  
5 increased in 15 States; and

6 (iii) the percentage of public school  
7 teachers reporting that student disruptions in class  
8 interfere with their teaching has increased in 37 States.

9 (8) The continued pursuit of these Goals is  
10 necessary to ensure continued, and more evenly distributed,  
11 progress across our Nation.

12 (9) Federal programs and policies have  
13 contributed to States' ability to offer high-quality  
14 education to all students and have helped States to  
15 implement reforms intended to raise the achievement level  
16 of every child.

17 (10) Even though all the Goals have not been  
18 reached, nor accomplished to equal degrees, there is a  
19 continued need to reaffirm these Goals as a benchmark to  
20 which all students can strive and attain.

21 (b) AMERICA'S EDUCATION GOALS. The ESEA is further  
22 amended by inserting immediately after section 2 (as added  
23 by section 2 of the bill) the following new section:

## 1 "AMERICA'S EDUCATION GOALS

2 "SEC. 3. (a) PURPOSE. It is the purpose of this  
3 section to-

4 "(1) set forth a common set of national goals  
5 for the education of our Nation's students that the Federal  
6 Government and all States and local communities will work  
7 to achieve;

8 "(2) identify the Nation's highest education  
9 priorities related to preparing students for responsible  
10 citizenship, further learning, and the technological,  
11 scientific, and economic challenges of the 21st century;  
12 and

13 "(3) establish a framework for educational  
14 excellence at the national, State, and local levels.

15 "(b) AMERICA'S EDUCATION GOALS. The Congress  
16 declares that America's Education Goals are the following:

17 "(1) SCHOOL READINESS.-(A) All children in  
18 America will start school ready to learn.

19 "(B) The objectives for this goal are that-

20 "(i) all children will have access to  
21 high-quality, and developmentally appropriate, preschool  
22 programs that help prepare children for school;

23 "(ii) every parent in the United  
24 States will be a child's first teacher, and devote time

1 each day to helping his or her preschool child learn, and  
2 parents will have access to the training and support they  
3 need; and

4 " (iii) children will receive the  
5 nutrition, physical activity, and health care needed to  
6 arrive at school with healthy minds and bodies, and to  
7 maintain the mental alertness necessary to be prepared to  
8 learn, and the number of low-birthweight babies will be  
9 significantly reduced through enhanced prenatal health  
10 systems.

11 " (2) SCHOOL COMPLETION.-(A) The high school  
12 graduation rate will increase to at least 90 percent.

13 " (B) The objectives for this goal are that-

14 " (i) the Nation will dramatically  
15 reduce its school dropout rate, and 75 percent of the  
16 students who do drop out will successfully complete a high  
17 school degree or its equivalent; and

18 " (ii) the gap in high school  
19 graduation rates between American students from minority  
20 backgrounds and their non-minority counterparts will be  
21 eliminated.

22 " (3) STUDENT ACHIEVEMENT AND CITIZENSHIP.-(A)

23 All students will leave grades 4, 8, and 12 having  
24 demonstrated competency over challenging subject matter

1 including English, mathematics, science, foreign languages,  
2 civics and government, economics, arts, history, and  
3 geography, and every school in America will ensure that all  
4 students learn to use their minds well, so they may be  
5 prepared for responsible citizenship, further learning, and  
6 productive employment in our Nation's modern economy.

7 " (B) The objectives for this goal are that-

8 " (i) the academic performance of all  
9 students at the elementary and secondary level will  
10 increase significantly in every quartile, and the

11 distribution of minority students in each quartile will  
12 more closely reflect the student population as a whole;

13 " (ii) the percentage of all students  
14 who demonstrate the ability to reason, solve problems,  
15 apply knowledge, and write and communicate effectively will  
16 increase substantially;

17 " (iii) all students will be involved  
18 in activities that promote and demonstrate good  
19 citizenship, good health, community service, and personal  
20 responsibility;

21 " (iv) all students will have access to  
22 physical education and health education to ensure they are  
23 healthy and fit;

1                                   " (v) the percentage of all students  
2 who are competent in more than one language will  
3 substantially increase; and

4                                   " (vi) all students will be  
5 knowledgeable about the diverse cultural heritage of this  
6 Nation and about the world community.

7                                   " (4) TEACHER EDUCATION AND PROFESSIONAL  
8 DEVELOPMENT.-(A) The Nation's teaching force will have  
9 access to programs for the continued improvement of its  
10 professional skills and the opportunity to acquire the  
11 knowledge and skills needed to instruct and prepare all  
12 American students for the next century.

13                                   " (B) The objectives for this goal are that-

14                                   " (i) all teachers will have access to  
15 preservice teacher education and continuing professional  
16 development activities that will provide such teachers with  
17 the knowledge and skills needed to teach to an increasingly  
18 diverse student population with a variety of educational,  
19 social, and health needs;

20                                   " (ii) all teachers will have  
21 continuing opportunities to acquire additional knowledge  
22 and skills needed to teach challenging subject matter and  
23 to use emerging new methods, forms of assessment, and  
24 technologies;

1                                   "(iii) States and school districts  
 2 will create integrated strategies to attract, recruit,  
 3 prepare, retrain, and support the continued professional  
 4 development of teachers, administrators, and other  
 5 educators, so that there is a highly talented work force of  
 6 professional educators to teach challenging subject matter;  
 7 and

8                                   "(iv) partnerships will be  
 9 established, whenever possible, among local educational  
 10 agencies, institutions of higher education, parents, and  
 11 local labor, business, and professional associations to  
 12 provide and support programs for the professional  
 13 development of educators.

14                                   "(5) MATHEMATICS AND SCIENCE.- (A) United States  
 15 students will be first in the world in mathematics and  
 16 science achievement.

17                                   "(B) The objectives for this goal are that-  
 18                                   "(i) mathematics and science  
 19 education, including the metric system of measurement, will  
 20 be strengthened throughout the education system, especially  
 21 in the early grades;

22                                   "(ii) the number of teachers with a  
 23 substantive background in mathematics and science,



1 including the metric system of measurement, will increase;  
2 and

3 " (iii) the number of United States  
4 undergraduate and graduate students, especially women and  
5 minorities, who complete degrees in mathematics, science,  
6 and engineering will increase significantly.

7 " (6) ADULT LITERACY AND LIFELONG LEARNING.—(A)

8 Every adult American will be literate and will possess the  
9 knowledge and skills necessary to compete in a global  
10 economy and exercise the rights and responsibilities of  
11 citizenship.

12 " (B) The objectives for this goal are that—

13 " (i) every major American business  
14 will be involved in strengthening the connection between  
15 education and work;

16 " (ii) all workers will have the  
17 opportunity to acquire the knowledge and skills, from basic  
18 to highly technical, needed to adapt to emerging new  
19 technologies, work methods, and markets through public and  
20 private educational, vocational, technical, workplace, or  
21 other programs;

22 " (iii) the number of high-quality  
23 programs, including those at libraries, that are designed  
24 to serve more effectively the needs of the growing number

1 of part-time and midcareer students will increase  
2 substantially;

3                   "(iv) the proportion of qualified  
4 students, especially minorities, who enter college, who  
5 complete at least two years, and who complete their degree  
6 programs will increase substantially;

7                   "(v) the proportion of college  
8 graduates who demonstrate an advanced ability to think  
9 critically, communicate effectively, and solve problems  
10 will increase substantially; and

11                   "(vi) schools, in implementing  
12 comprehensive parent involvement programs, will offer more  
13 adult literacy, parent training and life-long learning  
14 opportunities to improve the ties between home and school,  
15 and enhance parents' work and home lives.

16                   "(7) SAFE, DISCIPLINED, AND ALCOHOL- AND DRUG-  
17 FREE SCHOOLS.-(A) Every school in the United States will  
18 be free of drugs, violence, and the unauthorized presence  
19 of firearms and alcohol, and will offer a disciplined  
20 environment conducive to learning.

21                   "(B) The objectives for this goal are that-

22                   "(i) every school will implement a  
23 firm and fair policy on use, possession, and distribution  
24 of drugs and alcohol;

1                                   "(ii) parents, businesses, and  
2 governmental and community organizations will work together  
3 to ensure the rights of students to study in a safe and  
4 secure environment that is free of drugs and crime, and  
5 that schools provide a healthy environment and a safe haven  
6 for all children;

7                                   "(iii) every local educational agency  
8 will develop and implement a policy to ensure that all  
9 schools are free of violence and the unauthorized presence  
10 of weapons;

11                                  "(iv) every local educational agency  
12 will develop a sequential, comprehensive kindergarten  
13 through twelfth grade drug and alcohol prevention education  
14 program;

15                                  "(v) drug and alcohol curriculum will  
16 be taught as an integral part of sequential, comprehensive  
17 health education;

18                                  "(vi) community-based teams will be  
19 organized to provide students and teachers with needed  
20 support; and

21                                  "(vii) every school will work to  
22 eliminate sexual harassment.

23                                  "(8) PARENTAL PARTICIPATION.-(A) Every school  
24 will promote partnerships that will increase parental

1 involvement and participation in promoting the social,  
2 emotional, and academic growth of children.

3 " (B) The objectives for this Goal are that-

4 " (i) every State will develop policies  
5 to assist local schools and local educational agencies to  
6 establish programs for increasing partnerships that respond  
7 to the varying needs of parents and the home, including  
8 parents of children who are disadvantaged, limited English  
9 proficient, or have disabilities;

10 " (ii) every school will actively  
11 engage parents and families in a partnership that supports  
12 the academic work of children at home and shared  
13 educational decisionmaking at school; and

14 " (iii) parents and families will help  
15 to ensure that schools are adequately supported and will  
16 hold schools and teachers to high standards of  
17 accountability.".

18

19

#### TRANSITION

20 SEC. 4. (a) ACTIONS OF THE SECRETARY. The Secretary  
21 shall take such steps as the Secretary determines to be  
22 appropriate to provide for the orderly transition of  
23 programs and activities under the ESEA, as amended by the  
24 Educational Excellence for All Children Act of 1999, from

1 programs and activities under the ESEA, as it was in effect  
2 the date before the date of enactment of this Act.

3 (b) ACTIONS OF FUNDING RECIPIENTS. A recipient  
4 of funds under the ESEA, as it was in effect the date  
5 before the date of enactment of this Act, may use such  
6 funds to carry out necessary and reasonable planning and  
7 transition activities in order to ensure a smooth  
8 implementation of programs and activities under the ESEA,  
9 as amended by this Act.

10

11

#### EFFECTIVE DATES

12 SEC. 5. The provisions of this Act shall take effect  
13 on July 1, 2000, except that—

14 (1) those amendments that pertain to  
15 programs under the ESEA that are conducted by the Secretary  
16 on a competitive basis, and the amendments made by title  
17 VIII of this Act, shall take effect with respect to  
18 appropriations for use under those programs for fiscal year  
19 2001 and subsequent fiscal years; and

20 (2) section 4 of this Act shall take effect  
21 upon enactment.

1 TITLE I - HELPING DISADVANTAGED CHILDREN MEET HIGH STANDARDS

2

3 DECLARATION OF POLICY AND STATEMENT OF PURPOSE

4 SEC. 101. (a) STATEMENT OF POLICY. Section 1001(a) of the

5 ESEA is amended-

6 (1) by striking out "(a) STATEMENT OF POLICY.-(1)

7 IN GENERAL." and inserting in lieu thereof "(a) STATEMENT OF

8 POLICY."; and

9 (2) by striking out paragraph (2).

10 (b) RECOGNITION OF NEED. Section 1001(b) of the ESEA is

11 amended-

12 (1) in paragraph (4), by striking out "and" at the

13 end thereof;

14 (2) in paragraph (5)-

15 (A) by striking out "National Education Goal

16 described in section 102(3) of the Goals 2000: Educate America

17 Act" and inserting in lieu thereof "of America's Education Goals

18 set out in section 3 of this Act"; and

19 (B) by striking out the period at the end

20 thereof and inserting in lieu thereof a semicolon and "and"; and

21 (3) by adding at the end thereof a new paragraph (6)

22 to read as follows:

23 "(6) holding local educational agencies and schools

24 accountable for results, including processes for identifying and

1 turning around low-performing schools, provides a focus for  
2 educators and promotes better outcomes for students."

3 (c) WHAT HAS BEEN LEARNED. Section 1001(c) of the ESEA is  
4 amended-

5 (1) in the subsection heading, by striking out "SINCE  
6 1988" and inserting in lieu thereof "IN RECENT YEARS";

7 (2) in the matter before paragraph (1), by striking  
8 out "learned";

9 (3) in paragraph (7), by adding the following  
10 sentence at the end thereof: "Family literacy programs can help  
11 parents make this contribution.";

12 (4) in paragraph (8)-

13 (A) in the first sentence, by striking out  
14 "Decentralized" and inserting in lieu thereof "Data-driven"; and

15 (B) in the second sentence, by inserting  
16 "information," before "resources";

17 (5) by striking out paragraphs (2), (3), (6), and  
18 (10);

19 (6) by redesignating paragraphs (4), (5), (7), (8),  
20 (9), (11), and (12) as paragraphs (8) through (14),  
21 respectively; and

22 (7) by inserting new paragraphs (2) through (7) to  
23 read as follows:

24 "(2) Schools that enroll high concentrations of  
25 children living in poverty face the greatest challenges, but

1 recent research demonstrates that, by implementing effective,  
2 research-based educational strategies, they can succeed in  
3 educating children to high standards.

4 "(3) New survey data demonstrate that the development  
5 and implementation of standards and assessments under this title  
6 are driving educational reform in high-poverty schools and local  
7 educational agencies, and in elementary and secondary education  
8 generally.

9 "(4) Standards-based reform, as encouraged,  
10 accelerated, and supported by both the Improving America's  
11 Schools Act of 1994 and the Goals 2000: Educate America Act, has  
12 resulted in overall improved student achievement and indications  
13 are that it is helping to close the achievement gap between  
14 minority and non-minority students. A recent study of North  
15 Carolina and Texas, the States that registered the largest  
16 achievement gains on the National Assessment of Educational  
17 Progress, found that the most plausible cause for those gains  
18 was an aligned system of standards, curriculum, and assessments  
19 tied to accountability for improvement by all students.

20 "(5) Other recent research also confirms the validity  
21 of amendments to this title made by the Improving America's  
22 Schools Act of 1994. For example, the National Research Council  
23 (NRC) report, Preventing Reading Difficulties in Young Children,  
24 stresses the importance of language development and literacy in  
25 the preschool years, upgrading the curriculum and instruction



1 provided to all children in a school, intensive professional  
2 development to prepare teachers and other instructional staff to  
3 teach to high standards, and providing extended learning  
4 opportunities outside the regular school day.

5           "(6) The NRC report also recommended the early  
6 identification of reading difficulties in children in the first  
7 grade, to ensure that interventions can be offered early to  
8 those who need them most, through the use of multiple  
9 approaches, including developmentally appropriate assessments,  
10 the careful observation of children's reading by skilled  
11 observers, and the targeting of interventions to groups in  
12 schools with large numbers of at-risk children.

13           "(7) The educational progress of children  
14 participating in programs under this title depends on their  
15 being taught by credentialed and highly qualified staff,  
16 particularly in schools with the highest concentrations of  
17 poverty, where paraprofessionals, uncertified teachers, and  
18 teachers teaching out of field frequently provide instructional  
19 services."

20           (d) STATEMENT OF PURPOSE. Section 1001(d) of the ESEA is  
21 amended-

22           (1) in paragraph (3), by striking out "promoting  
23 schoolwide reform and";

24           (2) in paragraph (6), by inserting a comma and "such  
25 as family literacy programs," after "opportunities";

1           (3) in paragraph (9), by striking out "schools and"  
2 and inserting in lieu thereof "local educational agencies,  
3 schools, and";

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

6           (5) by inserting after paragraph (1) a new paragraph  
7 (2) to read as follows:

8           "(2) promoting comprehensive schoolwide reforms that  
9 are based on reliable research and effective practices;".

10

11

#### AUTHORIZATION OF APPROPRIATIONS

12

SEC. 102. Section 1002 of the ESEA is amended to read as  
13 follows:

14

#### "AUTHORIZATION OF APPROPRIATIONS

15

16

"SEC. 1002. (a) LOCAL EDUCATIONAL AGENCY GRANTS. For the  
purpose of carrying out part A, there are authorized to be  
17 appropriated such sums as may be necessary for fiscal year 2001  
18 and each of the four succeeding fiscal years.

19

20

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

23

24

"(c) EDUCATION OF MIGRATORY CHILDREN. For the purpose of  
carrying out part C, there are authorized to be appropriated

1 such sums as may be necessary for fiscal year 2001 and each of  
2 the four succeeding fiscal years.

3 " (d) STATE AGENCY PROGRAMS FOR CHILDREN AND YOUTH WHO ARE  
4 NEGLECTED OR DELINQUENT. For the purpose of carrying out part  
5 D, there are authorized to be appropriated such sums as may be  
6 necessary for fiscal year 2001 and each of the four succeeding  
7 fiscal years.

8 " (e) READING EXCELLENCE. For the purpose of carrying out  
9 part E, there are authorized to be appropriated such sums as may  
10 be necessary for fiscal year 2001 and each of the four  
11 succeeding fiscal years, of which the Secretary shall reserve \$5  
12 million for each fiscal year to carry out section 1508.

13 " (f) FEDERAL ACTIVITIES. For the purpose of carrying out  
14 section 1602, there are authorized to be appropriated such sums  
15 as may be necessary for fiscal year 2001 and each of the four  
16 succeeding fiscal years."

17

18 RESERVATIONS FOR ACCOUNTABILITY AND EVALUATION

19 SEC. 103. Section 1003 of the ESEA is amended to read as  
20 follows:

21 "RESERVATIONS FOR ACCOUNTABILITY AND EVALUATION

22 "SEC. 1003. (a) STATE RESERVATIONS.-(1) Each State  
23 educational agency shall reserve 2.5 percent of the amount it  
24 receives under part A of this title for fiscal years 2001 and  
25 2002, and 3.5 percent of that amount for fiscal years 2003

1 through 2005, to carry out paragraph (2) and to carry out its  
2 responsibilities under sections 1116 and 1117, including its  
3 statewide system of technical assistance and support for local  
4 educational agencies.

5 " (2) Of the amount reserved under paragraph (1) for  
6 any fiscal year, the State educational agency shall either-

7 " (A) allocate at least 70 percent directly to  
8 local educational agencies, by--

9 " (i) giving first priority to those  
10 agencies with schools identified for corrective action under  
11 section 1116(c)(5), which those agencies shall use effectively  
12 to carry out corrective action, as described in that section, in  
13 those schools; and

14 " (ii) giving second priority to those  
15 agencies with other schools identified for school improvement  
16 under section 1116(c)(1), which those agencies shall use to  
17 bring about substantial improvement in the performance of those  
18 schools; or

19 " (B) use at least 70 percent to carry out an  
20 alternative system of intervention and corrective action  
21 approved by the Secretary under section 1111(b)(3)(B)(ii).

22 " (b) NATIONAL ACTIVITIES. From the total amount  
23 appropriated for any fiscal year to carry out this title, the  
24 Secretary may reserve not more than 0.30 percent to conduct

- 1 evaluations and studies, collect data, and carry out other
- 2 activities under section 1601."

## PART A - BASIC GRANTS

## STATE PLANS

SEC. 111. Section 1111 of the ESEA is amended--

(1) in subsection (a)--

(A) in paragraph (1)--

(i) by inserting a comma and "in order to help all children achieve to high State standards and to improve teaching and learning in the State," after "shall"; and

(ii) by striking out "the Goals 2000" and all that follows through "section 14306" and inserting in lieu thereof "the Individuals with Disabilities Education Act, the Carl D. Perkins Vocational and Technical Education Act of 1998, and other Acts, as appropriate"; and

(B) by amending paragraph (2) to read as follows:

"(2) CONSOLIDATED PLAN. A State may submit its plan under paragraph (1) as part of a consolidated plan under section 11502.";

(2) in subsection (b)--

(A) by amending the subsection heading to read as follows: "STANDARDS, ASSESSMENTS, AND ACCOUNTABILITY.";

(B) in paragraph (1)--

1 (i) by amending subparagraph (B) to read as  
2 follows:

3 (B) The standards required by subparagraph (A)  
4 shall be the same standards that the State applies to all  
5 schools and children in the State."; and

6 (ii) by amending subparagraph (C) to read  
7 as follows:

8 (C) If a State has not adopted State content  
9 and student performance standards for all students, the State  
10 shall have such standards for elementary and secondary school  
11 children served under this part in subjects determined by the  
12 State, but including at least mathematics and reading or  
13 language arts, which shall include the same knowledge, skills,  
14 and levels of performance expected of all children.";

15 (C) by striking out paragraph (2) and  
16 redesignating paragraph (3) as paragraph (2);

17 (D) in paragraph (2), as so redesignated--

18 (i) by inserting a comma and "starting no  
19 later than the 2000-2001 school year," after "that will be  
20 used";

21 (ii) in subparagraph (F)--

22 (I) in clause (ii), by striking out  
23 "and" at the end thereof;

1 (II) in clause (iii), by striking out  
2 "can do" and all that follows through the end thereof and  
3 inserting in lieu thereof "can do in content areas;"; and

4 (III) by adding at the end thereof new  
5 clauses (iv) and (v) to read as follows:

6 "(iv) the assessment (using tests written  
7 in Spanish) of Spanish-speaking students with limited English  
8 proficiency, if Spanish-language assessments are more likely  
9 than English-language tests to yield accurate and reliable  
10 information on what those students know and can do in content  
11 areas other than English; and

12 "(v) notwithstanding clauses (iii) and  
13 (iv), the assessment (using tests written in English) of reading  
14 or language arts of any student who has attended school in the  
15 United States (not including Puerto Rico) for three or more  
16 consecutive years;" and

17 (iii) in subparagraph (G)-

18 (I) by striking out "have attended  
19 schools in a local educational agency for a full academic year  
20 but"; and

21 (II) by striking out "year, however  
22 the" and inserting in lieu thereof "year; however, the";



1 (E) by inserting after paragraph (2) a new  
2 paragraph (3) to read as follows:

3 "(3) ACCOUNTABILITY.-(A) Each State receiving  
4 assistance under this part shall develop and implement (and  
5 describe in its State plan) a statewide system for holding local  
6 educational agencies and schools accountable for student  
7 performance that meets the following criteria:

8 "(i) It is based on the State content and  
9 student performance standards described in paragraph (1) and on  
10 the assessments described in paragraph (2), and includes  
11 multiple indicators, such as attendance and dropout rates.

12 "(ii) It includes all students in the  
13 grades assessed under paragraph (2), in accordance with that  
14 paragraph.

15 "(iii) It holds local educational agencies  
16 and schools accountable for student achievement in at least  
17 reading and mathematics.

18 "(B) The accountability system described in  
19 subparagraph (A), and described in the State plan, shall also  
20 include a procedure for identifying local educational agencies  
21 and schools in need of improvement, intervening in those  
22 agencies and schools, and (when those interventions are not  
23 effective) implementing corrective actions no later than three  
24 years after first identifying such an agency or school, that  
25 either-

1   "(i) complies with sections 1116 and 1117  
 2 and includes rigorous criteria for identifying those agencies  
 3 and schools that are based on their failure to make continuous  
 4 and substantial gains, which the Secretary may define in  
 5 regulations, in overall student performance and in the  
 6 performance of the lowest performing students; or

7   "(ii) includes an alternative procedure for  
 8 identifying and intervening in those agencies and schools, which  
 9 gives highest priority to corrective actions in the lowest-  
 10 performing agencies and schools that fail to show gains over an  
 11 extended period, if the Secretary determines that-

12   "(I) the alternative procedure is at  
 13 least as effective as the procedures described in clause (i) and  
 14 in sections 1116 and 1117, and that the State has shown  
 15 substantial overall achievement gains and a reduction in the  
 16 achievement gap between high-performing and low-performing  
 17 students in the State; or

18   "(II) the alternative procedure will  
 19 be at least as effective as the procedures described in clause  
 20 (i) and in sections 1116 and 1117.

21   "(C) Each State plan shall also describe how the  
 22 State will recognize and reward local educational agencies and  
 23 schools under this part, including, at a minimum, the  
 24 designation of Distinguished Schools under section 1116(b).

1                   (D) If a State does not have a statewide system  
2 for holding local educational agencies accountable that meets  
3 the requirements of subparagraphs (A) through (C), it shall  
4 implement a system that meets those requirements for local  
5 educational agencies and schools participating under this  
6 part.";

7                   (F) in paragraph (4), by striking out "paragraph  
8 (3)(C)" and inserting in lieu thereof "paragraph (2)(C)";

9                   (G) by striking out paragraphs (5) through (7)  
10 and inserting in lieu thereof a new paragraph (5) to read as  
11 follows:

12                   (5) REVISIONS. A State may revise its final  
13 assessments described in this subsection at any time, but no  
14 such revision shall affect the timelines established under this  
15 subsection for identifying, assisting, and taking corrective  
16 action with respect to, schools and local educational agencies  
17 in need of improvement.";

18                   (H) by redesignating paragraph (8) as paragraph  
19 (6); and

20                   (I) in paragraph (6), as so redesignated-

21                   (i) in subparagraph (A)-

22                   (I) by striking out "sections  
23 1112(c)(1)(D), 1114(b), and 1115(c)" and inserting in lieu  
24 thereof "sections 1114(b) and (c) and 1115"; and

1 (II) by inserting a comma and "and in  
2 implementing section 1120A(c)" before the semicolon at the end  
3 thereof; and

4 (ii) in subparagraph (B), by inserting "as"  
5 after "factors";

6 (3) by amending subsection (c) to read as follows:

7 "(c) ASSURANCES. Each State plan shall contain assurances  
8 that the State educational agency--

9 "(1) has involved the committee of practitioners  
10 (established under section 1701(b)) in developing the plan;

11 "(2) will suballocate at least 97 percent of the  
12 allocation it receives under this part for any fiscal year to  
13 local educational agencies (except as provided by sections 1003  
14 and 1701(c)) so that those funds can be used to improve teaching  
15 and learning in local schools; and

16 "(3) will work to reduce State fiscal and accounting  
17 barriers so that local educational agencies can combine funds  
18 under this part with funds from other Federal, State, and local  
19 sources to achieve schoolwide reform in schoolwide programs  
20 under section 1114.";

21 (4) in subsection (d)--

22 (A) by striking out paragraph (2);

23 (B) in paragraph (1)--

24 (i) by striking out the paragraph

25 designation "(1)" and the paragraph heading "IN GENERAL."; and

1 (ii) by redesignating subparagraphs (A)  
2 through (F) as paragraphs (1) through (6);

3 (C) in paragraph (2), as so redesignated, by  
4 inserting a comma and "and who include experts on educational  
5 standards, assessments, accountability, and the diverse  
6 educational needs of students" after "parents"; and

7 (D) in paragraph (5), as redesignated by  
8 subparagraph (B)(ii), by redesignating clauses (i) through (iii)  
9 as subparagraphs (A) through (C), respectively;

10 (5) in subsection (e)(1)-

11 (A) by redesignating subparagraphs (A) and (B)  
12 as subparagraphs (B) and (C); and

13 (B) by inserting before subparagraph (B) a new  
14 subparagraph (A) to read as follows:

15 "(A) be submitted for the first year for which  
16 this part is in effect following the enactment of the  
17 Educational Excellence for All Children Act of 1999;" and

18 (6) by amending subsection (g) to read as  
19 follows:

20 "(g) ENFORCEMENT. If the Secretary determines that a State  
21 is not carrying out the requirements of subsection (b)(3),  
22 relating to accountability, the Secretary may take any of the  
23 actions described in section 11209, in addition to any other  
24 action authorized by law."

25

## LOCAL EDUCATIONAL AGENCY PLANS

SEC. 112. Section 1112 of the ESEA is amended-

(1) in subsection (a)-

(A) in paragraph (1), by striking out "Goals 2000" and all that follows through "section 14306" and inserting in lieu thereof "Individuals with Disabilities Education Act, the Carl D. Perkins Vocational and Technical Education Act of 1998, and other Acts, as appropriate"; and

(B) in paragraph (2), by striking out "section 14306" and inserting in lieu thereof "section 11504";

(2) in subsection (b)-

(A) in the matter before paragraph (1), by striking out "Each" and inserting in lieu thereof "In order to help all children achieve to high standards, each";

(B) in paragraph (1)-

(i) in subparagraph (B), by striking out "and" at the end thereof;

(ii) in subparagraph (C), by adding "and" at the end thereof; and

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

"(D) determine the literacy levels of first graders and their need for interventions, and a description of how it will ensure that any such assessments-

"(i) are developmentally appropriate;

1                   (ii) use multiple measures to provide  
2 information about the variety of skills that research has  
3 identified as leading to early reading; and

4                   (iii) are administered to students in the  
5 language most likely to yield valid results;"

6                   (C) in paragraph (3), by inserting a comma and  
7 "which shall also be a component of its plan for professional  
8 development under title II of this Act, if it receives funds  
9 under that title" after "section 1119";

10                   (D) in paragraph (4)(B)-

11                   (i) by striking out "or who were formerly"  
12 and all that follows through "1994";

13                   (ii) by striking out "and youth at risk of  
14 dropping out"; and

15                   (iii) by inserting "Indian children served  
16 under title IX," after "under part D,";

17                   (E) in paragraph (7), by striking out  
18 "eligible";

19                   (F) by amending paragraph (9) to read as  
20 follows:

21                   "(9) where appropriate, a description of how the  
22 local educational agency will use funds under this part to  
23 support preschool programs in accordance with section 1120B;"  
24 and

1 (G) by adding at the end thereof new paragraphs  
2 (10) and (11) to read as follows:

3 "(10) a description of the actions the agency will  
4 take to assist its low-performing schools (including schools  
5 identified under section 1116 as in need of improvement), if  
6 there are any such schools, in making the changes needed to  
7 educate all children to the State standards; and

8 "(11) a description of how the agency will promote  
9 the use of extended learning time, such as an extended school  
10 year, before- and after-school programs, and summer programs.";

11 (3) in subsection (c)-

12 (A) by striking out paragraphs (2) and (3); and

13 (B) in paragraph (1)-

14 (i) by striking out the paragraph  
15 designation "(1)" and the paragraph heading "IN GENERAL.";

16 (ii) by striking out subparagraphs (D) and  
17 (H);

18 (iii) by redesignating subparagraphs (A)  
19 through (C) and (E) through (G) as paragraphs (1) through (6),  
20 respectively;

21 (iv) in paragraph (3), as so redesignated,  
22 by striking out "adequate yearly progress" and inserting in lieu  
23 thereof "the continuous and substantial gains called for under  
24 section 1111(b)(3)";



1 (v) in paragraph (6), as redesignated by  
2 clause (iii), by striking out "and" at the end thereof; and

3 (vi) by adding at the end thereof new  
4 paragraphs (7) and (8) to read as follows:

5 "(7) annually assess the English proficiency of all  
6 children with limited English proficiency participating in  
7 programs under this part, use the results of those assessments  
8 to help guide and modify instruction in the content areas, and  
9 provide those results to the parents of those children; and

10 "(8) comply with the requirements of section 1119  
11 regarding qualifications of teachers and paraprofessionals.";

12 (4) by amending subsection (d) to read as follows:

13 "(d) PLAN DEVELOPMENT AND DURATION.-(1) Each local  
14 educational agency plan shall be developed in consultation with  
15 teachers, administrators, and other appropriate school  
16 personnel, and with parents of children in schools served under  
17 this part.

18 "(2) Each such plan shall be submitted for the first  
19 year for which this part is in effect following enactment of the  
20 Educational Excellence for All Children Act of 1999 and shall  
21 remain in effect for the duration of the agency's participation  
22 under this part.

23 "(3) Each such local educational agency shall-

1 " (A) periodically review and, as necessary,  
 2 revise its plan, including revisions that respond to any peer  
 3 review carried out under this part; and

4 " (B) submit any such revisions to the State  
 5 educational agency for its approval."; and

6 (5) in subsection (e)-

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

9 "(1) IN GENERAL. Each local educational agency plan  
 10 shall be filed according to a schedule established by the State  
 11 educational agency.";

12 (B) in paragraph (2), by inserting a comma and  
 13 "through a peer-review process," after "determines"; and

14 (C) by striking out paragraph (3).  
 15

16 ELIGIBLE SCHOOL ATTENDANCE AREAS

17 SEC. 113. Section 1113 of the ESEA is amended-

18 (1) in subsection (a)(7), by striking out "with" and  
 19 all that follows through "if" and inserting in lieu thereof  
 20 "under a desegregation plan ordered by a State or court or  
 21 approved by the Secretary, or such a plan that the agency  
 22 continues to implement after it has expired, if";

23 (2) in subsection (b)(1)-

24 (A) in subparagraph (B), by striking out "and"  
 25 at the end thereof;

1 (B) in subparagraph (C)(iii), by striking out  
2 the period at the end thereof and inserting in lieu thereof a  
3 semicolon and "and"; and

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

6 "(D) designate and serve a school attendance  
7 area or school that is not eligible under subsection (a)(2), but  
8 that was eligible and that was served in the preceding fiscal  
9 year, but only for one additional fiscal year."; and

10 (3) in subsection (c)–

11 (A) in paragraph (2), by adding at the end  
12 thereof a new subparagraph (C) to read as follows:

13 "(C) A local educational agency may allocate a  
14 greater per-child amount of funds under this part to higher-  
15 poverty school attendance areas and schools than it provides to  
16 lower-poverty areas and schools."; and

17 (B) in paragraph (3)(A), by striking out "where  
18 appropriate, eligible".

19

20 SCHOOLWIDE PROGRAMS

21 SEC. 114. (a) PURPOSE AND ELIGIBILITY. Section 1114(a) of  
22 the ESEA is amended–

23 (1) by amending the subsection heading to read as  
24 follows: "PURPOSE AND ELIGIBILITY.";

1                   (2) by amending paragraphs (1) and (2) to read as  
2 follows:

3                   "(1) PURPOSE. The purpose of a schoolwide program  
4 under this section is to-

5                   "(A) enable a local educational agency to use  
6 funds under this part, in combination with other Federal, State,  
7 and local funds, to upgrade the entire educational program in a  
8 high-poverty school; and

9                   "(B) help ensure that all children in such a  
10 school meet challenging State standards for student performance,  
11 particularly those children who are most at risk of not meeting  
12 those standards.

13                   "(2) ELIGIBILITY. A local educational agency may use  
14 funds under this part for the purposes described in paragraph  
15 (1) for a school that, in the first year of the schoolwide  
16 program-

17                   "(A) serves an eligible school attendance area  
18 in which at least 50 percent of the children are from low-income  
19 families; or

20                   "(B) has a student enrollment at least 50  
21 percent of which is comprised of such children.";

22                   (3) in paragraph (4)(A)-

23                   (A) by striking out "subsection (b)" and  
24 inserting in lieu thereof "subsections (b) and (c)"; and

1 (B) by inserting a comma and "except as provided  
2 in section 613(a)(2)(D) of that Act" after "Individuals with  
3 Disabilities Education Act"; and

4 (4) by striking out paragraph (5).

5 (b) REORGANIZATION OF SECTION. Section 1114 of the ESEA  
6 is further amended-

7 (1) by striking out subsection (c); and

8 (2) by redesignating paragraph (2) of subsection (b)  
9 as subsection (c).

10 (c) COMPONENTS. Section 1114(b) of the ESEA, as amended  
11 by subsection (b)(2), is amended to read as follows:

12 "(b) COMPONENTS OF A SCHOOLWIDE PROGRAM. A schoolwide  
13 program shall include the following components:

14 "(1) A comprehensive needs assessment of the entire  
15 school that is based on-

16 "(A) information on the performance of all  
17 children in the school in relation to the State content  
18 standards and the State student performance standards described  
19 in section 1111(b)(1); and

20 "(B) other factors that affect teaching and  
21 learning in the school.

22 "(2) A coherent, research-based design to improve  
23 teaching and learning throughout the entire school that is based  
24 on the data from the needs assessment described in paragraph (1)  
25 and includes-

1                   "(A) schoolwide reform strategies that-

2                   " (i) provide opportunities for all children

3 to meet the State's proficient and advanced levels of student

4 performance described in section 1111(b)(1)(D);

5                   " (ii) use effective research-based methods

6 and instructional strategies that-

7                   " (I) strengthen the core academic

8 program in the school;

9                   " (II) increase the amount and quality

10 of learning time, such as providing an extended school year and

11 before- and after-school and summer programs and opportunities,

12 and help provide an enriched and accelerated curriculum; and

13                   " (III) include strategies for meeting

14 the educational needs of historically underserved populations,

15 including children with limited English proficiency;

16                   " (iii)(I) address the needs of all children

17 in the school, but particularly the needs of children who are

18 most at risk of not meeting the State student performance

19 standards, including the needs of children who are members of

20 the target population of any program that is included in the

21 schoolwide program; and

22                   " (II) address how the school will

23 determine if those needs have been met; and

1                   (iv) are integrated with, and are designed  
2 to implement, State and local improvement plans or policies for  
3 comprehensive standards-based reform;

4                   (B) instruction by highly qualified  
5 professional staff employed in accordance with section 1119;

6                   (C) in accordance with section 1119, on-going,  
7 high-quality professional development for teachers and aides  
8 and, where appropriate, pupil services personnel, parents,  
9 principals, and other staff to enable all children in the school  
10 to meet the State student performance standards;

11                   (D) strategies to increase parental  
12 involvement, such as family literacy services;

13                   (E) plans for addressing transitions to and  
14 from the grade span served by the schoolwide program by, for  
15 example--

16                   (i) assisting preschool children in the  
17 transition from early childhood programs to kindergarten; and

18                   (ii) preparing high-school students for  
19 the transition from school to further education or the  
20 workplace; and

21                   (F) activities to ensure that students who  
22 experience difficulty mastering any of the standards required by  
23 section 1111(b) during the course of the school year are  
24 provided with effective, timely additional assistance, which  
25 shall include--

1                                   "(i) measures to ensure that students'  
 2 difficulties are identified on a timely basis and to provide  
 3 sufficient information on which to base effective assistance;  
 4                                   "(ii) for any student who has not met those  
 5 standards, teacher-parent conferences, at which the teacher and  
 6 parents shall discuss-

7                                   "(I) what the school will do to help  
 8 the student meet those standards;

9                                   "(II) what the parents can do to help  
 10 the student improve his or her performance; and

11                                   "(III) additional assistance that may  
 12 be available to the student at the school or elsewhere in the  
 13 community; and

14                                   "(iii) specific interventions, such as  
 15 providing before- and after-school and summer programs, and one-  
 16 on-one tutoring during non-instructional time.

17                                   "(3) Regular review of the school's progress in  
 18 implementing its program and in achieving its goals for student  
 19 achievement."

20                   (d) SCHOOLWIDE PLANS. Subsection (c) of section 1114 of  
 21 the ESEA, as redesignated by subsection (b)(2), is amended-

22                                   (1) by striking out subparagraph (B);

23                                   (2) by redesignating subparagraphs (A) and (C) as  
 24 paragraphs (1) and (2), respectively;

25                                   (3) in paragraph (1), as so redesignated-



1                   (A) by striking out "date of enactment" and all  
2 that follows through "section 1117," and inserting in lieu  
3 thereof "effective date of the Educational Excellence for All  
4 Children Act of 1999), in consultation with the local  
5 educational agency,";

6                   (B) by redesignating clauses (i) through (vii)  
7 as subparagraphs (A) through (G);

8                   (C) in subparagraph (A), as redesignated by  
9 subparagraph (B), by striking out "paragraph (1)" and inserting  
10 in lieu thereof "subsection (b)"; and

11                   (D) in subparagraph (D), as redesignated by  
12 subparagraph (B), by striking out "section 1111(b)(3)" and  
13 inserting in lieu thereof "section 1111(b)(2)";

14                   (4) in paragraph (2), as redesignated by paragraph  
15 (2)-

16                   (A) by redesignating clauses (i) through (v) as  
17 subparagraphs (A) through (E);

18                   (B) in subparagraph (A), as so redesignated-

19                   (i) by redesignating subclauses (I) and  
20 (II) as clauses (i) and (ii);

21                   (ii) in clause (i), as so redesignated, by  
22 striking out "agency" and all that follows through "1117," and  
23 inserting in lieu thereof "agency"; and

24                   (iii) in clause (ii), as redesignated by  
25 clause (i), by striking out "the date of enactment of the

1 Improving America's Schools Act of 1994" and inserting in lieu  
 2 thereof "the effective date of the Educational Excellence for  
 3 All Children Act of 1999"; and

4 (C) in subparagraph (B), as redesignated by  
 5 subparagraph (A), by striking out "other staff" and all that  
 6 follows through "personnel" and inserting in lieu thereof  
 7 "appropriate school staff"; and

8 (5) by adding at the end thereof a new paragraph (3)  
 9 to read as follows:

10 "(3) No school shall implement a new or revised plan  
 11 under this section until the local educational agency subjects  
 12 it to a peer-review process, which may include reviewers from  
 13 outside the agency, and approves it."

14  
 15 TARGETED ASSISTANCE SCHOOLS

16 SEC. 115. Section 1115 of the ESEA is amended—

17 (1) in subsection (b)—

18 (A) in paragraph (1)(A)—

19 (i) by striking out "part" and inserting in  
 20 lieu thereof "section"; and

21 (ii) in clause (ii), by striking out  
 22 "public education" and all that follows through "setting" and  
 23 inserting in lieu thereof "public education"; and

24 (B) in paragraph (2)—

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

3 (i) Children with disabilities, migrant  
4 children, and children with limited English proficiency are  
5 eligible for services under this part on the same basis as other  
6 children.";

7 (ii) in subparagraph (B), by inserting "or  
8 in pre-school services under this title" after "program";

9 (iii) in subparagraph (C)-

10 (I) in clause (i), by striking out  
11 "the program" and all that follows through "may be" and  
12 inserting in lieu thereof "part D is"; and

13 (II) in clause (ii), by striking out  
14 "may be eligible" and inserting in lieu thereof "is eligible";  
15 and

16 (iv) in subparagraph (D), by striking out  
17 "may be eligible" and inserting in lieu thereof "is eligible";

18 (2) in subsection (c)(1)-

19 (A) in subparagraph (B), by adding a comma and  
20 "such as research-based approaches for modifying instruction for  
21 children with limited English proficiency" after "children";

22 (B) in subparagraph (D)(ii), by striking out  
23 "curriculum, including applied learning" and inserting in lieu  
24 thereof "curriculum";

1 (C) by amending subparagraph (E) to read as  
2 follows:

3 (E) coordinate with and support the regular  
4 education program, which may include services to assist  
5 preschool children in the transition from early childhood  
6 programs to elementary school programs and, for programs serving  
7 high schools, preparing students for the transition from school  
8 to further education or the workplace;"

9 (D) in subparagraph (F), by inserting "employed  
10 in accordance with section 1119" after "staff";

11 (E) in subparagraph (G), by striking out  
12 "subsection (e)(3) and"; and

13 (F) in subparagraph (H), by striking out  
14 "literary" and inserting in lieu thereof "literacy"; and

15 (3) in subsection (e), by striking out paragraph (3).

16

17

#### SCHOOL CHOICE

18 SEC. 115A. Section 1115A(b)(4) of the ESEA is amended by  
19 striking out "section 1111(b)(3)" and inserting in lieu thereof  
20 "section 1111(b)(2)".

21

#### ASSESSMENT AND LOCAL EDUCATIONAL AGENCY AND SCHOOL IMPROVEMENT

22 SEC. 116. Subsections (a) through (d) of section 1116 of  
23 the ESEA are amended to read as follows:  
24

1           "(a) LOCAL REVIEW. Each local educational agency  
2 receiving funds under this part shall-

3           "(1) use the State assessments and other indicators  
4 described in the State plan, as well as any additional measures  
5 or indicators described in the local educational agency's plan,  
6 to review annually the progress of each school served under this  
7 part to determine if it is making continuous and substantial  
8 gains as described in section 1111(b)(3) toward enabling its  
9 students to meet the State student performance standards  
10 described in the State plan; and

11           "(2) provide the results of the local annual review  
12 to schools so that they can continually refine the program of  
13 instruction to help all children served under this part in those  
14 schools meet those standards.

15           "(b) DESIGNATION OF DISTINGUISHED SCHOOLS. Each State  
16 educational agency shall designate as 'Distinguished Schools'  
17 those schools served under this part that meet criteria  
18 established by the State, such as-

19           "(1) making the continuous and substantial gains in  
20 student performance described in section 1111(b)(3) for three  
21 consecutive years;

22           "(2) having nearly all students meet the State  
23 'proficient' or 'advanced' levels of student performance; or

24           "(3) achieving, or significantly improving, equity in  
25 participation and achievement of students by sex and race.

1           "(c) SCHOOL IMPROVEMENT.-(1) IN GENERAL.-(A) PURPOSE.

2 In order to improve staff, curriculum, and the services offered  
3 to children, so that they can meet challenging State standards,  
4 each local educational agency shall identify for school  
5 improvement any school served under this part that-

6                               "(i) for two consecutive years, failed to  
7 meet the State's criteria under section 1111(b)(3) either for  
8 overall improvement or for improvement of the lowest-performing  
9 students, unless the Secretary has approved an alternative  
10 procedure proposed by the State in its plan under section  
11 1111(b)(3)(B)(ii); or

12                               "(ii) immediately preceding the effective  
13 date of the amendments to this section made by the Educational  
14 Excellence for All Children Act of 1999, was in school-  
15 improvement status under this section, as then in effect.

16                               "(B) TRANSITION. The two-year period described  
17 in subparagraph (A) shall include any continuous period of time,  
18 immediately preceding the effective date of the amendments made  
19 to this section by the Educational Excellence for All Children  
20 Act of 1999, during which a school did not make adequate  
21 progress as defined in the State's plan under section  
22 1111(b)(2)(B) or (7)(B), as then in effect.

23                               "(C) TARGETED ASSISTANCE SCHOOLS. In  
24 determining whether a school that is conducting a targeted  
25 assistance program under section 1115 should be identified as in

1 need of improvement under this paragraph, a local educational  
2 agency may choose to review the progress of only those students  
3 in that school who are served under this part.

4 " (2) OPPORTUNITY TO REVIEW AND PRESENT EVIDENCE.-(A)  
5 Before identifying a school for school improvement under  
6 paragraph (1), the local educational agency shall provide the  
7 school with an opportunity to review the school-level data,  
8 including assessment data, on which that proposed identification  
9 is based.

10 " (B) If the school believes that the proposed  
11 identification is in error for statistical or other substantive  
12 reasons, it may provide supporting evidence to the local  
13 educational agency, which such agency shall consider before  
14 making a final determination.

15 " (3) SCHOOL PLAN.-(A) Each school identified under  
16 paragraph (1) shall, within three months of being so identified,  
17 develop or revise a school plan, in consultation with parents,  
18 school staff, the local educational agency, and a State school  
19 support team or other outside experts, that includes research-  
20 based strategies and specific goals and objectives for making  
21 continuous and substantial progress and that-

22 " (i) has the greatest likelihood of  
23 improving the performance of participating children in meeting  
24 the State's student performance standards;

1                   "(ii) addresses the fundamental teaching  
2 and learning needs in that school, and the specific academic  
3 problems of low-performing students;

4                   "(iii) identifies and addresses the need to  
5 improve the skills of its staff through effective professional  
6 development;

7                   "(iv) identifies student performance  
8 targets and goals for the next three years; and

9                   "(v) specifies the responsibilities of the  
10 local educational agency and the school under the plan.

11                   "(B) The local educational agency shall promptly  
12 subject the plan to a peer-review process, work with the school  
13 to revise the plan as necessary, and approve the plan.

14                   "(C) The school shall implement its plan (or  
15 revised plan) as soon as it is approved.

16                   "(4) TECHNICAL ASSISTANCE. For each school  
17 identified under paragraph (1), the local educational agency  
18 shall provide technical or other assistance as the school  
19 develops and implements its plan.

20                   "(5) CORRECTIVE ACTION. In order to help students  
21 served under this part meet challenging State standards, each  
22 local educational agency shall implement a system of corrective  
23 action in accordance with the following, unless the Secretary  
24 has approved an alternative procedure proposed by the State in  
25 its plan under section 1111(b)(3)(B)(ii):



1                   "(A) After providing technical assistance under  
2 paragraph (4) and taking other remedial measures, the local  
3 educational agency-

4                   "(i) may take corrective action at any time  
5 with respect to a school that has been identified under  
6 paragraph (1);

7                   "(ii) shall take corrective action with  
8 respect to any school that still fails to make continuous and  
9 substantial gains, as defined by the State, immediately after  
10 the third year following its identification under paragraph (1),  
11 except that the local educational agency may refrain from taking  
12 such action for not more than one additional year if it assesses  
13 the school's performance and determines that-

14                   "(I) the school is meeting the targets  
15 and goals of the school improvement plan described in paragraph  
16 (3)(A)(iv), as shown by an improvement in student achievement  
17 through a one-year gain in scores on the State assessment; and

18                   "(II) the school will meet the State's  
19 criteria for continuous and substantial gains within one year;  
20 and

21                   "(iii) shall continue to provide technical  
22 assistance while instituting any corrective action under clause  
23 (i) or (ii).

1                   "(B) As used in this paragraph, the term  
2 'corrective action' means action, consistent with State and  
3 local law, that-

4                   "(i) substantially and directly responds to  
5 the consistent academic failure that caused that agency to take  
6 that action and to any underlying staffing, curricular, or other  
7 problems in the school; and

8                   "(ii) is designed to substantially increase  
9 the likelihood that students in that school will meet  
10 challenging State standards.

11                   "(C) In any case described in subparagraph  
12 (A)(ii), the local educational agency shall take at least one of  
13 the following corrective actions:

14                   "(i) Instituting and fully implementing a  
15 new curriculum, including appropriate professional development  
16 for all relevant staff, that is research-based and offers  
17 substantial promise of improving educational achievement for  
18 low-performing students.

19                   "(ii) Redesigning the school by  
20 reconstituting all or part of the school staff in a manner  
21 consistent with section 1119(a); restructuring the school, such  
22 as by creating schools within schools or other smaller learning  
23 environments; or re-opening the school under alternative  
24 governance arrangements, such as a public charter school.

25                   "(iii) Closing the school.

1                   "(iv) In conjunction with any other action  
2 described in clauses (i) through (iii), allowing students in the  
3 school who are served under this part to choose to attend other  
4 public schools and providing them transportation (or the costs  
5 of transportation) to those schools.

6                   "(D) The local educational agency shall make  
7 public and disseminate any corrective action it takes under this  
8 paragraph.

9                   "(E) OPPORTUNITY TO REVIEW AND PRESENT  
10 EVIDENCE.-(i) Before determining that it will take corrective  
11 action with respect to any school under this paragraph, the  
12 local educational agency shall provide the school an opportunity  
13 to review the school-level data, including assessment data, on  
14 which the proposed determination is made.

15                   "(ii) If the school believes that the  
16 proposed determination is in error for statistical or other  
17 substantive reasons, it may provide supporting evidence to the  
18 local educational agency, which shall consider it before making  
19 a final determination.

20                   "(6) STATE EDUCATIONAL AGENCY RESPONSIBILITIES. If a  
21 State educational agency determines that a local educational  
22 agency failed to carry out its responsibilities under paragraphs  
23 (4) and (5), it shall take such action as it finds necessary to  
24 improve the affected schools and to ensure that the local  
25 educational agency carries out those responsibilities.

1           "(7) SPECIAL RULE. A local educational agency may  
2 remove from school-improvement status under this subsection any  
3 school that meets the State's criteria under section 1111(b)(3),  
4 including showing substantial gains by the lowest-performing  
5 students, for at least two of the three years following its  
6 identification under paragraph (1).

7           "(d) STATE REVIEW AND LEA IMPROVEMENT.-(1) PURPOSE. In  
8 order to ensure that children served under this part meet  
9 challenging State standards, each State educational agency shall  
10 annually review the progress of each participating local  
11 educational agency, in accordance with section 1111(b)(3), to  
12 determine whether it is meeting the State's criteria for  
13 accountability, including showing continuous and substantial  
14 gains in the achievement of the lowest-performing students.

15           "(2) DISTINGUISHED SCHOOL DISTRICTS. Each State may  
16 designate as 'Distinguished School Districts' those local  
17 educational agencies that, over a three-year period, meet or  
18 exceed such criteria as the State may establish for performance  
19 and improvement under this part.

20           "(3) IDENTIFICATION.-(A) A State educational agency  
21 shall identify for improvement any local educational agency  
22 that, for two consecutive years, does not meet the State's  
23 criteria for accountability under section 1111(b)(3), including  
24 showing continuous and substantial gains in achievement for the  
25 lowest-performing students, unless the Secretary has approved an

1 alternative procedure in the State's plan under section  
2 1111(b)(3)(B)(ii).

3                   "(B)(i) Before identifying a local educational  
4 agency for improvement under subparagraph (A), the State  
5 educational agency shall provide the local educational agency  
6 with an opportunity to review the school-level data, including  
7 assessment data, on which that proposed identification is based.

8                   "(ii) If the local educational agency  
9 believes that such proposed identification is in error due to  
10 statistical or other substantive reasons, the local educational  
11 agency may provide supporting evidence, which the State  
12 educational agency shall consider before making a final  
13 determination.

14               "(4) LOCAL EDUCATIONAL AGENCY REVISIONS.-(A) Each  
15 local educational agency identified under paragraph (3) shall,  
16 within three months of being so identified, revise its plan  
17 under section 1112, in consultation with schools, parents, and  
18 outside educational experts, to-

19                   "(i) address the fundamental teaching and  
20 learning needs in the schools of that agency, and the specific  
21 academic problems of low-performing students;

22                   "(ii) have the greatest likelihood of  
23 improving the performance of participating children in meeting  
24 the State's student performance standards; and

1                    "(iii) identify annual student performance  
2 targets and goals for the next three years.

3                    "(B) Such revision shall include determining why  
4 the local educational agency's plan failed to bring about  
5 increased achievement.

6                    "(C) The local educational agency shall submit  
7 its revised plan to the State educational agency for peer review  
8 and approval.

9                    "(5) STATE EDUCATIONAL AGENCY RESPONSIBILITY. For  
10 each local educational agency identified under paragraph (3),  
11 the State educational agency shall provide technical or other  
12 assistance, if requested, as authorized under section 1117, to  
13 better enable the local educational agency to--

14                    "(A) develop and implement its revised plan; and

15                    "(B) work with schools needing improvement.

16                    "(6) CORRECTIVE ACTION. In order to ensure that  
17 children served under this part meet challenging State  
18 standards, each State educational agency shall implement a  
19 system of corrective action in accordance with the following,  
20 unless the Secretary has approved an alternative procedure in  
21 the State's plan under section 1111(b)(3)(B)(ii):

22                    "(A) After providing technical assistance under  
23 paragraph (5) and taking other remedial measures, the State  
24 educational agency--

1                   "(i) may take corrective action at any time  
2 with respect to a local educational agency that has been  
3 identified under paragraph (3);

4                   "(ii) shall take such action with respect  
5 to any local educational agency that still fails to make  
6 continuous and substantial gains, as defined by the State,  
7 immediately after the third year following its identification  
8 under paragraph (3), except that the State educational agency  
9 may refrain from taking such action for not more than one  
10 additional year if it assesses the local educational agency's  
11 performance and determines that-

12                   "(I) the local educational agency is  
13 meeting the targets and goals in its revised plan, as described  
14 in paragraph (4)(A)(iii), as shown by an improvement in student  
15 achievement through a one-year gain in scores on the State  
16 assessment; and

17                   "(II) the local educational agency  
18 will meet the State's criteria for continuous and substantial  
19 gains within one year; and

20                   "(iii) shall continue to provide technical  
21 assistance while instituting any corrective action under clause  
22 (i) or (ii).

23                   "(B) As used in this paragraph, the term  
24 'corrective action' means action, consistent with State law,  
25 that-

1                                   "(i) substantially and directly responds to  
2 the persistent academic failure that caused that agency to take  
3 that action and to any underlying staffing, curricular, or other  
4 problems in the local educational agency; and

5                                   "(ii) is designed to substantially increase  
6 the likelihood that students in the local educational agency's  
7 schools will meet challenging State standards.

8                                   "(C) In any case described in subparagraph  
9 (A)(ii), the State educational agency shall take at least one of  
10 the following corrective actions:

11                                   "(i) Withholding of funds.

12                                   "(ii) Appointing a receiver or trustee to  
13 administer the affairs of the local educational agency in place  
14 of the superintendent and school board.

15                                   "(iii) Abolishing or restructuring the  
16 local educational agency.

17                                   "(iv) In conjunction with any other action  
18 described in this subparagraph, allowing students in schools  
19 served under this part to choose to attend public schools in  
20 other local educational agencies and providing them  
21 transportation (or the costs of transportation) to those  
22 schools.

23                                   "(D) Before implementing any corrective action  
24 under subparagraph (A), the State educational agency shall  
25 provide due process and a hearing to the affected local



1 educational agency, if State law provides for such process and  
2 hearing.

3           "(E) The State educational agency shall make  
4 public and disseminate any corrective action it takes under this  
5 paragraph.

6           "(7) SPECIAL RULE. A State educational agency may  
7 remove from improvement status under this subsection any local  
8 educational agency that, for at least two of the three years  
9 following identification under paragraph (3), makes substantial  
10 gains toward meeting the State's standards."

11

12           STATE ASSISTANCE FOR SCHOOL SUPPORT AND IMPROVEMENT

13           SEC. 117. Section 1117 of the ESEA is amended to read as  
14 follows:

15                   "STATE ASSISTANCE FOR SCHOOL DISTRICT AND  
16                   SCHOOL SUPPORT AND IMPROVEMENT

17           "SEC. 1117. (a) SYSTEM FOR SUPPORT. Each State  
18 educational agency shall establish a statewide system of  
19 intensive and sustained support and improvement for local  
20 educational agencies and schools receiving funds under this  
21 part, in order to increase the opportunity for all students in  
22 those agencies and schools to meet the State's content standards  
23 and student performance standards.

24           "(b) PRIORITIES. In carrying out this section, the State  
25 educational agency shall-

1           "(1) first provide support and assistance to local  
2 educational agencies subject to corrective action under section  
3 1116 and to help schools, in accordance with section 1116(c)(6),  
4 for which a local educational agency has failed to carry out its  
5 responsibilities under section 1116(c)(4) and (5);

6           "(2) next, provide support and assistance to other  
7 local educational agencies identified as in need of improvement  
8 under section 1116; and

9           "(3) then provide support and assistance to other  
10 local educational agencies and schools participating under this  
11 part that need that support and assistance in order to achieve  
12 the purpose of this part.

13           "(c) APPROACHES. In order to achieve the purpose  
14 described in subsection (a), each such system shall provide  
15 technical assistance and support through such approaches as-

16           "(1) school support teams, composed of individuals  
17 who are knowledgeable about research and practice on teaching  
18 and learning, particularly about strategies for improving  
19 educational results for low-achieving students;

20           "(2) the designation and use of 'Distinguished  
21 Educators', chosen from schools served under this part that have  
22 been especially successful in enabling children to meet (or make  
23 outstanding progress toward meeting) State standards; and

1           "(3) a peer-review process designed to increase the  
2 capacity of local educational agencies and schools to develop  
3 high-quality school improvement plans.

4           "(d) FUNDS. Each State educational agency—

5           " (1) shall use funds reserved under section  
6 1003(a)(1), but not used under section 1003(a)(2), to carry out  
7 this section; and

8           " (2) may use State administrative funds reserved  
9 under section 1701(c) for that purpose.".

10

11

#### PARENTAL INVOLVEMENT

12

SEC. 118. Section 1118 of the ESEA is amended—

13

(1) in subsection (a)(3)(A), by striking out "(other  
14 than funds allocated under section 1002(e))";

15

(2) in subsection (c)—

16

(A) in paragraph (3), by striking out "section  
17 1114(b)" and inserting in lieu thereof "section 1114(c)";

18

(B) in paragraph (4)(B)—

19

(i) by striking out "school performance  
20 profiles required under section 1116(a)(3)" and inserting in  
21 lieu thereof "the school report cards required by section  
22 11206"; and

23

(ii) by striking out "section

24

1111(b)(3)(H)" and inserting in lieu thereof "section

25

1111(b)(2)(H)"; and

1 (C) in paragraph (5)-

2 (i) by striking out "section 1114(b)(2)"  
3 and inserting in lieu thereof "section 1114(c)"; and

4 (ii) by striking out "participating  
5 children" and inserting in lieu thereof "children attending the  
6 school";

7 (3) in subsection (e)(1)-

8 (A) by striking out "the National Education  
9 Goals" and inserting in lieu thereof "America's Education  
10 Goals"; and

11 (B) by striking out "section 1111(b)(8)" and  
12 inserting in lieu thereof "section 1111(b)(6)";

13 (4) in subsection (f), by striking out "the parental  
14 involvement requirements of"; and

15 (5) by striking out subsection (g).

16  
17 TEACHER QUALIFICATIONS AND PROFESSIONAL DEVELOPMENT

18 SEC. 119. Section 1119 of the ESEA is amended-

19 (1) by amending the section heading to read as  
20 follows: "HIGH-QUALITY INSTRUCTION";

21 (2) by striking out subsections (f), (h), and (i) and  
22 redesignating subsections (b) through (e) and subsection (g) as  
23 subsections (d) through (h), respectively;

24 (3) by amending subsection (a) to read as follows:

1           "(a) PURPOSE AND GENERAL REQUIREMENTS. In order to enable  
2 all children to meet challenging State standards, each local  
3 educational agency receiving assistance under this part shall-

4           "(1) hire qualified instructional staff, consistent with  
5 subsections (b) and (c);

6           "(2) provide high-quality professional development  
7 that will improve teaching and learning in core content areas,  
8 consistent with subsection (d); and

9           "(3) use at least five percent of its allocation  
10 under this part for fiscal years 2001 and 2002, and 10 percent  
11 of that allocation for subsequent fiscal years, for that  
12 professional development, except that if a local educational  
13 agency fails to make substantial progress against the indicators  
14 for professional development identified by the Secretary under  
15 section 2136 or the indicators for teacher quality established  
16 by the State under section 11205 or by the Secretary under  
17 section 11912, the State educational agency may withhold all or  
18 a portion of the funds described in this paragraph and shall use  
19 any funds so withheld to provide, or arrange for the provision  
20 of, the professional development described in paragraph (2).";

21           (4) by inserting new subsections (b) and (c) to read  
22 as follows:

23           "(b) MINIMUM QUALIFICATIONS FOR TEACHERS. Each local  
24 educational agency shall ensure that, by no later than the  
25 effective date of the amendments to this section made by the

1 Educational Excellence for All Children Act of 1999, all new  
2 teachers in programs supported with funds under this part-

3 " (1) are certified in the field in which they will  
4 teach; or

5 " (2) have a bachelors degree and are enrolled in a  
6 program through which they will obtain such certification within  
7 three years.

8 " (c) PARAPROFESSIONALS.-(1) Each local educational  
9 agency shall ensure that, not later than July 1, 2002, all  
10 paraprofessionals working in programs supported with funds under  
11 this part meet the educational requirements of paragraph (2) or  
12 (3) and perform only the duties described in those paragraphs.

13 " (2) A paraprofessional may perform any of the  
14 following duties only if he or she has completed at least two  
15 years of college and is under the direct supervision of a  
16 teacher:

17 " (A) One-on-one tutoring for eligible students.  
18 Any such tutoring must be at times that are in addition to the  
19 time a student would otherwise receive instruction from a  
20 teacher.

21 " (B) Assisting with classroom management, such  
22 as organizing instructional and other materials.

23 " (C) Providing assistance in a computer  
24 laboratory.

1           "(3) A paraprofessional who possesses a secondary  
2 school diploma or its equivalent, but who has not completed at  
3 least two years of college, may perform only non-instructional  
4 duties, such as improving parental involvement, providing  
5 support in a library or media center, or acting as a translator.

6           "(4) Each local educational agency shall ensure that  
7 each paraprofessional described in paragraph (1)--

8           "(A) is appropriately trained and possesses the  
9 knowledge and skills sufficient to support teachers, parents, or  
10 school administrators, as the case may be, in meeting the goals  
11 of this part;

12           "(B) participates in professional development  
13 and other training opportunities directly relevant to his or her  
14 work assignment or to upgrading his or her assignment; and

15           "(C) is supervised by a teacher or other  
16 appropriate school staff member.";

17           (5) in subsection (d), as redesignated by paragraph  
18 (2)--

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

21           "(1) Professional development under this section  
22 shall include principals, teachers, and other school staff in  
23 its design and shall--

24           "(A) improve the ability of teachers to help all  
25 students, including children with disabilities, children with

1 limited English proficiency, and economically disadvantaged  
2 children, reach high State content and student performance  
3 standards;

4                   "(B) advance teacher understanding of one or  
5 more of the core academic subject areas and effective  
6 instructional strategies for improving student achievement in  
7 those areas;

8                   "(C) be of sufficient duration to have a  
9 positive and lasting impact on classroom instruction;

10                   "(D) be an integral part of broader school and  
11 district-wide plans for raising student achievement to State  
12 standards;

13                   "(E) be based on the best available research on  
14 teaching and learning;

15                   "(F) include professional development activities  
16 that involve collaborative groups of teachers and administrators  
17 from the same school or district and, to the greatest extent  
18 possible, include follow-up and school-based support such as  
19 coaching or study groups; and

20                   "(G) as a whole, be regularly evaluated for its  
21 impact on increased teacher effectiveness and improved student  
22 achievement, with the findings of such evaluations used to  
23 improve the quality of professional development."; and

24                   (B) in paragraph (2)-



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

3 "(A) instruction in the use of data and  
4 assessments to inform and instruct classroom practice;"

5 (ii) by amending subparagraph (D) to read  
6 as follows:

7 "(D) instruction in the use of technology as a  
8 tool to improve instruction;" and

9 (iii) in subparagraph (H), by striking out  
10 "Head Start" and all that follows through "personnel" and  
11 inserting in lieu thereof "Head Start, or family literacy  
12 programs such as Even Start; State-run preschool program  
13 personnel; and child-care providers"; and

14 (6) in subsection (h), as redesignated by paragraph  
15 (2), by striking out "this Act" and all that follows through  
16 "sources" and inserting in lieu thereof "this Act and other  
17 sources".

18

19 PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS

20 SEC. 120. Section 1120 of the ESEA is amended—

21 (1) in subsection (a)—

22 (A) in paragraph (1), by inserting "that address  
23 their needs, and shall ensure that teachers and families of  
24 these students participate, on an equitable basis, in services

1 and activities under sections 1118 and 1119" before the period  
2 at the end thereof; and

3 (B) in paragraph (4), by inserting, before the  
4 period at the end thereof, a comma and "which the local  
5 educational agency may determine each year or every two years";

6 (2) in subsection (b)-

7 (A) in paragraph (1)-

8 (i) in subparagraph (D), by striking out  
9 "assessed; and" and inserting in lieu thereof "assessed, and how  
10 the results of that assessment will be used to improve those  
11 services";

12 (ii) in subparagraph (E), by striking out  
13 "what is" and all that follows through the period at the end  
14 thereof and inserting in lieu thereof "the amounts of funds  
15 generated by low-income private school children in each  
16 participating attendance area for those services;"; and

17 (iii) by adding at the end thereof new  
18 subparagraphs (F) and (G) to read as follows:

19 "(F) the method or sources of data that are used  
20 under subsection (a)(4) to determine the number of children from  
21 low-income families in participating school attendance areas who  
22 attend private schools; and

23 "(G) how and when the agency will make decisions  
24 about the delivery of services to those children."; and

25 (B) in paragraph (2)-

1 (i) by inserting "shall include meetings of  
2 agency and private school officials and" after "consultation";  
3 and

4 (ii) by inserting a comma and "and shall  
5 continue throughout implementation and assessment of activities  
6 under this section" before the period at the end thereof;

7 (3) in subsection (d)(2), by striking out "sections  
8 14505 and 14506" and inserting in lieu thereof "sections 11805  
9 and 11806"; and

10 (4) by striking out subsection (e).

#### 11 FISCAL REQUIREMENTS

12 SEC. 120A. Section 1120A of the ESEA is amended-

13 (1) in subsection (a), by striking out "section  
14 14501" and inserting in lieu thereof "section 11801"; and

15 (2) in subsection (c)-

16 (A) in paragraph (2)-

17 (i) by amending the paragraph heading to  
18 read as follows: "CRITERIA FOR MEETING COMPARABILITY

19 REQUIREMENT.";

20 (ii) by amending subparagraph (A) to read  
21 as follows:

22 "(A) To meet the requirement of paragraph (1), a  
23 local educational agency shall establish, and obtain the State  
24 educational agency's approval of, policies to ensure  
25

1 comparability in the use of State and local funds among its  
2 schools participating under this part and its other schools with  
3 respect to-

4 " (i) pupil-teacher ratios and the  
5 qualifications of teachers (by category of assignment, such as  
6 regular education, special education, and bilingual education)  
7 and professional staff;

8 " (ii) curriculum, the range of courses  
9 offered, instructional materials, and instructional resources to  
10 ensure that participating children have the opportunity to  
11 achieve to the highest student performance levels under the  
12 State's challenging content and student performance standards;  
13 and

14 " (iii) the condition and safety of school  
15 facilities, and their accessibility to technology.";

16 (iii) by striking out subparagraph (B) and  
17 redesignating subparagraph (C) as subparagraph (B); and

18 (iv) by inserting after subparagraph (B),  
19 as so redesignated, a new subparagraph (C) to read as follows:

20 " (C) Notwithstanding subparagraph (A), a local  
21 educational agency may continue to meet the requirement of  
22 paragraph (1) by complying with subparagraph (A) as it was in  
23 effect prior to the enactment of the Educational Excellence for  
24 All Children Act of 1999, but each local educational agency

1 shall comply with subparagraph (A), as amended by that Act, no  
2 later than July 1, 2002."; and

3 (B) in paragraph (3)(B), by striking out  
4 "biennially" and inserting in lieu thereof "annually".

5

6 PRESCHOOL SERVICES AND COORDINATION REQUIREMENTS

7 SEC. 120B. Section 1120B of the ESEA is amended—

8 (1) by amending the section heading to read as  
9 follows: "PRESCHOOL SERVICES; COORDINATION REQUIREMENTS";

10 (2) in subsection (c), by striking out "Head Start  
11 Act Amendments of 1994" and inserting in lieu thereof "Head  
12 Start Amendments of 1998"; and

13 (3) by adding the following at the end thereof:

14 "(d) PRESCHOOL SERVICES.—(1) A local educational agency  
15 may use funds received under this part to provide preschool  
16 services—

17 "(A) directly to eligible preschool children in  
18 all or part of its jurisdiction;

19 "(B) through any school participating in the  
20 agency's program under this part; or

21 "(C) through a contract with a local Head Start  
22 agency, a partnership operating an Even Start program, a State-  
23 funded preschool program, or a comparable public early-childhood  
24 development program.

1                   "(2) Preschool programs operated with funds provided  
2 under this part may be operated and funded jointly with Even  
3 Start programs under part B of this title, Head Start programs,  
4 or State-funded preschool programs.

5                   "(3) All preschool programs funded under this part  
6 shall-

7                   " (A) focus on the developmental needs of  
8 participating children, including their social, cognitive, and  
9 language-development needs, and use research-based approaches  
10 that build on competencies that lead to school success,  
11 particularly in language and literacy development and in  
12 reading; and

13                   " (B) ensure that participating children, at a  
14 minimum-

15                   " (i) understand and use language to  
16 communicate for various purposes;

17                   " (ii) understand and use increasingly  
18 complex and varied vocabulary;

19                   " (iii) develop and demonstrate an  
20 appreciation of books;

21                   " (iv) develop phonemic, print, and numeracy  
22 awareness; and

23                   " (v) in the case of children with limited  
24 English proficiency, progress toward acquisition of the English  
25 language." .

## ALLOCATIONS

1  
2  
3 SEC. 120C. (a) GRANTS FOR THE OUTLYING AREAS AND THE  
4 SECRETARY OF THE INTERIOR. Section 1121(b) of the ESEA is  
5 amended—

6 (1) in paragraph (1), by striking out "paragraph (3)"  
7 and inserting in lieu thereof "paragraph (2)"; and

8 (2) in paragraph (2)(A), by inserting "not more than"  
9 after "shall reserve".

10 (b) ALLOCATIONS TO STATES. Section 1122 of the ESEA is  
11 amended to read as follows:

## "ALLOCATIONS TO STATES

12  
13 "SEC. 1122. (a) AMOUNTS FOR BASIC GRANTS, CONCENTRATION  
14 GRANTS, AND TARGETED GRANTS. Of the amount appropriated under  
15 section 1002(a) for any fiscal year that remains after funds are  
16 reserved under section 1003(b), the Secretary shall allocate the  
17 greater of the following to targeted grants under section 1125:

18 "(1) 20 percent of that remaining amount.

19 "(2) The portion of that remaining amount that  
20 exceeds the combined appropriation for fiscal year 1995 for  
21 basic grants under section 1124 and for concentration grants  
22 under section 1124A.

23 "(b) ALLOCATIONS. Except as provided in subsections (c)  
24 and (d), the Secretary shall allocate to each State the sum of

1 the amounts determined for the local educational agencies in the  
2 State under sections 1124, 1124A, and 1125.

3 "(c) ADJUSTMENTS IN CASE OF INSUFFICIENT APPROPRIATIONS.—

4 (1) If the sums available for any fiscal year under subsection  
5 (a) are insufficient to pay the full amounts that all local  
6 educational agencies in the States are eligible to receive under  
7 sections 1124, 1124A, and 1125, the Secretary shall ratably  
8 reduce the allocations to those agencies and to the States.

9 "(2) If additional funds become available for making  
10 payments under those sections, the Secretary shall ratably  
11 increase those allocations.

12 "(d) HOLD-HARMLESS AMOUNTS.—(1) Notwithstanding  
13 subsections (b) and (c), the amount made available to each local  
14 educational agency under each of sections 1124 and 1125 for any  
15 fiscal year shall be—

16 "(A) at least 95 percent of its amount for the  
17 previous fiscal year if the number of children counted under  
18 section 1124(c) is at least 30 percent of the total number of  
19 children aged 5 through 17 in that agency;

20 "(B) at least 90 percent of its amount for the  
21 previous fiscal year if the number of children so counted is at  
22 least 15 percent, but less than 30 percent, of the total number  
23 of children aged 5 through 17 in that agency; and

24 "(C) at least 85 percent of its amount for the  
25 previous fiscal year if the number of children so counted is



1 less than 15 percent of the total number of children aged 5  
2 through 17 in that agency.

3           "(2) In any fiscal year for which the Secretary makes  
4 allocations under this part to counties--

5                 "(A) the Secretary shall apply the percentages  
6 described in paragraph (1) to counties; and

7                 "(B) if the allocation to a county is not  
8 sufficient to meet the requirement of paragraph (1) for each  
9 local educational agency in that county, the State educational  
10 agency shall proportionately reallocate funds from all other  
11 local educational agencies in the State that would otherwise  
12 receive allocations in excess of the amounts determined under  
13 that paragraph.

14           "(e) DEFINITION. For the purpose of this section and  
15 sections 1124, 1124A, and 1125, the term 'State' means each of  
16 the 50 States, the District of Columbia, and the Commonwealth of  
17 Puerto Rico."

18           (c) BASIC GRANTS TO LOCAL EDUCATIONAL AGENCIES. Section  
19 1124 of the ESEA is amended--

20                 (1) in subsection (a)--

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

23                 "(1) GRANTS FOR LOCAL EDUCATIONAL AGENCIES. Except  
24 as provided in paragraph (4) and in section 1126, the grant that  
25 a local educational agency is eligible to receive under this

1 section for a fiscal year is the amount determined by  
 2 multiplying-

3 " (A) the number of children counted under  
 4 subsection (c); and

5 " (B) 40 percent of the average per-pupil  
 6 expenditure in the State, except that the amount determined  
 7 under this subparagraph shall not be less than 32 percent, and  
 8 not more than 48 percent, of the average per-pupil expenditure  
 9 in the United States. ";

10 (B) by redesignating paragraphs (3) and (4) as  
 11 paragraphs (4) and (5), respectively;

12 (C) by amending paragraph (2), and inserting  
 13 after paragraph (2) a new paragraph (3), to read as follows:

14 " (2) CALCULATION OF GRANTS.-(A) ALLOCATIONS TO LOCAL  
 15 EDUCATIONAL AGENCIES. The Secretary shall calculate grants  
 16 under this section on the basis of the number of children  
 17 counted under subsection (c) for local educational agencies,  
 18 unless the Secretary and the Secretary of Commerce determine  
 19 that some or all of those data are unreliable or that their use  
 20 would be otherwise inappropriate, in which case--

21 " (i) the two Secretaries shall publicly  
 22 disclose the reasons for their determination in detail; and

23 " (ii) paragraph (3) shall apply.

24 " (B) ALLOCATIONS TO LARGE AND SMALL LOCAL  
 25 EDUCATIONAL AGENCIES.-(i) For any fiscal year to which this

1 paragraph applies, the Secretary shall calculate grants under  
2 this section for each local educational agency.

3                                 "(ii) The amount of a grant under this  
4 section for each large local educational agency shall be the  
5 amount determined under clause (i).

6                                 "(iii) For small local educational  
7 agencies, the State educational agency may either-

8   "(I) distribute grants under this  
9 section in amounts determined by the Secretary under clause (i);  
10 or

11   "(II) use an alternative method  
12 approved by the Secretary to distribute the portion of the  
13 State's total grants under this section that is based on those  
14 small agencies.

15   "(iv) An alternative method under clause  
16 (iii)(II) shall be based on population data that the State  
17 educational agency determines best reflect the current  
18 distribution of children in poor families among the State's  
19 small local educational agencies that meet the eligibility  
20 criteria of subsection (b).

21   "(v) If a small local educational agency is  
22 dissatisfied with the determination of its grant by the State  
23 educational agency under clause (iii)(II), it may appeal that  
24 determination to the Secretary, who shall respond within 45 days  
25 of receiving it.

1                                   "(vi) As used in this subparagraph-

2                                   "(I) the term 'large local educational  
3 agency' means a local educational agency serving an area with a  
4 total population of 20,000 or more; and

5                                   "(II) the term 'small local  
6 educational agency' means a local educational agency serving an  
7 area with a total population of less than 20,000.

8                                   "(3) ALLOCATIONS TO COUNTIES.-(A) For any fiscal  
9 year to which this paragraph applies, the Secretary shall  
10 calculate grants under this section on the basis of the number  
11 of children counted under section 1124(c) for counties, and  
12 State educational agencies shall suballocate county amounts to  
13 local educational agencies, in accordance with regulations of  
14 the Secretary.

15                                   "(B) In any State in which a large number of  
16 local educational agencies overlap county boundaries, or for  
17 which the State believes it has data that would better target  
18 funds than allocating them by county, the State educational  
19 agency may apply to the Secretary for authority to make the  
20 allocations under this part for a particular fiscal year  
21 directly to local educational agencies without regard to  
22 counties.

23                                   "(C) If the Secretary approves its application  
24 under subparagraph (B), the State educational agency shall

1 provide the Secretary an assurance that those allocations will  
2 be made-

3 " (i) using precisely the same factors for  
4 determining a grant as are used under this part; or

5 " (ii) using data that the State educational  
6 agency submits to the Secretary for approval that more  
7 accurately target poverty.

8 " (D) The State educational agency shall provide  
9 the Secretary an assurance that a procedure is (or will be)  
10 established through which local educational agencies that are  
11 dissatisfied with its determinations under subparagraph (B) may  
12 appeal directly to the Secretary for a final determination." ;  
13 and

14 (D) by amending paragraph (4), as redesignated  
15 by subparagraph (B), to read as follows:

16 " (4) PUERTO RICO. The grant that the Commonwealth of  
17 Puerto Rico is eligible to receive under this section for a  
18 fiscal year is the amount determined for Puerto Rico under  
19 paragraph (1), multiplied by the following:

20 " (A) For fiscal year 2001, 77.6 percent.

21 " (B) For fiscal year 2002, 83.2 percent.

22 " (C) For fiscal year 2003, 88.8 percent.

23 " (D) For fiscal year 2004, 94.4 percent.

24 " (E) For fiscal years starting with fiscal year  
25 2005, 100 percent." ;

1 (2) by amending subsection (b) to read as follows:

2 " (b) MINIMUM NUMBER OF CHILDREN TO QUALIFY. A local  
3 educational agency is eligible for a basic grant under this  
4 section for any fiscal year only if the number of children  
5 counted under subsection (c) for that agency is both-

6 (1) 10 or more; and

7 (2) more than two percent of the total school-age  
8 population in the agency's jurisdiction.";

9 (3) in subsection (c)-

10 (A) in paragraph (1)-

11 (i) in subparagraph (A), by adding "and" at  
12 the end thereof;

13 (ii) by striking out subparagraph (B) and  
14 redesignating subparagraph (C) as subparagraph (B); and

15 (iii) in subparagraph (B), as so  
16 redesignated, by inserting "(determined under paragraph (4) for  
17 either the preceding year as described in that paragraph, or for  
18 the second preceding year, as the Secretary finds appropriate)"  
19 after "number of children";

20 (B) in paragraph (2)-

21 (i) in the second sentence, by striking out  
22 "For fiscal year 1999 and beyond, the" and inserting in lieu  
23 thereof "The"; and

24 (ii) by striking out the third and fourth  
25 sentences;

1 (C) in paragraph (3)-

2 (i) in the first sentence-

3 (I) by striking out "1997" and  
4 inserting in lieu thereof "2001"; and

5 (II) by striking out "unreliable" and  
6 all that follows through Sciences" and inserting in lieu thereof  
7 "unreliable"; and

8 (ii) in the second sentence, by striking  
9 out "jointly issue a report setting forth their reasons in  
10 detail" and inserting in lieu thereof "publicly disclose their  
11 reasons";

12 (D) by striking out paragraph (4) and  
13 redesignating paragraphs (5) and (6) as paragraphs (4) and (5),  
14 respectively;

15 (E) in paragraph (4), as redesignated by  
16 subparagraph (D)-

17 (i) by striking out the first sentence;

18 (ii) in the second sentence-

19 (I) by striking out "the number of  
20 such children and";

21 (II) by striking out "of such ages"  
22 and inserting in lieu thereof "aged 5 through 17"; and

23 (III) by striking out "(using" and all  
24 that follows through "October)"; and

1 (iii) by adding the following sentence at  
 2 the end thereof: "For the purpose of this section, the  
 3 Secretary shall consider all children who are in correctional  
 4 institutions to be living in institutions for delinquent  
 5 children."; and

6 (F) in paragraph (5), as redesignated by  
 7 subparagraph (D), by striking out the final sentence; and

8 (4) in subsection (d), by striking out "subsection  
 9 (b)(1) or (d) of".

10 (d) CONCENTRATION GRANTS. Section 1124A of the ESEA is  
 11 amended--

12 (1) in subsection (a)--

13 (A) in paragraph (1)--

14 (i) by amending subparagraph (A) to read as  
 15 follows:

16 "(A) Except as provided in subparagraph (B),  
 17 each local educational agency that is eligible for a grant under  
 18 section 1124 for any fiscal year is eligible for an additional  
 19 grant under this section for that fiscal year if the number of  
 20 children counted under section 1124(c) in the agency exceeds  
 21 either--

22 "(i) 6,500; or

23 "(ii) 15 percent of the total number of  
 24 children aged 5 through 17 in the agency."; and

25 (ii) in subparagraph (B)--



1 (I) by striking out "such subsections  
2 (b)(1) and (d) of"; and

3 (II) by striking out "described in  
4 subparagraph (A)"; and

5 (B) by amending paragraph (4) to read as  
6 follows:

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

10 "(B) For any fiscal year for which the Secretary  
11 allocates funds under this section to counties, a State may  
12 reserve not more than two percent of its allocation under this  
13 section for any fiscal year to make grants to local educational  
14 agencies that meet the criteria of paragraph (1)(A)(i) or (ii)  
15 but that are in ineligible counties."; and

16 (2) by deleting subsections (b) and (c) and  
17 redesignating subsection (d) as subsection (b).

18 (e) TARGETED ASSISTANCE GRANTS. Section 1125 of the ESEA  
19 is amended-

20 (1) in subsection (b)-

21 (A) in paragraph (1)(B), by striking out "the  
22 second sentence of subparagraph 1124(a)(1)(A)" and inserting in  
23 lieu thereof "section 1124(a)(1)(A)"; and

1 (B) in paragraph (2), by striking out  
 2 "subparagraph 1124(a)(3)" and inserting in lieu thereof "section  
 3 1124(a)(4)";

4 (2) in subsection (c)-

5 (A) in paragraph (1), by amending the paragraph  
 6 heading to read as follows: "WEIGHTS FOR ALLOCATIONS TO  
 7 COUNTIES."; and

8 (B) in paragraph (2)-

9 (i) by amending the paragraph heading to  
 10 read as follows: "WEIGHTS FOR ALLOCATIONS TO LOCAL EDUCATIONAL  
 11 AGENCIES."; and

12 (ii) in subparagraph (A), by striking out  
 13 "beginning with fiscal year 1999";

14 (3) by amending subsection (d) to read as follows:

15 "(d) CALCULATION OF GRANT AMOUNTS. Grants under this  
 16 section shall be calculated in accordance with section  
 17 1124(a)(2) and (3)."; and

18 (4) in subsection (e), by striking out "subsection  
 19 (b)(1) or (d) of".

20 (f) EDUCATION FINANCE INCENTIVE PROGRAM. Section 1125A of  
 21 the ESEA is amended-

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

23 "(a) GRANTS. From sums appropriated to carry out this  
 24 section, the Secretary is authorized to make grants to States to  
 25 carry out the purposes of this part.";

1 (2) in subsection (b)-

2 (A) by striking out "Funds appropriated pursuant  
3 to subsection (e)" and inserting in lieu thereof "Funds  
4 described in subsection (a) for each fiscal year"; and

5 (B) by striking out "appropriated pursuant to  
6 subsection (e) for such fiscal year" and inserting in lieu  
7 thereof "of those funds"; and

8 (3) by striking out subsection (e).

9 (g) SPECIAL ALLOCATION PROCEDURES. Section 1126(a)(1) of  
10 the ESEA is amended-

11 (1) by inserting "or delinquent" after "neglected";  
12 and

13 (2) by striking out "subparagraph 1124(c)(1)(C)" and  
14 inserting in lieu thereof "section 1124(c)(1)(B)".

15

16 PROGRAM INDICATORS

17 SEC. 120D. Part A of title I of the ESEA is further  
18 amended by adding at the end thereof a new subpart 3 to read as  
19 follows:

20

21 "SUBPART 3 - PROGRAM INDICATORS

22

23 "PROGRAM INDICATORS

24 "SEC. 1131. Each State receiving assistance under this  
25 part shall report to the Secretary each year with respect to its

1 progress in meeting the following performance indicators for  
2 participating schools and local educational agencies, and shall  
3 use those indicators to improve its program performance:

4           "(1) STUDENT PERFORMANCE. Increasing percentages of  
5 students in schools with at least 50 percent poverty will meet  
6 proficient and advanced performance levels on State assessments  
7 in reading and mathematics.

8           "(2) STUDENT PERFORMANCE. The average scores  
9 representing the performance of the lowest achieving students on  
10 State assessments will increase annually in both reading and  
11 mathematics.

12           "(3) ACCOUNTABILITY. Increasing percentages of  
13 schools identified as in need of improvement under this part  
14 will show academic progress after two years.

15           "(4) QUALIFIED TEACHERS. The percentage of teachers  
16 in programs under this part who are certified in the field in  
17 which they teach will increase annually.

18           "(5) ALIGNED CURRICULA AND MATERIALS. Increasing  
19 percentages of school principals will report that curricula and  
20 instructional materials in use in their school are aligned with  
21 challenging State content standards.

22           "(6) EXTENDED TIME. Increasing percentages of  
23 schools will operate before- and after-school, summer, and other  
24 programs designed to extend and reinforce student learning.

1                   "(7) PARENTAL INVOLVEMENT. Increasing percentages of  
2 parents will report that their schools engage them in supporting  
3 their children's learning."

## PART B - EVEN START

## STATEMENT OF PURPOSE

SEC. 121. Section 1201 of the ESEA is amended-

(1) in paragraph (1), by inserting "high-quality" after "existing";

(2) in paragraph (2), by striking out "and" at the end thereof;

(3) in paragraph (3), by striking out the period and inserting in lieu thereof a semicolon and "and"; and

(4) by adding at the end thereof a new paragraph (4) to read as follows:

"(4) be based on the best available research on language development, reading instruction, and prevention of reading difficulties."

## PROGRAM AUTHORIZED

SEC. 122. Section 1202 of the ESEA is amended-

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

"(a) RESERVATION OF FUNDS. For each fiscal year, the Secretary shall reserve 5 percent of the amount appropriated under section 1002(b) for programs, under such terms and conditions as the Secretary shall establish, that are consistent with the purpose of this part, and that support national

1 demonstration and model projects for isolated and especially  
2 hard-to-reach populations, which shall include projects for-

3 " (1) children of migratory workers;

4 " (2) the outlying areas, for which the Secretary  
5 shall reserve one-half of one percent of the funds appropriated  
6 under section 1002(b);

7 " (3) Indian tribes and tribal organizations; and

8 " (4) such other populations as the Secretary may from  
9 time to time determine, such as families that are homeless, that  
10 have children with severe disabilities, or that include  
11 incarcerated mothers of young children.";

12 (2) by amending subsection (b) to read as follows:

13 " (b) RESERVATION FOR FEDERAL ACTIVITIES. From amounts  
14 appropriated under section 1002(b) for any fiscal year, the  
15 Secretary may reserve not more than one percent to provide,  
16 directly or through grants or contracts with eligible  
17 organizations, technical assistance, program improvement, and  
18 replication activities.";

19 (3) in subsection (c)-

20 (A) by amending the subsection heading to read  
21 "RESERVATION FOR STATEWIDE FAMILY LITERACY INITIATIVES.";

22 (B) in paragraph (1), by striking out "From  
23 funds reserved under section 2260(b)(3), the Secretary shall"  
24 and inserting in lieu thereof "From funds appropriated under  
25 section 1002(b) for any fiscal year, the Secretary may";

1 (C) in paragraph (2)(C)-

2 (i) in the subparagraph heading, by  
3 striking out "PART C OF TITLE II" and inserting in lieu thereof  
4 "PART E";

5 (ii) by striking out "section 2253(d)" and  
6 inserting in lieu thereof "section 1503(d)"; and

7 (iii) by striking out "section 2253" and  
8 inserting in lieu thereof "section 1503"; and

9 (D) in paragraph (3), by striking out "section  
10 2252" and inserting in lieu thereof "section 1502";

11 (4) in subsection (d)-

12 (A) in paragraph (2), by striking out "that  
13 section" and inserting in lieu thereof "that part"; and

14 (B) in paragraph (3)-

15 (i) by striking out "\$250,000, or"; and

16 (ii) by striking out "such year, whichever  
17 is greater" and inserting in lieu thereof "such year"; and

18 (5) in subsection (e)-

19 (A) in paragraph (2), by striking out  
20 "nonprofit"; and

21 (B) in paragraph (3), by striking out the period  
22 at the end thereof and inserting in lieu thereof a semicolon.

23

24

#### STATE PROGRAMS

25

SEC. 123. Section 1203 of the ESEA is amended-



1 (1) by redesignating subsections (a) and (b) as  
2 subsections (b) and (c), respectively;

3 (2) by inserting a new subsection (a) to read as  
4 follows:

5 "(a) STATE PLAN.-(1) CONTENTS. Each State that desires  
6 to receive a grant under this part shall submit a plan to the  
7 Secretary containing such budgetary and other information as the  
8 Secretary may require, and which shall-

9 "(A) include the State's indicators of program  
10 quality, developed under section 1210 or, if the State has not  
11 completed work on those indicators, describe its progress in  
12 developing them;

13 "(B) describe how the State is using, or will  
14 use, those indicators to monitor, evaluate, and improve projects  
15 it assists under this part, and to decide whether to continue  
16 assisting those projects;

17 "(C) describe how the State will help each  
18 project under this part ensure the full implementation of the  
19 program elements described in section 1205, including how it  
20 will encourage local projects to use technology, such as  
21 distance learning, to improve program access and the intensity  
22 of services, especially for isolated populations;

23 "(D) describe how the State will conduct the  
24 competition for subgrants, including the application of the  
25 criteria described in section 1208; and

1                   "(E) describe how the State will coordinate  
2 resources, especially among State agencies, to improve family  
3 literacy services in the State.

4                   "(2) DURATION. Each State plan shall-

5                   "(A) be submitted for the first year for which  
6 this part is in effect following the enactment of the  
7 Educational Excellence for All Children Act of 1999;

8                   "(B) remain in effect for the duration of the  
9 State's participation under this part; and

10                   "(C) be periodically reviewed and revised by the  
11 State, as necessary.";

12                   (3) in subsection (b), as redesignated by  
13 paragraph (1)-

14                   (A) by striking out "section 1202(d)(1)" and  
15 inserting in lieu thereof "section 1202(d)"; and

16                   (B) in paragraph (2), by striking out  
17 "subsection (b)" and inserting in lieu thereof "subsection (c)";  
18 and

19                   (4) in paragraph (1) of subsection (c), as  
20 redesignated by paragraph (1)-

21                   (A) by striking out "section 1202(d)(1)" and  
22 inserting in lieu thereof "section 1202(d)"; and

23                   (B) by striking out "subsection (a)" and  
24 inserting in lieu thereof "subsection (b)".

25

## 1 USES OF FUNDS

2 SEC. 124. Section 1204 of the ESEA is amended-

3 (1) in subsection (a), by striking out "family-  
4 centered education programs" and inserting in lieu thereof  
5 "family literacy services"; and

6 (2) in subsection (b)(1), by inserting "and in  
7 section 1208(c)(2)" after "paragraph (2)".

8  
9 PROGRAM ELEMENTS

10 SEC. 125. Section 1205 of the ESEA is amended to read as  
11 follows:

## 12 "PROGRAM ELEMENTS

13 "SEC. 1205. Each program assisted under this part shall-

14 (1) identify and recruit families most in need of  
15 services provided under this part, as indicated by the eligible  
16 parent or parents' low income and low level of adult literacy or  
17 English language proficiency, and other need-related factors;

18 (2) screen and prepare parents (including teenage  
19 parents) and children to enable them to participate fully in the  
20 activities and services provided under this part, including  
21 testing, referral to necessary counseling, and other  
22 developmental, support, and related services;

23 (3) be designed to accommodate participating  
24 families' work schedules and other responsibilities, including  
25 scheduling and locating services to allow joint participation by

1 parents and children, and providing support services necessary  
2 for participation in the activities assisted under this part if  
3 those services are unavailable from other sources, such as-

4 " (A) child care for the period that the parents  
5 are involved in the programs assisted under this part;

6 " (B) transportation to enable parents and their  
7 children to participate in those programs; and

8 " (C) career counseling and job-placement  
9 services;

10 " (4) provide high-quality, intensive family literacy  
11 services (as defined in section 1202(e)(3)), using instructional  
12 approaches that the best available research on reading indicates  
13 will be most effective in building adult literacy and children's  
14 language development and reading ability;

15 " (5) with respect to the qualifications of staff  
16 whose salaries are supported with funds under this part, ensure  
17 that-

18 " (A) (i) a majority of instruction is provided by  
19 teachers who have obtained at least a bachelor's degree, and who  
20 are certified in the field in which they are teaching, or who  
21 are enrolled in a program leading to such certification within  
22 two years;

23 " (ii) within four years of the effective  
24 date of the amendments to this section made by the Educational

1 Excellence for All Children Act of 1999, all instruction is  
2 provided by teachers who have at least a bachelor's degree; and  
3 "(iii) as of that effective date, all new  
4 teachers who are hired to provide instruction have at least a  
5 bachelor's degree, and are certified in the field in which they  
6 are going to teach, or are enrolled in a program leading to such  
7 certification within two years;

8 "(B) not later than July 1, 2002,  
9 paraprofessionals who provide instructional support services,  
10 such as one-on-one tutoring and follow-up educational activities  
11 in home visits and with individuals and small groups, have  
12 completed at least two years of college and are under the direct  
13 supervision of a teacher described in subparagraph (A); and

14 "(C) paraprofessionals who provide non-  
15 instructional services, such as family recruitment, acting as a  
16 translator, community-liaison work, and media-center or library  
17 support, possess at least a secondary school diploma or its  
18 equivalent;

19 "(6) provide special training for staff, including  
20 child-care staff, to develop the skills, and obtain  
21 certification in, instructional areas needed to carry out the  
22 purpose of this part;

23 "(7) provide and monitor integrated instructional  
24 services to participating parents and children through center-  
25 based and home-based programs;

1           "(8) serve those families most in need of the  
2 activities and services provided under this part, including  
3 individuals with special needs, such as individuals with  
4 disabilities, individuals with limited English proficiency, and  
5 homeless individuals;

6           "(9) use methods that ensure that participating  
7 families successfully complete the program, including-

8                 "(A) operating a year-round program, including  
9 continuing to provide some instructional services for  
10 participants during the summer months;

11                "(B) providing developmentally appropriate  
12 educational services for at least a three-year age range of  
13 children;

14                "(C) encouraging participating families to  
15 regularly attend and remain in the program for a sufficient time  
16 to meet their program goals; and

17                "(D) promoting the continuity of family literacy  
18 services across critical points in the lives of children and  
19 their parents so that those individuals can retain and improve  
20 their educational outcomes;

21           "(10) be coordinated with-

22                 "(A) programs assisted under other parts of this  
23 title and this Act;

24                 "(B) any relevant programs under the Adult  
25 Education and Family Literacy Act, the Individuals with

1 Disabilities Education Act, and the Workforce Investment Act of  
2 1998; and

3                   "(C) Head Start programs, Child Care Development  
4 Block Grant programs, volunteer literacy programs, and other  
5 relevant programs; and

6                   "(11) provide for an independent evaluation of the  
7 program, consistent with section 1207(c)(1)(E), to be used for  
8 program improvement.".

9

10   ELIGIBLE PARTICIPANTS

11           SEC. 126. Section 1206(a)(1)(B) of the ESEA is amended by  
12 inserting a comma and "or who are attending secondary school"  
13 after "this part".

14

15   APPLICATIONS

16           SEC. 127. (a) PLANS. Section 1207(c) of the ESEA is  
17 amended-

18                   (1) by inserting "and continuous improvement" after  
19 "plan of operation";

20                   (2) in paragraph (1)-

21                           (A) by amending subparagraph (A) to read as  
22 follows:

23                                   (A) a description of the program goals,  
24 including outcomes for children and families that are consistent

1 with the program indicators established or adopted by the State  
2 under section 1210, and of the strategies the applicant will use  
3 to reach those goals;"

4 (B) in subparagraph (B), by inserting "each of"  
5 after "incorporate";

6 (C) in subparagraph (D) by inserting "and" at  
7 the end thereof; and

8 (D) by striking out subparagraphs (E) and (F)  
9 and inserting in lieu thereof the following:

10 " (E) provisions for rigorous and objective  
11 evaluation of progress toward the goals described in  
12 subparagraph (A), and the continuing use of evaluation data for  
13 program improvement."; and

14 (3) in paragraph (2), by striking out "paragraph  
15 (1)(A)" and inserting in lieu thereof "paragraph (1)".

16 (b) TECHNICAL AMENDMENT. Section 1207 of the ESEA is  
17 further amended by striking out subsection (d).

18

19

#### AWARD OF SUBGRANTS

20 SEC. 128. (a) SELECTION PROCESS. Section 1208(a) of the  
21 ESEA is amended-

22 (1) in paragraph (1)-

23 (A) in subparagraph (B), by striking out  
24 "limited-English" and inserting in lieu thereof "limited  
25 English";



1 (B) by striking out subparagraph (C);

2 (C) by redesignating subparagraphs (D) through  
3 (H) as subparagraphs (C) through (G) respectively;

4 (D) in subparagraph (E), as redesignated by  
5 subparagraph (C), by striking out "Federal" and inserting in  
6 lieu thereof "non-Federal"; and

7 (E) in subparagraph (G), as redesignated by  
8 subparagraph (C), by striking out "local educational agencies"  
9 and inserting in lieu thereof "family literacy projects"; and

10 (2) in paragraph (3), by striking out "one or more of  
11 the following individuals:" and inserting in lieu thereof "an  
12 individual with expertise in family literacy programs, and may  
13 include other individuals, such as one or more of the  
14 following:".

15 (b) EXEMPLARY PROJECTS. Section 1208 of the ESEA is  
16 amended by adding at the end thereof a new subsection (c) to  
17 read as follows:

18 "(c) EXEMPLARY PROJECTS.-(1) Notwithstanding  
19 subsection (b) (5) (A), each State may use funds under this part  
20 in any fiscal year to continue providing assistance, for up to  
21 two additional years, for not more than two projects that have  
22 been highly successful in achieving the goals described in their  
23 plans under section 1207(c) (1) (A) and that have substantial  
24 potential to serve as models for other projects throughout the

1 Nation and as mentor sites for other family-literacy programs in  
2 the State.

3           "(2) The Federal share of any subgrant under  
4 paragraph (1) shall not exceed 40 percent for the first year and  
5 30 percent for the second year."

6

7

#### EVALUATION

8           SEC. 129. Section 1209 of the ESEA is amended to read as  
9 follows:

10

#### "EVALUATION

11

"SEC. 1209. The Secretary shall provide for an independent  
12 evaluation of programs assisted under this part, to-

13

"(1) determine their performance and effectiveness;

14

and

15

"(2) identify effective programs that can be  
16 duplicated and used in providing technical assistance to  
17 Federal, State, and local programs."

18

19

#### INDICATORS OF PROGRAM QUALITY

20

SEC. 130. Section 1210 of the ESEA is amended-

21

(1) by striking out "Each" and inserting in lieu  
22 thereof "By September 30, 2000, each"; and

23

(2) by adding at the end thereof a new paragraph (3)

24

to read as follows:

1           "(3) With respect to a program's implementation of  
2 high-quality, intensive family literacy services, specific  
3 levels of intensity of those services and duration of  
4 individuals' participation that are necessary to result in the  
5 outcomes described under paragraphs (1) and (2), which the State  
6 shall periodically review and revise as needed to achieve those  
7 outcomes."

8

9

## REPEAL AND REDESIGNATION

10           SEC. 130A. (a) REPEAL. Section 1211 of the ESEA is  
11 repealed.

12           (b) REDESIGNATION. Section 1212 of the ESEA is  
13 redesignated as section 1211.

## 1 PART C - EDUCATION OF MIGRATORY CHILDREN

2  
3 STATE ALLOCATIONS

4 SEC. 131. Section 1303 of the ESEA is amended-

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

6 "(a) STATE ALLOCATIONS.-(1) IN GENERAL. Except as  
7 provided in paragraph (2) and subsection (b), each State is  
8 entitled to receive under this part, for each fiscal year, an  
9 amount equal to-

10 "(A) the sum of-

11 "(i) the number of identified eligible  
12 migratory children, aged 3 through 21, residing in the State  
13 during the previous year; and14 "(ii) the number of identified eligible  
15 migratory children, aged 3 through 21, who received services  
16 under this part in summer or intersession programs provided by  
17 the State; multiplied by18 "(B) 40 percent of the average per-pupil  
19 expenditure in the State, but not less than 32 percent or more  
20 than 48 percent of the average per-pupil expenditure in the  
21 United States.22 "(2) MINIMUM AND MAXIMUM ALLOCATIONS. No State's  
23 allocation under paragraph (1) for any fiscal year shall be more  
24 than 120 percent, or less than 80 percent, of its allocation for

1 the previous year, except that no State's allocation shall be  
2 less than \$200,000.";

3 (2) by amending subsection (b) to read as follows:

4 "(b) ALLOCATIONS TO PUERTO RICO. Subject to subsection  
5 (a)(2), The grant that the Commonwealth of Puerto Rico is  
6 eligible to receive under this section for a fiscal year is the  
7 amount determined for Puerto Rico under subsection (a)(1),  
8 multiplied by the following:

9 "(1) For fiscal year 2001, 77.6 percent.

10 "(2) For fiscal year 2002, 83.2 percent.

11 "(3) For fiscal year 2003, 88.8 percent.

12 "(4) For fiscal year 2004, 94.4 percent.

13 "(5) For fiscal years starting with fiscal year 2005,

14 100 percent."; and

15 (3) by striking out subsections (d) and (e).

16

17 STATE APPLICATIONS

18 SEC. 132. Section 1304 of the ESEA is amended-

19 (1) in subsection (b)-

20 (A) in paragraph (1), by striking out "through"

21 and all that follows through the end thereof and inserting in

22 lieu thereof "through-

23 "(A) the full range of services that are

24 available for migratory children from appropriate local, State,

25 and Federal educational programs;

1                   "(B) joint planning among such local, State, and  
2 Federal programs, and bilingual education programs under part A  
3 of title VII;

4                   "(C) the integration of services available under  
5 this part with services provided by those other programs; and

6                   "(D) measurable program goals and outcomes;

7                   (B) in paragraph (5), by striking out "the  
8 requirements of paragraph (1)" and inserting in lieu thereof  
9 "the numbers and needs of migratory children, the requirements  
10 of subsection (d), and the availability of funds from other  
11 Federal, State, and local programs";

12                   (C) by redesignating paragraphs (5) and (6) as  
13 paragraphs (6) and (7); and

14                   (D) by inserting after paragraph (4) a new  
15 paragraph (5) to read as follows:

16                   "(5) a description of how the State will encourage  
17 the participation of migratory children in State assessments  
18 required under section 1111(b)(2)"; and

19                   (2) in subsection (c)-

20                   (A) in paragraph (1)(A), by striking out  
21 "section 1306(b)(1)" and inserting in lieu thereof "section  
22 1306(a)";

23                   (B) in paragraph (2), by striking out "part F"  
24 and inserting in lieu thereof "part G";

25                   (C) in paragraph (3)-

1 (i) by striking out "appropriate"; and

2 (ii) by striking out "carried out, to the

3 extent feasible," and inserting in lieu thereof "carried out";

4 and

5 (D) in paragraph (7), by striking out "section  
6 1303(e)" and inserting in lieu thereof "section 1303(a) (1) (A)".

7  
8 AUTHORIZED ACTIVITIES

9 SEC. 133. Section 1306 of the ESEA is amended to read as  
10 follows:

11 "AUTHORIZED ACTIVITIES

12 "SEC. 1306. (a) IN GENERAL.-(1)(A) Each State  
13 educational agency, through its operating agencies, shall have  
14 the flexibility to determine the activities to be provided with  
15 funds made available under this part; except that

16 "(B) such funds shall first be used to meet the  
17 identified needs of migratory children that result from their  
18 migratory lifestyle, and permit these children to participate  
19 effectively in school.

20 "(2) Funds provided under this part shall be used to  
21 address the needs of migratory children that are not addressed  
22 by services available from other Federal or non-Federal  
23 programs, except that migratory children who are eligible to  
24 receive services under part A of this title may receive those  
25 services through funds provided under that part, or with funds

1 under this part that remain after the agency addresses the needs  
2 described in paragraph (1)(B).

3       "(b) CONSTRUCTION. Nothing in this part shall be  
4 construed to prohibit a local operating agency from serving  
5 migratory children simultaneously with students with similar  
6 educational needs in the same educational settings, where  
7 appropriate.

8       "(c) SPECIAL RULE. Notwithstanding section 1114, a school  
9 that receives funds under this part shall continue to address  
10 the identified needs described in subsection (a)(1).".

11

#### 12                   COORDINATION OF MIGRANT EDUCATION ACTIVITIES

13       SEC. 134. Section 1308 of the ESEA is amended--

14               (1) in subsection (a)--

15                   (A) in paragraph (1), by striking out  
16 "nonprofit"; and

17                   (B) in paragraph (2) by striking out "subpart"  
18 and inserting in lieu thereof "subsection";

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

20               "(b) ASSISTANCE. The Secretary shall assist States in  
21 developing effective methods for the transfer of student records  
22 and in determining the number of migratory children in each  
23 State.";

24               (3) in subsection (c), by striking out "\$6,000,000"  
25 and inserting in lieu thereof "\$10,000,000"; and



1 (4) by amending subsection (d) to read as follows:

2 "(d) INCENTIVE GRANTS. From the amounts made available to  
3 carry out this section for any fiscal year, the Secretary may  
4 reserve not more than \$3,000,000 to award grants of not more  
5 than \$250,000 to State educational agencies that propose  
6 consortium arrangements with another State or other appropriate  
7 entity that the Secretary determines, pursuant to criteria the  
8 Secretary shall establish, would improve the delivery of  
9 services to migratory children whose education is interrupted."

10

11

#### DEFINITIONS

12

SEC. 135. Section 1309(2) of the ESEA is amended by

13

striking out "parent, spouse, or guardian" each place it appears

14

and inserting in lieu thereof "parent or spouse".

## 1 PART D - NEGLECTED AND DELINQUENT CHILDREN

2

3

## PROGRAM NAME

4

SEC. 141. The heading of part D of title I of the ESEA is

5

amended to read as follows:

6

"PART D - STATE AGENCY PROGRAMS FOR CHILDREN AND YOUTH  
7 WHO ARE NEGLECTED OR DELINQUENT".

8

9

## FINDINGS; PURPOSE; PROGRAM AUTHORIZED

10

SEC. 142. (a) FINDING. Section 1401(a) of the ESEA is

11

amended to read as follows:

12

"(a) FINDINGS. Congress finds the following:

13

"(1) A large percentage of youth in the juvenile-

14

justice system have poor academic achievement, are a year or

15

more behind grade level, and have dropped out of school.

16

"(2) Many schools and correctional facilities fail to

17

communicate regarding a youth's academic needs, and students

18

often return to their home school ill-prepared to meet current

19

curriculum requirements.

20

"(3) Schools are often reluctant to deal with youth

21

returning from facilities and often receive no funds to deal

22

with the unique educational and other needs of those youth.

23

"(4) There is a need for federal assistance to

24

support State efforts to educate students in State institutions

1 for neglected and delinquent children and youth to challenging  
2 academic standards."

3 (b) PURPOSE. Section 1401(b) of the ESEA is amended-

4 (1) in paragraph (1), by striking out "local and";

5 and

6 (2) by amending paragraph (3) to read as follows:

7 "(3) to provide youth returning from institutions  
8 with a support system to ensure their continued education."

9 (c) PROGRAM AUTHORIZED. Section 1401(c) of the ESEA is  
10 amended-

11 (1) by striking out "and local educational agencies";

12 and

13 (2) by striking out "at risk" and all that follows  
14 through "graduation".

15

16 PAYMENTS FOR PROGRAMS UNDER PART D

17 SEC. 143. Section 1402 of the ESEA is amended-

18 (1) by striking out "(a) AGENCY SUBGRANTS-"; and

19 (2) by striking out subsections (b) and (c).

20

21 ALLOCATION OF FUNDS

22 SEC. 144. Section 1412 of the ESEA is amended-

23 (1) in subsection (a)(1)-

24 (A) by striking out "Each State agency described

25 in section 1411 (other than an agency in the Commonwealth of

1 Puerto Rico)" and inserting in lieu thereof "Except as provided  
 2 in subsection (b), each State agency described in section 1411";  
 3 and

4 (B) by inserting "in" before "an amount equal";  
 5 and

6 (2) by amending subsection (b) to read as follows:

7 "(b) SUBGRANTS TO STATE AGENCIES IN PUERTO RICO. The  
 8 amount of the subgrant for which a State agency in the  
 9 Commonwealth of Puerto Rico is eligible under this part for a  
 10 fiscal year is the amount determined for that agency under  
 11 subsection (a), multiplied by the following:

- 12 "(1) For fiscal year 2001, 77.6 percent.  
 13 "(2) For fiscal year 2002, 83.2 percent.  
 14 "(3) For fiscal year 2003, 88.8 percent.  
 15 "(4) For fiscal year 2004, 94.4 percent.  
 16 "(5) For fiscal years starting with fiscal year 2005,  
 17 100 percent."

18

19 STATE PLAN AND STATE AGENCY APPLICATIONS

20 SEC. 145. (a) STATE PLAN. Section 1414(a) of the ESEA is  
 21 amended—

22 (1) in paragraph (1), by striking out "14306" and  
 23 inserting in lieu thereof "11506"; and

24 (2) in paragraph (2)—

1 (A) in subparagraph (B), by striking out "as  
2 such children would have if such children" and inserting in lieu  
3 thereof a comma and "and will be held to the same challenging  
4 standards, as they would if they"; and

5 (B) in subparagraph (C)(ii), by striking out  
6 "1416" and inserting in lieu thereof "1431".

7 (b) STATE AGENCY APPLICATIONS. Section 1414(c)(6) of the  
8 ESEA of the ESEA is amended by striking out "14701" and  
9 inserting in lieu thereof "1431".

#### 11 USE OF FUNDS

12 SEC. 146. Section 1415(a)(2)(D) of the ESEA is amended by  
13 striking out "14701" and inserting in lieu thereof "1431".

#### 15 LOCAL AGENCY PROGRAMS

16 SEC. 147. Part D of title I of the ESEA is further amended  
17 by-

18 (1) repealing subpart 2; and

19 (2) redesignating subpart 3 as subpart 2.

#### 21 PROGRAM EVALUATIONS

22 SEC. 148. Section 1431 of the ESEA is amended-

23 (1) in subsection (a)-

24 (A) by striking out "or local educational  
25 agency"; and

1 (B) by striking out "subpart 1 or 2" and  
2 inserting in lieu thereof "subpart 1";

3 (2) by amending subsection (b) to read as follows:

4 "(b) EVALUATION MEASURES. In conducting each evaluation  
5 under subsection (a), a State agency shall use multiple measures  
6 of student progress that, while consistent with section  
7 1414(a)(2)(B), are appropriate for the students and are feasible  
8 for the agency to achieve (considering such factors as the  
9 duration of students' participation in the program)."; and  
10 (3) in subsection (c), by striking out "and local  
11 educational agency".

12

13

#### DEFINITIONS

14 SEC. 149. Section 1432 of the ESEA is amended by striking  
15 out paragraph (2) and redesignating paragraphs (3), (4), and (5)  
16 as paragraphs (2), (3), and (4), respectively.

1 PART E - FEDERAL EVALUATIONS, DEMONSTRATIONS,  
2 AND TRANSITION PROJECTS

3  
4 EVALUATIONS, MANAGEMENT INFORMATION,  
5 AND OTHER NATIONAL ACTIVITIES

6 SEC. 151. Section 1501 of the ESEA is amended to read as  
7 follows:

8 "EVALUATIONS, MANAGEMENT INFORMATION,  
9 AND OTHER NATIONAL ACTIVITIES

10 "SEC. 1501. (a) PURPOSE. The purpose of this section is  
11 to authorize-

12 "(1) evaluations of the activities assisted under  
13 this title to determine their effectiveness, consistent with the  
14 Government Performance and Results Act of 1993;

15 "(2) activities undertaken in partnership with the  
16 States to develop information needed to inform program  
17 management and support continuous improvement at the State,  
18 school district, and school levels;

19 "(3) applied research, technical assistance,  
20 dissemination, and recognition activities relating to this  
21 title; and

22 "(4) obtaining biennial updates of census data used  
23 under this title.

24 "(b) NATIONAL ASSESSMENT OF TITLE I.-(1) IN GENERAL. The  
25 Secretary shall conduct a national assessment of programs  
26 assisted under this title, in coordination with the national

1 longitudinal study of schools under subsection (d), which shall  
2 be planned, reviewed, and conducted with an independent panel  
3 authorized under section 11911.

4           "(2) SCOPE OF ASSESSMENT. The national assessment  
5 shall examine-

6                   "(A) the implementation and impact of the  
7 programs carried out under this title on student academic  
8 performance, particularly in schools with high concentrations of  
9 children living in poverty;

10                   "(B) the implementation and impact of State  
11 standards, assessments, and accountability systems developed  
12 under this title on educational programs and instruction at the  
13 local level;

14                   "(C) the effect of schoolwide programs under  
15 section 1114 and targeted-assistance programs under section 1115  
16 on increasing the number of students who have access to an  
17 enriched, challenging curriculum consistent with high standards;

18                   "(D) the implementation and impact of the  
19 professional development activities supported under this title  
20 on instruction and student performance;

21                   "(E) the extent to which local educational  
22 agencies and schools, in carrying out activities under this  
23 title, provide parents with meaningful opportunities to  
24 participate in the education of their children at home and at  
25 school, and the impact of those opportunities;



1                   "(F) the extent to which the resources provided  
2 under this title are effectively targeted to schools that need  
3 them most;

4                   "(G) the effectiveness of Federal  
5 administration, including monitoring and technical assistance,  
6 on programs under this title; and

7                   "(H) such other issues as the Secretary may  
8 determine.

9                   "(3) SOURCES OF INFORMATION. The Secretary shall use  
10 information from a variety of sources, including the National  
11 Assessment of Educational Progress, State evaluations, and  
12 available research studies, in carrying out the national  
13 assessment.

14                   "(4) INTERIM AND FINAL REPORTS. The Secretary shall  
15 submit to the President and the appropriate committees of the  
16 Congress an interim report on the national assessment within  
17 three years of the enactment of the Educational Excellence for  
18 All Children Act of 1999 and a final report within four years of  
19 that enactment.

20                   "(c) STUDIES AND DATA COLLECTION.-(1) IN GENERAL. In  
21 addition to other activities described in this section, the  
22 Secretary may, directly or through grants to, and contracts  
23 with, appropriate entities--

24                   "(A) conduct studies and evaluations of the need  
25 for, and effectiveness of, programs under this title;

1                   "(B) collect data that are needed to comply with  
2 the Government Performance and Results Act of 1993; and

3                   "(C) provide guidance and technical assistance  
4 to State educational agencies and local educational agencies in  
5 developing and maintaining management-information systems  
6 through which they can develop program-performance indicators,  
7 collect data to measure performance against those indicators,  
8 and use the data to improve services and performance.

9                   "(2) MINIMUM INFORMATION. At a minimum, the  
10 Secretary shall collect trend information on the effect of  
11 programs under this title, which shall complement the data  
12 collected and reported under subsections (b) and (d).

13                   "(d) NATIONAL LONGITUDINAL STUDY OF SCHOOLS.-(1) The  
14 Secretary shall carry out an ongoing longitudinal study of  
15 schools in order to provide the public, the Congress, and  
16 educators involved in the program carried out under this title-

17                   "(A) an accurate description of its short-term  
18 and long-term effectiveness;

19                   "(B) information that can be used to improve its  
20 effectiveness in enabling students to meet challenging State  
21 student performance standards; and

22                   "(C) information on such other topics as the  
23 Secretary may find appropriate, such as the program's  
24 effectiveness in enabling students to graduate from secondary

1 school and make successful transitions to postsecondary  
2 education and work.

3           "(2) The longitudinal study shall-

4                   "(A) include a nationally representative sample  
5 of schools participating in programs under this title that serve  
6 large concentrations of children with limited English  
7 proficiency; and

8                   "(B) evaluate the extent to which those children  
9 are-

10                           "(i) participating in services and school-  
11 improvement efforts supported by this title; and

12                           "(ii) included and accommodated in State  
13 assessments under this title.".

14

15                           DEMONSTRATIONS OF INNOVATIVE PRACTICES

16           SEC. 152. Section 1502 of the ESEA is amended-

17                   (1) in subsection (a)(1), by striking out "section  
18 1002(g)(2)" and inserting in lieu thereof "section 1002(f)"; and

19                   (2) in subsection (b), by striking out "section  
20 1002(g)(2)" and inserting in lieu thereof "section 1002(f)".

1 PART F - GENERAL PROVISIONS

2

3

GENERAL PROVISIONS

4

SEC. 161. Part F of title I of the ESEA is amended-

5

(1) by striking out sections 1601 and 1602; and

6

(2) by redesignating sections 1603 and 1604 as

7

sections 1601 and 1602, respectively.

## PART G - READING EXCELLENCE

## READING AND LITERACY GRANTS TO STATE EDUCATIONAL AGENCIES

SEC. 171. Section 2253 of the ESEA is amended-

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

"(A) NUMBER OF GRANTS. After receiving a grant under this subpart, a State educational agency may apply for a subsequent grant, but the period of any subsequent grant may not begin before the end of the period of the prior grant.";

(2) in subsection (b)-

(A) in paragraph (1)-

(i) in the first sentence, by striking out "and in such form" and inserting in lieu thereof a comma and "in such form, and containing such information"; and

(ii) in the second sentence, by inserting "also" after "shall"; and

(B) in paragraph (2)(B), by adding at the end thereof a new clause (ix) to read as follows:

"(ix) The process and criteria that the State educational agency will use to review and approve applications for local reading improvement subgrants under section 1505 and for tutorial assistance subgrants under section 1506, including a peer-review process that includes individuals described in section 1503(c)(2)(B) and, in the case of tutorial

1 assistance subgrants under section 1506, includes experts on  
2 tutorial assistance.";

3 (3) in subsection (c)(2), by amending subparagraph  
4 (C) to read as follows:

5 "(C) PRIORITY.-(i) The panel shall recommend  
6 grant applications from State educational agencies under this  
7 section to the Secretary for funding or disapproval.

8 "(ii) In making its recommendations, the  
9 panel shall give priority to applications from State educational  
10 agencies in States that have modified or are modifying, or that  
11 provide persuasive evidence that not later than 18 months after  
12 receiving a grant under this section the State will modify, its  
13 requirements for certification of elementary school teachers to  
14 require prospective teachers to be effectively trained in  
15 methods of reading instruction that reflect scientifically based  
16 reading research.

17 "(iii) Nothing in this part shall be read  
18 to establish a national system of teacher certification."; and

19 (4) in subsection (d)(3), by striking out "the date  
20 of the enactment of the Reading Excellence Act" and inserting in  
21 lieu thereof "October 21, 1998".

22

23 USE OF FUNDS BY STATE EDUCATIONAL AGENCIES

24 SEC. 172. Section 2254 of the ESEA is amended to read as  
25 follows:

## 1 "USE OF AMOUNTS BY STATE EDUCATIONAL AGENCIES

2 "SEC. 2254. A State educational agency that receives a  
3 grant under section 1503--

4 "(1) may use not more than five percent of the grant  
5 funds for the administrative costs of carrying out this part,  
6 including the use of not more than two percent of the grant  
7 funds to carry out section 1509; and

8 "(2) shall award not more than 15 percent of the  
9 grant funds through at least one subgrant under section 1506.".

10  
11 LOCAL READING IMPROVEMENT SUBGRANTS

12 SEC. 173. (a) IN GENERAL. Section 2255(a) of the ESEA is  
13 amended--

14 (1) in paragraph (1)--

15 (A) by inserting "serve children in grades one  
16 through three and that" after "agencies that";

17 (B) in subparagraph (B), by inserting "serving  
18 children in grades one through three" after "State"; and

19 (C) in subparagraph (C), by inserting "serving  
20 children in grades one through three" after "State";

21 (2) by redesignating paragraph (2) as paragraph (3);

22 (3) by redesignating the second sentence of paragraph  
23 (1) as paragraph (2); and

24 (4) in paragraph (2), as so redesignated--

1 (A) by inserting the paragraph heading  
2 "DEFINITION." after the paragraph designation "(2)"; and

3 (B) by striking out "subparagraph (C)" and  
4 inserting in lieu thereof "paragraph (1)(C)".

5 (b) USE OF FUNDS. Section 2255(d) of the ESEA is amended—

6 (1) by redesignating paragraph (2) as paragraph (3)  
7 and redesignating the second sentence of paragraph (1) as  
8 paragraph (2);

9 (2) in paragraph (1)—

10 (A) by striking out "paragraph (2)" and  
11 inserting in lieu thereof "paragraph (3)";

12 (B) by inserting "serves children in third grade  
13 or below and" after "any school that"; and

14 (C) by striking out "the second sentence of  
15 subsection (a)(1)" and inserting in lieu thereof "subsection  
16 (a)(2)"; and

17 (3) in paragraph (2), as redesignated by paragraph  
18 (1), by striking out "Such activities shall" and inserting in  
19 lieu thereof "AUTHORIZED ACTIVITIES. The activities referred to  
20 in paragraph (1)".

21  
22 TUTORIAL ASSISTANCE SUBGRANTS

23 SEC. 174. (a) IN GENERAL. Section 2256(a) of the ESEA is  
24 amended—

25 (1) in paragraph (1)—



1 (A) by inserting "local educational agencies  
2 that serve children in grades one through three and that" after  
3 "basis to";

4 (B) by striking out subparagraph (A) and  
5 redesignating subparagraphs (B) through (D) as subparagraphs (A)  
6 through (C), respectively;

7 (C) in subparagraph (A), as so redesignated, by  
8 striking out "local educational agencies that";

9 (D) in subparagraph (B), as redesignated by  
10 subparagraph (B)-

11 (i) by striking out "local educational  
12 agencies with" and inserting in lieu thereof "have"; and

13 (ii) by inserting "that serve children in  
14 grades one through three" after "State"; and

15 (E) in subparagraph (C), as redesignated by  
16 subparagraph (B)-

17 (i) by striking out "local educational  
18 agencies with" and inserting in lieu thereof "have"; and

19 (ii) by inserting "that serve children in  
20 grades one through three" after "State";

21 (2) by redesignating paragraphs (2), (3), and (4) as  
22 paragraphs (3), (4), and (5), respectively;

23 (3) by redesignating the second sentence of paragraph  
24 (1) as paragraph (2);

25 (4) in paragraph (2), as so redesignated-

1 (A) by inserting the paragraph heading  
2 "DEFINITION." after the paragraph designation "(2)"; and

3 (B) by striking out "subparagraph (D)" and  
4 inserting in lieu thereof "paragraph (1)(C)";

5 (5) in subparagraph (B) of paragraph (3), as  
6 redesignated by paragraph (2), by striking out "shall, as a  
7 condition" and all that follows through "provide" and inserting  
8 in lieu thereof "shall provide";

9 (6) in the second sentence of paragraph (4), as  
10 redesignated by paragraph (2), by striking out "that (A)" and  
11 all that follows through the end thereof and inserting in lieu  
12 thereof "that-

13 (A) is described in paragraph (1)(A);

14 (B) has the largest, or second largest, number  
15 of children who are counted under section 1124(c), in comparison  
16 to all other schools in the local educational agency; or

17 (C) has the highest, or second highest, school-  
18 age child-poverty rate (as defined in paragraph (2)), in  
19 comparison to all other schools in the local educational  
20 agency."; and

21 (7) in paragraph (5), as redesignated by paragraph  
22 (2)-

23 (A) by striking out "paragraph (2)" and  
24 inserting in lieu thereof "paragraph (3)"; and

1 (B) by striking out "paragraph (3)" and  
2 inserting in lieu thereof "paragraph (4)".

3 (b) USE OF FUNDS. Section 2256(b)(2) of the ESEA is  
4 amended by inserting "who are in, or have just completed, a pre-  
5 kindergarten program, kindergarten, or grades 1, 2, or 3 and"  
6 after "to children".

7  
8 NATIONAL EVALUATION

9 SEC. 175. Section 2257 of the ESEA is amended by striking  
10 out "From funds reserved under section 2260(b)(1), the" and  
11 inserting in lieu thereof "The".

12  
13 INFORMATION DISSEMINATION

14 SEC. 176. Section 2258 of the ESEA is amended-

15 (1) in subsection (a)-

16 (A) by striking out "section 2260(b)(2)" and  
17 inserting in lieu thereof "section 1002(e)"; and

18 (B) by adding the following sentence at the end  
19 thereof: "The Institute may use not more than five percent of  
20 the amount reserved under section 1002(e) for the costs of  
21 administering this section."; and

22 (2) by adding at the end thereof a new subsection (c)  
23 to read as follows:

24 "(c) SECRETARY'S AUTHORITY. From amounts appropriated for  
25 any fiscal year under section 1002(e), the Secretary may reserve

1 not more than one percent to provide, directly or through grants  
2 or contracts, technical assistance, program improvement, and  
3 replication activities."

4

5 AUTHORIZATION OF APPROPRIATIONS

6 SEC. 177. Section 2260 of the ESEA is repealed.

7

8 TRANSFER AND REDESIGNATIONS

9 SEC. 178. (a) REDESIGNATION OF TITLE I PARTS E AND F.

10 Title I of the ESEA is further amended-

11 (1) by redesignating parts E and F as parts F and G,  
12 respectively;

13 (2) by redesignating sections 1601 and 1602, as  
14 redesignated by section 161(2) of this Act, as sections 1701 and  
15 1702, respectively; and

16 (3) by redesignating sections 1501, 1502, and 1503 as  
17 sections 1601, 1602, and 1603, respectively.

18 (b) TRANSFER OF READING EXCELLENCE ACT TO TITLE I.-(1)

19 Part C of title II of the ESEA, as amended by this part, is  
20 redesignated as, and transferred to, part E of title I of the  
21 ESEA.

22 (2) Sections 2251 through 2259 of the ESEA are  
23 redesignated as sections 1501 through 1509, respectively.

24 (3) Section 1503 of the ESEA, as redesignated by  
25 paragraph (2), is amended-

1 (A) in subsection (a)(1), by striking out  
2 "sections 2254 through 2256" and inserting in lieu thereof  
3 "sections 1504 through 1506";

4 (B) in subsection (b)(2)-

5 (i) by striking out "sections 2255 and  
6 2256" each place it appears and inserting in lieu thereof  
7 "sections 1505 and 1506"; and

8 (ii) in subparagraph (E)(iii), by striking  
9 out "sections 2255(a)(1) and 2256(a)(1)" and inserting in lieu  
10 thereof "sections 1505(a)(1) and 1506(a)(1)"; and

11 (C) in subsection (d)(1)(D), by striking out  
12 "section 2255" and inserting in lieu thereof "section 1505".

13 (4) Section 1505 of the ESEA, as redesignated by  
14 paragraph (2), is amended-

15 (A) in subsection (a)(1), by striking out  
16 "section 2253" and inserting in lieu thereof "section 1503"; and

17 (B) in subsection (e), by striking out "title I  
18 of this Act" and inserting in lieu thereof "other parts of this  
19 title".

20 (5) Subsection (a) of section 1506 of the ESEA, as  
21 redesignated by paragraph (2), is amended-

22 (A) in paragraph (1), by striking out "section  
23 2253" and inserting in lieu thereof "section 1503"; and

24 (B) in paragraph (5), as redesignated by section  
25 174(2)-

1 (i) by striking out "2254(2)" and inserting  
2 in lieu thereof "section 1504(2)"; and

3 (ii) by striking out "section 2255" and  
4 inserting in lieu thereof "section 1505".

5 (6) Section 1507 of the ESEA, as redesignated by  
6 paragraph (2), is amended by striking out "section 2253(c)(2)"  
7 and inserting in lieu thereof "section 1503(c)(2)".

8 (7) Section 1508 of the ESEA, as redesignated by  
9 paragraph (2), is amended—

10 (A) in subsection (a), by striking out "section  
11 2255 or 2256" and inserting in lieu thereof "section 1505 or  
12 1506"; and

13 (B) in subsection (b)(3), by striking out  
14 "section 2253" each place it appears and inserting in lieu  
15 thereof "section 1503".

16 (8) Section 1509 of the ESEA, as redesignated by  
17 paragraph (2), is amended—

18 (A) in subsection (a)—

19 (i) in paragraph (1), by striking out  
20 "section 2253" and inserting in lieu thereof "section 1503"; and

21 (ii) in paragraph (3), by striking out  
22 "section 2257" and inserting in lieu thereof "section 1507"; and

23 (B) in subsection (b)—

24 (i) by striking out "section 2253" and  
25 inserting in lieu thereof "section 1503";

1                                   (ii) in paragraph (1), by striking out  
2 "section 2255" and inserting in lieu thereof "section 1505"; and  
3                                   (iii) in paragraph (2), by striking out  
4 "section 2253(b)(2)(E)(iv)" and inserting in lieu thereof  
5 "section 1503(b)(2)(E)(iv)".

1 TITLE II - HIGH STANDARDS IN THE CLASSROOM

2

3 HIGH STANDARDS IN THE CLASSROOM

4 SEC. 201. Title II of the ESEA is amended to read as  
5 follows:

6

7 "TITLE II - HIGH STANDARDS IN THE CLASSROOM

8

9 "PART A - TEACHING TO HIGH STANDARDS

10

11 "SUBPART 1 - FINDINGS, PURPOSE, AND  
12 AUTHORIZATION OF APPROPRIATIONS

13

14 "FINDINGS

15 "SEC. 2111. The Congress finds as follows:

16 "(1) All students can learn and achieve to high  
17 standards.

18 "(2) States that have shown the most recent success  
19 in improving student achievement are those that have developed  
20 challenging content and student performance standards, aligned  
21 curricula and assessments with those standards, prepare  
22 educators to teach to those standards, and hold schools  
23 accountable for the achievement of all students against those  
24 standards.



1           "(3) A crucial component of an effective strategy for  
2 achieving high standards is ensuring, through professional  
3 development, that all teachers provide their students with  
4 challenging learning experiences in the core academic subjects.

5           "(4) Increased teachers' knowledge of academic  
6 content and effective teaching skills are associated with  
7 increases in student achievement. While other factors also  
8 influence learning, teacher quality makes a critical difference  
9 in how well students learn, across all categories of students.  
10 For example, recent research has found that teachers' expertise  
11 has a greater impact on students' achievement in reading than  
12 any other in-school factor.

13           "(5) Recent research has found that teachers who  
14 participate in sustained curriculum-centered professional  
15 development are much more likely to report that their teaching  
16 is aligned with high standards than are teachers who have not  
17 received such training.

18           "(6) Students who attend schools with large numbers  
19 of poor children are less likely to be taught by teachers who  
20 have met all State requirements for certification or licensure  
21 or who have a solid academic background in the subject matter  
22 they are teaching.

1                   "(7) Despite the fact that every year the Nation's  
2 colleges and universities produce many more teachers than are  
3 hired and that over 2 million individuals who possess education  
4 degrees are currently engaged in activities other than teaching,  
5 many school districts experience difficulty recruiting and  
6 hiring enough fully qualified teachers. Among the reasons  
7 researchers have found for districts hiring less than fully  
8 qualified teachers are--

9                   "(A) cumbersome and poorly coordinated State  
10 licensing procedures and local hiring practices;

11                   "(B) bureaucratic personnel practices that  
12 result in hiring decisions being delayed until as late as the  
13 start of the school year;

14                   "(C) local salaries and working conditions that  
15 discourage many individuals from entering teaching and cause  
16 experienced teachers to leave the profession;

17                   "(D) the lack of portability of teacher  
18 credentials, pensions, and credited years of experience across  
19 State and school district lines;

20                   "(E) a lack of support for new teachers, such as  
21 high-quality mentoring programs, that can help reduce the  
22 attrition rate and the number of new teachers that school  
23 districts must hire every year; and

1                   "(F) compensation systems that do not reward  
2 teachers for improving their knowledge and skills.

3                   "(8) As a result of increasing enrollments, natural  
4 teacher turnover, and the retirement of many veteran teachers,  
5 the Nation faces the challenge of hiring approximately two  
6 million new teachers in the coming decade.

7                   "(9) As retirement and other causes of attrition  
8 diminish the pool of experienced school administrators, many  
9 school districts report a growing shortage of qualified  
10 candidates for the job of principal at the elementary, middle,  
11 and high school levels.

12                   "(10) Programs that facilitate mid-career transitions  
13 from other fields can be an effective means of bringing talented  
14 individuals into the classroom and addressing teacher shortages.

15                   "(11) Programs that recruit, train, and retain highly  
16 qualified recent college graduates as teachers in high-poverty  
17 local educational agencies can also help to bring talented  
18 individuals into the classroom and address teacher shortages.

19                   "(12) Research has found that high-quality  
20 professional development is-

21                   "(A) linked to high standards: professional  
22 development activities should improve the ability of teachers to  
23 help all students, including children with disabilities,

1 children with limited English proficiency, and economically  
2 disadvantaged children, reach high State academic standards;  
3                   "(B) focused on content: professional  
4 development activities should advance teacher understanding of  
5 one or more of the core academic subject areas and effective  
6 instructional strategies for improving student achievement in  
7 those areas;

8                   "(C) collaborative: professional development  
9 activities should involve collaborative groups of teachers and  
10 administrators from the same school or district;

11                   "(D) sustained: professional development  
12 activities should be of sufficient duration to have a positive  
13 and lasting impact on classroom instruction and, to the greatest  
14 extent possible, should include follow-up and school-based  
15 support such as coaching or study groups;

16                   "(E) embedded in a plan: professional  
17 development activities should be embedded in school and  
18 district-wide plans designed to raise student achievement to  
19 State academic standards; and

20                   "(F) informed by research: professional  
21 development activities should be based on the best available  
22 research on teaching and learning.

1           "(13) Programs funded under this part can assist the  
2 Nation to achieve America's Education Goals #3, #4, and #5, as  
3 set out in section 3 of this Act.  
4

5                           "PURPOSE

6           "SEC. 2112. The purpose of this part is to support  
7 improvement in classroom instruction so that all students are  
8 prepared to achieve to challenging State content and student  
9 performance standards in the core academic subjects, by  
10 providing assistance to State and local educational agencies and  
11 to institutions of higher education to—

12           "(1) support States and school districts in  
13 continuing the task of developing challenging content and  
14 student performance standards and aligned assessments, revising  
15 curricula and teacher certification requirements, and using  
16 challenging content and student performance standards to improve  
17 teaching and learning;

18           "(2) ensure that teachers and administrators have  
19 access to professional development that is aligned with  
20 challenging State content and student performance standards in  
21 the core academic subjects;

22           "(3) provide assistance to new teachers during their  
23 first three years in the classroom; and

1           "(4) support the development and acquisition of  
2 curricular materials and other instructional aids, if they are  
3 not normally provided by the local educational agency or the  
4 State as part of the regular instructional program, that will  
5 advance local standards-based school reform efforts.

6

## 7                           "AUTHORIZATIONS OF APPROPRIATIONS

8           "SEC. 2113. (a) SUBPART 2. For the purpose of carrying  
9 out subpart 2, there are authorized to be appropriated such sums  
10 as may be necessary for fiscal year 2001 and each of the four  
11 succeeding fiscal years.

12           "(b) SUBPART 3. For the purpose of carrying out subpart  
13 3, there are authorized to be appropriated such sums as may be  
14 necessary for fiscal year 2001 and each of the four succeeding  
15 fiscal years.

16

## 17                           "SUBPART 2 - STATE AND LOCAL ACTIVITIES

18

## 19                           "ALLOCATIONS TO STATES

20           "SEC. 2121. (a) RESERVATION OF FUNDS. From the amount  
21 available to carry out this subpart for any fiscal year, the  
22 Secretary shall reserve a total of one percent to provide  
23 assistance to-

1           "(1) the outlying areas, which the Secretary shall  
2 distribute among them on the basis of their relative need, which  
3 they shall use to provide professional development; and

4           "(2) the Secretary of the Interior for professional  
5 development activities for teachers, other staff, and  
6 administrators in schools operated or funded by the Bureau of  
7 Indian Affairs.

8           "(b) STATE ALLOCATIONS. After reserving funds under  
9 subsection (a), the Secretary shall allocate the remaining funds  
10 among the States as follows:

11           "(1) Fifty percent shall be allocated on the basis of  
12 the relative amounts the States received under subpart 2 of part  
13 A of title I for the previous fiscal year.

14           "(2) Fifty percent shall be allocated on the basis of  
15 the relative populations of individuals aged 5 through 17, as  
16 determined by the Secretary on the basis of the most recent data  
17 that are satisfactory to the Secretary.

18           "(c) MINIMUM STATE ALLOCATION. Notwithstanding subsection  
19 (b), the Secretary shall allocate to each State no less than  
20 one-half of 1 percent of the total amount available under that  
21 subsection.

1           " (d) DEFINITION. For the purpose of this section, the  
2 term 'State' means each of the 50 States, the District of  
3 Columbia, and the Commonwealth of Puerto Rico.

4

5                           " PRIORITY FOR PROFESSIONAL DEVELOPMENT IN  
6                           MATHEMATICS AND SCIENCE

7           " SEC. 2122. (a) PRIORITY.-(1) In any fiscal year for  
8 which the appropriation for this subpart is \$300 million or  
9 less, each State educational agency, working jointly with the  
10 State agency for higher education, shall ensure that all funds  
11 received under this subpart are used for professional  
12 development in mathematics and science that is aligned with  
13 State content and student performance standards.

14                       " (2) In any fiscal year for which the appropriation  
15 for this subpart is greater than \$300 million, the State  
16 educational agency and the State agency for higher education  
17 shall jointly ensure that the total amount of funds under this  
18 subpart that they use for professional development in  
19 mathematics and science is at least as much as the allocation  
20 the State would have received if that appropriation had been  
21 \$300 million.

22                       " (b) INTERDISCIPLINARY ACTIVITIES. A State may apply  
23 funds under this subpart that it uses for activities that focus  
24 on more than one core academic subject toward meeting the



1 requirements of subsection (a) if those activities include a  
2 strong focus on improving instruction in mathematics or science.

3 " (c) ADDITIONAL FUNDS. Each State educational agency and  
4 State agency for higher education shall jointly ensure that any  
5 funds in excess of the amount required by subsection (a) to be  
6 spent on professional development in mathematics or science are  
7 used to provide professional development activities in one or  
8 more of the core academic subjects.

9

10 "STATE APPLICATION

11 "SEC. 2123. (a) APPLICATIONS REQUIRED.-(1) Each State  
12 desiring to receive its allocation under this subpart shall  
13 submit an application to the Secretary at such time, in such  
14 form, and containing such information as the Secretary may  
15 reasonably require.

16 "(2) The State educational agency shall develop the  
17 State application-

18 "(A) in consultation with the State agency for  
19 higher education, community-based and other nonprofit  
20 organizations of demonstrated effectiveness in professional  
21 development, and institutions of higher education; and

1                   " (B) with the extensive participation of  
2 teachers, teacher educators, school administrators, and content  
3 specialists.

4           " (b) CONTENTS. Each such application shall include-

5                   " (1) a description of how the State educational  
6 agency will use all funds received under this subpart, including  
7 funds reserved for State-level activities under section 2126, to  
8 implement State plans or policies that support comprehensive  
9 standards-based education reform through the following  
10 strategies:

11                   " (A) Supporting the alignment of curricula,  
12 assessments, and professional development with challenging State  
13 and local content and student performance standards.

14                   " (B) Providing professional development, aligned  
15 with State content and student performance standards in core  
16 academic subjects.

17                   " (C) Ensuring that teachers employed by local  
18 educational agencies are proficient in content knowledge and  
19 teaching skills;

20                   " (2) a description of how the State educational  
21 agency will coordinate activities funded under this subpart with  
22 professional development activities that are supported with  
23 funds from other relevant Federal and non-Federal programs;

1           "(3) a description of how the State educational  
2 agency will ensure that all recipients of funds under this  
3 subpart report on the program performance indicators identified  
4 by the Secretary under section 2136;

5           "(4) a list of any additional indicators of program  
6 performance, beyond those required under this subpart, on which  
7 the State educational agency and State agency for higher  
8 education will require recipients to report, and a description  
9 of how those State agencies will use the information collected  
10 to improve program performance; and

11           "(5) a description of the process the State  
12 educational agency will use to make competitive awards to local  
13 educational agencies under section 2128, including a description  
14 of-

15           "(A) the State's criteria for classifying local  
16 educational agencies as among those having the greatest need for  
17 services provided under this subpart and its justification for  
18 those criteria;

19           "(B) the State's strategies for ensuring that  
20 local educational agencies that have historically had little  
21 success in competing for funds are provided a reasonable  
22 opportunity to compete for subgrants;

1                   "(C) the State's criteria for determining the  
2 amounts that it will award to recipients and the criteria for  
3 providing noncompetitive renewals of subgrants; and

4                   "(D) the technical assistance that the State .  
5 educational agency will provide, under section 2128(e)(2), to  
6 local educational agencies that it identifies as having the  
7 greatest need for services and that fail to receive an award  
8 under this subpart.

9               "(c) APPROVAL. The Secretary shall, using a peer-review  
10 process, approve a State application if it meets the  
11 requirements of this section and holds reasonable promise of  
12 achieving the purpose described in section 2112.

13

14   "ANNUAL STATE REPORTS

15               "SEC. 2124. Each State that receives funds under this  
16 subpart shall annually report to the Secretary, by such deadline  
17 as the Secretary may establish, with the first such report due  
18 by October 1, 2001-

19                   "(1) on its activities under this subpart;

20                   "(2) on the progress of recipients of subgrants under  
21 this subpart against such program performance indicators as the  
22 Secretary may identify under section 2136 and against any  
23 additional indicators included in the State's application; and

1               "(3) such other information as the Secretary may  
2 reasonably require.

3

4                               "WITHIN-STATE ALLOCATIONS

5               "SEC. 2125. (a) STATE ADMINISTRATION AND STATE-LEVEL  
6 ACTIVITIES.-(1) Each State educational agency may reserve not  
7 more than a total of 10 percent of the amount it receives under  
8 this subpart for any fiscal year for-

9                               "(A) its costs of administering this subpart;

10                              "(B) the State-level activities described in  
11 section 2126; and

12                              "(C) evaluations of the effectiveness of  
13 activities under this part, including effectiveness as measured  
14 against such indicators of program performance as the Secretary  
15 may identify under section 2136.

16                              "(2) A State educational agency may use not more than  
17 one third of the amount reserved under paragraph (1) for  
18 administration of this subpart, including any costs of  
19 conducting subgrant competitions under section 2128.

20               "(b) RESERVATION FOR STATE AGENCY FOR HIGHER EDUCATION.  
21 For the purpose of carrying out section 2127 for any fiscal  
22 year, each State educational agency shall make available to the  
23 State agency for higher education an amount equal to what the

1 State's allocation would be if the amount appropriated for this  
2 subpart were \$60 million.

3 "(c) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES. Each State  
4 educational agency shall use the remaining funds to make  
5 subgrants to local educational agencies as follows:

6 "(1) Fifty percent shall be allocated to local  
7 educational agencies in proportion to the relative numbers of  
8 children, aged 5 through 17, from families below the poverty  
9 level who reside in the jurisdictions served by those agencies.

10 "(2) Fifty percent shall be used to provide  
11 additional funds to local educational agencies on a competitive  
12 basis under section 2128.

13

14 "STATE-LEVEL ACTIVITIES

15 "SEC. 2126. Each State shall use funds it reserves under  
16 section 2125(a)(1)(B) to carry out activities described in its  
17 approved application that promote high-quality classroom  
18 instruction, such as-

19 "(1) supporting the continued improvement of State  
20 content and student performance standards and assessments  
21 aligned with those standards;

22 "(2) providing technical assistance and other  
23 services to increase the capacity of local educational agencies

1 and schools to develop and implement systemic local improvement  
2 plans, implement State and local assessments, and develop  
3 curricula consistent with State and local content and  
4 performance standards;

5           "(3) supporting the development and improvement of  
6 performance-based accountability and incentive systems for  
7 schools;

8           "(4) supporting the development and implementation,  
9 at the local educational agency and school-building level, of  
10 improved systems for recruiting, selecting, hiring, mentoring,  
11 supporting, evaluating, and rewarding teachers and principals;

12           "(5) redesigning and strengthening professional  
13 licensure systems for educators;

14           "(6) developing and implementing professional  
15 development opportunities for teachers, principals, and other  
16 educators based on State content and student performance  
17 standards;

18           "(7) developing performance-based assessment systems  
19 for full teacher licensure;

20           "(8) establishing, expanding, or improving rigorous  
21 alternative routes to State certification or licensure;

22           "(9) developing or strengthening assessments to test  
23 the content knowledge and teaching skills of new teachers;

1           "(10) creating a statewide network to provide  
2 potential teachers with access to information on job openings  
3 and required qualifications, and with access to on-line  
4 applications;

5           "(11) supporting the work of a broad-based Statewide  
6 panel that promotes comprehensive education reform; and

7           "(12) meeting the requirements of part B of title XI  
8 of this Act, except for the development of policies on school  
9 discipline.

10

11           "SUBGRANTS TO PARTNERSHIPS OF INSTITUTIONS OF HIGHER  
12           EDUCATION AND LOCAL EDUCATIONAL AGENCIES

13           "SEC. 2127. (a) ADMINISTRATION. From the funds made  
14 available to it under section 2125(b) for any fiscal year, the  
15 State agency for higher education may use not more than three  
16 and one-third percent for its expenses in administering this  
17 subpart, including conducting evaluations against such  
18 indicators of program performance as the Secretary may identify  
19 under section 2136.

20           "(b) SUBGRANTS TO PARTNERSHIPS.-(1) The State agency for  
21 higher education shall use the remainder of those funds, in  
22 cooperation with the State educational agency, to make subgrants  
23 to, or enter into contracts or cooperative agreements with,  
24 institutions of higher education or nonprofit organizations of



1 demonstrated effectiveness in providing professional development  
2 in the core academic subjects.

3 " (2) Each subgrant under this section shall be-

4 " (A) of sufficient size and duration to carry  
5 out the purpose of this subpart effectively;

6 " (B) awarded, using a peer-review process, on a  
7 competitive basis; and

8 " (C) for a period of three years, which the  
9 State agency for higher education shall extend for an additional  
10 two years if it determines that substantial progress is being  
11 made toward meeting the specific goals set out in the written  
12 agreements required by subsection (c) and against such  
13 indicators of program performance as the Secretary may identify  
14 under section 2136.

15 " (3) In making subgrants, the State agency for higher  
16 education shall give a priority to projects that focus on  
17 induction programs for new teachers.

18 " (4) In making subgrants, the State agency for higher  
19 education shall consider-

20 " (A) the need for the proposed professional  
21 development activities in the local educational agency or  
22 agencies with which the institution or organization has an  
23 agreement under subsection (c), as demonstrated by measurable

1 indicators, such as those described in section 2128(c) and those  
2 identified by the Secretary under section 2136;

3 " (B) the quality of the proposed program and its  
4 likelihood of success in improving classroom instruction and  
5 student academic achievement; and

6 " (C) such other criteria as it finds  
7 appropriate.

8 " (c) LOCAL EDUCATIONAL AGENCIES AS REQUIRED PARTNERS.-(1)  
9 No institution of higher education or nonprofit organization may  
10 receive a subgrant under this section unless it enters into a  
11 written agreement with at least one local educational agency to  
12 provide professional development for elementary and secondary  
13 school teachers in the schools of that agency in the core  
14 academic subjects.

15 " (2) Each such agreement shall identify specific  
16 goals for how the professional development that the subgrantee  
17 provides will enhance the ability of those teachers to prepare  
18 all students to achieve to challenging State and local content  
19 and student performance standards.

20 " (d) COORDINATION. Any professional development  
21 activities carried out under this section shall be coordinated  
22 with activities carried out under title II of the Higher  
23 Education Act of 1965, if the local educational agency or

1 institution of higher education is participating in programs  
2 funded under that title.

3       "(e) JOINT EFFORTS WITHIN INSTITUTIONS OF HIGHER  
4 EDUCATION. Each activity assisted under this section shall  
5 involve the joint effort of the institution of higher  
6 education's school or department of education and the school or  
7 departments in the specific disciplines in which the  
8 professional development will be provided.

9       "(f) USES OF FUNDS. A recipient of funds under this  
10 section shall use those funds for-

11               "(1) professional development in the core academic  
12 subjects, aligned with State or local content standards, for  
13 teams of teachers from a school or local educational agency and,  
14 where appropriate, administrators and teaching assistants on a  
15 career track;

16               "(2) research-based programs to assist new teachers  
17 during their first three years in the classroom, which may  
18 include-

19                       "(A) mentoring and coaching by trained mentor  
20 teachers that lasts at least two years;

21                       "(B) team teaching with experienced teachers;

22                       "(C) time for observation of, and consultation  
23 with, experienced teachers;

1                   "(D) assignment of fewer course preparations;  
2 and

3                   "(E) provision of additional time for  
4 preparation; and

5                   "(3) providing technical assistance to school and  
6 agency staff for planning, implementing, and evaluating  
7 professional development.

8                   "(g) ANNUAL REPORTS.- (1) Beginning with fiscal year 2002,  
9 each subgrantee under this section shall submit an annual report  
10 to the State agency for higher education, by a date set by that  
11 agency, on its progress against such indicators of program  
12 performance as the Secretary may identify under section 2136.

13                   "(2) Each such report shall-

14                   "(A) include a copy of each written agreement  
15 required by subsection (c); and

16                   "(B) describe how the subgrantee and the local  
17 educational agency have collaborated to achieve the specific  
18 goals set out in the agreement, and the results of that  
19 collaboration.

20                   "(3) The State agency for higher education shall  
21 provide the State educational agency with a copy of each  
22 subgrantee's annual report.

23

## "COMPETITIVE LOCAL AWARDS

"SEC. 2128. (a) IN GENERAL. Each State educational agency shall use the funds described in section 2125(c)(2) for competitive grants to local educational agencies that are primarily focused on those agencies with the greatest need for activities related to the development and effective implementation of curricula aligned with State content and student performance standards and for professional development activities that are aligned with those standards.

"(b) SELECTION PROCESS.-(1) The State educational agency shall award subgrants under this section through a peer-review process that includes reviewers who are knowledgeable in the academic content areas.

"(2) The State educational agency shall-

"(A) provide local educational agencies and the general public with a list of the selection criteria that the State educational agency will use in making subgrants; and

"(B) at the completion of the awards process, make public a complete list of applicants and of the applicants that received awards.

"(c) DEMONSTRATION OF NEED. The State educational agency shall identify the applicants with the greatest need for

1 services based on objective data supplied by the applicant, such  
2 as-

3 " (1) the number or percentage of children who fail to  
4 meet State performance standards on assessments used for part A  
5 of title I;

6 " (2) the number or percentage of schools identified  
7 for school improvement under section 1116(c);

8 " (3) the number or percentage of teachers employed  
9 who have not received full State certification or licensure;

10 " (4) the number or percentage of secondary-school  
11 teachers whose primary teaching assignment is in a core academic  
12 subject for which the teacher does not have an academic major or  
13 minor in the subject area or a related field;

14 " (5) the number or percentage of students living in  
15 poverty;

16 " (6) the number or percentage of students who have  
17 limited English proficiency; and

18 " (7) the applicant's fiscal capacity to fund programs  
19 described in this section without Federal assistance.

20 " (d) SELECTION OF SUBGRANTEES. The State educational  
21 agency shall make awards to applicants based on-

1           "(1) the quality of the applicant's proposal and the  
2 likelihood of its success in improving classroom instruction and  
3 student academic achievement; and

4           "(2) the demonstrated need of the applicant under  
5 subsection (c).

6           "(e) OPPORTUNITY TO COMPETE.-(1) To ensure that local  
7 educational agencies that have the greatest need are provided a  
8 reasonable opportunity to compete for an award, State  
9 educational agencies shall adopt at least one of, or a strategy  
10 similar to at least one of, the following strategies:

11           "(A) Holding more than one competition for funds  
12 from a fiscal year and, before each subsequent competition,  
13 providing technical assistance in developing a high-quality  
14 application to districts it identifies as having the greatest  
15 need that were unsuccessful in the initial grant competition.

16           "(B) Holding a competition restricted to local  
17 educational agencies that it has identified as having the  
18 greatest need for services.

19           "(C) Requiring recipients seeking a renewal of  
20 their awards to form a partnership with an applicant that failed  
21 to receive an award.

1                   "(D) Providing a competitive priority to those  
2 districts it has identified as having the greatest need for  
3 services.

4                   "(2) At a minimum, a State educational agency shall,  
5 after the completion of an award cycle and before the start of  
6 the next cycle, provide any applicant local educational agency  
7 that met its criteria for greatest need for services, but that  
8 did not receive a subgrant, with technical assistance in  
9 developing a high-quality application for future competitions.

10                  "(f) SCOPE OF PROJECTS. The State educational agency  
11 shall approve only applications for projects that are of  
12 sufficient size, scope, and quality to achieve the purpose of  
13 this part.

14                  "(g) DURATION OF SUBGRANTS. Each subgrant under this  
15 section shall be for a period of three years, which the State  
16 educational agency shall extend for an additional two years if  
17 it determines that the local educational agency is making  
18 substantial progress toward meeting the specific goals in its  
19 plan described in section 2129(c)(1) and against such indicators  
20 of program performance as the Secretary may identify under  
21 section 2136.

22



## "LOCAL APPLICATIONS

"SEC. 2129. (a) APPLICATION REQUIRED. A local educational agency that wishes to receive a subgrant under this subpart shall submit an application to the State educational agency containing such information as the State educational agency may reasonably require.

"(b) PLAN.-(1) Each such application shall include a district-wide plan for raising student achievement against State standards through each of the following strategies:

"(A) Supporting the alignment of curricula, assessments, and professional development with challenging State and local content standards.

"(B) Providing professional development in core academic content areas.

"(C) Carrying out activities to assist new teachers during their first three years in the classroom.

"(D) Ensuring that teachers employed by the local educational agency are proficient in teaching skills and in the content knowledge needed to effectively teach the content called for by State standards.

"(2) Each plan under paragraph (1) shall be data-driven and based on results of assessments of student

1 performance that the local educational agency is using under  
2 title I.

3 " (c) ADDITIONAL CONTENTS. Each such application shall  
4 also-

5 " (1) identify specific, measurable goals for  
6 achieving the purpose described in section 2112 that, at a  
7 minimum, reflect the performance indicators identified by the  
8 Secretary under section 2136;

9 " (2) describe how the local educational agency will  
10 address the needs of high-poverty, low-performing schools within  
11 its jurisdiction;

12 " (3) describe how the local educational agency will  
13 address the needs of teachers of students with limited English  
14 proficiency and other students with special needs;

15 " (4) include an assurance that the local educational  
16 agency will collect data that measure progress toward the  
17 indicators of program performance identified by the Secretary  
18 under section 2136;

19 " (5) describe how the local educational agency will  
20 coordinate funds under this subpart with the professional  
21 development activities funded through other State and Federal  
22 programs;

1           "(6) describe how the local educational agency will  
2 use funds described in section 2125(c)(1) to help implement the  
3 plan described in subsection (b); and

4           "(7) if applying for a competitive subgrant under  
5 section 2128, describe how it will use the additional funds  
6 under that section to support implementation of that plan.

7           "(d) APPROVAL. Notwithstanding section 2125(c)(1)-

8           "(1) a State educational agency shall approve a local  
9 educational agency's application under this section only if it  
10 determines that it holds reasonable promise of achieving the  
11 purpose described in section 2112; and

12           "(2) shall continue to provide funds to a local  
13 educational agency under section 2125(c)(1) after its third year  
14 of participation only if it determines that the local  
15 educational agency has made substantial progress toward meeting  
16 the specific goals in its plan described in section 2129(c)(1)  
17 and against such indicators of program performance as the  
18 Secretary may identify under section 2136.

19           "(e) DURATION.-(1) An application approved under this  
20 section shall remain in effect for the duration of a local  
21 educational agency's participation in the program under this  
22 subpart.

1                   "(2) A local educational agency shall annually review  
2 its plan, revise it as necessary, and submit any such revisions  
3 to the State educational agency for its approval.  
4

5                                   "USES OF FUNDS

6                   "SEC. 2130. A local educational agency that receives funds  
7 under this subpart shall use those funds for activities to raise  
8 student achievement against challenging State standards, in  
9 accordance with its plan described in section 2129(b), which may  
10 include--

11                   "(1) professional development in the core academic  
12 subjects that provides educators with content and pedagogical  
13 skills to prepare all students to achieve to challenging State  
14 and local content and student performance standards;

15                   "(2) school-based collaborative efforts among  
16 teachers to improve instruction in core academic subject areas,  
17 including programs that facilitate teacher observation and  
18 analyses of fellow teachers' classroom practice to improve  
19 instruction;

20                   "(3) sustained collaboration that takes place over  
21 the course of at least one school year among teachers and  
22 outside experts to improve instruction in core academic subject  
23 areas;

1           "(4) teacher participation in working groups, task  
2 forces, or committees charged with adapting and implementing  
3 high standards for all students, including district-wide and  
4 school-based teams of teachers charged with aligning curricula  
5 and lesson plans with State content and student performance  
6 standards and assessments;

7           "(5) programs to assist new teachers during their  
8 first three years in the classroom, such as--

9                   "(A) mentoring and coaching by trained mentor  
10 teachers that lasts for at least two school years;

11                   "(B) team teaching with experienced teachers;

12                   "(C) time for observation of, and consultation  
13 with, experienced teachers;

14                   "(D) assignment of fewer course preparations;

15 and

16                   "(E) provision of additional time for course  
17 preparation;

18           "(6) programs to implement peer-review processes for  
19 teachers and principals;

20           "(7) collaborative professional development  
21 experiences for veteran teachers based on the standards in the  
22 core academic subjects of the National Board for Professional  
23 Teaching Standards;

1           "(8) the participation of teams of teachers in summer  
2 institutes and summer immersion activities that are focused on  
3 preparing teachers to bring all students to high standards in  
4 one or more of the core academic subjects;

5           "(9) the establishment and maintenance of local  
6 professional networks that provide a forum for interaction among  
7 teachers and that allow for the exchange of information on  
8 advances in content and pedagogy;

9           "(10) the development of incentives to encourage  
10 teachers employed by the agency, and other qualified  
11 individuals, to obtain proficiency in content knowledge in a  
12 core academic subject area identified by the agency as having a  
13 shortage of qualified teachers;

14           "(11) the development and acquisition of curricular  
15 materials and other instructional aids, if they are not normally  
16 provided by the local educational agency or the State as part of  
17 the regular instructional program, that will advance local  
18 reform efforts to raise student achievement against State and  
19 local content and student performance standards; and

20           "(12) the development and distribution of school and  
21 agency report cards on the status of education and educational  
22 progress, as required by section 11206.

23

## "LOCAL ACCOUNTABILITY

"SEC. 2131. (a) ANNUAL REPORTS. Each local educational agency that receives funds under this subpart shall make publicly available and submit to the State educational agency every year, beginning in fiscal year 2002, a report on its activities under this subpart, in such form and containing such information as the State educational agency may reasonably require.

"(b) CONTENTS. The report shall contain, at a minimum-

"(1) information on progress across the local educational agency against such indicators of program performance as the Secretary may identify under section 2136;

"(2) information on progress across the local educational agency toward achieving the specific goals described in section 2129(c)(1);

"(3) data disaggregated by school-poverty level as defined by the Secretary; and

"(4) a description of the methodology used to gather the data.

## "LOCAL COST-SHARING REQUIREMENT

"SEC. 2132. (a) FUNDS AWARDED BY FORMULA. The Federal share of activities carried out under this subpart with funds

1 awarded by formula under section 2125(c)(1) shall not exceed 67  
2 percent for any fiscal year.

3 " (b) OTHER FUNDS. The Federal share of activities carried  
4 out under this subpart with funds awarded under section  
5 2125(c)(2) shall not exceed-

6 " (1) 85 percent during the first year of the  
7 subgrant;

8 " (2) 75 percent during the second year;

9 " (3) 65 percent during the third year;

10 " (4) 55 percent during the fourth year; and

11 " (5) 50 percent during the fifth year.

12 " (c) SERVICES TO PRIVATE SCHOOL STUDENTS AND TEACHERS.

13 Notwithstanding subsections (a) and (b), the Federal share of  
14 the cost of providing services to students and teachers in  
15 private schools, in accordance with section 11803 through 11806,  
16 may be up to 100 percent.

17 " (d) AVAILABLE RESOURCES FOR COST-SHARING. A local  
18 educational agency may meet its obligations under subsections  
19 (a) or (b) through one or more of the following:

20 " (1) Cash expenditures from non-Federal sources,  
21 including private contributions.

22 " (2) Services provided in kind, fairly evaluated.

23 " (3) Release time for participating teachers.



1           "(4) Funds received under other Federal statutes and  
2 programs, if used in a manner consistent with those statutes and  
3 programs and for the benefit of students and teachers that would  
4 otherwise have been served with those funds.

5  
6                           "MAINTENANCE OF EFFORT

7           "SEC. 2133. No funds may be provided to a local  
8 educational agency under this subpart unless the State  
9 educational agency is satisfied that the local educational  
10 agency will spend, from other sources, at least as much for  
11 professional development activities described in this subpart as  
12 the average amount it spent from other sources for those  
13 activities over the previous three years.

14  
15                           "EQUIPMENT AND TEXTBOOKS

16           "SEC. 2134. A local educational agency may not use  
17 subgrant funds under this subpart for equipment, computer  
18 hardware, textbooks, telecommunications fees, or other items,  
19 that would otherwise be provided by the local educational  
20 agency, the State, or a private school whose students receive  
21 services under this part.

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## "SUPPLEMENT, NOT SUPPLANT

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## "PROGRAM PERFORMANCE INDICATORS

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## "DEFINITIONS

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22

"SEC. 2135. A local educational agency that receives funds under this subpart shall use those funds only to supplement the amount of funds or resources that would, in the absence of those Federal funds, be made available from non-Federal sources for the purposes of the program authorized under this subpart, and not to supplant those non-Federal funds or resources.

"SEC. 2136. Not later than three months after the effective date of the amendments to this title made by the Educational Excellence for All Children Act of 1999, the Secretary shall, in collaboration with States, local educational agencies, and institutions of higher education, identify indicators of program performance under this subpart, against which recipients of funds under this subpart shall report their progress, in such manner as the Secretary may determine.

"SEC. 2137. As used in this subpart, the following terms have the following meanings:

1 " (1) CORE ACADEMIC SUBJECTS. The term 'core academic

2 subjects' means-

3 " (A) mathematics;

4 " (B) science;

5 " (C) reading (or language arts) and English;

6 " (D) social studies (history, civics/government,  
7 geography, and economics);

8 " (E) foreign languages; and

9 " (F) fine arts (music, dance, drama, and the  
10 visual arts).

11 " (2) HIGH-POVERTY LOCAL EDUCATIONAL AGENCY. The term

12 'high-poverty local educational agency' has the meaning given  
13 that term in section 2217(1).

14 " (3) LOW-PERFORMING SCHOOL. The term 'low-performing

15 school' means-

16 " (A) a school identified by a local educational  
17 agency for school improvement under section 1116(c); or

18 " (B) a school in which the great majority of  
19 students fail to meet State student performance standards based  
20 on assessments the local educational agency is using under part  
21 A of title I.

22 " (4) PROFESSIONAL DEVELOPMENT. The term

23 'professional development' means sustained and intensive

1 activities that improve teachers' content knowledge and teaching  
2 skills and that--

3                   "(A) enhance the ability of teachers to help all  
4 students, including children with disabilities, children with  
5 limited English proficiency and economically disadvantaged  
6 children, reach high State and local content and student  
7 performance standards;

8                   "(B) advance teacher understanding of one or  
9 more of the core academic subject areas and effective  
10 instructional strategies for improving student achievement in  
11 those areas;

12                   "(C) are of sufficient duration to have a  
13 positive and lasting impact on classroom instruction;

14                   "(D) are an integral part of broader school and  
15 district-wide plans for raising student achievement to State and  
16 local standards;

17                   "(E) are based on the best available research on  
18 teaching and learning;

19                   "(F) include professional development activities  
20 that involve collaborative groups of teachers and administrators  
21 from the same school or district and, to the greatest extent  
22 possible, include follow-up and school-based support such as  
23 coaching or study groups; and

1                   "(G) as a whole, are regularly evaluated for  
2 their impact on increased teacher effectiveness and improved  
3 student achievement, with the findings of such evaluations used  
4 to improve the quality of professional development.

5

6 "SUBPART 3 - NATIONAL ACTIVITIES FOR THE IMPROVEMENT OF TEACHING  
7 AND SCHOOL LEADERSHIP

8

9 "PROGRAM AUTHORIZED

10 "SEC. 2141. (a) IN GENERAL. The Secretary is authorized  
11 to make grants to, and to enter into contracts and cooperative  
12 agreements with, local educational agencies, educational service  
13 agencies, State educational agencies, State agencies for higher  
14 education, institutions of higher education, and other public  
15 and private nonprofit agencies, organizations, and institutions  
16 to carry out subsection (b).

17 "(b) ACTIVITIES. The Secretary-

18 "(1) may support activities of national significance  
19 that are not supported through other sources and that the  
20 Secretary determines will contribute to the improvement of  
21 teaching and school leadership in the Nation's schools, such as-

22 "(A) supporting collaborative efforts by States,  
23 or consortia of States, to review and benchmark the quality,  
24 rigor and alignment of State standards and assessments;

1                   " (B) supporting the development of models, at  
2 the State and local levels, of innovative compensation systems  
3 that-

4                   " (i) provide incentives for talented  
5 individuals who have a strong knowledge of academic content to  
6 enter teaching; and

7                   " (ii) reward experienced teachers who  
8 acquire new knowledge and skills that are needed in the schools  
9 and districts in which they teach; and

10                  " (C) supporting collaborative efforts by States,  
11 or consortia of States, to develop performance-based systems for  
12 assessing content knowledge and teaching skills prior to full  
13 teacher licensure;

14                  " (2) may support activities of national significance  
15 that the Secretary determines will contribute to the recruitment  
16 and retention of highly qualified teachers and principals in  
17 high-poverty local educational agencies, such as-

18                  " (A) the development and implementation of a  
19 national teacher recruitment clearinghouse and job bank, which  
20 shall be coordinated and, to the extent feasible, integrated  
21 with the America's Job Bank administered by the Secretary of  
22 Labor, to-

1                   "(i) disseminate information and resources  
2 nationwide on entering the teaching profession to persons  
3 interested in becoming teachers;

4                   "(ii) serve as a national resource center  
5 for effective practices in teacher recruitment and retention;

6                   "(iii) link prospective teachers to local  
7 educational agencies and training resources; and

8                   "(iv) provide information and technical  
9 assistance to prospective teachers about certification and other  
10 State and local requirements related to teaching;

11                   "(B) the development and implementation, or  
12 expansion, of programs that recruit talented individuals to  
13 become principals, including such programs that employ  
14 alternative routes to State certification, and that prepare both  
15 new and experienced principals to serve as instructional  
16 leaders, which may include the creation and operation of a  
17 national center for the preparation and support of principals as  
18 leaders of school reform;

19                   "(C) efforts to increase the portability of  
20 teacher pensions and reciprocity of teaching credentials across  
21 State lines;

22                   "(D) research, evaluation, and dissemination  
23 activities related to effective strategies for increasing the

1 portability of teachers' credited years of experience across  
2 State and school district lines; and

3 " (E) the development and implementation of  
4 national or regional programs to-

5 " (i) recruit highly talented individuals to  
6 become teachers, through alternative certification routes, in  
7 high-poverty local educational agencies; and

8 " (ii) help retain those individuals as  
9 classroom teachers in those local educational agencies for more  
10 than three years;

11 " (3) shall carry out a national evaluation of the  
12 effect of activities under this part, including changes in  
13 instructional practice and objective measures of student  
14 achievement;

15 " (4) may support the National Board for Professional  
16 Teaching Standards; and

17 " (5) shall support the Eisenhower National  
18 Clearinghouse for Mathematics and Science Education under  
19 section 2142.

20

21 "EISENHOWER NATIONAL CLEARINGHOUSE FOR  
22 MATHEMATICS AND SCIENCE EDUCATION

23 "SEC. 2142. (a) ESTABLISHMENT OF CLEARINGHOUSE. The  
24 Secretary shall award a competitive grant or contract to



1 establish the Eisenhower National Clearinghouse for Mathematics  
2 and Science Education (hereafter in this section referred to as  
3 'the Clearinghouse').

4 " (b) AUTHORIZED ACTIVITIES.-(1) APPLICATION AND AWARD  
5 BASIS.-(A) Each entity desiring to establish and operate the  
6 Clearinghouse shall submit an application to the Secretary at  
7 such time, in such manner, and containing such information as  
8 the Secretary may require.

9 " (B) The Secretary shall establish a peer-review  
10 process to make recommendations on the recipient of the award  
11 for the Clearinghouse.

12 " (C) The Secretary shall make the award for the  
13 Clearinghouse on the basis of merit.

14 " (2) DURATION. The Secretary shall award the grant  
15 or contract for the Clearinghouse for a period of five years.

16 " (3) ACTIVITIES. The award recipient shall use the  
17 award funds to-

18 " (A) maintain a permanent collection of such  
19 mathematics and science education instructional materials and  
20 programs for elementary and secondary schools as the Secretary  
21 finds appropriate, with a priority for such materials and  
22 programs that have been identified as promising or exemplary,  
23 through a systematic approach such as the use of expert panels

1 required under the Educational Research, Development,  
2 Dissemination, and Improvement Act of 1994;

3                   "(B) disseminate the materials and programs  
4 described in paragraph (1) to the public, State educational  
5 agencies, local educational agencies, and schools (particularly  
6 high-poverty, low-performing schools), including through the  
7 maintenance of an interactive national electronic information  
8 management and retrieval system accessible through the Worldwide  
9 Web and other advanced communications technologies;

10                   "(C) coordinate with other databases containing  
11 mathematics and science curriculum and instructional materials,  
12 including Federal, non-Federal, and, where feasible,  
13 international databases;

14                   "(D) using not more than ten percent of the  
15 amount awarded under this section for any fiscal year,  
16 participate in collaborative meetings of representatives of the  
17 Clearinghouse and the regional consortia established under  
18 section 2424 of this title to-

19                   "(i) discuss issues of common interest and  
20 concern;

21                   "(ii) foster effective collaboration and  
22 cooperation in acquiring and distributing curriculum materials  
23 and programs; and

1                   "(iii) coordinate and enhance computer  
2 network access to the Clearinghouse and the resources of the  
3 regional consortia;

4                   "(E) support the development and dissemination  
5 of model professional development materials in mathematics and  
6 science education;

7                   "(F) contribute materials or information, as  
8 appropriate, to other national repositories or networks; and

9                   "(G) gather qualitative and evaluative data on  
10 submissions to the Clearinghouse, and disseminate that data  
11 widely, including through the use of electronic dissemination  
12 networks.

13                   "(4) SUBMISSION TO CLEARINGHOUSE. Each Federal  
14 agency or department that develops mathematics or science  
15 education instructional materials or programs, including the  
16 National Science Foundation and the Department, shall submit  
17 copies of that material and those programs to the Clearinghouse.

18                   "(5) STEERING COMMITTEE. The Secretary may appoint a  
19 steering committee to recommend policies and activities for the  
20 Clearinghouse.

21                   "(6) APPLICATION OF COPYRIGHT LAWS.-(A) Nothing in  
22 this section shall be construed to allow the use or copying, in  
23 any medium, of any material collected by the Clearinghouse that

1 is protected under the copyright laws of the United States  
2 unless the permission of the owner of the copyright is obtained.

3                   "(B) In carrying out this section, the  
4 Clearinghouse shall ensure compliance with title 17 of the  
5 United States Code.

1 "PART B - TRANSITION TO TEACHING; TROOPS TO TEACHERS

2

3

"FINDINGS

4

"SEC. 2211. The Congress finds as follows:

5

"(1) School districts will need to hire more than 2  
6 million teachers in the next decade. The need for teachers in  
7 the areas of math, science, foreign languages, special  
8 education, and bilingual education, and for those able to teach  
9 in high-poverty school districts will be particularly high. To  
10 meet this need, talented Americans of all ages should be  
11 recruited to become successful, qualified teachers.

12

"(2) Nearly 13 percent of teachers of academic  
13 subjects have neither an undergraduate major nor minor in their  
14 main assignment fields. This problem is more acute in high-  
15 poverty schools, where the out-of-field percentage is 22  
16 percent.

17

"(3) The Third International Math and Science Study  
18 (TIMSS) ranked U.S. high school seniors last among 16 countries  
19 in physics and next to last in math. It is also evident, mainly  
20 from the TIMSS data, that based on academic scores, a stronger  
21 emphasis needs to be placed on the academic preparation of our  
22 children in math and science.

1                   "(4) One-fourth of high-poverty schools find it very  
2 difficult to fill bilingual teaching positions, and nearly half  
3 of public school teachers have students in their classrooms for  
4 whom English is a second language.

5                   "(5) Many career-changing professionals with strong  
6 content-area skills are interested in a teaching career, but  
7 need assistance in getting the appropriate pedagogical training  
8 and classroom experience.

9                   "(6) The Troops to Teachers model has been highly  
10 successful in linking high-quality teachers to teach in high-  
11 poverty school districts.

12

13

"PURPOSE

14                   "SEC. 2212. The purpose of this part is to address the  
15 need of high-poverty school districts for highly qualified  
16 teachers in particular subject areas, such as mathematics,  
17 science, foreign languages, bilingual education, and special  
18 education needed by those school districts, by-

19                   "(1) continuing and enhancing the Troops to Teachers  
20 model for recruiting and supporting the placement of such  
21 teachers; and

1           "(E) recruiting, preparing, placing, and supporting  
 2 career-changing professionals who have knowledge and experience  
 3 that will help them become such teachers.

4

5                                   "PROGRAM AUTHORIZED

6           "SEC. 2213. (a) AUTHORITY. Subject to subsection (b),  
 7 the Secretary is authorized to use funds appropriated under  
 8 subsection (c) for each fiscal year to award grants, contracts,  
 9 or cooperative agreements to institutions of higher education  
 10 and public and private nonprofit agencies or organizations to  
 11 carry out programs authorized by this part.

12           "(b) TROOPS TO TEACHERS.- (1) Before making awards  
 13 under subsection (a) for any fiscal year, the Secretary shall  
 14 first-

15                                   "(A) consult with the Secretary of Defense  
 16 and the Secretary of Transportation regarding the appropriate  
 17 amount of funding needed to continue and enhance the Troops to  
 18 Teachers program; and

19                                   "(B) upon agreement, transfer that amount  
 20 to the Department of Defense to carry out the Troops to Teachers  
 21 program.

22           "(2) The Secretary may enter into a written  
 23 agreement with the Departments of Defense and Transportation, or

1 take such other steps as the Secretary determines are  
2 appropriate to ensure effective continuation of the Troops to  
3 Teachers program.

4 " (c) AUTHORIZATION OF APPROPRIATIONS. For the  
5 purpose of carrying out this part, there are authorized to be  
6 appropriated such sums as may be necessary for fiscal year 2001  
7 and each of the four succeeding fiscal years.

8

9

"APPLICATION

10 "SEC. 2214. Each applicant that desires an award under  
11 section 2213(a) shall submit an application to the Secretary  
12 containing such information as the Secretary may require,  
13 including--

14 " (1) a description of the target group of career-  
15 changing professionals upon which the applicant will focus in  
16 carrying out its program under this part, including a  
17 description of the characteristics of that target group that  
18 shows how the knowledge and experience of its members are  
19 relevant to meeting the purpose of this part;

20 " (2) a description of how the applicant will identify  
21 and recruit program participants;



1           "(3) a description of the training that program  
2 participants will receive and how that training will relate to  
3 their certification as teachers;

4           "(4) a description of how the applicant will ensure  
5 that program participants are placed and teach in high-poverty  
6 local educational agencies;

7           "(5) a description of the teacher induction services  
8 (which may be provided through existing induction programs) the  
9 program participants will receive throughout at least their  
10 first year of teaching;

11           "(6) a description of how the applicant will  
12 collaborate, as needed, with other institutions, agencies, or  
13 organizations to recruit, train, place, and support program  
14 participants under this part, including evidence of the  
15 commitment of those institutions, agencies, or organizations to  
16 the applicant's program;

17           "(7) a description of how the applicant will evaluate  
18 the progress and effectiveness of its program, including—

19                   "(A) the program's goals and objectives;

20                   "(B) the performance indicators the applicant  
21 will use to measure the program's progress; and

22                   "(C) the outcome measures that will be used to  
23 determine the program's effectiveness; and

1                   "(8) an assurance that the applicant will provide to  
2 the Secretary such information as the Secretary determines  
3 necessary to determine the overall effectiveness of programs  
4 under this part.

5

6

"USES OF FUNDS AND PERIOD OF SERVICE

7

8

"SEC. 2215. (a) AUTHORIZED ACTIVITIES. Funds under this  
part may be used for-

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"(1) recruiting program participants, including  
informing them of opportunities under the program and putting  
them in contact with other institutions, agencies, or  
organizations that would train, place, and support them;

"(2) training stipends and other financial  
incentives for program participants, such as moving expenses,  
not to exceed \$5,000, in the aggregate, per participant;

"(3) assisting institutions of higher education  
or other providers of teacher training to tailor their training  
to meet the particular needs of professionals who are changing  
their careers to teaching;

"(4) placement activities, including identifying  
high-poverty local educational agencies with needs for the  
particular skills and characteristics of the newly trained

1 program participants and assisting those participants to obtain  
2 employment in those local educational agencies; and

3 " (5) post-placement induction or support  
4 activities for program participants.

5 " (b) PERIOD OF SERVICE. A program participant in a  
6 program under this subpart who completes his or her training  
7 shall serve in a high-poverty local educational agency for at  
8 least three years.

9 " (c) REPAYMENT. The Secretary shall establish such  
10 requirements as the Secretary determines appropriate to ensure  
11 that program participants who receive a training stipend or  
12 other financial incentive under subsection (a) (2), but fail to  
13 complete their service obligation under subsection (b), repay  
14 all or a portion of such stipend or other incentive.

15

16

#### "EQUITABLE DISTRIBUTION

17 "SEC. 2216. To the extent practicable, the Secretary shall  
18 make awards under this part that support programs in different  
19 geographic regions of the Nation.

20

21

#### "DEFINITIONS

22 "SEC. 2217. As used in this part-

1                   "(1) the term 'high-poverty local educational agency'  
2 means a local educational agency in which the percentage of  
3 children, ages 5 through 17, from families below the poverty  
4 level is 20 percent or greater, or the number of such children  
5 exceeds 10,000; and

6                   "(2) the term 'program participants' means career-  
7 changing professionals who-

8                               "(A) hold at least a baccalaureate degree;

9                               "(B) demonstrate interest in, and commitment to,  
10 becoming a teacher; and

11                               "(C) have knowledge and experience that is  
12 relevant to teaching a high-need subject area in a high-poverty  
13 local educational agency.

1 "PART C - EARLY CHILDHOOD EDUCATOR PROFESSIONAL DEVELOPMENT

2  
3 "PURPOSE

4 "SEC. 2301. In support of the national effort to attain  
5 the first of America's Education Goals, as set out in section  
6 2(c)(1) of this Act, the purpose of this part is to enhance the  
7 school readiness of young children, particularly disadvantaged  
8 young children, and to prevent them from encountering reading  
9 difficulties once they enter school, by improving the knowledge  
10 and skills of early childhood educators who work in communities  
11 that have high concentrations of children living in poverty.

12  
13 "PROGRAM AUTHORIZED

14 "SEC. 2302. (a) ELIGIBLE PARTNERSHIPS. The Secretary  
15 shall carry out the purpose of this part through competitive  
16 grants to partnerships consisting of-

17 "(1) either-

18 "(A) one or more institutions of higher  
19 education that provide professional development for early  
20 childhood educators who work with children from low-income  
21 families in high-need communities; or

22 "(B) another public or private, nonprofit entity  
23 that provides such professional development; and

1           "(2) one or more public agencies (including local  
2 educational agencies, State educational agencies, State human  
3 services agencies, and State and local agencies administering  
4 programs under the Child Care and Development Block Grant Act of  
5 1990); Head Start agencies; or private, nonprofit organizations.

6           "(b) PRIORITY. In selecting grantees under this part, the  
7 Secretary shall give priority to applications from partnerships  
8 that include one or more local educational agencies that operate  
9 early childhood education programs for children from low-income  
10 families in high-need communities.

11           "(c) DURATION OF GRANTS.-(1) Each grant under this part  
12 shall be for up to four years.

13           "(2) No grantee may receive more than one grant under  
14 this part.

15

16

#### "APPLICATIONS

17           "SEC. 2303. (a) APPLICATIONS REQUIRED. Any eligible  
18 applicant that desires to receive a grant under this part shall  
19 submit an application at such time, in such manner, and  
20 containing such information as the Secretary may require.

21           "(b) CONTENTS. Each such application shall include-

1           "(1) a description of the high-need community to be  
2 served by the project, including such demographic and  
3 socioeconomic information as the Secretary may request;

4           "(2) information on the quality of the early  
5 childhood educator professional development program currently  
6 conducted by the institution of higher education or other  
7 provider in the partnership;

8           "(3) the results of the assessment that the entities  
9 in the partnership have undertaken to determine the most  
10 critical professional development needs of the early childhood  
11 educators to be served by the partnership and in the broader  
12 community, and a description of how the proposed project will  
13 address those needs;

14           "(4) a description of how the proposed project will  
15 be carried out, including--

16                   "(A) how individuals will be selected to  
17 participate;

18                   "(B) the types of research-based professional  
19 development activities that will be carried out;

20                   "(C) how research on effective professional  
21 development and on adult learning will be used to design and  
22 deliver project activities;

1                   " (D) how the project will coordinate with and  
2 build on, and will not supplant or duplicate, early childhood  
3 education professional development activities that exist in the  
4 community;

5                   " (E) how the project will train early childhood  
6 educators to provide services that are based on the best  
7 available research on child, language, and literacy development  
8 and on early childhood pedagogy; and

9                   " (F) how the program will train early childhood  
10 educators to meet the diverse educational needs of children in  
11 the community, including children who have limited English  
12 proficiency, disabilities, or other special needs;

13                   " (5) a description of-

14                   " (A) the specific objectives that the applicant  
15 will seek to attain through the project, and how the applicant  
16 will measure progress toward attainment of those objectives; and

17                   " (B) how the objectives and the measurement  
18 activities align with the performance indicators established by  
19 the Secretary under section 2306(a);

20                   " (6) a description of the applicant's plan for  
21 institutionalizing the activities carried out under the project,  
22 so that they continue once Federal funding ceases;



1               "(7) an assurance that, where applicable, the project  
2 will provide appropriate professional development to volunteer  
3 staff, as well as to paid staff; and

4               "(8) an assurance that, in developing its application  
5 and in carrying out its project, it has consulted with, and will  
6 consult with, relevant agencies and organizations described in  
7 section 2302(a)(2) that are not members of the partnership.

8

9

"SELECTION OF GRANTEES

10              "SEC. 2304. (a) CRITERIA. The Secretary shall select  
11 applicants to receive funding on the basis of the community's  
12 need for assistance and the quality of the applications.

13              "(b) GEOGRAPHIC DISTRIBUTION. In selecting grantees, the  
14 Secretary shall seek to ensure that communities in different  
15 regions of the Nation, as well as both urban and rural  
16 communities, are served.

17

18

"USES OF FUNDS

19              "SEC. 2305. (a) IN GENERAL. Each recipient of a grant  
20 under this part shall use the grant funds to carry out  
21 activities that will improve the knowledge and skills of early  
22 childhood educators who are working in early childhood programs

1 that are located in high-need communities and serve  
2 concentrations of children from low-income families.

3 " (b) ALLOWABLE ACTIVITIES. Allowable activities include,  
4 but are not limited to-

5 " (1) professional development for individuals working  
6 as early childhood educators, particularly to familiarize those  
7 individuals with recent research on child, language, and  
8 literacy development and on early childhood pedagogy;

9 " (2) professional development for early childhood  
10 educators in working with parents, based on the best current  
11 research on child, language, and literacy development and parent  
12 involvement, so that they can prepare their children to succeed  
13 in school;

14 " (3) professional development for early childhood  
15 educators to work with children who have limited English  
16 proficiency, disabilities, and other special needs;

17 " (4) activities that assist and support early  
18 childhood educators during their first three years in the field;

19 " (5) development and implementation of early  
20 childhood educator professional development programs that make  
21 use of distance learning and other technologies; and

1 " (6) data collection, evaluation, and reporting  
2 needed to meet the requirements of this part relating to  
3 accountability.  
4

5 "ACCOUNTABILITY

6 "SEC. 2306. (a) PERFORMANCE INDICATORS. Simultaneously  
7 with the publication of any application notice for grants under  
8 this part, the Secretary shall announce performance indicators  
9 for this part, which shall be designed to measure—

10 "(1) the quality of the professional development  
11 provided;

12 "(2) the impact of that professional development on  
13 the early childhood education provided by the individuals who  
14 are trained; and

15 "(3) such other measures of program impact as the  
16 Secretary determines appropriate.

17 "(b) ANNUAL REPORTS.—(1) Grantees shall report annually  
18 to the Secretary on their progress against the performance  
19 indicators.

20 "(2) The Secretary may terminate a grant at any time  
21 if he determines that the grantee is not making satisfactory  
22 progress against those indicators.  
23

## "COST-SHARING

"SEC. 2307. (a) IN GENERAL. Each grantee shall provide, from other sources, which may include other Federal sources--

"(1) at least 50 percent of the total cost of its project for the grant period; and

"(2) at least 20 percent of the project cost in each year.

"(b) ACCEPTABLE CONTRIBUTIONS. A grantee may meet the requirement of subsection (a) through cash or in-kind contributions, fairly valued.

"(c) WAIVERS. The Secretary may waive or modify the requirements of subsection (a) in cases of demonstrated financial hardship.

## "DEFINITIONS

"SEC. 2308. As used in this part, the following terms have the following meanings:

"(1)(A) The term 'high-need community' means--

"(i) a municipality, or portion of a municipality, in which at least 50 percent of children are from low-income families; or

1                                 "(ii) a municipality that is one of the 10  
2 percent of municipalities within its State having the greatest  
3 numbers of those children.

4                                 "(B) In determining which communities are  
5 described in subparagraph (A), the Secretary shall use such data  
6 as he determines are most accurate and appropriate.

7                                 "(2) The term 'low-income family' means a family with  
8 an income below the poverty line (as defined by the Office of  
9 Management and Budget and revised annually in accordance with  
10 section 673(2)) of the Community Services Block Grant Act (42  
11 U.S.C. 9902(2)) applicable to a family of the size involved for  
12 the most recent fiscal year for which satisfactory data are  
13 available.

14                                 "(3) The term 'early childhood educator' means a  
15 person who provides care and education to children at any age  
16 from birth through kindergarten.

17

18                                 "FEDERAL COORDINATION

19                                 "SEC. 2309. The Secretary and the Secretary of Health and  
20 Human Services shall coordinate activities under this part and  
21 other early childhood programs administered by the two  
22 Secretaries.

23

## 1 "AUTHORIZATION OF APPROPRIATIONS

2 "SEC. 2310. For the purpose of carrying out this part,  
3 there are authorized to be appropriated such sums as may be  
4 necessary for fiscal year 2001 and each of the four succeeding  
5 fiscal years.

## 1 "PART D - TECHNICAL ASSISTANCE PROGRAMS

2

3

## "FINDINGS

4

"SEC. 2401. The Congress finds that-

5

6 "(1) sustained, high-quality technical assistance  
7 that responds to State and local demand, supported by widely  
8 disseminated, research-based information on what constitutes  
9 high-quality technical assistance and how to identify high-  
10 quality technical assistance providers, can enhance the  
11 opportunity for all children to achieve to challenging State  
12 academic content and student performance standards;

12

13 "(2) an integrated system for acquiring, using, and  
14 supplying technical assistance is essential to improving  
15 programs and affording all children this opportunity;

15

16 "(3) States, local educational agencies, tribes, and  
17 schools serving students with special needs, such as  
18 educationally disadvantaged students and students with limited  
19 English proficiency, have clear needs for technical assistance  
20 in order to use funds under this Act to provide those students  
21 with opportunities to achieve to challenging State academic  
22 content standards and student performance standards;

22

23 "(4) current technical assistance and dissemination  
efforts are insufficiently responsive to the needs of States,

1 local educational agencies, schools, and tribes for help in  
2 identifying their particular needs for technical assistance and  
3 developing and implementing their own integrated systems for  
4 using the various sources of funding for technical assistance  
5 activities under this Act (as well as other Federal, State, and  
6 local resources) to improve teaching and learning and to  
7 implement more effectively the programs authorized by this Act;  
8 and

9           "(5) the Internet and other forms of advanced  
10 telecommunications technology are an important means of  
11 providing information and assistance in a cost-effective way.

12

13

"PURPOSE

14           "SEC. 2402. The purpose of this part is to create a  
15 comprehensive and cohesive, national system of technical  
16 assistance and dissemination that is based on market principles  
17 in responding to the demand for, and expanding the supply of,  
18 high-quality technical assistance. Such a system shall support  
19 States, local educational agencies, tribes, schools, and other  
20 recipients of funds under this Act in implementing standards-  
21 based reform and improving student performance through-

22

23           "(1) the provision of financial support and  
impartial, research-based information designed to assist States



1 and high-need local educational agencies to develop and  
2 implement their own integrated systems of technical assistance  
3 and select high-quality technical assistance activities and  
4 providers for use in those systems;

5           "(2) the establishment of technical assistance  
6 centers in areas that reflect identified national needs in order  
7 to ensure the availability of strong technical assistance in  
8 those areas;

9           "(3) the integration of all technical assistance and  
10 information dissemination activities carried out or supported by  
11 the Department of Education in order to ensure comprehensive  
12 support for school improvement;

13           "(4) the creation of a technology-based system, for  
14 disseminating information about ways to improve educational  
15 practices throughout the Nation, that reflects input from  
16 students, teachers, administrators, and other individuals who  
17 participate in, or may be affected by, the Nation's educational  
18 system; and

19           "(5) national evaluations of effective technical  
20 assistance.

21

1 "SUBPART 1 - STRENGTHENING THE CAPACITY OF STATE AND LOCAL  
2 EDUCATIONAL AGENCIES TO BECOME EFFECTIVE, INFORMED CONSUMERS OF  
3 TECHNICAL ASSISTANCE

4

5

"PURPOSE

6

"SEC. 2411. It is the purpose of this subpart to-

7

"(1) provide grants to State and local educational  
8 agencies in order to-

9

"(A) respond to the growing demand for increased  
10 local decisionmaking in determining technical assistance needs  
11 and appropriate technical assistance services;

12

"(B) encourage States and local educational  
13 agencies to assess their technical assistance needs, and how  
14 their various sources of funding for technical assistance under  
15 this Act and from other sources can best be coordinated to meet  
16 those needs (including their needs to collect and analyze data);

17

"(C) build the capacity of State and local  
18 educational agencies to use technical assistance effectively and  
19 thereby improve their ability to provide the opportunity for all  
20 children to achieve to challenging State academic content  
21 standards and student performance standards; and

22

"(D) assist State and local educational agencies  
23 in acquiring high-quality technical assistance; and

1           "(2) establish an independent source of consumer  
2 information regarding the quality of technical assistance  
3 activities and providers, in order to assist State and local  
4 educational agencies, and other consumers of technical  
5 assistance that receive funds under this Act, in selecting  
6 technical assistance activities and providers for their use.

7  
8                               "ALLOCATION OF FUNDS

9           "SEC. 2412. From the funds appropriated to carry out this  
10 subpart for any fiscal year-

11           "(1) the Secretary shall first allocate one percent  
12 of such funds to the Bureau of Indian Affairs and the Outlying  
13 Areas, in accordance with their respective needs for such funds  
14 (as determined by the Secretary) to carry out activities that  
15 meet the purposes of this subpart; and

16           (2) from the remainder of such funds, the Secretary  
17 shall-

18           "(A) allocate two-thirds of such remainder to  
19 State educational agencies in accordance with the formula  
20 described in section 2413; and

21           "(B) allocate one-third of such remainder to the  
22 100 local educational agencies with the largest number of

1 children counted under section 1124(c), in accordance with the  
2 formula described in section 2416.

3

4 "FORMULA GRANTS TO STATE EDUCATIONAL AGENCIES

5 "SEC. 2413. (a) FORMULA. Subject to subsection (b), the  
6 Secretary shall allocate the funds under section 2412(2)(A)  
7 among the States in proportion to the relative amounts each  
8 State would have received for Basic Grants under subpart 2 of  
9 part A of title I of this Act for the most recent fiscal year,  
10 if the Secretary had disregarded the allocations under such  
11 subpart to local educational agencies that are eligible to  
12 receive direct grants under section 2416.

13 "(b) ADJUSTMENTS TO ALLOCATIONS. The Secretary shall  
14 adjust the allocations under subsection (a), as necessary, to  
15 ensure that, of the total amount allocated to States under  
16 subsection (a) and to local educational agencies under section  
17 2416, the percentage allocated to a State under this section and  
18 to localities in the State under section 2416 is at least the  
19 minimum percentage for the State described in section 1124(d)  
20 for the previous fiscal year.

21 "(c) REALLOCATIONS. If the Secretary determines that any  
22 amount of any State's allocation under subsection (a) (as  
23 adjusted, if necessary, under subsection (b)) will not be

1 required for such fiscal year for carrying out the activities  
2 for which such amount has been allocated, the Secretary shall  
3 make such amount available for reallocation. Any such  
4 reallocation among other States shall occur on such dates as the  
5 Secretary shall establish, and shall be made on the basis of  
6 criteria established by regulation. Any amount reallocated to a  
7 State under this subsection for any fiscal year shall remain  
8 available for obligation during the succeeding fiscal year, and  
9 shall be deemed to be part of the State's allocation for the  
10 year in which the amount is obligated.

11

12

"STATE APPLICATION

13

"SEC. 2414. (a) APPLICATION REQUIREMENTS. Each State

14

desiring a grant under this subpart shall submit an application

15

to the Secretary at such time, in such manner, and containing

16

such information as the Secretary may require. Each such

17

application shall describe-

18

"(1) the State's need for, and the capacity of the

19

State educational agency to provide, technical assistance in

20

implementing programs under this Act (including assistance on

21

the collection and analysis of data) and in implementing the

22

State plan or policies for comprehensive, standards-based

23

education reform;

1           (2) how the State will use the funds provided under  
2 this subpart to coordinate all its sources of funds for  
3 technical assistance, including all sources of such funds under  
4 this Act, into an integrated system of providing technical  
5 assistance to local educational agencies, and other local  
6 recipients of funds under this Act, within the State and  
7 implement that system;

8           "(3) the State educational agency's plan for using  
9 funds from all sources under this Act to build its capacity,  
10 through the acquisition of outside technical assistance and  
11 other means, to provide technical assistance to local  
12 educational agencies and other recipients within the State;

13           "(4) how, in carrying out technical assistance  
14 activities using funds provided from all sources under this Act,  
15 the State will-

16           "(A) assist local educational agencies and  
17 schools in providing high-quality education to all children  
18 served under this Act to achieve to challenging academic  
19 standards;

20           "(B) give the highest priority to meeting the  
21 needs of high-poverty, low-performing local educational agencies  
22 (taking into consideration any assistance that such local  
23 educational agencies may be receiving under section 2416); and

1                   "(C) give special consideration to local  
2 educational agencies and other recipients of funds under this  
3 Act serving rural and isolated areas.

4           "(b) APPROVAL. The Secretary shall approve a State's  
5 application for funds under this subpart if it meets the  
6 requirements of subsection (a) and is of sufficient quality to  
7 meet the purposes of this subpart. In determining whether to  
8 approve a State's application, the Secretary shall take into  
9 consideration the advice of peer reviewers. The Secretary shall  
10 not disapprove any application under this section without giving  
11 the State notice and opportunity for a hearing.

12

13   "STATE USES OF FUNDS

14           "SEC. 2415. (a) IN GENERAL. The State educational agency  
15 may use funds provided under this subpart to--

16                   "(1) build its capacity (and the capacity of other  
17 State agencies that implement programs under this Act) to use  
18 technical assistance funds provided under this Act effectively  
19 through the acquisition of high-quality technical assistance,  
20 and the selection of high-quality technical assistance  
21 activities and providers, that meet the technical assistance  
22 needs identified by the State;

1           "(2) develop, coordinate, and implement an integrated  
2 system-

3           "(A) that provides technical assistance to local  
4 educational agencies and other recipients of funds under this  
5 Act within the State, directly, through contracts, or through  
6 subgrants to local educational agencies, or other recipients of  
7 funds under this Act, for activities that meet the purposes of  
8 this subpart; and

9           "(B) that uses all sources of funds provided for  
10 technical assistance, including all sources of such funds under  
11 this Act; and

12           "(3) acquire the technical assistance it needs to  
13 increase opportunities for all children to achieve to  
14 challenging State academic content standards and student  
15 performance standards and to implement the State's plan or  
16 policies for comprehensive standards-based education reform.

17           "(b) TYPES OF TECHNICAL ASSISTANCE. A State's integrated  
18 system of providing technical assistance may include assistance  
19 on such activities as the following:

20           "(1) Implementing State standards in the classroom,  
21 including aligning instruction, curriculum, assessments, and  
22 other aspects of school reform with those standards.



1           "(2) Collecting, disaggregating, and using data to  
2 analyze and improve the implementation, and increase the impact,  
3 of educational programs.

4           "(3) Conducting needs assessments and planning  
5 intervention strategies that are aligned with State goals and  
6 accountability systems.

7           "(4) Planning and implementing effective, research-  
8 based reform strategies, including schoolwide reforms, and  
9 strategies for making schools safe, disciplined, and drug-free.

10          "(5) Improving the quality of teaching and the  
11 ability of teachers to serve students with special needs  
12 (including educationally disadvantaged students and students  
13 with limited English proficiency).

14          "(6) Planning and implementing strategies to promote  
15 opportunities for all children to achieve to challenging State  
16 academic content standards and student performance standards.

17

18           "GRANTS TO LARGE LOCAL EDUCATIONAL AGENCIES

19          "SEC. 2416. (a) FORMULA. The Secretary shall allocate the  
20 funds under section 2412(2)(B) among the local educational  
21 agencies described therein in proportion to the relative amounts  
22 allocated to each such local educational agency for Basic Grants

1 under subpart 2 of part A of title I of this Act for the most  
2 recent fiscal year.

3 " (b) REALLOCATIONS. If the Secretary determines that any  
4 amount of any local educational agency's allocation under  
5 subsection (a) will not be required for such fiscal year for  
6 carrying out the activities for which such amount has been  
7 allocated, the Secretary shall make such amount available for  
8 reallocation. Any such reallocation among other local  
9 educational agencies described in section 2412(2)(B) shall occur  
10 on such dates as the Secretary shall establish, and shall be  
11 made on the basis of criteria established by regulation. Any  
12 amount reallocated to a local educational agency under this  
13 subsection for any fiscal year shall remain available for  
14 obligation during the succeeding fiscal year, and shall be  
15 deemed to be part of the local educational agency's allocation  
16 for the year in which the amount is obligated.

17

18 "LOCAL APPLICATION

19 "SEC. 2417. (a) APPLICATION REQUIREMENTS. Each local  
20 educational agency described in section 2412(2)(B) that desires  
21 a grant under section 2416 shall submit an application to the  
22 Secretary at such time, in such manner, and containing such

1 information as the Secretary may require. Each such application  
2 shall describe—

3           "(1) the local educational agency's need for  
4 technical assistance in implementing programs under this Act  
5 (including assistance on the use and analysis of data) and in  
6 implementing the State's, or its own, plan or policies for  
7 comprehensive standards-based education reform; and

8           "(2) how the local educational agency will use the  
9 funds provided under this subpart to coordinate all its various  
10 sources of funds for technical assistance, including all sources  
11 of such funds under this Act and from other sources, into an  
12 integrated system for acquiring and using outside technical  
13 assistance and other means of building its own capacity to  
14 provide the opportunity for all children to achieve to  
15 challenging State academic content standards and student  
16 performance standards implementing programs under this Act, and  
17 implement that system.

18           "(b) APPROVAL. The Secretary shall approve a local  
19 educational agency's application for funds under this subpart if  
20 it meets the requirements of subsection (a) and is of sufficient  
21 quality to meet the purposes of this subpart. In determining  
22 whether to approve a local educational agency's application, the  
23 Secretary shall take into consideration the advice of peer

1 reviewers. The Secretary shall not disapprove any application  
2 under this section without giving the local educational agency  
3 notice and opportunity for a hearing.

4

5 "LOCAL USES OF FUNDS

6 "SEC. 2418. (a) IN GENERAL. A local educational agency  
7 described in section 2412(2)(B) may use funds provided under  
8 section 2416 to-

9 "(1) build its capacity to use technical assistance  
10 funds provided under this Act effectively through the  
11 acquisition of high-quality technical assistance and the  
12 selection of high-quality technical assistance activities and  
13 providers that meet its technical assistance needs;

14 "(2) develop, coordinate, and implement an integrated  
15 system of providing technical assistance to its schools using  
16 all sources of funds provided for technical assistance,  
17 including all sources of such funds under this Act; and

18 "(3) acquire the technical assistance it needs to  
19 increase opportunities for all children to achieve to  
20 challenging State academic content standards and student  
21 performance standards and to implement the State's, or its own,  
22 plan or policies for comprehensive standards-based education  
23 reform.

1           "(b) TYPES OF TECHNICAL ASSISTANCE. A local educational  
2 agency may use funds provided under this subpart for technical  
3 assistance activities such as those described in section  
4 2415(b).

5  
6                           "EQUITABLE SERVICES FOR PRIVATE SCHOOLS

7           "SEC. 2419. (a) INFORMATION AND TRAINING. If a State or  
8 local educational agency uses funds under this subpart to—

9                           "(1) provide professional development for teachers or  
10 school administrators, it shall provide for such professional  
11 development for teachers or school administrators in private  
12 schools located in the same geographic area on an equitable  
13 basis; or

14                           "(2) provide information about State educational  
15 goals, standards, or assessments, it shall, upon request,  
16 provide such information to private schools located in the same  
17 geographic area.

18           "(b) WAIVER. If a State or local educational agency is  
19 prohibited by law from complying with subsection (a)(1), or the  
20 Secretary determines it has substantially failed or is unwilling  
21 to comply with subsection (a)(1), the Secretary shall waive  
22 subsection (a)(1) and arrange for the provision of such  
23 professional development services for such teachers or school

1 administrators, consistent with applicable State goals and  
2 standards and section 11806 of this Act.

3  
4 "CONSUMER INFORMATION

5 "SEC. 2419A. (a) The Secretary shall, through one or more  
6 contracts, establish an independent source of consumer  
7 information regarding the quality and effectiveness of technical  
8 assistance activities and providers available to States, local  
9 educational agencies, and other recipients of funds under this  
10 Act, in selecting technical assistance activities and providers  
11 for their use.

12 "(b) A contract under this section may be awarded for a  
13 period of up to five years.

14 "(c) The Secretary may reserve, from the funds  
15 appropriated to carry out this subpart for any fiscal year, such  
16 sums as he determines necessary to carry out this section.

17  
18 "AUTHORIZATION OF APPROPRIATIONS

19 "SEC. 2419B. For purposes of carrying out this subpart,  
20 there are authorized to be appropriated such sums as may be  
21 necessary for fiscal year 2001 and for each of the four  
22 succeeding fiscal years.

23

1 "SUBPART 2 - TECHNICAL ASSISTANCE CENTERS SERVING SPECIAL NEEDS

2  
3 "GENERAL PROVISIONS

4 "SEC. 2421. In addition to meeting the requirements of a  
5 particular section of this subpart, all technical assistance  
6 providers that receive funds under this subpart, all consortia  
7 that receive funds under subpart 2 of part B of title III, and  
8 the educational laboratories, and clearinghouses of the  
9 Educational Resources Information Center, supported under the  
10 Educational Research, Development, Dissemination, and  
11 Improvement Act (notwithstanding any other provision of such  
12 title or Act), shall-

13 "(1) participate in a technical assistance network  
14 with the Department and other federally supported technical  
15 assistance providers in order to coordinate services and  
16 resources;

17 "(2) ensure that the services they provide-

18 "(A) are of high quality;

19 "(B) are cost-effective;

20 "(C) reflect the best information available from  
21 research and practice, including findings and applications such  
22 as those made available through the Regional Educational  
23 Laboratories, Research and Development Centers, National

1 Clearinghouses, and other federally supported providers of  
2 technical assistance; and

3                   "(D) are aligned with State and local education  
4 reform efforts;

5                   "(3) in collaboration with State educational agencies  
6 in the States served, educational service agencies (where  
7 appropriate), and representatives of high-poverty, low-  
8 performing urban and rural local educational agencies in each  
9 State served, develop a targeted approach to providing technical  
10 assistance that gives priority to providing intensive, ongoing  
11 services to high-poverty local educational agencies and schools  
12 that are most in need of raising student achievement (such as  
13 schools identified as in need of improvement under section  
14 1116(c));

15                   "(4) cooperate with the Secretary in carrying out  
16 activities (including technical assistance activities authorized  
17 by other programs under this Act) such as publicly disseminating  
18 materials and information that are produced by the Department  
19 and are relevant to the purpose, expertise, and mission of the  
20 technical assistance provider; and

21                   "(5) use technology, including electronic  
22 dissemination networks and Internet-based resources, in  
23 innovative ways to provide high-quality technical assistance.



1  
2 "CENTERS FOR TECHNICAL ASSISTANCE ON THE NEEDS OF SPECIAL  
3 POPULATIONS

4 "SEC. 2422. (a) PROGRAM AUTHORITY.-(1) IN GENERAL. The  
5 Secretary is authorized to award grants, contracts, or  
6 cooperative agreements for each fiscal year to public or private  
7 nonprofit entities, or consortia of such entities, to provide  
8 for the operation of two technical assistance centers to provide  
9 training and technical assistance to State educational agencies,  
10 local educational agencies, schools, tribes, community-based  
11 organizations, and other recipients of funds under this Act  
12 concerning-

13 "(A) how to address the specific linguistic,  
14 cultural, or other needs of limited English proficient,  
15 migratory, Indian, and Alaska Native students; and

16 "(B) educational strategies for enabling those  
17 students to achieve to challenging State academic content and  
18 performance standards.

19 "(2) SPECIAL EXPERTISE REQUIRED. An entity may  
20 receive an award under this section only if it demonstrates, to  
21 the satisfaction of the Secretary, that it has expertise in the  
22 areas described in paragraphs (1)(A) and (B).

1           "(b) DURATION OF AWARD. Grants, contracts, or cooperative  
2 agreements under this section shall be awarded for a period of  
3 up to 5 years.

4           "(c) CENTER REQUIREMENTS.-(1) IN GENERAL. In order to  
5 assist local educational agencies and schools to provide high-  
6 quality education to the students described in subsection  
7 (a)(1)(A), so that they can achieve to challenging State  
8 academic content and performance standards, each center  
9 established under this section shall-

10                       "(A) maintain appropriate staff expertise; and

11                       "(B) provide support, training, and assistance  
12 to State educational agencies, tribes, local educational  
13 agencies, schools, and other grant recipients under this Act in  
14 meeting the needs of the students described in subsection  
15 (a)(1)(A), including the coordination of other Federal programs  
16 and State and local programs, resources, and reforms.

17                       "(2) PRIORITY. Each center assisted under this  
18 section shall give priority to providing services to schools,  
19 including Bureau of Indian Affairs-funded schools, that educate  
20 the students described in subsection (a)(1)(A) and have the  
21 highest percentages or numbers of children in poverty and the  
22 lowest student achievement levels.

1           "(d) ACCOUNTABILITY. To ensure the quality and  
2 effectiveness of the centers supported under this section, the  
3 Secretary shall-

4                   "(1) develop a set of performance indicators that  
5 assesses whether the work of the centers assists in improving  
6 teaching and learning under this Act for students described in  
7 subsection (a)(1)(A);

8                   "(2) conduct surveys every two years of entities to  
9 be served under this section to determine if such entities are  
10 satisfied with the access to, and quality of, such services;

11                   "(3) collect, as part of the Department's reviews of  
12 programs under this Act, information about the availability and  
13 quality of services provided by the centers, and share that  
14 information with the centers; and

15                   "(4) take whatever steps are reasonable and necessary  
16 to ensure that each center performs its responsibilities in a  
17 satisfactory manner, which may include-

18                           "(A) termination of an award under this part (if  
19 the Secretary concludes that performance has been  
20 unsatisfactory) and the selection of a new center; and

21                           "(B) whatever interim arrangements the Secretary  
22 determines are necessary to ensure the satisfactory delivery of  
23 services under this section.

1           " (e) AUTHORIZATION OF APPROPRIATIONS. For purposes of  
 2 carrying out this section, there are authorized to be  
 3 appropriated such sums as may be necessary for fiscal year 2001  
 4 and for each of the four succeeding fiscal years.

5

6                           "PARENTAL INFORMATION AND RESOURCE CENTERS

7           "SEC. 2423. (a) PROGRAM AUTHORITY.-(1) IN GENERAL. The  
 8 Secretary is authorized to award grants, contracts, or  
 9 cooperative agreements for each fiscal year to nonprofit  
 10 organizations that serve parents (particularly those  
 11 organizations that make substantial efforts to reach low-income,  
 12 minority, or limited English proficient parents) to establish  
 13 parental information and resource centers that-

14                           "(A) coordinate the efforts of Federal, State,  
 15 and local parent education and family involvement initiatives;  
 16 and

17                           "(B) provide training, information, and support  
 18 to-

19   "(i)(I) State educational agencies;

20   "(II) local educational agencies,

21 particularly local educational agencies with high-poverty and  
 22 low-performing schools; and

1                                 "(III) schools, particularly high-  
2 poverty and low-performing schools; and

3                                 "(ii) organizations that support family-  
4 school partnerships, such as parent teacher organizations.

5                 "(2) AWARD RULE. In making awards under this  
6 section, the Secretary shall, to the greatest extent possible,  
7 ensure that each State is served by at least one recipient of  
8 such an award.

9                 "(b) APPLICATIONS.—(1) IN GENERAL. Each nonprofit  
10 organization that desires an award under this section shall  
11 submit an application to the Secretary at such time, and in such  
12 manner, as the Secretary shall determine.

13                 "(2) CONTENTS. Each application submitted under  
14 paragraph (1) shall, at a minimum, include—

15                                 "(A) a description of the applicant's capacity  
16 and expertise to implement a grant under this section;

17                                 "(B) a description of how the applicant would  
18 use its award to help State and local educational agencies,  
19 schools, and non-profit organizations in the State, particularly  
20 those making substantial efforts to reach a large number or  
21 percentage of low-income, minority, or limited English  
22 proficient children—

1                                   "(i) identify barriers to parent or family  
2 involvement in schools, and strategies to overcome those  
3 barriers; and

4                                   "(ii) implement high-quality parent  
5 education and family involvement programs that-

6                                   "(I) improve the capacity of parents  
7 to participate more effectively in the education of their  
8 children;

9                                   "(II) support the effective  
10 implementation of research-based instructional activities that  
11 support parents and families in promoting early language and  
12 literacy development; and

13                                   "(III) support schools in promoting  
14 meaningful parent and family involvement;

15                                   "(C) a description of the applicant's plan to  
16 disseminate information on high-quality parent education and  
17 family involvement programs to local educational agencies,  
18 schools, and non-profit organizations that serve parents in the  
19 State;

20                                   "(D) a description of how the applicant would  
21 coordinate its activities with the activities of other Federal,  
22 State, and local parent education and family involvement  
23 programs and with national, State, and local organizations that

1 provide parents and families with training, information, and  
2 support on how to help their children prepare for success in  
3 school and achieve to high academic standards;

4 " (E) a description of how the applicant would  
5 use technology, particularly the Internet, to disseminate  
6 information; and

7 " (F) a description of the applicant's goals for  
8 the center, as well as baseline indicators for each of the  
9 goals, a timeline for achieving the goals, and interim measures  
10 of success toward achieving the goals.

11 " (c) MATCHING REQUIREMENTS. The Federal share of the cost  
12 of any center funded under this section shall not exceed 75  
13 percent. The non-Federal share of the cost of a center may be  
14 provided in cash or in kind, fairly evaluated.

15 " (d) USES OF FUNDS.-(1) IN GENERAL. Recipients of funds  
16 awarded under this section shall use such funds to support State  
17 and local educational agencies, schools, and non-profit  
18 organizations in implementing programs that provide parents with  
19 training, information, and support on how to help their children  
20 achieve to high academic standards. Such activities may  
21 include:

22 " (A) Assistance in the implementation of  
23 programs that support parents and families in promoting early

1 language and literacy development and prepare children to enter  
2 school ready to succeed in school.

3 " (B) Assistance in developing networks and other  
4 strategies to support the use of research-based, proven models  
5 of parent education and family involvement, including the  
6 'Parents as Teachers' and 'Home Instruction Program for  
7 Preschool Youngsters' programs, to promote children's  
8 development and learning.

9 " (C) Assistance in preparing parents to  
10 communicate more effectively with teachers and other  
11 professional educators and support staff, and providing a means  
12 for on-going, meaningful communication between parents and  
13 schools.

14 " (D) Assistance in developing and implementing  
15 parent education and family involvement programs that increase  
16 parental knowledge about standards-based school reform.

17 " (E) Disseminating information on programs,  
18 resources, and services available at the national, State, and  
19 local levels that support parent and family involvement in the  
20 education of their school-age children.

21 " (2) TARGETED ACTIVITIES. Each recipient of funds  
22 under this section shall use at least 75 percent of its award to



1 support activities that serve areas with large numbers or  
2 concentrations of low-income families.

3 " (e) NATIONAL ACTIVITIES. For any fiscal year, the  
4 Secretary may reserve up to 5 percent of funds appropriated to  
5 carry out this section for that fiscal year to-

6 "(1) provide technical assistance to the centers  
7 funded under this section; and

8 "(2) carry out evaluations of the program authorized  
9 by this part.

10 "(f) DEFINITIONS. For purposes of this section-

11 "(1) the term 'parent education' includes parent  
12 support activities, the provision of resource materials on child  
13 development, parent-child learning activities and child rearing  
14 issues, private and group educational guidance, individual and  
15 group learning experiences for the parent and child, and other  
16 activities that enable the parent to improve learning in the  
17 home;

18 "(2) the term 'Parents as Teachers program' means a  
19 voluntary early childhood parent education program that-

20 "(A) is designed to provide all parents of  
21 children from birth through age 5 with the information and  
22 support such parents need to give their child a solid foundation  
23 for school success;

1                   "(B) is based on the Missouri Parents as  
2 Teachers model, with the philosophy that parents are their  
3 child's first and most influential teachers;

4                   "(C) provides-

5                   "(i) regularly scheduled personal visits  
6 with families by certified parent educators;

7                   "(ii) regularly scheduled developmental  
8 screenings; and

9                   "(iii) linkage with other resources within  
10 the community in order to provide services that parents may want  
11 and need, except that such services are beyond the scope of the  
12 Parents as Teachers program; and

13                  "(3) the term 'Home Instruction for Preschool  
14 Youngsters program' means a voluntary early-learning program for  
15 parents with one or more children between the ages of 3 through  
16 5, that-

17                  "(A) provides support, training, and appropriate  
18 educational materials necessary for parents to implement a  
19 school-readiness, home instruction program for their child; and

20                  "(B) includes-

21                  "(i) group meetings with other parents  
22 participating in the program;

1                   "(ii) individual and group learning

2 experiences with the parent and child;

3                   "(iii) provision of resource materials on

4 child development and parent-child learning activities; and

5                   "(iv) other activities that enable the

6 parent to improve learning in the home.

7           "(g) REPORTS. Each recipient of funds under this section

8 shall annually submit a report to the Secretary, on its

9 activities under this section, in such form and containing such

10 information as the Secretary may reasonably require. A report

11 under this subsection shall include, at a minimum-

12           "(1) the number and types of activities supported by

13 the recipient with funds received under this section;

14           "(2) activities supported by the recipient that

15 served areas with high numbers or concentrations of low-income

16 families; and

17           "(3) the progress made by the recipient in achieving

18 the goals included in its application.

19           "(h) GENERAL PROVISIONS. Notwithstanding any other

20 provision of this section-

21           "(1) no person, including a parent who educates a

22 child at home, public school parent, or private school parent,

23 shall be required to participate in any program of parent

1 education or developmental screening pursuant to the provisions  
2 of this section;

3 " (2) no program assisted under this section shall  
4 take any action that infringes in any manner on the right of a  
5 parent to direct the education of their children; and

6 " (3) the provisions of section 444(c) of the General  
7 Education Provisions Act shall apply to organizations that  
8 receive awards under this section.

9 " (i) AUTHORIZATION OF APPROPRIATIONS. For purposes of  
10 carrying out this section, there are authorized to be  
11 appropriated such sums as may be necessary for fiscal year 2001  
12 and for each of the four succeeding fiscal years.

13

14 "EISENHOWER REGIONAL MATHEMATICS AND SCIENCE EDUCATION CONSORTIA

15 "SEC. 2424. (a) PROGRAM AUTHORITY.-(1) IN GENERAL.-(A)  
16 GRANTS, CONTRACTS, OR COOPERATIVE AGREEMENTS AUTHORIZED. The  
17 Secretary, in consultation with the Director of the National  
18 Science Foundation, is authorized to award grants, contracts, or  
19 cooperative agreements to eligible entities to enable such  
20 entities to establish and operate regional mathematics and  
21 science education consortia for the purpose of-

22 " (i) disseminating exemplary mathematics  
23 and science education instructional materials; and

1                                   "(ii) providing technical assistance for  
2 the implementation of teaching methods and assessment tools for  
3 use by elementary and secondary school students, teachers, and  
4 administrators.

5                                   "(B) NUMBER OF AWARDS. The Secretary, in  
6 accordance with the provisions of this subsection, shall award  
7 at least one grant, contract, or cooperative agreement to an  
8 eligible entity in each region.

9                                   "(C) SPECIAL RULE. In any fiscal year, if the  
10 amount made available pursuant to subsection (h) is less than  
11 \$4,500,000, then the Secretary may waive the provisions of  
12 subparagraph (B) and award grants, contracts, or cooperative  
13 agreements of sufficient size, scope, and quality to carry out  
14 this subsection.

15                                   "(D) DESIGNATION. Each regional consortium  
16 assisted under this subsection shall be known as an 'Eisenhower  
17 regional consortium'.

18                                   "(2) PERIOD OF AWARD AND REVIEW. Grants, contracts,  
19 or cooperative agreements under this section shall be awarded  
20 for a period of not more than five years and shall be reviewed  
21 before the end of the 30-month period beginning on the date the  
22 award is made.

1           "(3) AWARD AMOUNT. In making awards under this  
2 section, the Secretary shall ensure that there is a relatively  
3 equal distribution of the funds made available among the  
4 regions, except that the Secretary may award additional funds to  
5 a regional consortium on the basis of population and  
6 geographical conditions of the region being served.

7           "(b) USE OF FUNDS. Funds provided under this section may  
8 be used by a regional consortium, under the direction of a  
9 regional board established under subsection (d), to-

10           "(1) work cooperatively with the other regional  
11 consortia, the Eisenhower National Clearinghouse for Science and  
12 Mathematics Education established under section 2142, and  
13 federally funded technical assistance providers, to accomplish  
14 more effectively the activities described in this subsection;

15           "(2) assist, train, and provide technical assistance  
16 to classroom teachers, administrators, and other educators to  
17 identify, implement, assess, or adapt the instructional  
18 materials, teaching methods, and assessment tools described in  
19 subsection (a)(1)(A);

20           "(3) provide for the training of classroom teachers  
21 to enable such teachers to instruct other teachers,  
22 administrators, and educators in the classroom use of the

1 instructional materials, teaching methods, and assessment tools  
2 described in subsection (a)(1)(A);

3           "(4) implement programs and activities designed to  
4 meet the needs of groups that are underrepresented in, and  
5 underserved by, mathematics and science education;

6           "(5) collect data on activities assisted under this  
7 section in order to evaluate the effectiveness of the activities  
8 of the regional consortia;

9           "(6) identify exemplary teaching practices and  
10 materials from within the region and communicate such practices  
11 and materials to the Eisenhower National Clearinghouse for  
12 Mathematics and Science Education;

13           "(7) communicate, on a regular basis, with entities  
14 within the region that are delivering services to students and  
15 teachers of mathematics and science; and

16           "(8) assist in the development and evaluation of  
17 State and regional plans and activities that hold promise of  
18 bringing about systemic reform in student performance in  
19 mathematics and science.

20           "(c) APPLICATION. Each eligible entity desiring a grant  
21 or contract under this section shall submit an application to  
22 the Secretary at such time, in such manner, and accompanied by

1 such additional information as the Secretary may reasonably  
2 require. Each such application shall-

3           "(1) demonstrate that the eligible entity has  
4 expertise in the fields of mathematics and science education;

5           "(2) demonstrate that the eligible entity will  
6 implement and disseminate mathematics and science education  
7 instructional materials, teaching methods, and assessment tools  
8 through a consortium of the region's mathematics and science  
9 education organizations and agencies;

10           "(3) demonstrate that the eligible entity will carry  
11 out the functions of the regional consortium;

12           "(4) demonstrate that emphasis will be given to  
13 programs and activities designed to meet the needs of groups  
14 that are underrepresented in, and underserved by, mathematics  
15 and science education;

16           "(5) demonstrate that the business community in the  
17 region served by the regional consortium will play an integral  
18 role in designing and supporting the regional consortium's work;  
19 and

20           "(6) assure that the eligible entity will conduct its  
21 activities and supervise its personnel in a manner that  
22 effectively ensures compliance with the copyright laws of the  
23 United States under title 17, United States Code.



1           "(d) REGIONAL BOARDS.-(1) IN GENERAL. Each eligible  
2 entity receiving an award under this section shall establish a  
3 regional board to oversee the administration and establishment  
4 of program priorities for the regional consortium established by  
5 such eligible entity. Such regional board shall be broadly  
6 representative of the agencies and organizations participating  
7 in the regional consortium.

8           "(2) PROHIBITION ON USE OF FEDERAL FUNDS. No Federal  
9 funds may be used for the establishment or operation of a  
10 regional board required by paragraph (1), except that at the  
11 discretion of a regional board, Federal funds may be used to  
12 provide assistance such as travel and accommodations for board  
13 members who could not otherwise afford to participate as members  
14 of the board.

15           "(e) PAYMENTS; FEDERAL SHARE; NON-FEDERAL SHARE.-(1)  
16 PAYMENTS. The Secretary shall pay to each eligible entity  
17 having an application approved under subsection (c) the Federal  
18 share of the cost of the activities described in the  
19 application.

20           "(2) FEDERAL SHARE. For the purpose of paragraph  
21 (1), the Federal share shall be 80 percent.

22           "(3) NON-FEDERAL SHARE. The non-Federal share of the  
23 cost of activities described in the application submitted under

1 subsection (c) may be in cash or in kind, fairly evaluated. At  
2 least 10 percent of such non-Federal share shall be from sources  
3 other than the Federal Government or State or local government.

4 " (f) EVALUATION.-(1) EVALUATION REQUIRED. The Secretary,  
5 through the Office of Educational Research and Improvement and  
6 in accordance with section 11911, shall collect sufficient data  
7 on, and evaluate the effectiveness of, the activities of each  
8 regional consortium.

9 " (2) ASSESSMENT. The evaluations described in  
10 paragraph (1) shall include an assessment of the effectiveness  
11 of the regional consortium in meeting the needs of the schools,  
12 teachers, administrators, and students in the region.

13 " (3) REPORT. At the end of each award, the Secretary  
14 shall submit to the Congress a report on the effectiveness of  
15 the programs conducted at each regional consortium.

16 " (g) DEFINITIONS. For purposes of this part:

17 " (1) The term 'eligible entity' means an entity that  
18 has demonstrated expertise in mathematics and science education  
19 and is-

20 " (A) a private nonprofit organization;

21 " (B) an institution of higher education;

22 " (C) an elementary or secondary school;

23 " (D) a State or local educational agency;

1                   "(E) a regional educational laboratory in  
2 consortium with the research and development center established  
3 under section 931(c)(1)(B)(i) of the Educational Research,  
4 Development, Dissemination, and Improvement Act of 1994; or

5                   "(F) any combination of the entities described  
6 in subparagraphs (A) through (E).

7                   "(2) The terms 'mathematics' and 'science' include  
8 the technology education associated with mathematics and  
9 science, respectively.

10                  "(3) The term 'region' means a region of the United  
11 States served by a regional education laboratory that is  
12 supported by the Secretary pursuant to section 405(d)(4)(A)(i)  
13 of the General Education Provisions Act (as such section was in  
14 existence on the day preceding the date of enactment of the  
15 Goals 2000: Educate America Act).

16                  "(4) The term 'regional consortium' means each regional  
17 mathematics and science education consortium established  
18 pursuant to subsection (a).

19                  "(5) The term 'State agency for higher education' means  
20 the State board of higher education or other agency or officer  
21 primarily responsible for the State supervision of higher  
22 education, or, if there is no such officer or agency, an officer

1 or agency designated for the purpose of carrying out this  
2 section by the Governor or by State law.

3 " (h) AUTHORIZATION OF APPROPRIATIONS. For purposes of  
4 carrying out this section, there are authorized to be  
5 appropriated such sums as may be necessary for fiscal year 2001  
6 and for each of the four succeeding fiscal years.

7

8 "SUBPART 3 - TECHNOLOGY-BASED TECHNICAL ASSISTANCE INFORMATION  
9 DISSEMINATION

10

11 "WEB-BASED AND OTHER INFORMATION DISSEMINATION

12 "SEC. 2431. (a) IN GENERAL.-(1) (A) With funds  
13 appropriated under section 2432 for each fiscal year, the  
14 Secretary is authorized to carry out a national system, through  
15 the Worldwide Web and other advanced telecommunications  
16 technologies, that supports interactive information sharing and  
17 dissemination about ways to improve educational practices  
18 throughout the Nation.

19 " (B) In designing and implementing the system  
20 under this subsection, the Secretary shall create opportunities  
21 for the continuing input of students, teachers, administrators,  
22 and other individuals who participate in, or may be affected by,  
23 the Nation's educational system.

1                   "(C) The Secretary may carry out the program  
2 authorized by this subsection through the award of grants,  
3 contracts, or cooperative agreements on a competitive basis.

4                   "(2) The system authorized by this subsection shall  
5 include information on-

6                   "(A) stimulating instructional materials that  
7 are aligned with challenging content standards; and

8                   "(B) successful and innovative practices  
9 in-

10                   "(i) instruction;

11                   "(ii) professional development;

12                   "(iii) challenging academic content and  
13 student performance standards;

14                   "(iv) assessments;

15                   "(v) effective school management; and

16                   "(vi) such other areas as the Secretary  
17 determines are appropriate.

18                   "(3) (A) The Secretary may require the technical  
19 assistance providers funded under this part, or under subpart 2  
20 of part B of title III, or the educational laboratories and  
21 clearinghouses of the Educational Resources Information Center  
22 supported under the Educational Research, Development,

1 Dissemination, and Improvement Act (notwithstanding any other  
2 provision of such part, subpart, or Act), to-

3                   "(i) provide information (including  
4 information on practices employed in the regions or States  
5 served by the providers) for use in the system authorized by  
6 this subsection;

7                   "(ii) coordinate their activities in order  
8 to ensure a unified system of technical assistance; or

9                   "(iii) otherwise participate in the system  
10 authorized by this subsection.

11           "(B) The Secretary shall ensure that-

12                   "(i) the dissemination activities  
13 authorized under this subsection are integrated with, and do not  
14 duplicate, the dissemination activities of the Office of  
15 Educational Research and Improvement; and

16                   "(ii) the public has access, through the  
17 system authorized by this subsection, to the latest research,  
18 statistics, and other information supported by, or available  
19 from, such Office.

20           "(b) ADDITIONAL ACTIVITIES. The Secretary is authorized  
21 to carry out additional activities, using advanced  
22 telecommunications technologies where appropriate, to assist  
23 local educational agencies, State educational agencies, tribes,

1 and other recipients of funds under this Act in meeting the  
2 requirements of the Government Performance and Results Act of  
3 1993. Such assistance may include information on measuring and  
4 benchmarking program performance and student outcomes.

5

## 6 "AUTHORIZATION OF APPROPRIATIONS

7 "SEC. 2432. For purposes of carrying out this subpart,  
8 there are authorized to be appropriated such sums as may be  
9 necessary for fiscal year 2001 and for each of the four  
10 succeeding fiscal years.

11

## 12 "SUBPART 4 - NATIONAL EVALUATION ACTIVITIES

13

## 14 "NATIONAL EVALUATION ACTIVITIES

15 "SEC. 2441. The Secretary shall conduct, directly or  
16 through grants, contracts, or cooperative agreements, such  
17 activities as the Secretary determines necessary to-

18 "(1) determine what constitutes effective technical  
19 assistance;

20 "(2) evaluate the effectiveness of the technical  
21 assistance and dissemination programs authorized by, or assisted  
22 under, this part and the educational laboratories, and  
23 clearinghouses of the Educational Resources Information Center,

1 supported under the Educational Research, Development,  
2 Dissemination, and Improvement Act (notwithstanding any other  
3 provision of such Act); and

4 "(3) increase the effectiveness of such programs."



## 1 TITLE III - TECHNOLOGY FOR EDUCATION

2

3

## SHORT TITLE

4

5

SEC. 301. Section 3101 of the ESEA is amended by striking out "of 1994".

6

7

## FINDINGS

8

SEC. 302. Section 3111 of the ESEA is amended-

9

(1) by amending paragraph (1) to read as

10 follows:

11

"(1) technology can-

12

"(A) support education improvement efforts

13

by expanding available resources and reshaping instruction,

14

teaching, and learning environments; and

15

"(B) when used effectively and aligned with

16

challenging State academic content and performance

17

standards, support teacher capacity to create classrooms

18

where students develop higher-order thinking and

19

information technology skills;"

20

(2) by amending paragraph (3) to read as

21

follows:

22

"(3) the Federal Government-

1                   "(A) has played an integral role in  
2 expanding and improving access to technology as an  
3 important tool for teaching and learning; and

4                   "(B) can continue to serve as a catalyst in  
5 bringing effective uses for education technology to the  
6 classroom by providing support for-

7                               "(i) access to technology;

8                               "(ii) the development of educational  
9 software and web-based learning resources; and

10                              "(iii) sustained and intensive, high-  
11 quality professional development that is aligned with  
12 challenging State academic content and performance  
13 standards;";

14                   (3) by amending paragraph (5) to read as  
15 follows:

16                              "(5) a 1996 Department of Commerce study found  
17 that, by the year 2000, 60 percent of all jobs will require  
18 computer-related skills, and other studies show that women  
19 and some minorities are underrepresented in the information  
20 technology workforce;

21                              (4) by striking out paragraph (7);

22                              (5) in paragraph (8), by striking out  
23 "acquisition and maintenance" and inserting in lieu thereof  
24 "acquisition, maintenance, and ongoing support";

1 (6) by striking out paragraphs (9) and (11);

2 (7) in paragraph (12), by adding "and" at the  
3 end thereof;

4 (8) by striking out paragraph (13);

5 (9) by amending paragraph (14) to read as  
6 follows:

7 "(14) the rapidly changing nature of technology,  
8 among other factors, requires the Department to maintain a  
9 leadership role in developing a national vision and  
10 strategies for bringing effective technology applications  
11 and practices to all classrooms and all educational  
12 programs through such activities as-

13 "(A) developing and carrying out a strategy  
14 for an ongoing evaluation of existing and anticipated  
15 future uses of educational technology to better inform the  
16 Federal role in supporting the use of educational  
17 technology, stimulate reform and innovation in teaching and  
18 learning with technology, and further the development of  
19 advanced technology;

20 "(B) evaluating and assessing technology  
21 programs;

22 "(C) disseminating information;

23 "(D) coordinating with public and private  
24 partnerships; and

1                   "(E) convening expert panels to identify  
2 effective uses of educational technology;"

3                   (10) by striking out paragraph (15);

4                   (11) by redesignating paragraphs (2), (3), (4),  
5 (5), (6), (8), (10), (12), and (14) as paragraphs (4), (5),  
6 (9), (10), (15), (16), (17), (18), and (19), respectively;

7                   (12) by inserting immediately after paragraph  
8 (1) the following new paragraphs:

9                   "(2) the cost of processing, storing, and  
10 transmitting information continues to plummet, making new  
11 advances in computer and telecommunications technology more  
12 available to schools;

13                   "(3) by providing students with a rapidly  
14 expanding educational resource base, and a unique means of  
15 developing content knowledge, improvements in software and  
16 other technology applications (such as high-quality video,  
17 voice recognition, modeling and simulation, and intelligent  
18 tutoring and virtual reality tools), have increased student  
19 opportunities for meaningful exploration and discovery;"

20                   (13) by inserting immediately after paragraph  
21 (5) (as redesignated by paragraph (11)) the following new  
22 paragraphs:

23                   "(6) poor children are less likely than their  
24 wealthier peers to have access to a computer at home, and

1 to attend a school in which teachers use technology to  
2 develop technical and higher-order thinking skills;  
3           "(7) public schools have made significant  
4 progress toward meeting the goal of connecting every  
5 classroom to the Internet, with the percentage of  
6 classrooms that are connected to the Internet increasing  
7 from 35 percent in 1994 to 89 percent in 1998 and nearly  
8 doubling between 1997 and 1998, but a gap continues to  
9 exist between wealthy and poor schools in the extent to  
10 which classrooms are connected to the Internet and the  
11 manner in which technology is used to support instruction;

12           "(8) the E-Rate and other Federal education  
13 technology initiatives are significantly increasing the  
14 number of classrooms connected to the Internet and  
15 providing affordable access to advanced  
16 telecommunications;" and

17           (14) by inserting immediately after paragraph  
18 (10) (as redesignated by paragraph (11)) the following new  
19 paragraphs:

20           "(11) because girls of all ethnicities  
21 consistently rate themselves significantly lower than boys  
22 on computer ability, and are less likely to experiment with  
23 technology and enroll in advanced computer science courses,  
24 the Federal Government should encourage States, local

1 educational agencies, and teachers to consider the needs of  
2 girls and women to obtain technical proficiency, so that  
3 they can compete in an increasingly technological society;

4           "(12) the Federal Government should support  
5 efforts to ensure the accessibility of all educational  
6 technology, not just assistive technology, to students with  
7 disabilities through strategies such as universal design;

8           "(13) although 25 States have some requirement  
9 for computer education for teacher licensure, only two  
10 States require teacher candidates to show that they can use  
11 technology, and only three States require participation in  
12 technology training, as a prerequisite for license renewal;

13           "(14) according to a 1998 National Center for  
14 Education Statistics survey, only 20 percent of full-time  
15 K-12 teachers feel fully prepared to integrate technology  
16 into classroom instruction;"

17

18

#### STATEMENT OF PURPOSE

19           SEC. 303. Section 3112 of the ESEA is amended to read  
20 as follows:

21

#### "STATEMENT OF PURPOSE

22           "SEC. 3112. To help all students to develop technical  
23 and higher-order thinking skills and to achieve to  
24 challenging State academic content and performance

1 standards, as well as America's Education Goals, it is the  
2 purpose of this title to-

3           "(1) help provide all classrooms with access to  
4 educational technology through support for the acquisition  
5 of advanced multimedia computers, Internet connections, and  
6 other technologies;

7           "(2) help ensure access to, and effective use  
8 of, educational technology in all classrooms through the  
9 provision of sustained and intensive, high-quality  
10 professional development that improves teachers' capability  
11 to integrate educational technology effectively into their  
12 classrooms by actively engaging students and teachers in  
13 the use of technology;

14           "(3) help improve the capability of teachers to  
15 design and construct new learning experiences using  
16 technology, and actively engage students in that design and  
17 construction;

18           "(4) support efforts by State educational  
19 agencies and local educational agencies to create learning  
20 environments designed to prepare students to achieve to  
21 challenging State academic content and performance  
22 standards through the use of research-based teaching  
23 practices and advanced technologies;

1           "(5) support technical assistance to State  
2 educational agencies, local educational agencies, and  
3 communities to help them use technology-based resources and  
4 information systems to support school reform and meet the  
5 needs of students and teachers;

6           "(6) support the development of applications  
7 that make use of such technologies as advanced  
8 telecommunications, hand-held devices, web-based learning  
9 resources, distance learning networks, and modeling and  
10 simulation software;

11           "(7) support Federal partnerships with business  
12 and industry to realize more rapidly the potential of  
13 digital communications to expand the scope of, and  
14 opportunities for, learning;

15           "(8) support evaluation and research on the  
16 effective use of technology in preparing all students to  
17 achieve to challenging State academic content and  
18 performance standards, and the impact of technology on  
19 teaching and learning;

20           "(9) provide national leadership to stimulate  
21 and coordinate public and private efforts, at the national,  
22 State, and local levels, that support the development and  
23 integration of advanced technologies and applications to  
24 improve school planning and classroom instruction;



1           "(10) support the development, or redesign, of  
2 teacher preparation programs to enable prospective teachers  
3 to integrate the use of technology in teaching and  
4 learning;

5           "(11) increase the capacity of State and local  
6 educational agencies to improve student achievement,  
7 particularly that of students in high-poverty, low-  
8 performing schools;

9           "(12) promote the formation of partnerships and  
10 consortia to stimulate the development of, and new uses  
11 for, technology in teaching and learning;

12           "(13) support the creation or expansion of  
13 community technology centers that will provide  
14 disadvantaged residents of economically distressed urban  
15 and rural communities with access to information technology  
16 and related training; and

17           "(14) help to ensure that technology is  
18 accessible to, and usable by, all students, particularly  
19 students with disabilities or limited English  
20 proficiency."

21

22                           PROHIBITION AGAINST SUPPLANTING

23           SEC. 304. (a) Section 3113 of the ESEA is repealed.

1 (b) Title III of the ESEA is further amended by  
2 inserting immediately after section 3112 the following new  
3 section:

4 "SUPPLEMENT, NOT SUPPLANT

5 "SEC. 3113. A recipient of funds awarded under this  
6 title shall use such funds only to supplement the amount of  
7 funds or resources that would, in the absence of such  
8 Federal funds, be made available from non-Federal sources  
9 for the purposes of the programs authorized under this  
10 title, and not to supplant such non-Federal funds or  
11 resources."

## 1 PART A -- FEDERAL LEADERSHIP AND NATIONAL ACTIVITIES

2

3

## STRUCTURE OF PART

4 SEC. 311. Part A of title III of the ESEA is amended--

5 (1) by striking out the part heading and

6 designation thereof;

7 (2) by striking out the subpart headings and

8 designations for subparts 1, 2, and 3 thereof;

9 (3) by repealing subpart 4; and

10 (4) by inserting immediately before section 3121

11 the following new part designation and heading: "PART A -

12 FEDERAL LEADERSHIP AND NATIONAL ACTIVITIES".

13

14

## NATIONAL LONG-RANGE TECHNOLOGY PLAN

15 SEC. 312. Section 3121 of the ESEA is amended--

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

17 follows:

18 "(a) IN GENERAL. Not later than one year after the

19 date of enactment of the Educational Excellence for All

20 Children Act of 1999, the Secretary shall update the

21 national long-range educational technology plan and broadly

22 disseminate the updated plan."; and

23 (2) in subsection (c)-

1 (A) in the matter preceding paragraph (1),  
2 by inserting "updated" immediately before "national";

3 (B) in paragraph (7)-

4 (i) by striking out "section 3123" and  
5 inserting in lieu thereof "section 3101"; and

6 (ii) by striking out "and" at the end  
7 thereof;

8 (C) in paragraph (8), by striking out the  
9 period at the end thereof and inserting in lieu thereof a  
10 semicolon and "and";

11 (D) by redesignating paragraphs (7) and (8)  
12 as paragraphs (9) and (10), respectively;

13 (E) by inserting immediately after  
14 paragraph (6) the following new paragraphs:

15 "(7) how the Secretary will promote the full  
16 integration of technology into learning, including the  
17 creation of new instructional opportunities through access  
18 to challenging courses and information that would otherwise  
19 not have been available, and independent learning  
20 opportunities for students through technology;

21 "(8) how the Secretary will encourage the  
22 creation of opportunities for teachers to develop, through  
23 the use of technology, their own networks and resources for

1 sustained and intensive, high-quality professional  
2 development;"; and

3 (F) by inserting immediately after  
4 paragraph (10) (as redesignated by subparagraph (D)) the  
5 following new paragraph:

6 "(11) how the Secretary will encourage the  
7 commercial development of effective, high-quality, cost-  
8 competitive educational technology and software."

9

10 FEDERAL LEADERSHIP

11 SEC. 313. Section 3122 of the ESEA is amended--

12 (1) in subsection (a), by striking out "United  
13 States National Commission on Libraries and Information  
14 Sciences," and inserting in lieu thereof "White House  
15 Office of Science and Technology Policy,";

16 (2) in subsection (b)(1), by striking out "in  
17 accordance with" through the end thereof and inserting in  
18 lieu thereof a period; and

19 (3) in subsection (c)--

20 (A) by striking out paragraph (4) and  
21 inserting in lieu thereof the following new paragraph:

22 "(4) the development of a national repository of  
23 information on the effective uses of educational  
24 technology, including its use for sustained and intensive,

1 high-quality professional development, and the  
2 dissemination of that information nationwide;"; and  
3 (B) in paragraph (7), by striking out  
4 "existing technology" and inserting in lieu thereof  
5 "technology and innovative tools".  
6

7 REPEAL; REDESIGNATIONS; AUTHORIZATION OF APPROPRIATIONS

8 SEC. 314. (a) Sections 3114, 3115, and 3123 of the  
9 ESEA are repealed.

10 (b) Title III of the ESEA is further amended-

11 (1) by redesignating sections 3101, 3111, 3112,  
12 3113, 3121, and 3122 as sections 3001, 3002, 3003, 3004,  
13 3102, and 3103, respectively; and

14 (2) by inserting immediately before section 3102  
15 (as redesignated by paragraph (1)) the following new  
16 section:

17 "NATIONAL EVALUATION OF EDUCATION TECHNOLOGY

18 "SEC. 3101. (a) NATIONAL EVALUATION.-(1) IN GENERAL.

19 In order to better inform the Federal role in supporting  
20 the use of educational technology, in stimulating reform  
21 and innovation in teaching and learning with technology,  
22 and in advancing the development of more advanced and new  
23 types and applications of such technology, the Secretary  
24 shall-

1                   "(A) develop, within 12 months of the date  
2 of enactment of the Educational Excellence for All Children  
3 Act of 1999, a strategy for an ongoing evaluation of  
4 existing and anticipated future uses of educational  
5 technology; and

6                   "(B) carry out such an evaluation.

7                   "(2) ACTIVITIES AUTHORIZED. From the funds  
8 reserved under subsection (b), the Secretary may-

9                   "(A) conduct long-term controlled studies  
10 on the effectiveness of the uses of educational technology;

11                   "(B) convene panels of experts to-

12                    "(i) identify uses of educational  
13 technology that hold the greatest promise for improving  
14 teaching and learning;

15                    "(ii) assist the Secretary with the  
16 review and assessment of the progress and effectiveness of  
17 projects that are funded under this title; and

18                    "(iii) identify barriers to the  
19 commercial development of effective, high-quality, cost-  
20 competitive educational technology and software;

21                   "(C) conduct evaluations and applied  
22 research studies that examine-

23                    "(i) how students learn using  
24 educational technology, whether singly or in groups, and

1 across age groups, student populations (including students  
 2 with special needs, such as students with limited English  
 3 proficiency and students with disabilities) and settings;  
 4 and

5                                 "(ii) the characteristics of  
 6 classrooms and other educational settings that use  
 7 educational technology effectively;

8                                 "(D) collaborate with other Federal  
 9 agencies that support research on, and evaluation of, the  
 10 use of network technology in educational settings; and

11                                "(E) carry out such other activities as the  
 12 Secretary determines appropriate.

13                 "(b) AVAILABILITY OF TITLE III FUNDS FOR EVALUATION.

14 Notwithstanding any other provision of this title, the  
 15 Secretary may use up to 4 percent of the funds appropriated  
 16 to carry out this title for any fiscal year to carry out  
 17 the activities described in subsection (a) for that fiscal  
 18 year."; and

19                               (3) by inserting immediately after section 3103  
 20 (as redesignated by paragraph (1)) the following new  
 21 section:

22                                "AUTHORIZATION OF APPROPRIATIONS

23                                "SEC. 3104. For purposes of carrying out this part,  
 24 there are authorized to be appropriated such sums as may be



1       necessary for fiscal year 2001 and for each of the four  
2                                   succeeding fiscal years.".

## 1 PART B - SPECIAL PROJECTS

2

3 REPEALS; REDESIGNATIONS; NEW PART

4 SEC. 321. (a) Parts B and E of title III of the ESEA  
5 are repealed.

6 (b) Parts C and D of title III of the ESEA are  
7 redesignated as subparts 2 and 3 of part B of title III of  
8 the ESEA, respectively.

9 (d) Sections 3301, 3302, 3303, 3304, 3305, 3306,  
10 3307, 3308, 3401, 3402, and 3403 of the ESEA are  
11 redesignated as sections 3221, 3222, 3223, 3224, 3225,  
12 3226, 3227, 3228, 3231, 3232, and 3233, respectively.

13 (c) Title III of the ESEA is further amended by  
14 inserting immediately after section 3104 (as added by  
15 section 314(b)(3) of the bill) the following new part  
16 heading and designation, and the following new subpart:

17 "PART B - SPECIAL PROJECTS

18

19 "SUBPART 1 -- NEXT-GENERATION TECHNOLOGY INNOVATION AWARDS

20

21 "PURPOSE; PROGRAM AUTHORITY

22 "SEC. 3211. (a) PURPOSE. It is the purpose of this  
23 subpart to-

1           "(1) expand the knowledge base about the use of  
2 the next generation of advanced computers and  
3 telecommunications in delivering new applications for  
4 teaching and learning;

5           "(2) address questions of national significance  
6 about the next generation of technology and its use to  
7 improve teaching and learning; and

8           "(3) develop, for wide-scale adoption by State  
9 educational agencies and local educational agencies, models  
10 of innovative and effective applications of technology to  
11 teaching and learning, such as high quality video, voice  
12 recognition devices, modeling and simulation software  
13 (particularly web-based software and intelligent tutoring),  
14 hand-held devices, and virtual reality and wireless  
15 technologies, that are aligned with challenging State  
16 academic content and student performance standards.

17           "(b) PROGRAM AUTHORITY.-(1) IN GENERAL. The  
18 Secretary is authorized, through the Office of Educational  
19 Technology, to award grants, contracts, or cooperative  
20 agreements on a competitive basis to eligible applicants in  
21 order to carry out the purposes of this subpart.

22           "(2) PERIOD OF AWARD. The Secretary may award  
23 grants, contracts, or cooperative agreements under this  
24 subpart for a period of not more than five years.

## "ELIGIBILITY

1  
2 "SEC. 3212. (a) ELIGIBLE APPLICANTS. In order to  
3 receive an award under this subpart, an applicant shall,  
4 subject to subsection (c)(1), be a consortium that  
5 includes-

6 "(1) at least one State educational agency or  
7 local educational agency; and

8 "(2) at least one institution of higher  
9 education, for-profit business, museum, library, or other  
10 public or private entity with a particular expertise that  
11 would assist in carrying out the purposes of this subpart.

12 "(b) APPLICATION REQUIREMENTS. In order to receive  
13 an award under this subpart, an eligible applicant shall  
14 submit an application to the Secretary at such time, and  
15 containing such information, as the Secretary may require.  
16 Such application shall include-

17 "(1) a description of the proposed project, and  
18 how it would carry out the purposes of this subpart; and

19 "(2) a detailed plan for the independent  
20 evaluation of the project, which shall include benchmarks  
21 to monitor progress toward specific project objectives.

22 "(c) PRIORITIES. In making awards under this  
23 subpart, the Secretary may establish one or more priorities  
24 consistent with the objectives of this subpart, including:

1           "(1) A priority for applicants, the members of  
2 which are one or more of the particular types described in  
3 subsection (a) (2).

4           "(2) A priority for projects that develop  
5 innovative models of effective use of educational  
6 technology, including the development of distance learning  
7 networks, software, (including software deliverable through  
8 the Internet), and online-learning resources.

9           "(3) A priority for projects serving more than  
10 one State and involving large-scale innovations in the use  
11 of technology in education.

12           "(4) A priority for projects that develop  
13 innovative models that serve traditionally underserved  
14 populations, including low-income students, students with  
15 disabilities, and students with limited English  
16 proficiency.

17           "(5) A priority for projects in which applicants  
18 provide substantial financial and other resources to  
19 achieve the goals of the project.

20           "(6) A priority for projects that develop  
21 innovative models for using electronic networks to provide  
22 challenging courses, such as Advanced Placement courses.

23

24

"USES OF FUNDS

1 "SEC. 3213. A recipient shall use funds awarded under  
2 this subpart to-

3 "(1) develop new applications of educational  
4 technologies and telecommunications to support school  
5 reform efforts, such as wireless and web-based  
6 telecommunications, hand-held devices, web-based learning  
7 resources, distributed learning environments (including  
8 distance learning networks), and the development of  
9 educational software and other applications; and

10 "(2) carry out other activities consistent with  
11 the purposes of this subpart, such as-

12 "(A) developing innovative models for  
13 improving teachers' ability to integrate technology  
14 effectively into course curriculum, through sustained and  
15 intensive, high-quality professional development;

16 "(B) developing high-quality, standards-  
17 based, digital content, including multimedia software,  
18 digital video, and web-based resources, such as-

19 "(i) new technological formats to  
20 facilitate deeper subject matter understanding in  
21 particularly challenging learning environments in areas  
22 such as physics, foreign language, or Advanced Placement  
23 courses;

1                   "(ii) computer modeling,  
2 visualization, and simulation tools;

3                   "(iii) new methods for assessing  
4 student performance;

5                   "(iv) web-based and other distance  
6 learning curricula and related materials, such as  
7 interoperable software components;

8                   "(v) learning-focused digital  
9 libraries, information retrieval systems, and other designs  
10 for supporting broad re-use of learning content; and

11                   "(vi) software that supports the  
12 development, modification, and maintenance of educational  
13 materials;

14                   "(C) using telecommunications, and other  
15 technologies, to make programs accessible to students with  
16 special needs (such as low-income students, students with  
17 disabilities, students in remote areas, and students with  
18 limited English proficiency) through such activities as  
19 using technology to support mentoring;

20                   "(D) providing classroom and  
21 extracurricular opportunities for female students to  
22 explore the different uses of technology;

23                   "(E) promoting school-family partnerships,  
24 which may include services for adults and families,

1 particularly parent education programs that provide parents  
2 with training, information, and support on how to help  
3 their children achieve to high academic standards;

4                   "(F) acquiring connectivity linkages,  
5 resources, distance learning networks, and services,  
6 including hardware and software, as needed to accomplish  
7 the goals of the project; and

8                   "(G) collaborating with other Department of  
9 Education and Federal information technology research and  
10 development programs.

11

12   "EVALUATION

13           "SEC. 3214. The Secretary is authorized to-

14                   "(1) develop tools and provide resources for  
15 recipients of funds under this subpart to evaluate their  
16 activities;

17                   "(2) provide technical assistance to assist  
18 recipients of funds under this subpart in evaluating their  
19 projects;

20                   "(3) conduct independent evaluations of the  
21 activities assisted under this subpart; and

22                   "(4) disseminate findings and methodologies from  
23 evaluations of activities assisted under this subpart, or  
24 other information obtained from such projects that would



1 promote the design, replication, or implementation of  
2 effective models for evaluating the impact of educational  
3 technology on teaching and learning.

4  
5 "AUTHORIZATION OF APPROPRIATIONS

6 "SEC. 3215. For purposes of carrying out this  
7 subpart, there are authorized to be appropriated such sums  
8 as may be necessary for fiscal year 2001 and for each of  
9 the four succeeding fiscal years."

10  
11 READY-TO-LEARN DIGITAL TELEVISION

12 SEC. 322. (a) Subpart 2 of part C of title III of the  
13 ESEA (as redesignated by section 321(b) of the bill) is  
14 further amended, in the heading thereof, by inserting  
15 "DIGITAL" immediately before "TELEVISION".

16 (b) Section 3221(a) of the ESEA (as redesignated by  
17 section 321(c) of the bill) is amended by striking out  
18 "section 3302(b)" and "the National Education Goals." and  
19 inserting in lieu thereof "section 3222(b)" and "America's  
20 Education Goals.", respectively.

21 (c) Section 3222(a)(2) of the ESEA (as redesignated  
22 by section 321(c) of the bill) is amended by striking out  
23 "and those funded under the Star Schools Act".

1 (d) Section 3223(2) of the ESEA (as redesignated by  
2 section 321(c) of the bill) is amended by striking out  
3 "part" each place it appears and inserting in lieu thereof  
4 "subpart" in each such place.

5 (e) Section 3224 of the ESEA (as redesignated by  
6 section 321(c) of the bill) is amended by striking out  
7 "section 3301 or 3303" and inserting in lieu thereof  
8 "section 3221 or 3223".

9 (f) Section 3225 of the ESEA (as redesignated by  
10 section 321(c) of the bill) is amended—

11 (1) in subsection (a), by striking out "section  
12 3201" and inserting in lieu thereof "section 3221";

13 (2) in subsection (b)—

14 (A) in paragraph (1), by striking out  
15 "section 3302(a); and" and inserting in lieu thereof  
16 "section 3222(a); and"; and

17 (B) in paragraph (2), by striking out  
18 "section 3303(3)," and inserting in lieu thereof "section  
19 3223(3),".

20 (g) Section 3226 of the ESEA (as redesignated by  
21 section 321(c) of the bill) is amended by striking out  
22 "section 3302," and inserting in lieu thereof "section  
23 3222,".

1 (h) Section 3228 of the ESEA (as redesignated by  
2 section 321(c) of the bill) is amended--

3 (1) in subsection (a), by striking out "part,  
4 \$30,000,000 for fiscal year 1995, and such sums as may be  
5 necessary" and "section 3302." and inserting in lieu  
6 thereof "subpart, such sums as may be necessary for fiscal  
7 year 2001 and" and "section 3222", respectively; and

8 (2) in subsection (b), by striking out "section  
9 3303(1)(C)." and inserting in lieu thereof "section  
10 3223(1)(C).".

11

12 TELECOMMUNICATIONS PROGRAM FOR PROFESSIONAL DEVELOPMENT IN  
13 THE CORE CONTENT AREAS

14 SEC. 323. (a) Subpart 3 of part B of title III of the  
15 ESEA (as redesignated by section 321(b) of the bill) is  
16 further amended by amending the subpart heading to read as  
17 follows: "TELECOMMUNICATIONS PROGRAM FOR PROFESSIONAL  
18 DEVELOPMENT IN THE CORE CONTENT AREAS".

19 (b) Section 3231 of the ESEA (as redesignated by  
20 section 321(c) of the bill) is amended to read as follows:

21 "PURPOSE; PROGRAM AUTHORITY

22 "SEC. 3231. (a) PURPOSE. It is the purpose of this  
23 subpart to assist elementary and secondary school teachers  
24 in preparing all students to achieve to challenging State

1 academic content and performance standards through a  
2 national telecommunications-based program to improve  
3 teaching in core content areas.

4 " (b) PROGRAM AUTHORITY. From funds appropriated to  
5 carry out this subpart, the Secretary may make grants to  
6 nonprofit telecommunications entities, or partnerships of  
7 such entities, to carry out the purposes of this subpart."

8 (c) Section 3232 of the ESEA (as redesignated by  
9 section 321(c) of the bill) is amended-

10 (1) in subsection (a)-

11 (A) in the matter preceding paragraph (1),  
12 by striking out "part" and inserting in lieu thereof  
13 "subpart";

14 (B) in paragraph (1), by striking out  
15 "existing publicly funded telecommunications infrastructure  
16 to deliver video, voice and data" and inserting in lieu  
17 thereof "public broadcasting infrastructure, digital  
18 libraries, and emerging school networks to deliver video  
19 and web-based resources"; and

20 (C) in paragraph (2), by striking out  
21 "State or local" through the end thereof and inserting in  
22 lieu thereof "national, State, or local nonprofit public  
23 communications entities, institutions of higher education,  
24 museums, libraries, and national education professional

1 associations that have developed content standards in the  
2 core content areas;"; and

3 (2) in subsection (b)-

4 (A) in the heading thereof, by striking out  
5 "DEMONSTRATION" and inserting in lieu thereof "PROJECT";  
6 and

7 (B) by striking out "assure that the  
8 demonstration project authorized by this part is" and  
9 inserting in lieu thereof "ensure that the projects carried  
10 out under this subpart are".

11 (d) Section 3233 of the ESEA (as redesignated by  
12 section 321(c) of the bill) is amended by striking out  
13 "part, \$5,000,000 for the fiscal year 1995, and such sums  
14 as may be necessary" and inserting in lieu thereof  
15 "subpart, such sums as may be necessary for fiscal year  
16 2001 and".

## 1 COMMUNITY TECHNOLOGY CENTERS

2 SEC. 324. Part B of Title III of the ESEA (as amended  
3 by section 321 of the bill) is further amended by adding  
4 immediately at the end thereof the following new subpart:

## 5 "SUBPART 4 - COMMUNITY TECHNOLOGY CENTERS

6  
7 "PURPOSE; PROGRAM AUTHORITY

8 "SEC. 3241. (a) PURPOSE. It is the purpose of this  
9 subpart to assist eligible applicants to-

10 "(1) create or expand community technology  
11 centers that will provide disadvantaged residents of  
12 economically distressed urban and rural communities with  
13 access to information technology and related training; and

14 "(2) provide technical assistance and support to  
15 community technology centers.

16 "(b) PROGRAM AUTHORITY.-(1) IN GENERAL. The  
17 Secretary is authorized, through the Office of Educational  
18 Technology, to award grants, contracts, or cooperative  
19 agreements on a competitive basis to eligible applicants in  
20 order to assist them in-

21 "(A) creating or expanding community  
22 technology centers; or

23 "(B) providing technical assistance and  
24 support to community technology centers.

1           "(2) PERIOD OF AWARD. The Secretary may award  
2 grants, contracts, or cooperative agreements under this  
3 subpart for a period of not more than three years.

4  
5           "ELIGIBILITY AND APPLICATION REQUIREMENTS

6           "SEC. 3242. (a) ELIGIBLE APPLICANTS. In order to be  
7 eligible to receive an award under this subpart, an  
8 applicant shall-

9           "(1) have the capacity to expand significantly  
10 access to computers and related services for disadvantaged  
11 residents of economically distressed urban and rural  
12 communities (who would otherwise be denied such access);  
13 and

14           "(2) be-

15           "(A) an entity such as a foundation,  
16 museum, library, for-profit business, public or private  
17 nonprofit organization, or community-based organization;

18           "(B) an institution of higher education;

19           "(C) a State educational agency;

20           "(D) a local education agency; or

21           "(E) a consortium of entities described in  
22 subparagraphs (A), (B), (C), or (D).

23           "(b) APPLICATION REQUIREMENTS. In order to receive  
24 an award under this subpart, an eligible applicant shall

1 submit an application to the Secretary at such time, and  
2 containing such information, as the Secretary may require.

3 Such application shall include-

4           "(1) a description of the proposed project,  
5 including a description of the magnitude of the need for  
6 the services and how the project would expand access to  
7 information technology and related services to  
8 disadvantaged residents of an economically distressed urban  
9 or rural community;

10           "(2) a demonstration of-

11                 "(A) the commitment, including the  
12 financial commitment, of entities such as institutions,  
13 organizations, business and other groups in the community  
14 that will provide support for the creation, expansion, and  
15 continuation of the proposed project; and

16                 "(B) the extent to which the proposed  
17 project establishes linkages with other appropriate  
18 agencies, efforts, and organizations providing services to  
19 disadvantaged residents of an economically distressed urban  
20 or rural community;

21           "(3) a description of how the proposed project  
22 would be sustained once the Federal funds awarded under  
23 this subpart end; and



1           "(4) a plan for the evaluation of the program,  
2 which shall include benchmarks to monitor progress toward  
3 specific project objectives.

4           "(c) MATCHING REQUIREMENTS. The Federal share of the  
5 cost of any project funded under this subpart shall not  
6 exceed 50 percent. The non-Federal share of such project  
7 may be in cash or in kind, fairly evaluated, including  
8 services.

9

10

"USES OF FUNDS

11

"SEC. 3243. (a) REQUIRED USES. A recipient shall use  
12 funds under this subpart for-

13

"(1) creating or expanding community technology  
14 centers that expand access to information technology and  
15 related training for disadvantaged residents of distressed  
16 urban or rural communities; and

17

"(2) evaluating the effectiveness of the  
18 project.

19

"(b) PERMISSIBLE USES. A recipient may use funds  
20 under this subpart for activities, described in its  
21 application, that carry out the purposes of this subpart,  
22 such as-

23

"(1) supporting a center coordinator, and staff,  
24 to supervise instruction and build community partnerships;

1           "(2) acquiring equipment, networking  
2 capabilities, and infrastructure to carry out the project;

3           "(3) developing and providing services and  
4 activities for community residents that provide access to  
5 computers, information technology, and the use of such  
6 technology in support of pre-school preparation, academic  
7 achievement, lifelong learning, and workforce development,  
8 such as the following:

9           "(A) After-school activities in which  
10 children and youths use software that provides academic  
11 enrichment and assistance with homework, develop their  
12 technical skills, explore the Internet, and participate in  
13 multimedia activities, including web page design and  
14 creation.

15           "(B) Adult education and family literacy  
16 activities through technology and the Internet, including-

17           "(i) General Education Development,  
18 English as a Second Language, and adult basic education  
19 classes or programs;

20           "(ii) introduction to computers;

21           "(iii) intergenerational activities;

22 and

23           "(iv) lifelong learning opportunities.

1                   "(C) Career development and job preparation  
2 activities, such as-

3                   " (i) training in basic and advanced  
4 computer skills;

5                   " (ii) resume writing workshops; and

6                   " (iii) access to databases of  
7 employment opportunities, career information, and other  
8 online materials.

9                   "(D) Small business activities, such as-

10                  " (i) computer-based training for basic  
11 entrepreneurial skills and electronic commerce; and

12                  " (ii) access to information on  
13 business start-up programs that is available online, or  
14 from other sources.

15                  "(E) Activities that provide home access to  
16 computers and technology, such as assistance and services  
17 to promote the acquisition, installation, and use of  
18 information technology in the home through low-cost  
19 solutions such as networked computers, web-based television  
20 devices, and other technology.

21  
22                   "AUTHORIZATION OF APPROPRIATIONS

23                   "SEC. 3244. For purposes of carrying out this  
24 subpart, there are authorized to be appropriated such sums

1 as may be necessary for fiscal year 2001 and for each of  
2 the four succeeding fiscal years.".

1 PART C - PREPARING TOMORROW'S TEACHERS TO USE TECHNOLOGY

2

3

NEW PART

4 SEC. 331. Title III of the ESEA is further amended by

5 adding immediately after subpart 4 of part B of such title

6 (as added by section 324 of the bill) the following new

7 part:

8 "PART C - PREPARING TOMORROW'S TEACHERS TO USE TECHNOLOGY

9

10

"PURPOSE; PROGRAM AUTHORITY

11

"SEC. 3301. (a) PURPOSE. It is the purpose of this

12 part to assist consortia of public and private entities in

13 carrying out programs that prepare prospective teachers to

14 use advanced technology to foster learning environments

15 conducive to preparing all students to achieve to

16 challenging State and local content and student performance

17 standards.

18

"(b) PROGRAM AUTHORITY.-(1) IN GENERAL. The

19 Secretary is authorized, through the Office of Educational

20 Technology, to award grants, contracts, or cooperative

21 agreements on a competitive basis to eligible applicants in

22 order to assist them in developing or redesigning teacher

23 preparation programs to enable prospective teachers to use

24 technology effectively in their classrooms.



1 private nonprofit organization, community-based  
2 organization, or other entity with the capacity to  
3 contribute to the technology-related reform of teacher  
4 preparation programs.

5 "(b) APPLICATION REQUIREMENTS. In order to receive  
6 an award under this part, an eligible applicant shall  
7 submit an application to the Secretary at such time, and  
8 containing such information, as the Secretary may require.  
9 Such application shall include-

10 "(1) a description of the proposed project,  
11 including how the project would ensure that individuals  
12 participating in the project would be prepared to use  
13 technology to create learning environments conducive to  
14 preparing all students to achieve to challenging State and  
15 local content and student performance standards;

16 "(2) a demonstration of-

17 "(A) the commitment, including the  
18 financial commitment, of each of the members of the  
19 consortium; and

20 "(B) the active support of the leadership  
21 of each member of the consortium for the proposed project;

22 "(3) a description of how each member of the  
23 consortium would be included in project activities;





1 to challenging State and local content and student  
2 performance standards; and

3           "(2) evaluating the effectiveness of the  
4 project.

5           "(b) PERMISSIBLE USES. A recipient may use funds  
6 under this part for activities, described in its  
7 application, that carry out the purposes of this part, such  
8 as-

9           "(1) developing and implementing high-quality  
10 teacher preparation programs that enable educators to--

11           "(A) learn the full range of resources that  
12 can be accessed through the use of technology;

13           "(B) integrate a variety of technologies  
14 into the classroom in order to expand students' knowledge;

15           "(C) evaluate educational technologies and  
16 their potential for use in instruction; and

17           "(D) help students develop their own  
18 technical skills and digital learning environments;

19           "(2) developing alternative teacher development  
20 paths that provide elementary and secondary schools with  
21 well-prepared, technology-proficient educators;

22           "(3) developing performance-based standards and  
23 aligned assessments to measure the capacity of prospective  
24 teachers to use technology effectively in their classrooms;

1           "(4) providing technical assistance to other  
2 teacher preparation programs;

3           "(5) developing and disseminating resources and  
4 information in order to assist institutions of higher  
5 education to prepare teachers to use technology effectively  
6 in their classrooms; and

7           "(6) subject to section 3302(c)(2), acquiring  
8 equipment, networking capabilities, and infrastructure to  
9 carry out the project.

10

11                           "AUTHORIZATION OF APPROPRIATIONS

12           "SEC. 3304. For purposes of carrying out this part,  
13 there are authorized to be appropriated such sums as may be  
14 necessary for fiscal year 2001 and for each of the four  
15 succeeding fiscal years."

1 PART D - REGIONAL, STATE, AND LOCAL EDUCATIONAL TECHNOLOGY  
2 RESOURCES

3

4 NEW PART

5 SEC. 341. Title III of the ESEA is further amended by  
6 inserting at the end thereof the following new part  
7 heading, subpart heading, and section:

8 "PART D - REGIONAL, STATE, AND LOCAL EDUCATIONAL TECHNOLOGY  
9 RESOURCES

10

11 "SUBPART 1 - TECHNOLOGY LITERACY CHALLENGE FUND

12

13 "PURPOSE

14 "SEC. 3411. It is the purpose of this subpart to  
15 increase the capacity of State and local educational  
16 agencies to improve student achievement, particularly that  
17 of students in high-poverty, low-performing schools, by  
18 supporting State and local efforts that-

19 "(1) make effective use of new technologies and  
20 technology applications, networks, and electronic learning  
21 resources;

22 "(2) utilize research-based teaching practices  
23 that are linked to advanced technologies; and

24 "(3) promote sustained and intensive, high-  
25 quality professional development that increases teacher

1 capacity to create improved learning environments through  
2 the integration of educational technology into  
3 instruction."

4  
5 ALLOTMENT AND REALLOTMENT

6 SEC. 342. Section 3131(a)(2) of the ESEA  
7 is amended-

8 (1) by inserting "(including, for purposes of  
9 this subpart, the Bureau of Indian Affairs)" immediately  
10 after "State educational agency"; and

11 (2) by striking out the period at the end  
12 thereof and inserting a comma and "except that such minimum  
13 shall apply to the aggregate of grants received under this  
14 subpart by the outlying areas for a fiscal year."

15  
16 TECHNOLOGY LITERACY CHALLENGE FUND

17 SEC. 343. Section 3132 of the ESEA is amended-

18 (1) by amending the heading thereof to read as  
19 follows: "TECHNOLOGY LITERACY CHALLENGE FUND";

20 (2) by amending subsection (a)(2) to read as  
21 follows:

22 "(2) USE OF GRANTS. (A) Each State educational  
23 agency that receives a grant under paragraph (1)  
24 shall use-

1                   "(i) not less than 95 percent of the  
2 grant funds received to award, on a competitive basis,  
3 subgrants to eligible local applicants, as defined in  
4 section 3417, for use in creating new learning environments  
5 designed to prepare all students, including students with  
6 disabilities or limited English proficiency, to achieve to  
7 challenging State academic content and performance  
8 standards through the use of research-based teaching  
9 practices and advanced technologies; and

10                   "(ii) subject to subparagraph (C), the  
11 remainder of the grant funds for administrative costs and  
12 technical assistance.

13                   "(B) In awarding subgrants under  
14 subparagraph (A) (i), a State educational agency shall give  
15 priority to an eligible local applicant that is a  
16 partnership that meets the requirements of section  
17 3417(1) (B).

18                   "(C) From the funds described in  
19 subparagraph (A) (i), a State educational agency may use not  
20 more than 2 percent of the grant funds received by that  
21 agency under this subpart to provide planning subgrants to  
22 eligible local applicants in order to assist them to  
23 develop strategic long-term local technology plans that

1 shall be included in the application for a subgrant under  
2 section 3416(1)."; and

3 (3) by amending subsection (b) (2) to read as  
4 follows:

5 "(2) provide eligible local applicants with  
6 assistance in-

7 "(A) developing applications under section  
8 3416;

9 "(B) forming partnerships among the  
10 entities described in section 3417(1) (B); and

11 "(C) establishing performance indicators  
12 and methods for measuring program outcomes against the  
13 indicators.".

14

15 STATE APPLICATION

16 SEC. 344. Section 3133 of the ESEA is amended to read  
17 as follows:

18 "STATE APPLICATION

19 SEC. 3133. To receive funds under this subpart, a  
20 State educational agency shall submit an application to the  
21 Secretary at such time, in such manner, and accompanied by  
22 such information as the Secretary may reasonably require.  
23 As part of its application, a State educational agency  
24 shall submit a new or updated statewide educational

1 technology plan. The plan submitted shall demonstrate how  
2 it will be coordinated with and support the State plan or  
3 policies for comprehensive standards-based education  
4 reform, and shall describe-

5           "(1) how the State educational agency will meet  
6 the national technology goals that-

7           "(A) all teachers in the Nation will have  
8 the training and support they need to help students learn  
9 using computers and the information superhighway;

10           "(B) all teachers and students will have  
11 modern multimedia computers in their classrooms;

12           "(C) every classroom will be connected to  
13 the information superhighway; and

14           "(D) effective software and online learning  
15 resources will be an integral part of every school's  
16 curriculum;

17           "(2) the State educational agency's long-term  
18 strategies for financing educational technology in the  
19 State, including how the State educational agency will use  
20 other sources of Federal and non-Federal funds, including  
21 the E-Rate, for this purpose;

22           "(3) the State educational agency's criteria for  
23 identifying, for purposes of section 3317(1)(A), a local  
24 educational agency as high-poverty, serving at least one

1 low-performing school, and having a substantial need for  
2 technology, and how the State educational agency will  
3 report to the public the criteria to be used and the  
4 outcome of the competition;

5           "(4) the State educational agency's specific  
6 goals for using advanced technology to improve student  
7 achievement to challenging State academic content and  
8 performance standards by-

9                   "(A) using web-based resources and  
10 telecommunications networks to provide challenging content  
11 and improve classroom instruction;

12                   "(B) using research-based teaching  
13 practices and models of effective uses of advanced  
14 technology; and

15                   "(C) promoting sustained and intensive,  
16 high-quality professional development that increases  
17 teacher capacity to create improved learning environments  
18 through the integration of technology into instruction;

19           "(5) the State educational agency's performance  
20 indicators for each of the goals described in paragraphs  
21 (1), (2), and (4) and included in its plan, baseline  
22 performance data for the indicators, a timeline for  
23 achieving the goals, and interim measures of success toward  
24 achieving the goals;



1           "(6) how the State educational agency will  
2 ensure that grants to eligible local applicants are of  
3 sufficient size, scope, and quality to meet the purposes of  
4 this subpart effectively;

5           "(7) how the State educational agency will  
6 provide technical assistance to eligible local applicants,  
7 and its capacity for providing such assistance;

8           "(8) how the State educational agency will  
9 ensure that educational technology is accessible to, and  
10 usable by, all students, including students with special  
11 needs, such as students who have disabilities or limited  
12 English proficiency; and

13           "(9) how the State educational agency will  
14 evaluate its activities under the plan.".

15

16                               LOCAL USES OF FUNDS

17           SEC. 345. Section 3134 of the ESEA is amended to read  
18 as follows:

19

                              "LOCAL USES OF FUNDS

20           "SEC. 3134. Each eligible local applicant shall use  
21 the funds made available under section 3413(a)(2)(i) for  
22 one or more of the following activities:

23

24           "(1) Adapting or expanding existing and new  
          applications of technology to enable teachers to create

1 learning environments designed to prepare students to  
2 achieve to challenging State academic content and student  
3 performance standards through the use of research-based  
4 teaching practices and advanced technologies.

5           "(2) Providing sustained and intensive, high-  
6 quality professional development in the integration of  
7 advanced technologies into curriculum and in using those  
8 technologies to create new learning environments, including  
9 training in the use of technology to access data and  
10 resources to develop curricula and instructional materials.

11           "(3) Enabling teachers to use the Internet to  
12 communicate with other teachers and retrieve web-based  
13 learning resources.

14           "(4) Using technology to collect, manage, and  
15 analyze data to inform school improvement efforts.

16           "(5) Acquiring wireless telecommunications,  
17 hand-held devices, modeling or simulation tools, distance  
18 learning networks, and other advanced technologies with  
19 classroom applications.

20           "(6) Acquiring wiring and access to advanced  
21 telecommunications.

22           "(7) Using web-based learning resources,  
23 including those that provide access to challenging courses  
24 such as Advanced Placement courses.

1           "(8) Assisting schools to use technology to  
2 promote parent and family involvement, and support  
3 communications between family and school.".

4

5

LOCAL APPLICATIONS

6           SEC. 346. Section 3135 of the ESEA is amended—

7           (1) in the matter preceding paragraph (1)—

8           (A) by inserting the subsection designation  
9 and heading "(a) IN GENERAL." immediately after the  
10 section heading; and

11           (B) by striking out "local educational  
12 agency" and "section 3132(a)(2)" and inserting in lieu  
13 thereof "eligible local applicant" and "section  
14 3413(a)(2)", respectively;

15           (2) in paragraph (1)—

16           (A) by amending subparagraph (A) to read as  
17 follows:

18           "(A) a description of how the applicant  
19 plans to improve the achievement of all students by—

20           "(i) making effective use of new  
21 technologies, networks, and electronic learning resources;

22           "(ii) using research-based teaching  
23 practices that are linked to advanced technologies; and

1                   "(iii) promoting sustained and  
2 intensive, high-quality professional development that  
3 increases the capacity of teachers to create improved  
4 learning environments through the integration of  
5 educational technology into instruction.";

6                   (B) by striking out subparagraph (B);

7                   (C) by amending subparagraphs (C), (D), and  
8 (E) to read as follows:

9                   "(C) a description of the applicant's goals  
10 regarding the use of educational technology to meet the  
11 purposes of this subpart, as well as the applicant's  
12 baseline data, timelines, benchmarks, and indicators of  
13 success for meeting these goals;

14                   (D) a description of how the applicant  
15 will ensure sustained and intensive, high-quality  
16 professional development for teachers, administrators, and  
17 other educational personnel to further the use of  
18 technology in the classroom;

19                   (E) a description of the administrative  
20 and technical support that the applicant will provide  
21 schools;"

22                   (D) in subparagraph (G), by striking out  
23 "and" at the end thereof;

1 (E) by amending subparagraph (H) to read as  
2 follows:

3 "(H) a description of the applicant's  
4 strategy for financing its strategic, long-term local  
5 technology plan, including the use of other Federal and  
6 non-Federal funds;"

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

10 (E) by adding at the end thereof the  
11 following new subparagraphs:

12 "(J) a description of how the applicant  
13 will use advanced technology to promote communication  
14 between teachers for activities such as—

15 "(i) sharing examples of student work;

16 "(ii) developing instructional  
17 strategies;

18 "(iii) developing curricula aligned  
19 with State or local standards;

20 "(iv) using data to improve teaching  
21 and learning; and

22 "(K) a description of how the applicant  
23 would use technology to improve the teaching and learning

1 of students with special needs, such as students with  
2 disabilities or limited English proficiency."

3 (3) by amending paragraph (2) to read as  
4 follows:

5 "(2) describe how the applicant included  
6 parents, public libraries, business leaders, and community  
7 leaders in the development of the strategic long-term local  
8 technology plan described in paragraph (1);";

9 (4) in paragraph (3), by striking out "and" at  
10 the end thereof;

11 (5) in paragraph (4)(B), by striking out  
12 "National Education Goals" and inserting in lieu thereof  
13 "America's Education Goals";

14 (6) by redesignating paragraph (4) as paragraph  
15 (8);

16 (7) by inserting immediately after paragraph (3)  
17 the following new paragraphs:

18 "(4) describe how the applicant would use  
19 subgrant funds to benefit low-performing schools;

20 "(5) describe how the applicant will ensure that  
21 technology is accessible to, and usable by, all students,  
22 particularly students with disabilities or limited English  
23 proficiency;

1           "(6) include an assurance that, before any funds  
2 received under this part are used for acquiring wiring or  
3 access to advanced telecommunications, the applicant will  
4 use all resources available to it through the E-Rate;

5           "(7) if the applicant is a partnership, describe  
6 the members of the partnership, their respective roles, and  
7 their respective contributions to improving the capacity of  
8 the local educational agency; and";

9           (8) by striking out subsection (d);

10          (9) in subsection (e), by striking out "local  
11 educational agency" and "under this Act or the Goals 2000:  
12 Educate America Act," and inserting in lieu thereof  
13 "eligible local applicant" and "under this Act,"  
14 respectively; and

15          (10) by redesignating subsection (e) as  
16 subsection (b).

17

18           REPEALS; CONFORMING CHANGES; REDESIGNATIONS

19          SEC. 347. (a) Sections 3136 and 3137 of the ESEA are  
20 repealed.

21          (b) (1) Section 3131(a) of the ESEA is amended--

22                  (A) in paragraph (1), by striking out  
23 "section 3114(a)(1)(C)" and inserting in lieu thereof  
24 "section 3418"; and

1 (B) in paragraph (2), by striking out  
2 "section 3115(a)(1)(C)" and inserting in lieu thereof  
3 "section 3418"; and

4 (2) Section 3132 of the ESEA is amended-

5 (A) in subsection (a)(1), by striking out  
6 "section 3131," and "section 3133." and inserting in lieu  
7 thereof "section 3412," and "section 3414.", respectively;  
8 and

9 (B) in subsection (b)(1)(B), by striking  
10 out "section 3133;" and inserting in lieu thereof "section  
11 3414;".

12 (c) Sections 3131, 3132, 3133, 3134, and 3135 of the  
13 ESEA are redesignated as sections 3412, 3413, 3414, 3415,  
14 and 3416, respectively.

15

16 DEFINITIONS; AUTHORIZATION OF APPROPRIATIONS

17 SEC. 348. Title III of the ESEA is further amended by  
18 adding immediately after section 3416 (as redesignated by  
19 section 347(c) of the bill) the following new sections:

20

21 "DEFINITIONS

22 "SEC. 3417. For purposes of this subpart-

23 "(1) 'eligible local applicant' means-



1                   "(A) a local educational agency that, as  
2 determined by the State educational agency,-

3                   "(i) is among the local educational  
4 agencies in the State with the highest numbers or  
5 percentages of children from households living in poverty;

6                   "(ii) includes one or more low-  
7 performing schools; and

8                   "(iii) has a substantial need for  
9 assistance in acquiring and using technology; or

10                   "(B) a partnership that includes at least  
11 one local educational agency that meets the requirements of  
12 subparagraph (A) and at least one-

13                   "(i) local educational agency that can  
14 demonstrate that teachers in schools served by that agency  
15 are using technology effectively in their classrooms;

16                   "(ii) institution of higher education;

17                   "(iii) for-profit organization that  
18 develops, designs, manufactures, or produces technology  
19 products or services, or has substantial expertise in the  
20 application of technology; or

21                   "(iv) public or private non-profit  
22 organization with demonstrated experience in the  
23 application of educational technology; and

24                   "(2) 'low-performing school' means a school-

1                   "(A) identified by the local educational  
2 agency for school improvement under section 1116(c) of this  
3 Act; or

4                   "(B) in which a substantial majority of  
5 students fail to meet State performance standards based on  
6 State or local assessments that are aligned to the  
7 performance standards.

8

9                   "AUTHORIZATION OF APPROPRIATIONS

10                  "SEC. 3418. For purposes of carrying out this  
11 subpart, there are authorized to be appropriated such sums  
12 as may be necessary for fiscal year 2001 and for each of  
13 the four succeeding fiscal years."

14

15                  REGIONAL TECHNOLOGY IN EDUCATION CONSORTIA

16                  SEC. 349. (a) Title III of the ESEA is further  
17 amended by inserting immediately after section 3418 (as  
18 added by section 348 of the bill) the following new subpart  
19 designation and heading: "SUBPART 2 - REGIONAL TECHNOLOGY  
20 IN EDUCATION CONSORTIA".

21                  (b) Section 3141 of the ESEA is amended-

22                   (1) in subsection (a)-

1 (A) by amending the heading thereof to read  
2 as follows: "GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS  
3 AUTHORIZED.-";

4 (B) by amending paragraph (1) to read as  
5 follows:

6 "(1) AUTHORITY. The Secretary, through the  
7 Office of Educational Technology, shall make grants, or  
8 enter into contracts or cooperative agreements, in  
9 accordance with the provisions of this subpart, to  
10 consortia that meet the requirements of paragraph (2). In  
11 making such awards, the Secretary shall ensure, to the  
12 extent possible, that each geographic region of the United  
13 States shall be served by a recipient of an award under  
14 this subpart."; and

15 (C) in paragraph (2)-

16 (i) in the matter preceding  
17 subparagraph (A), by striking out "a grant under this  
18 section" and inserting in lieu thereof "an award under this  
19 subpart";

20 (ii) by redesignating subparagraphs  
21 (B) and (C) as subparagraphs (C) and (D), respectively; and

22 (iii) by inserting immediately after  
23 subparagraph (A) the following new subparagraph:

1                   "(B) meet the requirements of section 2421  
2 in addition to meeting the requirements of this subpart;"  
3 and  
4                   (2) in subsection (b)-  
5                   (A) in paragraph (1)-  
6                   (i) in the matter preceding  
7 subparagraph (A), by striking out "a grant under this  
8 section" and inserting in lieu thereof "an award under this  
9 subpart";  
10                   (ii) in subsection (B)-  
11                   (I) by striking out "information,  
12 in coordination with information available from the  
13 Secretary," and inserting in lieu thereof "information";  
14 and  
15                   (II) by striking out "evaluate  
16 and make recommendations on equipment and software that  
17 support the America's Education Goals and are suited for a  
18 school's particular needs,"; and  
19                   (iii) in subparagraph (C), by striking  
20 out "to participate" through the end thereof and inserting  
21 in lieu thereof "assistance in applying advanced  
22 technologies and web-based resources in order to design  
23 learning environments for the 21st Century; and";  
24                   (B) in paragraph (2)-

1 (i) in the matter preceding  
2 subparagraph (A), by striking out "a grant under this  
3 section" and inserting in lieu thereof "an award under this  
4 subpart";

5 (ii) in subparagraph (A)-

6 (I) in the matter preceding  
7 clause (i), by striking out "technology-specific, ongoing  
8 professional development," and inserting in lieu thereof  
9 "sustained and intensive high-quality professional  
10 development that prepares educators to be effective  
11 developers, users, and evaluators of educational  
12 technology,";

13 (II) in clause (i), by striking  
14 out "that use" through the end thereof and inserting in  
15 lieu thereof "for teachers, administrators, school  
16 librarians, and other education personnel; and"; and

17 (III) in clause (ii)-

18 (aa) by striking out  
19 subclauses (II), and (V);

20 (bb) in subclause (III), by  
21 adding "and" at the end thereof;

22 (cc) in subclause (IV), by  
23 striking out "video conferences and seminars which" and

1 inserting in lieu thereof "the use of advanced  
2 telecommunications and distance learning networks to"; and

3 (dd) by redesignating  
4 subclauses (III) and (IV) as subclauses (II) and (III),  
5 respectively;

6 (iii) by striking out subparagraphs  
7 (B) and (C);

8 (iv) in subparagraph (F), by striking  
9 out "for students" through the end thereof and inserting in  
10 lieu thereof a comma and "coordinated with other programs  
11 supported under this title, that incorporate the effective  
12 use of advanced technology into teacher preparation  
13 courses;"

14 (v) in subparagraph (G)-

15 (I) by striking out "develop  
16 support from" and inserting in lieu thereof "increase the  
17 involvement and support of"; and

18 (II) by striking out the period  
19 at the end thereof and inserting in lieu thereof a  
20 semicolon and "and"; and

21 (vi) by redesignating subparagraphs  
22 (D), (E), (F), and (G) as subparagraphs (B), (C), (D), and  
23 (E), respectively;

24 (C) in paragraph (3)-

1 (i) in the matter preceding  
2 subparagraph (A), by striking out "a grant under this  
3 section" and inserting in lieu thereof "an award under this  
4 subpart";

5 (ii) in subparagraph (A), by adding  
6 "and" at the end thereof;

7 (iii) in subparagraph (B), by striking  
8 out the semicolon and "and" at the end thereof and  
9 inserting in lieu thereof a period;

10 (iv) by striking out subparagraph (C);

11 (v) by redesignating subparagraphs (A)  
12 and (B) as subparagraphs (B) and (C), respectively; and

13 (vi) by inserting immediately before  
14 subparagraph (B) (as redesignated by clause (v)) the  
15 following new subparagraph:

16 "(A) maintain, or contribute to, a  
17 nationally accessible repository that contains information  
18 about effective uses of educational technology, including  
19 for sustained and intensive, high-quality professional  
20 development, and disseminate that information nationwide";  
21 and

22 (D) by amending paragraph (4) to read as  
23 follows:

1           "(4) Each consortium receiving an award under  
2 this subpart shall-

3                   "(A) collaborate, and coordinate the  
4 services that it provides, with appropriate regional and  
5 other entities assisted in whole or in part by the  
6 Department;

7                   "(B) coordinate activities and establish  
8 partnerships with organizations and institutions of higher  
9 education that represent the interests of the region  
10 regarding the application of technology to teaching,  
11 learning, instructional management, dissemination, the  
12 collection and distribution of educational statistics, and  
13 the transfer of student information; and

14                   "(C) collaborate with the Department and  
15 recipients of funding under other technology programs of  
16 the Department, particularly the Technology Literacy  
17 Challenge Fund under subpart 1, and the Next-Generation  
18 Technology Innovation Awards program under subpart 1 of  
19 part B, to assist the Department and those recipients as  
20 requested by the Secretary."

21           (c) Section 3141 of the ESEA is redesignated as  
22 section 3421.



1 (d) Title III of the ESEA is further amended by  
2 inserting immediately after section 3421 (as redesignated  
3 by subsection (c)) the following new section:

4 "AUTHORIZATION OF APPROPRIATIONS

5 "SEC. 3422. For purposes of carrying out this  
6 subpart, there are authorized to be appropriated such sums  
7 as may be necessary for fiscal year 2001 and for each of  
8 the four succeeding fiscal years."

## 1 TITLE IV - SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES ACT

2

3

## SAFE AND DRUG FREE SCHOOLS AND COMMUNITIES

4

SEC. 401. Title IV of the ESEA is amended to read as

5

follows:

6

"TITLE IV - SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES

7

8

## "SHORT TITLE

9

"SEC. 4001. SHORT TITLE. This title may be cited as

10

the 'Safe and Drug-Free Schools and Communities Act.'

11

12

## "FINDINGS

13

"SEC. 4002. FINDINGS. The Congress finds that:

14

"(1) Safe and Drug-Free Schools and Communities

15

Programs support achievement of Goal One of the National

16

Drug Control Strategy - to educate and enable America's

17

youth to reject illegal drugs, as well as alcohol and

18

tobacco - and Goal Seven of America's Education Goals -

19

that every school in the United States will be free of

20

drugs, violence, and the unauthorized presence of firearms

21

and alcohol.

22

"(2) It is essential for schools to provide a

23

drug-free, safe, and orderly learning environment for all

24

students, if all students are to live healthy lives and



1 maintaining drug-free, safe, and orderly environments for  
2 learning in and around schools, by awarding Federal  
3 financial assistance to-

4 " (1) State educational agencies for competitive  
5 awards to local educational agencies with a demonstrated  
6 need for services and the highest quality proposed  
7 programming;

8 " (2) Governors for competitive awards to local  
9 educational agencies, as well as community-based  
10 organizations and other public entities and nonprofit  
11 organizations, for programs that complement and support  
12 local educational agency programs;

13 " (3) State educational agencies and Governors  
14 for capacity-building, and technical assistance and  
15 accountability services and activities to improve the  
16 effectiveness of, and institutionalize, State and local  
17 Safe and Drug-Free Schools and Communities programs; and

18 " (4) Public and private organizations, and  
19 individuals, for training programs, demonstrations,  
20 evaluations, research projects, direct services, and  
21 technical assistance to schools and school systems,  
22 developing and disseminating materials and information,  
23 drug and violence prevention programs at the postsecondary

1 level, and other activities related to the purposes of this  
2 title.

3 "AUTHORIZATION OF APPROPRIATIONS

4 "SEC. 4004. AUTHORIZATION. There are authorized to  
5 be appropriated--

6 "(1) such sums as may be necessary for fiscal  
7 year 2001 and each of the four succeeding fiscal years to  
8 carry out part A;

9 "(2) such sums as may be necessary for fiscal  
10 year 2001 and each of the four succeeding fiscal years to  
11 carry out part B; and

12 "(3) such sums as may be necessary for fiscal  
13 year 2001 and each of the four succeeding fiscal years to  
14 carry out part C.

1 PART A - STATE GRANTS FOR DRUG AND VIOLENCE PREVENTION  
2 PROGRAMS  
3

4  
5 "RESERVATIONS AND ALLOTMENTS

6 "SEC. 4111. (a) RESERVATIONS.-(1) From the amount  
7 made available under section 4004(1) to carry out this part  
8 for each fiscal year, the Secretary-

9 "(A) shall reserve 1 percent of such amount  
10 for grants under this part to Guam, America Samoa, the  
11 Virgin Islands, and the Commonwealth of the Northern  
12 Mariana Islands, to be allotted in accordance with the  
13 Secretary's determination of their respective needs;

14 "(B) shall reserve 1 percent of such amount  
15 for the Secretary of the Interior to carry out programs for  
16 Indian youth;

17 "(C) shall reserve 0.2 percent of such  
18 amount for programs for Native Hawaiians; and

19 "(D) may reserve not more than \$2,000,000  
20 for evaluation activities required by section 4117(a).

21 "(2) (A) (i) Funds reserved under paragraph (1) (A)  
22 may not be consolidated under the provisions of title V of  
23 Pub. L. 95-134.

24 "(ii) The Governor of Guam, America  
25 Samoa, the Virgin Islands, or the Commonwealth of the

1 Northern Mariana Islands may direct the Secretary to  
2 consolidate the Governor's share of funds under this part  
3 with the State educational agency's share and award the  
4 consolidated amount to the State educational agency for  
5 administration in accordance with the requirements of this  
6 part applicable to State educational agencies.

7                                 "(iii) Funds reserved under paragraph  
8 (1) (A) shall be used to carry out programs and activities  
9 that--

10   "(I) are authorized by this part  
11 and are implemented in a manner that is consistent with the  
12 program requirements under section 4114; and

13   "(II) are subject to the  
14 application requirements under section 4112(a) .

15   "(B) Funds reserved under paragraph (1) (B)  
16 shall be used to carry out programs and activities  
17 authorized by this part that meet the needs of Native  
18 American youth and that are implemented in a manner that is  
19 consistent with the program requirements under section  
20 4114.

21   "(C) (i) Funds reserved under paragraph  
22 (1) (C) shall be used by the Secretary to award grants or  
23 contracts to organizations primarily serving or  
24 representing Native Hawaiians to carry out programs and

1 activities authorized by this part that meet the needs of  
2 Native Hawaiian youth and that are implemented in a manner  
3 that is consistent with the program requirements under  
4 section 4114.

5                   "(ii) Recipients of funds reserved  
6 under paragraph (1) (C) shall coordinate their programs and  
7 activities with programs and activities under this part  
8 carried out by the State educational agency of Hawaii.

9                   "(iii) For the purposes of this section,  
10 the term 'Native Hawaiian' has the same meaning as the term  
11 is provided in section 9212 of the Elementary and Secondary  
12 Education Act of 1965.

13           "(b) STATE ALLOTMENTS.-(1) Except as provided in  
14 paragraph (2), the Secretary shall, for each fiscal year,  
15 allocate among the States-

16                   "(A) one-half of the remainder not reserved  
17 under subsection (a) according to the ratio between the  
18 school-aged population of each State and the school-aged  
19 population of all the States; and

20                   "(B) one-half of such remainder according  
21 to the ratio between the amount each State received under  
22 section 1122 of part A of title I of the Act for the  
23 preceding year and the sum of such amounts received by all  
24 the States.



1           "(2) MINIMUM. For any fiscal year, no State  
2 shall be allotted under this subsection an amount that is  
3 less than one-half of one percent of the total amount  
4 allotted to all the States under this subsection.

5           "(3) REALLOTMENT. The Secretary may reallo-  
6 t any amount of any allotment to a State if the Secretary  
7 determines that the State will be unable to use such amount  
8 within two years of such allotment. Such reallo-  
9 tments shall be made on the same basis as allotments are made under  
10 paragraph (1).

11           "(4) DEFINITIONS. For the purposes of this  
12 part-

13                   "(A) the term 'State' means each of the 50  
14 States, the District of Columbia, and the Commonwealth of  
15 Puerto Rico; and

16                   "(B) the term 'local educational agency'  
17 includes educational service agencies and consortia of such  
18 agencies.

19

20                                   "STATE APPLICATIONS

21           "SEC. 4112. (a) STATE APPLICATION. In order to  
22 receive an allotment under section 4111(b) for any fiscal  
23 year, a State shall submit to the Secretary, at such time

1 and in such manner as the Secretary may require, a 5-year  
2 application that-

3 " (1) is submitted jointly by the Governor and  
4 the State educational agency of the State;

5 " (2) contains a description of how funds under  
6 this part will be coordinated with other programs under  
7 this Act and with other Federal education and drug  
8 prevention programs;

9 " (3) contains a comprehensive plan for the use  
10 of funds by the State educational agency and the Governor  
11 to provide safe, orderly, and drug-free school environments  
12 that includes-

13 " (A) the results of the State's needs  
14 assessment for drug and violence-prevention programs, which  
15 shall be based on the results of ongoing State evaluation  
16 activities and include data on the prevalence of drug use  
17 and violence by youth in schools and communities in the  
18 State;

19 " (B) a list of the State's results-based  
20 performance measures for drug and violence prevention,  
21 which shall-

22 " (i) be focused on student behavior  
23 and attitudes and derived from the needs assessment;

24 " (ii) be selected from a core set of

1 indicators that the Secretary shall develop in consultation  
2 with State and local officials;

3                                 "(iii) include targets and due dates  
4 for the attainment of these indicators;

5                                 "(iv) include a description of the  
6 procedures the State will use to inform local educational  
7 agencies of the State's results-based performance measures  
8 for drug and violence prevention for assessing and publicly  
9 reporting progress toward meeting these indicators, or  
10 revising them as needed; and

11                                "(v) include a description of how the  
12 procedures described in subparagraph (C) and subparagraph  
13 (D) will support the achievement of the State's results-  
14 based performance measures;

15                                "(C) a description of the procedures the  
16 State educational agency will use for reviewing  
17 applications and awarding funds to local educational  
18 agencies on a competitive basis under section 4113(c),  
19 including-

20                                "(i) the objective criteria the State  
21 educational agency will use for determining which local  
22 educational agencies are eligible to compete for these  
23 funds;

24                                "(ii) the criteria the State

1 educational agency will use to assess the relative quality  
2 of applications and demonstrated need for funding by these  
3 local educational agencies;

4 " (iii) the peer review process the  
5 State educational agency will use to review applications;

6 " (iv) how the State educational agency  
7 will ensure that the geographical distribution of awards  
8 reflects the diversity of local educational agencies in the  
9 State; and

10 " (v) how the State educational agency  
11 and the Governor will coordinate these programs;

12 " (D) a description of the procedures,  
13 including objective criteria, the State educational agency  
14 will use for reviewing any applications and awarding any  
15 funds to local educational agencies on a non-competitive  
16 basis under section 4113(c) (3);

17 " (E) a description of the procedures the  
18 Governor will use to award funds to eligible applicants on  
19 a competitive basis consistent with section 4115(c),  
20 including-

21 " (i) the criteria the Governor will  
22 use to assess the relative quality of applications and  
23 demonstrated need for funding of eligible applicants;

24 " (ii) the peer review process the

1 Governor will use to review applications;

2                                 "(iii) how those funds will be used  
3 for community resources and activities that support local  
4 educational agency programs to create drug-free, safe, and  
5 disciplined learning environments in, and passageways to  
6 and from schools; and

7                                 "(iv) how the Governor will ensure  
8 that the geographic distribution of awards reflects the  
9 diversity of local educational agencies in the State;

10                                "(F) a description of how the State  
11 educational agency and Governor will use the funds reserved  
12 under sections 4113(b) and 4115(b) for coordinated  
13 capacity-building and technical assistance and program  
14 accountability services and activities at the State and  
15 local levels, including how the State educational agency  
16 and Governor will coordinate their activities with law  
17 enforcement, health, mental health, and education programs  
18 and officials at the State and local levels;

19                                "(G) a description of how the State  
20 educational agency and the Governor will monitor local  
21 programs; and

22                                "(H) a description of how the State  
23 educational agency will ensure that local educational

1 agencies not receiving funds under this part will be  
2 provided technical assistance to improve their programs;  
3 " (4) contains assurances that the application  
4 was developed in consultation and coordination with  
5 appropriate State officials, including the head of the  
6 State alcohol and drug abuse agency, the heads of the State  
7 health and mental health agencies, the head of the State  
8 criminal justice planning agency, the head of the State  
9 child welfare agency, the head of the State board of  
10 education, or their designees, and representatives of  
11 parents, students, and community-based organizations; and

12 " (5) contains assurance that the State will  
13 cooperate with, and assist, the Secretary in conducting the  
14 national impact evaluation of programs required by section  
15 4117(a).

16 " (b) PEER REVIEW. The Secretary shall use a peer  
17 review process in reviewing State applications under this  
18 section.

19

20 "STATE AND LOCAL EDUCATIONAL AGENCY PROGRAMS

21 "SEC. 4113. (a) ALLOCATION OF FUNDS. In each fiscal  
22 year, 80 percent of the total amount allocated to the State  
23 under section 4111(b) shall be used by the State  
24 educational agency and local educational agencies in the

1 State to carry out programs and activities in accordance  
2 with this section that are designed to create and maintain  
3 drug-free, safe, and orderly environments for learning in  
4 and around schools in the State.

5 " (b) STATE LEVEL ACTIVITIES.-(1) A State educational  
6 agency shall reserve not more than 20 percent of the amount  
7 described in subsection (a) for State-level activities  
8 described in paragraphs (2) and (4).

9 " (2) A State educational agency may use not more  
10 than 5 percent of the amount described in subsection (a)  
11 for the costs of carrying out its administrative  
12 responsibilities under this part.

13 " (3) The State educational agency shall reserve  
14 the remainder of the amount described in paragraph (1)  
15 after application of paragraph (2), but not less than 10  
16 percent of the amount described in subsection (a), for  
17 State-level activities described in paragraph (4).

18 " (4) (A) The State educational agency and the  
19 Governor shall jointly use the amounts reserved under  
20 paragraph (3) and section 4115(b) (3) to plan, develop, and  
21 implement capacity building, technical assistance, and  
22 accountability services that are designed to support the  
23 effective implementation of local drug and violence

1 prevention activities throughout the State and promote  
2 program accountability and improvement.

3 " (B) (i) The State educational agency and  
4 Governor may carry out the services and activities  
5 described in subparagraph (A) directly, or through  
6 subgrants or contracts with public and private  
7 organizations, as well as individuals.

8 " (ii) Except as provided under clause  
9 (iii), the State educational agency and Governor shall, to  
10 the extent practicable, use funds under this paragraph to  
11 provide capacity building and technical assistance and  
12 accountability services and activities to all local  
13 educational agencies in the State, including those that do  
14 not receive funds under this part.

15 " (iii) The State educational agency  
16 and the Governor may use fund under this paragraph to  
17 provide emergency intervention services to schools and  
18 communities following a traumatic crisis, such as a  
19 shooting, major accident, or drug-related incident that has  
20 disrupted the learning environment.

21 " (C) For the purpose of this paragraph-

22 " (i) 'capacity building' means



1 activities to improve the knowledge, skills, and expertise  
2 of State and local program staff needed to plan, implement,  
3 and improve effective research-based programs; and

4                               "(ii) 'technical assistance and  
5 accountability services' means activities designed to  
6 improve State and local programs and activities under this  
7 part, including dissemination of information and curricula,  
8 program evaluation, demonstration programs, peer review of  
9 local educational agency applications, and evaluation  
10 assistance, such as collecting, monitoring, and reporting  
11 program indicator data.

12               "(c) LOCAL-LEVEL ACTIVITIES.-(1) A State educational  
13 agency shall use not less than 80 percent of the amount  
14 described in subsection (a) for local-level activities  
15 described in paragraphs (2) and (3).

16                       "(2) (A) A State educational agency shall use at  
17 least 70 percent of the amount described in subsection (a)  
18 to make competitive subgrants, consistent with subparagraph  
19 (C) (i), to local educational agencies (or consortia of  
20 local educational agencies) that the State educational  
21 agency determines, based on objective data, need assistance  
22 under this part.

1                   " (B) In determining which local educational  
2 agencies (or consortia) need assistance under this part,  
3 the State educational agency may consider such factors as-

4                   " (i) high rates of alcohol, tobacco,  
5 or drug use among youth;

6                   " (ii) high rates of victimization of  
7 youth by violence and crime;

8                   " (iii) high rates of arrest and  
9 adjudication of youth for violent or drug- or alcohol-  
10 related delinquency;

11                   " (iv) high rates of bullying, hate-  
12 related incidents, racial harassment, sexual harassment, or  
13 sexual abuse;

14                   " (v) high rates of referrals of youths  
15 to drug and alcohol abuse treatment and rehabilitation  
16 programs;

17                   " (vi) high rates of referrals of  
18 youths to juvenile court;

19                   " (vii) high rates of expulsions and  
20 suspensions of students from schools;

21                   " (viii) high rates of reported cases  
22 of child abuse and domestic violence;

23                   " (ix) the extent of illegal gang  
24 activity;

1                   "(x) local fiscal capacity to fund  
2 such programs without Federal assistance;

3                   "(xi) the incidence of drug  
4 paraphernalia in schools;

5                   "(xii) high rates of drug-related  
6 emergencies or deaths; and

7                   "(xiii) high rates of drug  
8 distribution or sales on, or around, school grounds.

9                   "(C) (i) The State educational agency shall  
10 base the competition it conducts under subparagraph (A) on  
11 the quality of the applicant's proposed program and how  
12 closely it is aligned with the principles of effectiveness  
13 described in clause (ii).

14                   "(ii) For the purpose of this  
15 subsection, the State educational agency shall use the  
16 following principles of effectiveness:

17                   "(I) The applicant's program is  
18 based on a thorough assessment of objective data about the  
19 drug and violence problems in the schools and communities  
20 to be served.

21                   "(II) The applicant has  
22 established a set of measurable goals and objectives aimed  
23 at ensuring that all schools served by the local  
24 educational agency have a drug-free, safe, and orderly

1 learning environment, and has designed its programs to meet  
2 those goals and objectives.

3                   "(III) The applicant has designed  
4 and will implement its programs for youth based on research  
5 or evaluation that provides evidence that the program to be  
6 used will prevent or reduce drug use, violence,  
7 delinquency, or disruptive behavior among youth.

8                   "(IV) The applicant will evaluate  
9 its program periodically to assess its progress toward  
10 achieving its goals and objectives, and will use evaluation  
11 results to refine, improve, and strengthen its program, and  
12 refine its goals and objectives, as needed.

13                   "(D) A State educational agency may make  
14 subgrants under this paragraph to not more than 50 percent  
15 of the local educational agencies in the State, unless the  
16 State demonstrates in its application under section 4112  
17 that the State educational agency can make subgrants to  
18 more than 50 percent of the local educational agencies in  
19 the State and still comply with subparagraph (E).

20                   "(E) Subgrants under this paragraph shall  
21 be of sufficient size to support high-quality, effective  
22 programs and activities that are designed to create safe,  
23 disciplined, and drug-free learning environments in schools  
24 and that are consistent with the needs, goals, and

1 objectives identified in the State's plan under section  
2 4112.

3           "(3)(A) A State educational agency may use not  
4 more than 10 percent of the amount described in subsection  
5 (a) to make non-competitive subgrants to local educational  
6 agencies (or consortia of local educational agencies) with  
7 the greatest need for assistance as described in paragraph  
8 (2)(B) that did not receive a subgrant under subparagraph  
9 (2)(A). A local educational agency may not receive more  
10 than one subgrant under this paragraph.

11           "(B) A State educational agency shall not  
12 make a subgrant to a local educational agency under this  
13 paragraph unless it-

14                       "(i) assists the local educational  
15 agency in meeting the information requirements under  
16 section 4116(a) pertaining to local educational agency  
17 needs assessment, results-based performance measures,  
18 comprehensive safe and drug-free schools plan, evaluation  
19 plan, and assurances; and

20                       "(ii) provides continuing technical  
21 assistance to the local educational agency to build its  
22 capacity to develop and implement high-quality, effective  
23 programs consistent with the principles of effectiveness in  
24 subsection (c)(2)(C)(ii).

1           " (d) PROJECT PERIODS AND REALLOCATION.- (1) (A)  
2 Subgrants under subsection (c) shall be for project periods  
3 not to exceed three years.

4                       "(B) In order to receive funds under this  
5 section for the second or third year of the project, a  
6 local educational agency shall demonstrate to the  
7 satisfaction of the State educational agency that the local  
8 educational agency's project is making reasonable progress  
9 toward its performance measures under section  
10 4116(a) (3) (C).

11                      "(2) A State educational agency may require  
12 local educational agencies to return funds awarded to them  
13 under this section that they have not expended within one  
14 year of the date of the subgrant, and may award such  
15 recovered funds to other local educational agencies with  
16 the greatest need for them-

17                               "(A) through a new competition;

18                               "(B) by funding high-quality applications  
19 that were not funded in a previous competition; or

20                               "(C) by making supplemental awards to  
21 current subgrant recipients.

## 1 "LOCAL DRUG AND VIOLENCE PREVENTION PROGRAMS

2 "SEC. 4114. (a) PRINCIPLES OF EFFECTIVENESS. Each  
3 local educational agency that receives a subgrant under  
4 section 4113(c) shall use those funds to support research-  
5 based, drug- and violence-prevention services and  
6 activities that are consistent with the principles of  
7 effectiveness described in section 4113(c) (2) (C) (ii).

8 "(b) OTHER AUTHORIZED ACTIVITIES.-(1) Each local  
9 educational agency that receives a subgrant under section  
10 4113(c) may also use those funds to carry out, in a manner  
11 that is consistent with the most recent relevant research,  
12 other services and activities that are consistent with the  
13 purposes of this title, such as-

- 14 "(A) staff training and development;  
15 "(B) parental involvement and training;  
16 "(C) community involvement activities;  
17 "(D) law enforcement and security  
18 activities that are related to school safety and drug use;  
19 "(E) creating and maintaining safe zones of  
20 passage to and from school to prevent violence and drug  
21 trafficking;  
22 "(F) counseling, mentoring, and referral  
23 services, and other student assistance programs;  
24 "(G) before- and after-school programs;

1                   "(H) alternative education programs for  
2 those students who have been expelled from their regular  
3 education programs;

4                   "(I) programs to assist students to reenter  
5 the regular education program upon return from treatment or  
6 alternative education settings;

7                   "(J) services and activities that reduce  
8 the need for suspension and expulsion in maintaining  
9 classroom order and school discipline;

10                   "(K) services and activities to prevent and  
11 reduce truancy;

12                   "(L) teaching students about the risks and  
13 consequences associated with handling firearms and that  
14 enables them to make safe choices and avoid injuries to  
15 themselves and others; and

16                   "(M) activities designed to prevent hate  
17 crimes.

18                   "(2) A local educational agency may not use more  
19 that 20 percent of its subgrant for the acquisition or use  
20 of metal detectors and security personnel unless it  
21 demonstrates in its application under section 4116 to the  
22 satisfaction of the State educational agency that it has a  
23 compelling need to do so.



## "GOVERNOR'S PROGRAMS

1  
2 "SEC. 4115. (a) ALLOCATION OF FUNDS. In each fiscal  
3 year, 20 percent of the total amount allocated to the State  
4 under section 4111(b) shall be used by the Governor to  
5 support community efforts that directly complement the  
6 efforts of local educational agencies to foster drug-free,  
7 safe, and orderly learning environments in and around  
8 schools.

9 "(b) STATE-LEVEL ACTIVITIES.-(1) A Governor shall  
10 reserve not more than 20 percent of the amount described in  
11 subsection (a) for State-level activities described in  
12 paragraph (2) and section 4113(b)(4).

13 "(2) A Governor may use not more than 5 percent  
14 of the amount described in subsection (a) for costs, direct  
15 or indirect, of carrying out the Governor's administrative  
16 responsibilities under this part.

17 "(3) The Governor shall reserve the remainder of  
18 the amount described in paragraph (1), after application of  
19 paragraph (2), but not less than 10 percent of the amount  
20 described in subsection (a), for State-level activities  
21 that are administered jointly with the State educational  
22 agency, as described in section 4113(b)(4).

23 "(c) LOCAL-LEVEL ACTIVITIES.-(1) (A) A Governor  
24 shall use not less than 80 percent of the amount described

1 in subsection (a) to make competitive subgrants to, or  
2 contracts with, community-based organizations, local  
3 educational agencies, and other public entities and private  
4 non-profit organizations, or consortia thereof, to support  
5 community efforts that directly complement the efforts of  
6 local educational agencies to foster drug-free, safe, and  
7 orderly learning environments in and around schools.

8                   "(B) To be eligible for a subgrant under  
9 this subsection, an applicant (other than a local  
10 educational agency applying on its own behalf) shall  
11 include in its application its written agreement with one  
12 or more local educational agencies, or one or more schools  
13 within a local educational agency, to provide services and  
14 activities in support of such local educational agencies or  
15 schools, as well as an explanation of how those services  
16 and activities will complement or support the local  
17 educational agencies' or schools' efforts to provide a  
18 drug-free, safe, and orderly school environment.

19                   "(C) The Governor shall base the  
20 competition conducted under subparagraph (A)–

21                   " (i) on the quality of the applicant's  
22 proposed program and how closely it is aligned with the  
23 principles of effectiveness described in section  
24 4113(c) (2) (C) (ii); and

1                   "(ii) on the needs of the schools or  
2 local educational agencies to be served, based on the  
3 objective criteria determined by the Governor.

4                   "(D) Subgrants under this subsection may  
5 support community efforts on a Statewide, regional, or  
6 local basis and may support the efforts of local  
7 educational agencies and schools that do not receive funds  
8 under this part.

9                   "(2) (A) Each recipient of a subgrant under this  
10 subsection shall use those funds to support research-based  
11 services and activities that are consistent with the  
12 principles of effectiveness described in section  
13 4113(c) (2) (C) (ii).

14                   "(B) Each recipient of a subgrant under  
15 this subsection may also use those funds to carry out, in a  
16 manner that is consistent with the most recent relevant  
17 research, other services and activities that are consistent  
18 with the purposes of this title, such as-

19                   "(i) counseling and mentoring  
20 services;

21                   "(ii) the support of school resource  
22 officers, and other partnerships with law enforcement;

23                   "(iii) after-school programs;

1                                   "(iv) activities designed to prevent  
2 hate crimes; and  
3                                   "(v) alternative education programs  
4 for students removed from their regular educational  
5 programs.

6

7

"LOCAL APPLICATIONS

8           "SEC. 4116. APPLICATION CONTENTS.-(a) (1) Applicants  
9 for subgrants under section 4113(c) (2), section 4113(c) (3),  
10 and section 4115(c) shall submit an application at such  
11 time and including such information as the State  
12 educational agency or the Governor, as applicable,  
13 requires, consistent with paragraph (3).

14                   "(2) (A) Applications from local educational  
15 agencies for subgrants under section 4113(c) (2), section  
16 4113(c) (3), and section 4115(c) shall be developed in  
17 consultation with a local or regional advisory council that  
18 includes, to the extent possible, representatives of local  
19 government, business, parents, students, teachers, pupil  
20 services personnel, mental health service providers,  
21 appropriate State agencies, private schools, law  
22 enforcement, community-based organizations, and other  
23 groups interested in, and knowledgeable about, drug and  
24 violence prevention.

1                   " (B) Applications from entities other than  
2 local educational agencies for subgrants under section  
3 4115(c) shall be developed in consultation with the schools  
4 or local educational agencies to be served and, to the  
5 extent practicable, with the representatives described in  
6 subparagraph (A).

7                   " (3) Each application for a subgrant described  
8 in subsection (a) shall contain-

9                   " (A) the results of the applicant's needs  
10 assessment concerning the creation and maintenance of a  
11 drug-free, safe, and orderly school environment and include  
12 data on the prevalence of drug use and violence by youth in  
13 the schools and communities to be served;

14                   " (B) a description of how the applicant  
15 will target services and activities on the communities,  
16 schools, and students with the greatest need for assistance  
17 in creating and maintaining drug-free, safe, and orderly  
18 learning environments;

19                   " (C) the applicant's results-based  
20 performance measures for creating and maintaining a drug-  
21 free, safe, and orderly learning environment, which shall  
22 be focused on student behavior and attitudes, and include  
23 annual targets for each performance measure;

1                   "(D) a description of the procedures the  
2 applicant will use to assess and publicly report progress  
3 toward meeting its performance indicators;

4                   "(E) a description of how-

5                                 "(i) the applicant will use the funds  
6 to be awarded and how the activities it will support with  
7 those funds address the needs identified under subparagraph  
8 (A) and the performance measures identified in subparagraph  
9 (C); and

10                                "(ii) if the applicant is a local  
11 educational agency, how those activities are consistent  
12 with the Safe and Drug-Free Schools plan under paragraph  
13 (4) (F) or another existing school plan related to safe,  
14 disciplined, and drug-free environments;

15                                "(F) a description of how the applicant  
16 will coordinate its activities with local, State, and  
17 Federal law enforcement, health, mental health, and  
18 education officials;

19                                "(G) a description of how the applicant  
20 will coordinate its activities under this part with those  
21 implemented under the Drug-Free Communities Act, if any;

22                                "(H) a description of the applicant's plan  
23 for evaluating its project; and

24                                "(I) any other information the State

1 educational agency or Governor, as applicable, may require  
2 to review applications, and award subgrants, based on the  
3 applicant's need for assistance and the quality of the  
4 application.

5 " (4) Each applicant for a subgrant under section  
6 4113(c) (2) or 4113(c) (3) shall also include in its  
7 application an assurance that it-

8 " (A) has a policy, consistent with State  
9 law and the Gun-Free Schools Act, that requires the  
10 expulsion of students who possess a firearm at school;

11 " (B) has, or will have, a full-or part-time  
12 program coordinator whose primary responsibility is  
13 planning, designing, implementing, and evaluating the  
14 applicant's programs (unless the applicant demonstrates in  
15 its application, to the satisfaction of the State  
16 educational agency, that such a program coordinator is not  
17 needed);

18 " (C) will evaluate its program every two  
19 years to assess its progress toward meeting its goals and  
20 objectives, and will use the results of its evaluation to  
21 improve its program and refine its goals and objectives, as  
22 needed; and

1                   "(D) has, or the schools to be served have,  
2 a comprehensive Safe and Drug-Free Schools plan that  
3 includes-

4                   "(i) appropriate and effective  
5 discipline policies that prohibit disorderly conduct, the  
6 possession of firearms and other weapons, and the illegal  
7 use, possession, distribution, and sale of tobacco,  
8 alcohol, and other drugs by students, and that mandate  
9 predetermined consequences, sanctions, or interventions for  
10 specific offenses;

11                   "(ii) security procedures at school and  
12 while students are on the way to and from school, which may  
13 include the use of metal detectors and the development and  
14 implementation of formal agreements with law enforcement  
15 officials;

16                   "(iii) early intervention and  
17 prevention activities of demonstrated effectiveness  
18 designed to create and maintain safe, disciplined, and  
19 drug-free environments;

20                   "(iv) school readiness and family  
21 involvement activities;

22                   "(v) improvements to classroom  
23 management and school environment, such as efforts to  
24 reduce class size or improve classroom discipline;



1                                 "(vi) procedures to identify and  
2 intervene with troubled students, including establishing  
3 linkages with, and referring students to, juvenile justice,  
4 community mental health, and other service providers;

5                                 "(vii) activities that connect  
6 students to responsible adults in the community, including  
7 activities such as after-school or mentoring programs; and

8                                 "(viii) a crisis management plan for  
9 responding to violent or traumatic incidents on school  
10 grounds, which provides for addressing the needs of  
11 victims, and communicating with parents, the media, law  
12 enforcement officials, and mental health service providers.

13                                 "(5) Each applicant for a subgrant under section  
14 4115(c) shall also include in its application-

15                                 "(A) a description of how the services and  
16 activities to be supported will be coordinated with  
17 relevant programs under this part that are supported by  
18 State educational agencies, including how recipients will  
19 share resources, services, and data;

20                                 "(B) a description of how the applicant  
21 will coordinate its activities under this part with those  
22 implemented under the Drug-Free Communities Act, if any;  
23 and

1                   "(C) (i) an assurance that it will evaluate  
2 its program every two years to assess its progress toward  
3 meeting its goals and objectives, and will use the results  
4 of its evaluation to improve its program and refine its  
5 goals and objectives as needed, if the applicant is not a  
6 local educational agency; or

7                   "(ii) the assurances under paragraph  
8 (4) if the applicant is a local educational agency.

9           "(b) REVIEW OF APPLICATION. To review applications  
10 under this section-

11                   "(1) State educational agencies shall use a peer  
12 review process; and

13                   "(2) Governors may use a peer review process or  
14 other methods that ensure that applications are funded on  
15 the basis of need and quality.

16

17                   "NATIONAL EVALUATIONS AND DATA COLLECTIONS

18           "SEC. 4117. (a) NATIONAL EVALUATIONS.-(1) The  
19 Secretary shall provide for periodic national evaluations,  
20 at least every two years, of the quality and impact of  
21 programs under this title and other programs designed to  
22 prevent drugs and violence in schools and submit a report  
23 of the findings of such evaluations to the President and  
24 Congress.

1           " (2) (A) The National Center for Education  
2 Statistics shall collect data to determine the frequency,  
3 seriousness, and incidence of violence in elementary and  
4 secondary schools in the States. The Secretary shall  
5 collect the data using, wherever appropriate, data  
6 submitted by the States pursuant to subsection (b) (1) (B).

7           " (B) The Secretary shall report to Congress  
8 on the data collected under this paragraph, together with  
9 such recommendations as the Secretary determines  
10 appropriate.

11           " (3) The Secretary of Education and the Attorney  
12 General shall publish annual reports on school safety.

13           " (b) STATE REPORTS.-(1) The Governor and State  
14 educational agency of each State shall annually report to  
15 the Secretary, in such form as the Secretary may require,  
16 on the State's progress toward attaining its performance  
17 indicators, required under section 4112(a) (1) (c) (ii), for  
18 achieving drug-free, safe, and orderly learning  
19 environments in its schools. Annual reports shall-

20           " (A) be based on the State's ongoing  
21 evaluation activities;

22           " (B) include data on the prevalence and  
23 incidence of drug use and violence by youth in schools and  
24 communities;

1                   "(C) address the implementation and  
2 outcomes of State and local programs under this part, as  
3 well as their effectiveness; and

4                   "(D) be made readily available to the  
5 public.

6                   "(2) Each State shall report to the Secretary,  
7 in such form as the Secretary, in consultation with the  
8 Secretary of Health and Human services, may require, all  
9 school-related suicides and homicides within the State  
10 within 30 days of the incident.

11                  "(c) LOCAL REPORTS.-(1) (A) Each local educational  
12 agency that receives a subgrant under section 4113(c) (2) or  
13 section 4113(c) (3) shall report annually to the State  
14 educational agency and the public on-

15                                 "(i) the local educational agency's  
16 progress toward meeting its results-based performance  
17 indicators for its program;

18                                 "(ii) the results of its on-going  
19 evaluation of its program; and

20                                 "(iii) any problems the local  
21 educational agency has encountered in implementing its  
22 program that warrant the provision of technical assistance  
23 by the State educational agency.

1                   " (B) The State educational agency shall  
2 review the annual reports described under paragraph (1) and  
3 shall not provide funding for the second or third year of a  
4 local educational agency's program unless it determines  
5 that the local educational agency is making reasonable  
6 progress toward meeting its objectives.

7                   " (2) (A) Each recipient of funds under section  
8 4115(c) shall report annually to the Governor and to the  
9 public on-

10                                 "(i) its progress toward meeting its  
11 results-based performance measures for its program;

12                                 "(ii) the results of its on-going  
13 evaluation of its program; and

14                                 "(iii) any problems it encountered in  
15 implementing its program that warrant the provision of  
16 technical assistance by the Governor.

17                   " (B) The Governor shall review the annual  
18 reports described under subparagraph (A), and shall not  
19 provide funding for subsequent years of a multi-year  
20 program unless the Governor determines that the recipient  
21 is making reasonable progress toward meeting its  
22 objectives.

## 1 "PART B - NATIONAL PROGRAMS

2  
3 "NATIONAL ACTIVITIES

4 "SEC. 4211. (a) PROGRAM AUTHORIZED. From funds  
5 appropriated to carry out this part for each fiscal year  
6 under section 4004(2), the Secretary shall carry out-

7 "(1) programs designed to promote drug-free,  
8 safe, and orderly learning environments for students at all  
9 educational levels, from preschool through the  
10 postsecondary level; and

11 "(2) programs for such students that promote  
12 lifelong physical activity.

13 "(b) DRUG-FREE, SAFE, AND ORDERLY LEARNING  
14 ENVIRONMENTS.-(1) The Secretary may carry out the programs  
15 described in subsection (a) (1) directly, or through grants,  
16 contracts, or cooperative agreements with public and  
17 private agencies, organizations, and individuals, or  
18 through agreements with other Federal agencies, and shall  
19 coordinate with other Federal agencies, as appropriate.

20 "(2) Programs under this subsection may include,  
21 but are not limited to-

22 "(A) one or more centers to provide  
23 training and technical assistance for teachers, school  
24 administrators and staff, and others on the identification

1 and implementation of effective strategies to promote safe,  
2 orderly, and drug-free learning environments;

3                   "(B) programs to train teachers in  
4 innovative techniques and strategies of effective drug and  
5 violence prevention;

6                   "(C) research and demonstration projects to  
7 test innovative approaches to drug and violence prevention;

8                   "(D) evaluations of the effectiveness of  
9 programs funded under this title, or other programs  
10 designed to create safe, disciplined, and drug-free  
11 environments;

12                   "(E) direct services and technical  
13 assistance to schools and school systems, including those  
14 afflicted with especially severe drug and violence  
15 problems;

16                   "(F) developing and disseminating drug and  
17 violence prevention materials and information in print,  
18 audiovisual, or electronic format, including information  
19 about effective research-based programs, policies,  
20 practices, strategies, and curriculum and other relevant  
21 materials to support drug and violence prevention  
22 education;

23                   "(G) recruiting, hiring, and training  
24 program coordinators to assist school districts in

1 implementing high-quality, effective, research-based drug  
2 and violence prevention programs;

3                   "(H) the development and provision of  
4 education and training programs, curricula, instructional  
5 materials, and professional training for preventing and  
6 reducing the incidence of crimes or conflicts motivated by  
7 bullying, hate, prejudice, intolerance, or sexual  
8 harassment and abuse;

9                   "(I) programs for youth who are out of the  
10 education mainstream, including school dropouts, students  
11 who have been suspended or expelled from their regular  
12 education program, and runaway or homeless children and  
13 youth;

14                   "(J) programs implemented in conjunction  
15 with other Federal agencies that support local educational  
16 agencies and communities in developing and implementing  
17 comprehensive programs that create safe, disciplined, and  
18 drug-free learning environments and promote healthy  
19 childhood development;

20                   "(K) services and activities that reduce  
21 the need for suspension and expulsion in maintaining  
22 classroom order and discipline;

23                   "(L) services and activities to prevent and  
24 reduce truancy;



1                   "(M) programs to provide counseling  
2 services to troubled youth, including support for the  
3 recruitment and hiring of counselors and the operation of  
4 telephone help lines; and

5                   "(N) other activities that meet emerging or  
6 unmet national needs consistent with the purposes of this  
7 title.

8           "(c) LIFELONG PHYSICAL ACTIVITY PROGRAMS.-(1) The  
9 Secretary may carry out the programs described in  
10 subsection (a) (2) directly, or through grants, contracts,  
11 or cooperative agreements with public and private agencies,  
12 organizations, and individuals, or through agreements with  
13 other Federal agencies, and shall coordinate with the  
14 Centers for Disease Control and Prevention, the President's  
15 Council on Physical Fitness, and other Federal agencies, as  
16 appropriate.

17                   "(2) Programs under this subsection may include,  
18 but are not limited to-

19                   "(A) the conduct of demonstrations of  
20 school-based programs that promote lifelong physical  
21 activity, with a particular emphasis on physical education  
22 programs that are part of coordinated school health  
23 programs, that promote healthy, drug-free lifestyles;

1                   "(B) training, technical assistance, and  
2 other activities to encourage States and local educational  
3 agencies to implement sound school-based programs that  
4 promote lifelong physical activity and healthy lifestyles;  
5 and

6                   "(C) activities designed to build State  
7 capacity to provide leadership and strengthen schools'  
8 capabilities to provide school-based programs that promote  
9 lifelong physical activity and healthy lifestyles.

10                  "(d) PEER REVIEW. The Secretary shall use a peer  
11 review process in reviewing applications for funds under  
12 this section.

## 1 "PART C - SCHOOL EMERGENCY RESPONSE TO VIOLENCE

2

3

## "PROJECT SERV

4

"SEC. 4311. (a) PROJECT SERV.-(1) From funds

5

appropriated to carry out this part for each fiscal year

6

under section 4004(3), the Secretary is authorized to carry

7

out a program of providing education-related services to

8

local educational agencies in which the learning

9

environment has been disrupted due to a violent or

10

traumatic crisis, such as a shooting or major accident.

11

Such program may be referred to as 'Project SERV.'

12

"(2) The Secretary may carry out Project SERV

13

directly, or through grants, contracts, or cooperative

14

agreements with public and private organizations, agencies,

15

and individuals, or through agreements with other Federal

16

agencies.

17

"(b) AUTHORIZED ACTIVITIES.-(1) Project SERV may

18

provide-

19

"(A) assistance to school personnel in

20

assessing a crisis situation, including-

21

"(i) assessing the resources available

22

to the local educational agency and community to respond to

23

the situation; and

24

"(ii) developing a response plan to

1 coordinate services provided at the Federal, State, and  
2 local level;

3           "(B) mental health crisis counseling to  
4 students and their families, teachers, and others in need  
5 of such services;

6           "(C) increased school security;

7           "(D) training and technical assistance for  
8 State and local educational agencies, State and local  
9 mental health agencies, State and local law enforcement  
10 agencies, and communities to enhance their capacity to  
11 develop and implement crisis intervention plans;

12           "(E) services and activities designed to  
13 identify and disseminate the best practices of school- and  
14 community-related plans for responding to crises; and

15           "(F) other needed services and activities  
16 that are consistent with the purposes of this part.

17           "(2) The Secretary, in consultation with the  
18 Attorney General, the Secretary of Health and Human  
19 Services, and the Director of the Federal Emergency  
20 Management Agency—

21           "(A) shall establish such criteria and  
22 application requirements as may be needed to select which  
23 local educational agencies are assisted under this part;  
24 and

1                   "(B) may establish such reporting  
2 requirements as may be needed to collect uniform data and  
3 other information from all local educational agencies  
4 assisted under this part.

5           "(c) COORDINATING COMMITTEE.-(1) There shall be  
6 established a Federal coordinating committee on school  
7 crises comprised of the Secretary, the Attorney General,  
8 the Secretary of Health and Human Services, the Director of  
9 the Federal Emergency Management Agency, the Director of  
10 the Office of National Drug Control Policy, and such other  
11 members as the Secretary shall determine. The Secretary  
12 shall serve as chair of the Committee.

13                   "(2) The Committee shall coordinate the Federal  
14 responses to crises that occur in schools or directly  
15 affect the learning environment in schools.

## 1 "PART D - RELATED PROVISIONS

2  
3 "GUN-FREE SCHOOLS ACT

4 "SEC. 4411. (a) SHORT TITLE. This section may be  
5 cited as the 'Gun-Free Schools Act.'

6 "(b) REQUIREMENTS.-(1) Each State receiving Federal  
7 funds under the Elementary and Secondary Education Act of  
8 1965 shall have in effect a State law requiring local  
9 educational agencies to expel from school, for a period of  
10 not less than one year, a student who is determined to have  
11 possessed a firearm at school under the jurisdiction of a  
12 local educational agency in that State, except that such  
13 State law shall allow the chief administering officer of  
14 that local educational agency to modify the expulsion  
15 requirement for a student on a case-by-case basis.

16 "(2) For the purpose of this section, the term  
17 'firearm' has the same meaning given that term in section  
18 921 of title 18, United States Code (which includes bombs).

19 "(c) SPECIAL RULE. This section shall be construed  
20 in a manner consistent with the Individuals with  
21 Disabilities Education Act.

22 "(d) REPORT TO STATE. Each local educational agency  
23 requesting assistance from the State educational agency

1 under this Act shall provide to the State in its  
2 application—

3 " (1) an assurance that such local educational  
4 agency is in compliance with the State law required by  
5 subsection (b);

6 " (2) a description of the circumstances  
7 surrounding any expulsions imposed under the State law  
8 required by subsection (b), including—

9 " (A) the name of the school concerned;

10 " (B) the number of students expelled from  
11 such school (disaggregated by gender, race, ethnicity, and  
12 educational level); and

13 " (C) the type of weapons concerned; and

14 " (3) the number of—

15 " (A) students referred to the criminal  
16 justice or juvenile justice system as required in section  
17 4412(a)(1); and

18 " (B) instances in which the chief  
19 administering officer of a local educational agency  
20 modified the expulsion requirement described in subsection  
21 (b)(1) on a case-by-case basis.

22 " (e) REPORTING. Each State shall report the  
23 information described in subsection (d) to the Secretary on  
24 an annual basis.

## "LOCAL POLICIES

1  
2 "SEC. 4412. (a) REQUIRED POLICIES. No funds shall be  
3 made available under the Elementary and Secondary Education  
4 Act of 1965 to any local educational agency unless that  
5 agency has a policy ensuring-

6 "(1) that any student who possesses a firearm at  
7 school served by such agency is referred to the criminal  
8 justice or juvenile justice system;

9 "(2) that a student described in paragraph (1)  
10 is referred to a mental health professional for assessment  
11 as to whether he or she poses an imminent threat of harm to  
12 himself, herself, or others and needs appropriate mental  
13 health services before readmission to school; and

14 "(3) that a student under paragraph (1) who has  
15 been determined by a mental health profession to pose an  
16 imminent threat of harm to himself, herself, or others  
17 receive, in addition to appropriate services under section  
18 11206(9) of this Act, appropriate mental health services  
19 before being permitted to return to school.

20 "(b) SPECIAL RULE. This section shall be construed  
21 in a manner consistent with the Individuals with  
22 Disabilities Education Act.

23 "(c) DEFINITIONS. For the purposes of this section,  
24 the terms 'firearm' and 'school' have the same meaning



1 given those terms in section 921(a) of title 18, United  
2 States Code.

3 "MATERIALS

4 "SEC. 4413. (a) 'WRONG AND HARMFUL MESSAGE'. Drug  
5 prevention programs supported under this title shall convey  
6 a clear and consistent message that the illegal use of  
7 alcohol and other drugs is wrong and harmful.

8 "(b) CURRICULUM. The Secretary shall not prescribe  
9 the use of particular curricula for programs under this  
10 title, but may evaluate and disseminate information about  
11 the effectiveness of such curricula and programs.

12

13 "PROHIBITED USES OF FUNDS

14 "SEC. 4414. PROHIBITED USES. No funds under this  
15 title may be used for-

16 "(1) construction (except for minor remodeling  
17 needed to accomplish the purposes of this part); and

18 "(2) medical services or drug treatment or  
19 rehabilitation, except for pupil services or referral to  
20 treatment for students who are victims of, or witnesses to,  
21 crime or who use alcohol, tobacco, or drugs.

1 "DRUG-FREE, ALCOHOL-FREE, and TOBACCO-FREE SCHOOLS

2 "SEC. 4415. (a) REQUIRED POLICY. Each State

3 educational agency and local educational agency that  
4 receives funds under this title shall have a policy that  
5 prohibits the possession or use of tobacco, and the illegal  
6 possession or use of drugs and alcohol, in any form, at any  
7 time, and by any person, in school buildings, on school  
8 grounds, or at any school-sponsored event.

9 "(b) ASSURANCE. Each local educational agency

10 requesting assistance under this title from the State  
11 educational agency shall include in its application an  
12 assurance that it is in compliance with the requirements of  
13 this section.

14 "(c) STATE REPORTING. Each State educational agency

15 shall report to the Secretary on an annual basis if any  
16 local educational agency is not in compliance with the  
17 requirements of subsection (a).

18  
19 "PROHIBITION ON SUPPLANTING

20 "SEC. 4416. SUPPLANTING PROHIBITED. Funds under this

21 title shall be used to increase the level of State, local,  
22 and other non-Federal funds that would, in the absence of  
23 funds under this title, be made available for programs and  
24 activities authorized under this title, and in no case to

1 supplant such State, local, and other non-Federal funds.

2

3 "DEFINITIONS OF TERMS

4 "SEC. 4417. DEFINITIONS. As used in this title-

5 "(1) the term 'drug and violence prevention'  
6 means-

7 "(A) with respect to drugs, prevention,  
8 early intervention, rehabilitation, referral, or education  
9 related to the illegal use of alcohol and the use of  
10 controlled, illegal, addictive, or harmful substances,  
11 including inhalants and anabolic steroids;

12 "(B) prevention, early intervention,  
13 smoking cessation activities, or education related to the  
14 use of tobacco by children and youth eligible for services  
15 under this title; and

16 "(C) with respect to violence, the  
17 promotion of school safety, such that students and school  
18 personnel are free from violent and disruptive acts,  
19 including sexual harassment and abuse and victimization  
20 associated with prejudice and intolerance, on school  
21 premises, going to and from school, and at school-sponsored  
22 activities, through the creation and maintenance of a  
23 school environment that is free of weapons and fosters

1 individual responsibility and respect for the rights of  
2 others;

3           "(2) the terms 'drug treatment' and 'drug  
4 rehabilitation' include activities to assist regular users  
5 of drugs to become drug-free, but do not include  
6 alternative education programs for students expelled from  
7 school, student assistance programs, or programs to help  
8 students who have been expelled to re-enter and succeed in  
9 their regular education program;

10           "(3) the term 'hate crime' means a crime  
11 described in section 1(b) of the Hate Crime Statistics Act  
12 of 1990; and

13           "(4) the term 'medical services' includes, but  
14 is not limited to, the diagnosis and treatment of disease,  
15 illness, or injury, but does not include assessments by  
16 mental health professionals to determine whether a student  
17 poses an imminent threat of harm to himself or others."

1 TITLE V - PROMOTING EQUITY, EXCELLENCE, AND PUBLIC SCHOOL  
2 CHOICE  
3

4 RENAMING THE TITLE

5 SEC. 501. The heading for Title V of the ESEA is  
6 amended to read as follows: "TITLE V - PROMOTING EQUITY,  
7 EXCELLENCE, AND PUBLIC SCHOOL CHOICE".  
8

9 AMENDMENTS TO THE MAGNET SCHOOLS ASSISTANCE PROGRAM

10 SEC. 502. (a) FINDINGS. Section 5101 of the ESEA is  
11 amended to read as follows:

12 "FINDINGS

13 "SEC. 5101. The Congress finds as follows:

14 "(1) Magnet schools are a significant part of our  
15 Nation's effort to achieve voluntary desegregation in our  
16 Nation's schools.

17 "(2) It is in the national interest to  
18 desegregate and diversify those schools in our Nation that  
19 are racially, economically, linguistically, or ethnically  
20 segregated. Such segregation exists between minority and  
21 non-minority students as well as among students of different  
22 minority groups.

23 "(3) Desegregation can help increase rates of  
24 high school graduation and college attendance, and can  
25 promote better occupational prospects for students who have  
26 attended integrated schools.

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"(4) Desegregation can provide students with valuable experience that prepares them to function in a diverse society and can help break down longstanding patterns of racial isolation in adult social relationships.

"(5) Despite ongoing desegregation efforts in the Nation-

"(A) almost one-third of our elementary and secondary schools continue to be schools with 50 percent or more minority students;

"(B) more than two-thirds of minority students attend schools with 50 percent or more minority students, and almost half of minority students attend schools with 75 percent or more minority students;

"(C) almost one-third of non-minority students attend schools with less than 10 percent minority students;

"(D) almost one-quarter of African-American students attend schools with 90 percent or more African-American students; and

"(E) almost one-third of Hispanic students attend schools with 75 percent or more Hispanic students.

"(6) Local educational agencies' use of magnet schools has increased dramatically since the of enactment of the Magnet Schools Assistance program, thus increasing public school options for the approximately two million

1 students nationwide now attending such schools, of which  
2 more than 65 percent of the students are minority.

3           "(7) Magnet schools offer a wide range of  
4 distinctive programs that have served as models for school  
5 improvement efforts.

6           "(8) In administering the Magnet Schools  
7 Assistance program, the Federal Government has learned  
8 that-

9                   "(A) where magnet programs are implemented  
10 for only a portion of a school's student body, special  
11 efforts must be made to discourage the isolation of-

12                           "(i) magnet school students from other  
13 students in the school; and

14                           "(ii) students by racial  
15 characteristics;

16                   "(B) local educational agencies can maximize  
17 their effectiveness in achieving the purposes of the Magnet  
18 Schools Assistance program if they have more flexibility in  
19 the administration of the program in order to serve students  
20 attending a school who are not enrolled in the magnet  
21 program;

22                   "(C) local educational agencies must be  
23 creative in designing magnet schools for students at all  
24 academic levels, so that those school do not serve only the  
25 highest-achieving students;

1

2                   "(D) consistent with desegregation  
3 guidelines, local educational agencies must seek to enable  
4 participation in magnet school programs by students who  
5 reside in the neighborhoods where the programs operate;

6                   "(E) in order to ensure that magnet schools  
7 are sustained after Federal funding ends, the Federal  
8 Government must assist school districts to improve their  
9 capacity to continue operating magnet schools at a high  
10 level of performance; and

11                   "(F) magnet schools and interdistrict magnet  
12 programs have provided poor and minority students  
13 opportunities to succeed academically and continue with  
14 college or productive employment.

15                   "(9) It is in the best interest of the Federal  
16 Government to-

17                   "(A) continue Federal support of school  
18 districts implementing court-ordered desegregation plans and  
19 school districts seeking to foster meaningful interaction  
20 among students of different racial and ethnic backgrounds,  
21 beginning at the earliest stage of their education;

22                   "(B) help ensure that all students have  
23 equitable access to high-quality education that will prepare  
24 them to function well in a culturally diverse,  
25 technologically oriented, and highly competitive global  
26 community; and



1                   "(C) help maximize the ability of local  
2 educational agencies to plan, develop, implement and  
3 continue effective and innovative magnet schools that  
4 contribute to State and local systemic reform."

5           (b) PURPOSE. Section 5102(3) of the ESEA is amended  
6 to read as follows:

7                   "(3) the development and design of innovative  
8 educational methods and practices that promote diversity and  
9 increase choices in public elementary and secondary schools  
10 and educational programs; and".

11           (c) APPLICATION REQUIREMENTS. Section 5106(b)(1)(D)  
12 of the ESEA is amended by-

13                   (1) striking out "under this Act, the Goals 2000:  
14 Educate America Act," and inserting in lieu thereof "under  
15 this Act,"; and

16                   (2) striking out "section 14306" and inserting in  
17 lieu thereof "section 14307".

18           (d) PRIORITY. Section 5107 of the ESEA is amended by-

19                   (1) striking out paragraphs (1) and (5);

20                   (2) redesignating paragraphs (2), (3), and (4) as  
21 paragraphs (1), (2), and (3), respectively; and

22                   (3) adding a new paragraph (4) to read as  
23 follows:

24                   "(4) propose activities, which may include  
25 professional development, that will build local capacity to

1 operate the magnet program once Federal assistance has  
2 ended."

3 (e) USES OF FUNDS. Section 5108(a) of the ESEA is  
4 amended-

5 (1) by amending paragraph (3) to read as follows:

6 "(3) for the payment, or subsidization of the  
7 compensation, of-

8 "(A) elementary and secondary school  
9 teachers who are certified or licensed by the State; and

10 "(B) instructional staff who have-

11 "(i) expertise and professional skills  
12 necessary for the conduct of programs in magnet schools; or

13 "(ii) demonstrate knowledge, experience,  
14 or skills in the relevant field of expertise, such as  
15 expertise in the performing arts, the medical sciences, or  
16 the field of law;"

17 (2) in paragraph (4), by striking out the period  
18 and inserting in lieu thereof a semicolon and "and"; and

19 (3) by adding a new paragraph (5) to read as  
20 follows:

21 "(5) for activities, which may include  
22 professional development, that will build the applicant's  
23 capacity to operate the magnet program once Federal  
24 assistance has ended."

25 (f) REPEAL. Section 5111 of the ESEA is repealed.

1

2 (g) EVALUATION, TECHNICAL ASSISTANCE, AND3 DISSEMINATION. Section 5112 of the ESEA is-

4 (1) redesignated as section 5111; and

5 (2) amended, as redesignated by paragraph (1), to

6 read as follows:

7 "EVALUATION, TECHNICAL ASSISTANCE, AND DISSEMINATION

8 "SEC. 5111. The Secretary may reserve not more than

9 five percent of the funds appropriated under section 5112(a)

10 for any fiscal year-

11 "(1) for evaluations of magnet school programs

12 assisted under this part, which, at a minimum, shall

13 address-

14 "(A) how, and the extent to which, magnet

15 school programs lead to high educational quality and

16 improvement;

17 "(B) the extent to which magnet school

18 programs enhance student access to high-quality education;

19 "(C) the extent to which magnet school

20 programs lead to the elimination, reduction, or prevention

21 of minority group isolation in elementary and secondary

22 schools with substantial proportions of minority students;

23 "(D) the extent to which magnet school

24 programs differ from other school programs in terms of

25 organizational characteristics and resource allocations; and

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"(E) the extent to which magnet school programs continue once grant assistance under this part ends;

"(2) to provide technical assistance to applicants and grantees; and

"(3) to collect and disseminate information on successful magnet school programs."

(h) AUTHORIZATION OF APPROPRIATIONS.-(1) Section 5113(a) of the ESEA is amended to read as follows:

"(a) AUTHORIZATION. For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years."

(2) Section 5113 of the ESEA, as amended by paragraph (1), is redesignated as section 5112.

AMENDMENTS TO AND REDESIGNATION OF THE WOMEN'S EDUCATIONAL EQUITY PROGRAM

SEC. 503. (a) AMENDMENTS TO THE WOMEN'S EDUCATIONAL EQUITY PROGRAM.-(1) Section 5201 of the ESEA is amended-

(A) in subsection (a), by striking out "of 1994"; and

(B) in subsection (b) (3)-

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(i) in paragraph (B), by striking out "do not" and inserting in lieu thereof "continue not to"; and

(ii) by amending paragraph (C) to read as follows:

"(C) girls lose confidence in their mathematics and science ability as they move through adolescence, girls do not take as many upper-level mathematics and science courses as boys, and girls are dramatically underrepresented in higher-level computer science courses;"

(2) Section 5204 of the ESEA is amended—

(A) by striking out "section 5203(b)(1)" each place it appears and inserting in lieu thereof "section 5403(b)(2)(A)" in each such place;

(B) in paragraph (2), by striking out "the National Education Goals" and inserting in lieu thereof "America's Education Goals";

(C) by striking out paragraph (4); and

(D) by redesignating paragraphs (5) through (7) as paragraphs (4) through (6), respectively.

(3) Section 5205(a)(1) of the ESEA is amended by striking out "section 5203(b)" and inserting in lieu thereof "section 5403(b)".

(4) Section 5206 of the ESEA is repealed.

1 (5) Section 5207 of the ESEA is amended—

2 (A) by striking out subsection (a); and

3 (B) in subsection (b), by striking out the  
4 subsection designation and heading.

5 (6) Section 5208 is amended to read as follows:

6 "AUTHORIZATION OF APPROPRIATIONS

7 "SEC. 5208. For the purpose of carrying out this part,  
8 there are authorized to be appropriated such sums as may be  
9 necessary for fiscal year 2001 and for each of the four  
10 succeeding fiscal years."

11 (b) REDESIGNATION.—(1) Part B of Title V of the ESEA  
12 is redesignated as Part D.

13 (2) Sections 5201, 5202, 5203, 5204, 5205, 5207,  
14 and 5208 of the ESEA are redesignated as sections 5401,  
15 5402, 5403, 5404, 5405, 5406, and 5407, respectively.

16  
17 REPEAL OF  
18 THE ASSISTANCE TO ADDRESS SCHOOL DROPOUT PROBLEMS PROGRAM  
19

20 SEC. 504. Part C of Title V of the ESEA is repealed.

21  
22 REDESIGNATION OF THE PUBLIC CHARTER SCHOOLS PROGRAM

23 SEC. 505. (a) REDESIGNATION.—(1) Part C of Title X of  
24 the ESEA is redesignated as Part B of title V of the ESEA.

25 (2) The heading for Part B of Title V of the  
26 ESEA, as redesignated by paragraph (1), is amended to read  
27 as follows: "PART B - PUBLIC CHARTER SCHOOLS".

1           (3) Sections 10301 through 10311 of the ESEA are  
2 redesignated as sections 5201 through 5211 of title V of the  
3 ESEA, respectively.

4           (b) CONFORMING AMENDMENTS.-(1) Section 5202 of the  
5 ESEA, as redesignated by subsection (a)(3), is amended-

6                   (A) in subsection (a), by striking out  
7 "section 10303" and inserting in lieu thereof "section  
8 5203";

9                   (B) in subsection (b), by-

10                          (i) striking out "section 10303" and  
11 inserting in lieu thereof "section 5203"; and

12                          (ii) striking out "section 10303(c)"  
13 and inserting in lieu thereof "section 5203(c)";

14                   (C) in subsection (c)(2)(C), by striking out  
15 "section 10304(f)(6)(B)" and inserting in lieu thereof  
16 "section 5204(f)(6)(B)"; and

17                   (D) in subsection (e)(1), by striking out  
18 "section 10311" each place it appears and inserting in lieu  
19 thereof "section 5211".

20           (2) Section 5203 of the ESEA, as redesignated by  
21 subsection (a)(3), is amended-

22                   (A) in subsection (b)(3)(L), by striking out  
23 "section 10302(c)(2)(C)" and inserting in lieu thereof  
24 "section 5202(c)(2)(C)";

1

2 (B) in subsection (c), by striking out  
3 "section 10302(e)(1) or 10302(b)" and inserting in lieu  
4 thereof "section 5202(b)"; and

5 (C) in subsection (d)(2)(B), by striking out  
6 "section 10304(e)" and inserting in lieu thereof "section  
7 5204(e)".

8 (3) Section 5204 of the ESEA, as redesignated by  
9 subsection (a)(3), is amended—

10 (A) in subsection (a)—

11 (i) in the matter before paragraph (1),  
12 by striking out "section 10303(b)" and inserting in lieu  
13 thereof "section 5203(b)"; and

14 (ii) in paragraph (7), by striking out  
15 "section 10302(c)(2)(C)" and inserting in lieu thereof  
16 "section 5202(c)(2)(C)";

17 (B) in subsection (b)(7), by striking out  
18 "section 10302(c)(2)(C)" and inserting in lieu thereof  
19 "section 5202(c)(2)(C)"; and

20 (C) in subsection (e), by striking out  
21 "section 10310(1)" and inserting in lieu thereof "section  
22 5210(1)".

23

24 OPTIONS: OPPORTUNITIES TO IMPROVE OUR NATION'S SCHOOLS

25 SEC. 506. Title V of the ESEA is further amended by  
26 adding a new Part C to read as follows:



1 "PART C - OPTIONS:  
2 OPPORTUNITIES TO IMPROVE OUR NATION'S SCHOOLS  
3

4 "FINDINGS; PURPOSE

5 "SEC. 5301. (a) FINDINGS. The Congress finds that-

6 "(1) a wide variety of educational opportunities  
7 and options in the public school system is needed to help  
8 all children achieve to high standards;

9 "(2) high-quality public school choice programs  
10 that are genuinely open and accessible to all students  
11 (including poor, minority, limited English proficient, and  
12 disabled students) broaden educational opportunities and  
13 promote excellence in education;

14 "(3) current research shows that-

15 "(A) students learn in different ways,  
16 benefiting from different teaching methods and instructional  
17 settings; and

18 "(B) family involvement in a child's  
19 education (such as helping choose what courses to take) is a  
20 key factor supporting student achievement;

21 "(4) public school systems have begun to develop  
22 a variety of innovative programs that offer expanded choices  
23 to parents and students; and

24 "(5) the Federal Government should support and  
25 expand efforts to give students and parents the high-quality  
26 public school choices they seek, to help eliminate barriers  
27 to effective public school choice, and to disseminate the

1 lessons learned from high-quality choice programs so that  
2 all public schools can benefit from these efforts.

3       "(b) PURPOSE. It is the purpose of this part to  
4 identify and support innovative approaches to high-quality  
5 public school choice by providing financial assistance for  
6 the demonstration, development, implementation, and  
7 evaluation of, and dissemination of information about,  
8 public school choice projects that stimulate educational  
9 innovation for all public schools and contribute to  
10 standards-based school reform efforts.

11

12

#### "GRANTS

13       "SEC. 5302. (a) IN GENERAL. From funds appropriated  
14 under section 5305(a) and not reserved under section  
15 5305(b), the Secretary is authorized to make grants to State  
16 and local educational agencies to support programs that  
17 promote innovative approaches to high-quality public school  
18 choice.

19       "(b) DURATION. Grants under this part shall not  
20 exceed three years.

21

22

#### "USES OF FUNDS

23       "SEC. 5303. (a) USES OF FUNDS.-(1) Funds under this  
24 part may be used to demonstrate, develop, implement,  
25 evaluate, and disseminate information on innovative  
26 approaches to broaden public school choice, including the

1 design and development of new public school choice options,  
2 the development of new strategies for overcoming barriers to  
3 effective public school choice, and the design and  
4 development of public school choice systems that promote  
5 high standards for all students and the continuous  
6 improvement of all public schools.

7           "(2) Examples of such approaches at the school,  
8 district, and State levels are-

9                   "(A) inter-district approaches to public  
10 school choice, including approaches that increase equal  
11 access to high-quality educational programs and diversity in  
12 schools;

13                   "(B) public elementary and secondary  
14 programs that involve partnerships with institutions of  
15 higher education and that are located on the campuses of  
16 those institutions;

17                   "(C) programs that allow students in public  
18 secondary schools to enroll in postsecondary courses and to  
19 receive both secondary and postsecondary academic credit;

20                   "(D) worksite satellite schools, in which  
21 State or local educational agencies form partnerships with  
22 public or private employers, to create public schools at  
23 parents' places of employment; and

24                   "(E) approaches to school desegregation that  
25 provide students and parents choice through strategies other  
26 than magnet schools.

1           "(b) LIMITATIONS. Funds under this part shall-

2                   "(1) supplement, and not supplant, non-federal  
3 funds expended for existing programs;

4                   "(2) not be used for transportation; and

5                   "(3) not be used to fund projects that are  
6 specifically authorized under part A or B of this title.

7

8                               "GRANT APPLICATION; PRIORITIES

9           "SEC. 5304. (a) APPLICATION REQUIRED. A State or  
10 local educational agency desiring to receive a grant under  
11 this part shall submit an application to the Secretary, in  
12 such form and containing such information, as the Secretary  
13 may require.

14           "(b) APPLICATION CONTENTS. Each application shall  
15 include-

16                   "(1) a description of the program for which funds  
17 are sought and the goals for such program;

18                   "(2) a description of how the program funded  
19 under this part will be coordinated with, and will  
20 complement and enhance, programs under other related Federal  
21 and non-federal projects;

22                   "(3) if the program includes partners, the name  
23 of each partner and a description of its responsibilities;

24                   "(4) a description of the policies and procedures  
25 the applicant will use to ensure-

1 (A) its accountability for results,  
2 including its goals and performance indicators; and

3 (B) that the program is open and  
4 accessible to, and will promote high academic standards for,  
5 all students.

6 (c) PRIORITIES.-(1) The Secretary shall give a  
7 priority to applications for projects that would serve high-  
8 poverty local educational agencies.

9 (2) The Secretary is authorized to give a  
10 priority to applications demonstrating that the applicant  
11 will carry out its project in partnership with one or more  
12 public and private agencies, organizations, and  
13 institutions, including institutions of higher education and  
14 public and private employers.

15

16 "AUTHORIZATION OF APPROPRIATIONS

17 "SEC. 5305. (a) AUTHORIZATION OF APPROPRIATION. For  
18 the purpose of carrying out this part, there are authorized  
19 to be appropriated such sums as may be necessary for fiscal  
20 year 2001 and for each of the four succeeding fiscal years.

21 (b) RESERVATION FOR EVALUATION, TECHNICAL ASSISTANCE,  
22 AND DISSEMINATION. From the amount appropriated under  
23 subsection (a) for any fiscal year, the Secretary may  
24 reserve not more than five percent to carry out evaluations

1 under subsection (c), to provide technical assistance, and  
2 to disseminate information.

3 "(c) EVALUATIONS. The Secretary may use funds  
4 reserved under subsection (b) to carry out one or more  
5 evaluations of programs assisted under this part, which  
6 shall, at a minimum, address-

7 "(1) how, and the extent to which, the programs  
8 supported with funds under this part promote educational  
9 equity and excellence; and

10 "(2) the extent to which public schools of choice  
11 supported with funds under this part are-

12 "(A) held accountable to the public;

13 "(B) effective in improving public  
14 education; and

15 "(C) open and accessible to all students.".

## 1 TITLE VI - CLASS-SIZE REDUCTION

2  
3 CLASS-SIZE REDUCTION

4 SEC. 601. Title VI of the ESEA is amended to read as follows:

## 5 "FINDINGS

6 "SEC. 6001. The Congress finds as follows:

7 "(1) Rigorous research has shown that students  
8 attending small classes in the early grades make more rapid  
9 educational progress than students in larger classes, and that  
10 these achievement gains persist through at least the 8th grade.11 "(2) The benefits of smaller classes are greatest for  
12 lower-achieving, minority, poor, and inner-city children. One  
13 study found that urban fourth-graders in smaller-than-average  
14 classes were three-quarters of a school year ahead of their  
15 counterparts in larger-than-average classes.16 "(3) Teachers in small classes can provide students  
17 with more individualized attention, spend more time on  
18 instruction and less on other tasks, and cover more material  
19 effectively, and are better able to work with parents to further  
20 their children's education.21 "(4) Smaller classes allow teachers to identify and  
22 work sooner with students who have learning disabilities, thereby  
23 potentially reducing those students' need for special education  
24 services in the later grades.25 "(5) The National Research Council report, 'Preventing  
26 Reading Difficulties in Young Children', recommends reducing

1 class sizes, accompanied by high-quality professional development  
2 for teachers, as a strategy for improving student achievement in  
3 reading.

4           \*(6) Efforts to improve educational outcomes by  
5 reducing class sizes in the early grades are likely to be  
6 successful only if well-qualified teachers are hired to fill  
7 additional classroom positions and if teachers receive intensive,  
8 on-going professional development.

9           \*(7) Several States and school districts have begun a  
10 serious effort to reduce class sizes in the early elementary  
11 grades, but these actions may be impeded by financial limitations  
12 or difficulties in hiring highly qualified teachers.

13           \*(8) The Federal Government can assist in this effort  
14 by providing funding for class-size reductions in grades one  
15 through three, and by helping to ensure that both new and current  
16 teachers who are moving into smaller classrooms are well  
17 prepared.

18

19

\*PURPOSE

20           \*SEC. 6002. The purpose of this title is to help States and  
21 local educational agencies recruit, train, and hire 100,000  
22 additional teachers in order to-

23           \*(1) reduce class sizes nationally, in grades 1  
24 through 3, to an average of 18 students per regular classroom;  
25 and

26           \*(2) improve teaching in the early grades so that all



1 students can learn to read independently and well by the end of  
2 the third grade.

3  
4 "AUTHORIZATION OF APPROPRIATIONS

5 "SEC. 6003. For the purpose of carrying out this title,  
6 there are authorized to be appropriated such sums as may be  
7 necessary for each of the fiscal years 2001 through 2005.

8  
9 "ALLOCATIONS TO STATES

10 "SEC. 6004. (a) RESERVATION FOR THE OUTLYING AREAS AND THE  
11 BUREAU OF INDIAN AFFAIRS. Of the amount appropriated under  
12 section 6003 for any fiscal year, the Secretary shall reserve a  
13 total of not more than 1 percent to make payments, on the basis  
14 of their respective needs, to-

15 "(1) American Samoa, Guam, the Virgin Islands, and the  
16 Commonwealth of the Northern Mariana Islands for activities,  
17 approved by the Secretary, consistent with this Act; and

18 "(2) the Secretary of the Interior for activities,  
19 approved by the Secretary, consistent with this Act, in schools  
20 operated or supported by the Bureau of Indian Affairs.

21 "(b) ALLOCATIONS TO STATES.-(1) After reserving funds  
22 under subsection (a), the Secretary shall allocate to each State  
23 the percentage of the remaining amount that is the greater of the  
24 percentage it received for the preceding fiscal year of the total  
25 amount allocated to the States under section 1122 of this Act or  
26 section 2202(b) of this Act, as it was in effect before enactment

1 of the Educational Excellence for All Children Act of 1999, or  
2 under section 2121 of this Act, as the case may be.

3           \*(2) The Secretary shall ratably reduce the  
4 allocations determined under paragraph (1) as necessary.

5           \*(3) If any State chooses not to participate in the  
6 program under this Act, or fails to submit an approvable  
7 application, the Secretary shall reallocate its allocation to the  
8 remaining States, in accordance with paragraph (1).

9

10                                   \*APPLICATIONS

11           \*SEC. 6005. (a) APPLICATION REQUIRED. The State  
12 educational agency of each State desiring to receive a grant  
13 under this title shall submit an application to the Secretary at  
14 such time, in such form, and containing such information as the  
15 Secretary may require.

16           \*(b) CONTENTS. Each application shall include--

17                   \*(1) the State's goals for using funds under this  
18 title to reduce average class sizes in regular classrooms in  
19 grades 1 through 3, including a description of current class  
20 sizes in those grades in the local educational agencies of the  
21 State;

22                   (2) a description of the State educational agency's  
23 plan for allocating program funds within the State;

24                   \*(3) a description of how the State will use other  
25 funds, including other Federal funds, to reduce class sizes and  
26 improve teacher quality and reading achievement within the State;

1 and

2           "(4) an assurance that the State educational agency  
3 will submit such reports and information as the Secretary may  
4 reasonably require.

5           "(c) APPROVAL OF APPLICATIONS. The Secretary shall approve  
6 a State's application if it meets the requirements of this  
7 section and holds reasonable promise of achieving the purposes of  
8 this Act.

9

10

"WITHIN-STATE ALLOCATIONS

11

"SEC. 6006. (a) ALLOCATIONS TO LOCAL EDUCATIONAL AGENCIES.

12

Each State that receives funds under this title for any fiscal  
13 year may reserve not more than one percent of those funds for the  
14 cost of administering this title, and shall distribute all  
15 remaining funds to local educational agencies, of which-

16

"(1)(A) 80 percent shall be allocated to local  
17 educational agencies in proportion to the relative numbers of  
18 children, aged 5 through 17, who reside in the school districts  
19 served by those agencies and who are from families with incomes  
20 below the poverty line (as defined by the Office of Management  
21 and Budget and revised annually in accordance with section 673(2)  
22 of the Community Services Block Grant Act (42 U.S.C. 9902))  
23 applicable to a family of the size involved for the most recent  
24 fiscal year for which satisfactory data are available; except  
25 that

26

"(B) a State may adjust the data described in

1 subparagraph (A), or use alternative child-poverty data, if it  
2 demonstrates to the Secretary's satisfaction that such adjusted  
3 or alternative data more accurately reflect the incidence of  
4 children living in poverty in local educational agencies in the  
5 State; and

6           "(2) 20 percent shall be allocated in accordance with  
7 the relative enrollments of children, aged 5 through 17, in  
8 public and private nonprofit elementary and secondary schools  
9 within the boundaries of those agencies.

10           "(b) REALLOCATION. If any local educational agency chooses  
11 not to participate in the program under this title, or fails to  
12 submit an approvable application, the State educational agency  
13 shall reallocate its allocation to the remaining local  
14 educational agencies, in accordance with subsection (a).

15

16

#### "LOCAL APPLICATIONS

17           "SEC. 6007. Each local educational agency that wishes to  
18 receive a subgrant under section 6006 shall submit an application  
19 to the State educational agency that contains a description of  
20 its program to reduce class size by hiring additional highly  
21 qualified teachers.

22

23

#### "USES OF FUNDS

24           "SEC. 6008. (a) ADMINISTRATIVE EXPENSES. Each local  
25 educational agency receiving a subgrant under section 6006 may  
26 use not more than three percent of the subgrant funds for any

1 fiscal year for the costs of administering this title.

2 " (b) TEACHER TESTING AND PROFESSIONAL DEVELOPMENT. Each  
3 local educational agency may use not more than a total of 15  
4 percent of the funds it receives under this title for any fiscal  
5 year to-

6 " (1) assess new teachers for their competency in  
7 content knowledge and teaching skills;

8 " (2) assist new teachers to take any tests required to  
9 meet State certification requirements; and

10 " (3) provide professional development to teachers  
11 (including teachers of children with disabilities and teachers of  
12 children with limited English proficiency), which it shall  
13 coordinate with activities carried out under titles II and VII of  
14 this Act, title II of the Higher Education Act of 1965, and the  
15 Individuals with Disabilities Education Act, if it is  
16 participating in programs funded under those statutes.

17 " (c) RECRUITING, HIRING, AND TRAINING TEACHERS. Each local  
18 educational agency shall use any funds not expended under  
19 subsection (a) or (b) to recruit, hire, and train certified  
20 teachers (which may include teachers certified through State and  
21 local alternative routes), for the purpose of reducing class size  
22 to 18, which may include hiring special education teachers to  
23 team-teach with regular classroom teachers.

24 " (d) LIMITATION. No local educational agency may use funds  
25 made available under this title to increase the salary of, or to  
26 provide benefits (other than participation in professional



1 cost of activities carried out under this title may be up to  
2 100 percent in local educational agencies with child-poverty  
3 levels greater than 50 percent, but shall be no more than  
4 65 percent in local educational agencies with child-poverty rates  
5 of less than 50 percent.

6           "(2) In determining the child-poverty rates and  
7 Federal share of individual local educational agencies under  
8 paragraph (1), each State shall use the most recent census data  
9 that the Secretary finds satisfactory.

10           "(b) LOCAL SHARE. A local educational agency shall provide  
11 the non-Federal share of a project under this Act through cash  
12 expenditures from non-Federal sources, except that if an agency  
13 has allocated funds under section 1113(c) of this Act to one or  
14 more schoolwide programs under section 1114, it may use those  
15 funds for the non-Federal share of activities under this program  
16 that benefit those schoolwide programs, to the extent consistent  
17 with section 1120A(c) and notwithstanding section 1114(a)(3)(B).

18

19

"NONSUPPLANTING

20

"SEC. 6010. A local educational agency shall use funds it  
21 receives under this title to supplement the level of funds that,  
22 in the absence of funds under this title, would be spent for the  
23 combination of-

24

"(1) teachers in regular classrooms in schools  
25 receiving assistance under this title;

26

"(2) assessing new teachers in their competency in

1 content knowledge and teaching skills, and to assist new teachers  
2 to take any tests required to meet State certification standards;  
3 and

4 "(3) professional development for teachers.  
5

6 "ANNUAL STATE REPORTS

7 "SEC. 6011. Each State receiving funds under this title  
8 shall submit to the Secretary an annual report on its activities  
9 under this title, in such form and containing such information as  
10 the Secretary may reasonably require.  
11

12 "PARTICIPATION OF PRIVATE SCHOOL TEACHERS

13 "SEC. 6012. (a) IN GENERAL. Each local educational agency  
14 receiving funds under this title shall, in accordance with  
15 sections 11803 through 11806, provide for the equitable  
16 participation of private school teachers in the professional  
17 development activities the agency and its schools carry out with  
18 those funds.

19 "(b) LIMITATION. Sections 11803 through 11806 do not apply  
20 to other activities under this title.  
21

22 "DEFINITION

23 "SEC. 6013. As used in this title, the term 'State' means  
24 each of the 50 States, the District of Columbia, and Puerto  
25 Rico."



## 1 TITLE VII - BILINGUAL EDUCATION ACT

2  
3 FINDINGS, POLICY, AND PURPOSE

4 SEC. 701. Section 7102 of the Act is amended--

5 (1) by amending subsection (a) to read as  
6 follows:7 "(a) FINDINGS. The Congress finds that--8 "(1) as the Nations of the world become  
9 increasingly interdependent and as international  
10 communication becomes a daily occurrence in government,  
11 business, commerce, and family life, multilingual skills  
12 constitute an important national resource that deserves  
13 protection and development;14 "(2) the presence of language-minority Americans  
15 is related to Federal immigration policies;16 "(3) language-minority Americans speak virtually  
17 all languages, including many that are indigenous to the  
18 United States;19 "(4) many language-minority Americans are  
20 limited in their English proficiency, and many have limited  
21 education and income;22 "(5) there are large, and growing, numbers of  
23 children and youth of limited English proficiency, many of

1 whom have a cultural heritage that differs from that of  
2 their English proficient peers;

3 " (6) limited English proficient students and  
4 their families are increasingly moving into school  
5 districts that do not have appropriate services in place to  
6 serve them;

7 " (7) limited English proficient students arrive  
8 at their schools at various age levels and often with  
9 little or no prior formal schooling;

10 " (8) limited English proficient children and  
11 youth face a number of challenges in receiving an education  
12 that will enable them to participate fully in American  
13 society, including-

14 " (A) segregated education programs;

15 " (B) disproportionate and improper  
16 placement in special education and other special programs,  
17 due to the use of inappropriate evaluation procedures;

18 " (C) disproportionate attendance in high-  
19 poverty schools, as demonstrated by the fact that, in 1994,  
20 75 percent of limited English proficient students attended  
21 schools in which at least half of all students were  
22 eligible for free or reduced-price meals;

1                   "(D) the limited English proficiency of  
2 their parents, which hinders parents' ability to  
3 participate fully in the education of their children; and

4                   "(E) a shortage of teachers and other staff  
5 who are professionally trained and qualified to serve such  
6 children and youth;

7                   "(9) school districts and schools find it  
8 challenging to include limited English proficient students  
9 in their reform efforts;

10                  "(10) a 1999 National Center for Education  
11 Statistics survey found that teachers are less likely to  
12 participate in professional development designed to address  
13 the needs of limited English proficient students than to  
14 take part in any other kind of professional development  
15 activity;

16                  "(11) institutions of higher education can  
17 assist in preparing teachers, administrators, and other  
18 school personnel to understand and build upon the  
19 educational strengths and needs of language-minority and  
20 culturally diverse student enrollments;

21                  "(12) high-quality bilingual education programs  
22 enable children and youth to learn English and meet high  
23 academic standards;

1                   "(13) a 1998 National Research Council report,  
2 Preventing Reading Difficulties in Young Children, found  
3 that limited English proficient students should be taught  
4 to read first in their native language and that, if such an  
5 approach is not possible due to lack of materials and  
6 resources, limited English proficient students should  
7 attain some fluency in oral English before they receive  
8 formal reading instruction in English;

9                   "(14) the use of a child's or youth's native  
10 language and culture in classroom instruction can-

11                   "(A) promote self-esteem and contribute to  
12 academic achievement and learning English by limited  
13 English proficient children and youth;

14                   "(B) benefit children and youth who are  
15 proficient in English and also participate in such  
16 programs; and

17                   "(C) develop our Nation's national language  
18 resources, thus promoting our Nation's competitiveness in  
19 the global economy;

20                   "(15) research, evaluation, and data collection  
21 capabilities in the field of bilingual education need to be  
22 strengthened so that educators and other staff can better  
23 identify and promote programs, program implementation

1 strategies, and instructional practices that result in  
2 effective education of limited English proficient children;

3           "(16) parent and community participation in  
4 bilingual education programs contributes to program  
5 effectiveness;

6           "(17) educational technology has the potential  
7 for improving the education of language-minority and  
8 limited English proficient students and their families, and  
9 the Federal Government should foster development of that  
10 technology;

11           "(18) the Federal Government, as reflected in  
12 title VI of the Civil Rights Act of 1964 and section 204(f)  
13 of the Equal Education Opportunities Act of 1974, has a  
14 special and continuing obligation to ensure that States and  
15 local school districts take appropriate action to provide  
16 equal educational opportunities to children and youth of  
17 limited English proficiency;

18           "(19) the Federal Government also, as  
19 exemplified by programs authorized under this title, has a  
20 special and continuing obligation to assist States and  
21 local school districts to develop the capacity to provide  
22 programs of instruction that offer limited English  
23 proficient children and youth an equal educational  
24 opportunity; and

1           "(20) Native Americans and Native American  
2 languages (as such terms are defined in section 103 of the  
3 Native American Languages Act), including native residents  
4 of the outlying areas, have a unique status under Federal  
5 law that requires special policies within the broad  
6 purposes of this Act.";

7           (2) by amending subsection (b) to read as  
8 follows:

9           "(b) POLICY. The Congress declares it to be the  
10 policy of the United States—

11           "(1) in order to ensure equal educational  
12 opportunity for all children and youth and to promote  
13 educational excellence, that the Federal Government should  
14 assist State and local educational agencies, institutions  
15 of higher education, and community-based organizations to  
16 build their capacity to establish, implement, and sustain  
17 programs of instruction for children and youth of limited  
18 English proficiency; and

19           "(2) in order to ensure that school districts  
20 are providing effective instruction to limited English  
21 proficient students that enable students to achieve to  
22 challenging State standards and are providing programs  
23 under subtitle 1 of part A of this title that are

1 consistent with the requirements under section  
2 1111(b) (2) (F) (v) of title I of this Act, that-

3 " (A) those students should be included in  
4 State assessments of academic performance;

5 " (B) those students should be assessed, to  
6 the extent practicable, in the language and form most  
7 likely to yield accurate and reliable information on what  
8 those students know, and can do, in subjects other than  
9 English, including using tests written in Spanish for  
10 Spanish-speaking students with limited English proficiency,  
11 if those tests are more likely than tests written in  
12 English to yield accurate and reliable information on what  
13 those students know, and can do, in subjects other than  
14 English; and

15 " (C) those students who have been in United  
16 States' schools (not including Puerto Rico) for three  
17 consecutive years or more should be tested in reading and  
18 language arts using tests written in English."; and

19 (3) in subsection (c)-

20 (A) in the matter before paragraph (1), by  
21 striking out "to educate limited English proficient  
22 children and youth to" and inserting in lieu thereof "to  
23 help ensure that limited English proficient students master  
24 English and"; and

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

3 "(1) promoting systemic improvement and reform  
4 of, and developing accountability systems for, educational  
5 programs serving students with limited English  
6 proficiency."  
7

8 AUTHORIZATION OF APPROPRIATIONS FOR PART A

9 SEC. 702. Section 7103(a) of the ESEA is amended to  
10 read as follows:

11 "(a) IN GENERAL. For the purpose of carrying out this  
12 part, there are authorized to be appropriated such sums as  
13 may be necessary for each of fiscal years 2001 through  
14 2005."  
15

16 PROGRAM DEVELOPMENT AND ENHANCEMENT GRANTS

17 SEC. 703. Section 7113 of the ESEA is amended—

18 (1) by amending the section heading to read as  
19 follows: "PROGRAM DEVELOPMENT AND ENHANCEMENT GRANTS";

20 (2) by amending subsection (a) to read as  
21 follows:

22 "(a) PURPOSE. The purpose of this section is to  
23 provide grants to eligible entities to carry out innovative



1 instructional programs for limited English proficient  
2 students.";

3 (3) in subsection (b)-

4 (A) in paragraph (1)(B), by striking out  
5 "two" and inserting in lieu thereof "three"; and

6 (B) by amending paragraph (2) to read as  
7 follows:

8 "(2) AUTHORIZED ACTIVITIES.- (A) Grants under  
9 this section shall be used for-

10 "(i) developing and implementing  
11 comprehensive, preschool, elementary, or secondary  
12 education programs for children and youth with limited  
13 English proficiency, that are aligned with standards-based  
14 State and local school reform efforts and coordinated with  
15 other relevant programs and services to meet the full range  
16 of educational needs of such children and youth;

17 "(ii) providing high-quality  
18 professional development to classroom teachers,  
19 administrators, and other school or community-based  
20 organization personnel to improve the instruction and  
21 assessment of limited English proficient students; and

22 "(iii) annually assessing the English  
23 proficiency of all limited English proficient students  
24 served by the program.

1                                   "(B) Grants under this section may be used  
2 for-

3                                   "(i) implementing programs to upgrade  
4 the reading and other academic skills of limited English  
5 proficient students;

6                                   "(ii) developing accountability  
7 systems to track the academic progress of limited English  
8 proficient and formerly limited English proficient  
9 students;

10                                   "(iii) implementing family education  
11 programs and parent outreach and training activities  
12 designed to assist parents to become active participants in  
13 the education of their children;

14                                   "(iv) improving the instructional  
15 program for limited English proficient students by  
16 identifying, acquiring, and applying effective curriculum,  
17 instructional materials, assessments, and educational  
18 technology aligned with State and local standards;

19                                   "(v) providing tutorials and academic  
20 or career counseling for children and youth who are limited  
21 English proficient; and

22                                   "(vi) such other activities,  
23 consistent with the purposes of this part, as the Secretary  
24 may approve."; and

1 students with limited English proficiency participating in  
2 the program to learn English and achieve to challenging  
3 State content and performance standards.

4 "(iii) If the Secretary determines  
5 that the recipient is not making substantial progress in  
6 implementing the program improvement plan under clause (i),  
7 the Secretary shall deny a continuation award.";

8 (3) by amending paragraphs (3) and (4) to read  
9 as follows:

10 "(3) AUTHORIZED ACTIVITIES.-(A) Grants under  
11 this section shall be used to improve the education of  
12 limited English proficient students and their families by-  
13 "(i) coordinating the program with  
14 district policies and practices, as well as other relevant  
15 programs and services, and aligning the program with school  
16 reform efforts to meet the full range of educational needs  
17 of limited English proficient students;

18 "(ii) providing training to all, or  
19 virtually all, school personnel and participating  
20 community-based organization personnel to improve the  
21 instruction and assessment of limited English proficient  
22 students;

23 "(iii) developing or improving  
24 accountability systems to track the academic progress of

1 limited English proficient and formerly limited English  
2 proficient students; and

3                               "(iv) annually assessing the English  
4 proficiency of all limited English proficient students  
5 served by the program.

6                               "(B) Grants under this section may also be  
7 used for--

8                               "(i) implementing programs to upgrade  
9 the reading and other academic skills of limited English  
10 proficient students;

11                              "(ii) developing and using educational  
12 technology, including interactive technology, to improve  
13 learning, assessments, and accountability;

14                              "(iii) implementing and adapting  
15 research-based models for meeting the needs of limited  
16 English proficient students;

17                              "(iv) developing and implementing  
18 programs to meet the needs of limited English proficient  
19 students with disabilities;

20                              "(v) implementing family education  
21 programs and parent outreach and training activities  
22 designed to assist parents to become active participants in  
23 the education of their children;

1                   "(vi) improving the instructional  
2 program for limited English proficient students by  
3 identifying, acquiring, and upgrading curriculum,  
4 instructional materials, educational software and  
5 assessment procedures;

6                   "(vii) providing tutorials and  
7 academic or career counseling for children and youth of  
8 limited English proficiency;

9                   "(viii) developing and implementing  
10 programs to help all students become proficient in more  
11 than one language; and

12                   "(ix) carrying out such other  
13 activities, consistent with the purposes of this part, as  
14 the Secretary may approve.

15                   "(4) SPECIAL RULES. A grant recipient—

16                   "(A) before carrying out a program assisted  
17 under this section, shall plan, train personnel, develop  
18 curriculum, and acquire or develop materials, but shall not  
19 use funds under this section for planning purposes for more  
20 than 90 days; and

21                   "(B) shall not carry out a program under  
22 this section in more than two schools for each grant it  
23 receives under this section.".

24

1 this section is not making continuous and substantial  
2 progress under subparagraph (A), the recipient shall  
3 promptly develop and submit to the Secretary a program  
4 improvement plan for its program.

5                   "(ii) The Secretary shall approve a  
6 program improvement plan under clause (i) only if he or she  
7 determines that it holds reasonable promise of enabling  
8 students with limited English proficiency participating in  
9 the program to learn English and achieve to challenging  
10 State content and performance standards.

11                   "(iii) If the Secretary determines  
12 that the recipient is not making substantial progress in  
13 implementing the program improvement plan under clause (i),  
14 the Secretary shall deny a continuation award.";

15                   (3) by amending paragraph (4) to read as  
16 follows:

17                   "(4) AUTHORIZED ACTIVITIES.--(A) Grants under  
18 this section shall be used for--

19                   "(i) aligning programs for limited  
20 English proficient students in the district with school,  
21 district, and State reform efforts and coordinating the  
22 program with other relevant programs, such as title I, and  
23 services to meet the full range of educational needs of

1 limited English proficient students throughout the  
2 district;

3                   "(ii) providing high-quality  
4 professional development that is aligned with high  
5 standards to classroom teachers, administrators, and other  
6 school or community-based organization personnel to improve  
7 the instruction and assessment of limited English  
8 proficient students;

9                   "(iii) developing and implementing a  
10 plan, coordinated with programs under title II of Higher  
11 Education Act of 1965 where applicable, to recruit teachers  
12 trained to serve limited English proficient students;

13                   "(iv) annually assessing the English  
14 proficiency of all limited English proficient students  
15 served by the program; and

16                   "(v) developing or improving  
17 accountability systems that are consistent with the State's  
18 accountability system to measure limited English proficient  
19 students' academic progress in a valid and reliable manner.

20                   "(B) Grants under this section may also be  
21 used for-

22                   "(i) developing and implementing  
23 programs to help all students become proficient in more  
24 than one language;

1                   "(ii) developing content and  
2 performance standards for learning English as a second  
3 language, as well as for learning other languages;

4                   "(iii) developing assessments tied to  
5 State performance standards;

6                   "(iv) developing performance standards  
7 for students with limited English proficiency that are  
8 aligned with challenging State content standards;

9                   "(v) redesigning programs for limited  
10 English proficient students to meet the needs of changing  
11 population of such students;

12                   "(vi) coordinating assessments with  
13 State accountability systems;

14                   "(vii) implementing policies and  
15 procedures to ensure that limited English proficient  
16 students have access to all district programs, such as  
17 gifted and talented, vocational education, and special  
18 education programs; and

19                   "(viii) integrating technology into  
20 all aspects of educating limited English proficient  
21 students, including data management systems and the  
22 delivery of instructional services to limited English  
23 proficient students."

24



## 1 APPLICATIONS FOR AWARDS UNDER SUBPART 1

2 SEC. 706. Section 7116 of the ESEA is amended-

3 (1) in subsection (b)-

4 (A) in paragraph (1), by striking out "such  
5 application" and inserting in lieu thereof "its written  
6 comments on the application"; and7 (B) by amending paragraph (2) (B) to read as  
8 follows:9 "(B) For purposes of this subpart, such  
10 comments shall address-11 "(i) how the grant activities will  
12 further the academic achievement and English proficiency of  
13 limited English proficient students served under a grant  
14 received under this subpart; and15 "(ii) how the grant application is  
16 consistent with the State plan, especially with regard to  
17 State assessments, required under section 1111.";18 (2) by amending subsection (f) to read as  
19 follows:20 "(f) REQUIRED DOCUMENTATION. Such application shall  
21 include documentation that-22 "(1) the applicant has the qualified personnel  
23 required to develop, administer, and implement the proposed  
24 program; and

1                   "(2) the leadership of each participating school  
2 has been involved in the development and planning of the  
3 program in the school.";

4                   (3) in subsection (g)(1)-

5                   (A) by amending subparagraph (A) to read as  
6 follows:

7                   "(A) A description of the need for the  
8 proposed program, including data on the number of children  
9 and youth of limited English proficiency in the schools or  
10 school districts to be served and the characteristics of  
11 such children and youth, including-

12                                 "(i) the native languages of the  
13 students to be served;

14                                 "(ii) student proficiency in English  
15 and the native language;

16                                 "(iii) current achievement data of the  
17 limited English proficient students to be served by the  
18 program (and in comparison to their English proficient  
19 peers) in-

20   "(I) reading or language arts (in  
21 English and in the native language, if applicable); and

22   "(II) mathematics;

23                                 "(iv) reclassification rates for  
24 limited English proficient students in the district;

1                   "(v) the previous schooling  
2 experiences of participating students;

3                   "(vi) the professional development  
4 needs of the instructional personnel who will provide  
5 services for limited English proficient students, including  
6 the need for certified teachers; and

7                   "(vii) how the grant would supplement  
8 the basic services provided to limited English proficient  
9 students.";

10                   (B) in subparagraph (B)–

11                   (i) by amending clause (ii) to read as  
12 follows:

13                   "(ii) is coordinated with other  
14 programs under this Act, and other Acts as appropriate,  
15 such as the Individuals with Disabilities Education Act and  
16 the Carl D. Perkins Vocational and Technical Education Act,  
17 in accordance with section 11505;"

18                   (ii) by redesignating clauses (ii)  
19 through (v) as clauses (iii) through (vi), respectively;  
20 and

21                   (iii) by inserting a new clause (ii)  
22 to read as follows:

1                                   (ii) will supplement the basic  
2 services the applicant provides to limited English  
3 proficient students;"; and

4                                   (C) by amending subparagraph (E) to read as  
5 follows:

6                                   (E) An assurance that the applicant will  
7 employ teachers in the proposed program who individually,  
8 or in combination, are proficient in-

9                                   (i) English, including written, as  
10 well as oral, communication skills; and

11                                   (ii) the native language of the  
12 majority of students they teach, if instruction in the  
13 program is also in the native language."; and

14                                   (4) in subsection (i)-

15                                   (A) by amending paragraphs (1) and (2) to  
16 read as follows:

17                                   (1) PRIORITY. The Secretary is authorized to  
18 give priority to applicants that-

19                                   (A) experience a dramatic increase in the  
20 number of limited English proficient students enrolled;

21                                   (B) demonstrate that they have a proven  
22 record of success in helping children and youth with  
23 limited English proficiency learn English and achieve to  
24 high academic standards; or

academic achievement and gains in English proficiency for students in the program;

"(B) report on the validity and reliability of all instruments used to measure student progress; and

"(C) enable results to be disaggregated by relevant factors, such as a student's grade, gender, and language group, and whether the student has a disability.

"(2) Evaluations shall include-

"(A) data on the project's progress in achieving its objectives;

"(B) data showing the extent to which all students served by the program are achieving to the State's student performance standards, including-

"(i) data comparing limited English proficient children and youth with English proficient students with regard to grade retention and academic achievement in reading and language arts, in English and in the native language if the project develops native language proficiency, and in math;

"(ii) gains in English proficiency, including speaking, comprehension, reading, and writing, as developmentally appropriate, and such gains in native language proficiency if the project develops native language proficiency; and

1                   "(C) developing research-based models for  
2 serving limited English proficient students of diverse  
3 language backgrounds and in diverse educational settings;

4                   "(D) identifying technology-based  
5 approaches that show effectiveness in helping limited  
6 English proficient students reach challenging State  
7 standards; and

8                   "(E) other research, demonstration, and  
9 data collection activities consistent with the purpose of  
10 this title.";

11                   (2) in subsection (b)–

12                   (A) in paragraph (1), by inserting "and "  
13 at the end thereof;

14                   (B) by striking out paragraphs (2) and (3);  
15 and

16                   (C) by redesignating paragraph (4) as  
17 paragraph (2);

18                   (3) in subsection (c)–

19                   (A) in paragraph (1), by–

20                   (i) striking out "(1) IN GENERAL.–";  
21 and

22                   (ii) by striking out "under subpart 1  
23 or 2" and inserting in lieu thereof "under subpart 1,  
24 section 7124, or subpart 3"; and

1 (B) striking out paragraph (2); and

2 (4) by striking out subsection (e).

3  
4 ACADEMIC EXCELLENCE AWARDS

5 SEC. 709. Section 7133 of the ESEA is amended to read  
6 as follows:

7 "ACADEMIC EXCELLENCE AWARDS

8 "SEC. 7133. (a) AUTHORITY. The Secretary is  
9 authorized to make grants to State educational agencies to  
10 assist them in recognizing local educational agencies and  
11 other public and non-profit entities whose programs have-

12 "(1) demonstrated significant progress in  
13 assisting limited English proficient students to learn  
14 English within three years; and

15 "(2) demonstrated significant progress in  
16 assisting limited English proficient students to meet,  
17 within three years, the same challenging State content  
18 standards expected of all children and youth.

19 "(b) APPLICATIONS. A State educational agency  
20 desiring a grant under this section shall include an  
21 application for such grant in its application required  
22 under section 7124(e).".

## STATE GRANT PROGRAM

SEC. 710. Section 7134(c) of the ESEA is amended to read as follows:

"(c) USES OF FUNDS. A State educational agency shall use funds awarded under this section to--

"(1) assist local educational agencies in the State with program design, capacity building, assessment of student performance, program evaluation, and development of data collection and accountability systems for limited English proficient students that are aligned with State reform efforts; and

"(2) collect data on limited English proficient populations in the State and the educational programs and services available to such populations.".

NATIONAL CLEARINGHOUSE ON THE EDUCATION OF CHILDREN AND  
YOUTH WITH LIMITED ENGLISH PROFICIENCY

SEC. 711. Section 7135 of the ESEA is amended to read as follows:

"NATIONAL CLEARINGHOUSE ON THE EDUCATION OF CHILDREN AND  
YOUTH WITH LIMITED ENGLISH PROFICIENCY

"SEC. 7135. The Secretary shall establish and support the operation of a National Clearinghouse on the Education of Children and Youth with Limited English Proficiency, which shall collect, analyze, synthesize, and disseminate



1 information about programs related to the education of  
2 children and youth with limited English proficiency and  
3 coordinate its activities with Federal data and information  
4 clearinghouses and dissemination networks and systems.".

5

6

INSTRUCTIONAL MATERIALS DEVELOPMENT

7

SEC. 712. Section 7136 of the ESEA is amended to read

8

as follows:

9

"INSTRUCTIONAL MATERIALS DEVELOPMENT

10

"SEC. 7136. (a) AUTHORITY. The Secretary may award

11

grants for the development, publication, and dissemination

12

of high-quality instructional materials--

13

"(1) in Native American and Native Hawaiian

14

languages;

15

"(2) in the language of Native Pacific

16

Islanders and other natives of the outlying areas for whom

17

instructional materials are not readily available;

18

"(3) in other low-incidence languages in

19

the United States and for which instructional materials are

20

not readily available; and

21

"(4) on standards and assessments, and

22

instructional programs related to the education of children

23

and youth with limited English proficiency, for

24

dissemination to parents of such children and youth.



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

3           " (a) PURPOSE. The purpose of this section is to  
4 assist eligible applicants under subsection (b) (1) to  
5 develop and provide ongoing professional development to  
6 teachers and other educational personnel with a  
7 baccalaureate degree to improve their provision of services  
8 to limited English proficient students or to become  
9 certified as a bilingual or English as a second language  
10 teacher.";

11                   (2) in subsection (b)-

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

14           " (1) AUTHORITY. The Secretary is authorized to  
15 award grants under this section to local educational  
16 agencies or to one or more local educational agencies in  
17 consortium with one or more State educational agencies,  
18 institutions of higher education, or nonprofit  
19 organizations."; and

20                   (B) in paragraph (2), by striking out  
21 "five" and inserting in lieu thereof "three"; and

22                   (3) by amending subsection (c) to read as  
23 follows:

1           "(c) ACTIVITIES.-(1) Funds under this section shall  
2 be used to conduct high-quality, long-term professional  
3 development activities.

4           " (2) Funds under this section may be used to-

5                       "(A) design and implement induction  
6 programs for new teachers, including mentoring and coaching  
7 by trained teachers, team teaching with experienced  
8 teachers, time for observation of, and consultation with,  
9 experienced teachers, and additional time for course  
10 preparation;

11                      "(B) implement school-based collaborative  
12 efforts among teachers to improve instruction in reading  
13 and other core academic areas for students with limited  
14 English proficiency, including programs that facilitate  
15 teacher observation and analyses of fellow teachers'  
16 classroom practice;

17                      "(C) support long-term collaboration among  
18 teachers and outside experts to improve instruction of  
19 limited English proficient students;

20                      "(D) coordinate project activities with  
21 other programs such as those under the Head Start Act and  
22 titles I and II of the Act;

1           "(c) AUTHORITY.-(1) The Secretary is authorized to  
2 make grants to institutions of higher education for  
3 preservice professional development in order to improve  
4 preparation for prospective teachers who are preparing to  
5 teach children and youth of limited English proficiency.

6           "(2) Each grant under this section shall be  
7 awarded for a period of not more than five years.

8           "(3) A recipient of a grant under this section  
9 shall coordinate its grant program activities with other  
10 programs under this Act and other Acts as appropriate.";  
11 and

12           (3) by adding a new subsection (d) to read as  
13 follow:

14           "(d) ACTIVITIES.-(1) Funds under this section shall  
15 be used to-

16           "(A) put in place a course of study that  
17 prepares teachers to serve limited English proficient  
18 students;

19           "(B) integrate course content relating to  
20 meeting the needs of limited English proficient students  
21 into all programs for prospective teachers;

22           "(C) assign tenured faculty to train  
23 teachers to serve limited English proficient students;

1                   "(D) incorporate State content and  
2 performance standards into the institution's coursework;  
3 and

4                   "(E) expand clinical experiences for  
5 participants.

6                   "(2) Funds under this section may be used to-

7                   "(A) support partnerships with local  
8 educational agencies that include placing participants in  
9 intensive internships in local educational agencies that  
10 serve large numbers of limited English proficient students;

11                   "(B) restructure higher education course  
12 content, including improving coursework and clinical  
13 experiences for all prospective teachers regarding the  
14 needs of limited English proficient students and  
15 preparation for teacher certification tests;

16                   "(C) assist other institutions of higher  
17 education to improve the quality of professional  
18 development programs for limited English proficient  
19 students;

20                   "(D) expand recruitment of students who  
21 will be trained to serve limited English proficient  
22 students;

1                   "(E) improve the skills and knowledge of  
2 faculty related to the needs of limited English proficient  
3 students;

4                   "(F) coordinate project activities with  
5 activities under title II of the Higher Education Act of  
6 1965; and

7                   "(G) use technology to enhance professional  
8 development."

9                   BILINGUAL EDUCATION CAREER LADDER PROGRAM

10                  SEC. 716. Section 7144 of the ESEA is amended--

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

13                  "(a) PURPOSE. The purpose of this section is to  
14 assist eligible consortia to develop and implement high-  
15 quality bilingual education career ladder programs.";

16                   (2) by amending subsection (b)(1) to read as  
17 follows:

18                  "(a) IN GENERAL.-(1) (A) The Secretary is authorized  
19 to award grants to consortia of one or more institutions of  
20 higher education and one or more State educational agencies  
21 or local educational agencies to develop and implement  
22 bilingual education career ladder programs.

1                   "(B) For purposes of this section, a  
2 "bilingual education career ladder program" means a program  
3 that-

4                   "(i) is designed to provide high-  
5 quality, pre-baccalaureate coursework and teacher training  
6 to educational personnel who do not have a baccalaureate  
7 degree; and

8                   "(ii) leads to timely receipt of a  
9 baccalaureate degree and certification or licensure of  
10 program participants as bilingual education teachers or  
11 other educational personnel who serve limited English  
12 proficient students.

13                   "(C) Recipients of grants under this  
14 section shall-

15                   "(i) coordinate with programs under  
16 title II of the Higher Education Act of 1965, and other  
17 relevant programs, for the recruitment and retention of  
18 bilingual students in postsecondary programs to train them  
19 to become bilingual educators; and

20                   "(ii) make use of all existing sources  
21 of student financial aid before using grant funds to pay  
22 tuition and stipends for participating students.";

23                   (3) in subsection (c)-

24                   (A) in paragraph (1)-



1 (i) by striking out "consortium"; and  
2 (ii) at the end thereof, by inserting  
3 "and" after the semicolon;

4 (B) in paragraph (2), by striking out  
5 "teachers; and" and inserting in lieu thereof "teachers.";  
6 and

7 (C) by striking out paragraph (3); and  
8 (4) by amending subsection (d) to read as  
9 follows:

10 "(d) SPECIAL CONSIDERATION. The Secretary shall give  
11 special consideration to applications under this section  
12 that provide training in English as a second language,  
13 including developing proficiency in the instructional use  
14 of English and, as appropriate, a second language in  
15 classroom contexts."

16

17 GRADUATE FELLOWSHIPS IN BILINGUAL EDUCATION PROGRAM

18 SEC. 717. Section 7145(a) of the ESEA is amended—

19 (1) in paragraph (1), by striking out "masters,  
20 doctoral, and post-doctoral" and inserting in lieu thereof  
21 "masters and doctoral";

22 (2) by striking out paragraph (2); and

23 (3) by redesignating paragraph (3) as paragraph  
24 (2).

1  
2 APPLICATIONS FOR AWARDS UNDER SUBPART 3

3 SEC. 713. Section 7146 of the ESEA is amended-

4 (1) in subsection (a)(4), by inserting "and  
5 applicants for grants under section 7145" after "Bureau of  
6 Indian Affairs"; and

7 (2) in subsection (b)-

8 (A) in paragraph (1)-

9 (i) by striking out "of such  
10 application copy" and inserting in lieu thereof "an  
11 application under sections 7132, 7133, or 7134"; and12 (ii) by inserting "the written review  
13 of" after "and transmit"; and14 (B) in paragraph (2), by striking out "this  
15 subpart" and inserting in lieu thereof "sections 7132,  
16 7133, and 7134".  
17

## 18 EVALUATIONS UNDER SUBPART 3

19 SEC. 719. Section 7149 of the ESEA is amended to read  
20 as follows:

## 21 "PROGRAM EVALUATIONS

22 "SEC. 7149. Each recipient of funds under this  
23 subpart shall provide the Secretary with an evaluation of  
24 its program every year. Such evaluations shall include-

1           "(1) the number of participants served, the  
2 number of participants who have completed program  
3 requirements, and the number of participants who have taken  
4 positions in an instructional settings with limited English  
5 proficient students;

6           "(2) the effectiveness of the program in  
7 imparting the professional skills necessary for  
8 participants to achieve the objectives of the program; and

9           "(3) the teaching effectiveness of graduates or  
10 other persons who have completed the training program.".

11

12

TRANSITION

13

14

SEC. 720. Subpart 4 of Part A of Title VII of the  
ESEA is amended to read as follows:

15

"SUBPART 4 - TRANSITION

16

17

"TRANSITION

18

19

20

21

22

23

24

"SEC. 7161. Notwithstanding any other provision of  
law, a recipient of a grant under subpart 1 of part A of  
this title that is in its third or fourth year of that  
grant on the day preceding the date of enactment of  
Educational Excellence for All Children Act of 1999 shall  
be eligible to receive continuation funding under the terms  
and conditions of the original grant.".

1  
2 FINDINGS OF THE EMERGENCY IMMIGRANT EDUCATION PROGRAM

3 SEC. 721. Section 7301(a) of the ESEA is amended--

4 (1) in paragraph (3), by striking out "and" at  
5 the end thereof;6 (2) by redesignating paragraph (4) as paragraph  
7 (5); and8 (3) by adding at the end thereof the following  
9 new paragraph:10 "(4) an increasing number of immigrant children  
11 are entering United States' schools with interrupted or  
12 little previous schooling; and".  
13

## 14 STATE ADMINISTRATIVE COSTS

15 SEC. 722. Section 7302 of the ESEA is amended by  
16 inserting a comma and "or 2 percent if the State  
17 educational agency distributes funds received under this  
18 part to local educational agencies on a competitive basis,"  
19 after "1.5 percent of the amount".  
20

## 21 COMPETITIVE STATE GRANTS TO LOCAL EDUCATIONAL AGENCIES

22 SEC. 723. Section 7304(e)(1) of the ESEA is amended,  
23 in the matter before subparagraph (A), by striking out "if  
24 the amount appropriated to carry out this part exceeds

1 \$50,000,000 for a fiscal year, a State educational agency  
2 may reserve not more than 20 percent" and inserting in lieu  
3 thereof" a State educational agency may reserve any  
4 portion".

5

## 6 AUTHORIZATION OF APPROPRIATIONS FOR PART C

7 SEC. 724. Section 7309 of the ESEA is amended to read  
8 as follows:

## 9 "AUTHORIZATION OF APPROPRIATIONS

10 "SEC. 7309. For the purpose of carrying out this  
11 part, there are authorized to be appropriated such sums as  
12 may be necessary for each of fiscal years 2001 through  
13 2005."

14

## 15 DEFINITIONS

16 SEC. 725. Section 7501 of the ESEA is amended by  
17 striking out paragraph (15) and inserting in lieu thereof a  
18 new paragraph to read as follows:

19 "(15) RECLASSIFICATION RATE. The term  
20 reclassification rate means the annual percentage of  
21 limited English proficient students who have met the State  
22 criteria for no longer being considered limited English  
23 proficient."

24

1 REGULATIONS, PARENTAL NOTIFICATION, AND USE OF  
2 PARAPROFESSIONALS

3  
4 SEC. 726. Section 7502 of the ESEA is amended by-

5 (1) amending the section heading to read as

6 follows:

7 "REGULATIONS, PARENTAL NOTIFICATION, AND USE OF  
8 PARAPROFESSIONALS";

9  
10 (2) in subsection (b)-

11 (A) in paragraph (1)-

12 (i) in the matter before subparagraph

13 (A), by striking out "youth participating in" and inserting

14 in lieu thereof "youth who will participate in"; and

15 (ii) in subparagraph (C)-

16 (I) in the matter before clause

17 (i), by striking out "goals of the bilingual education or

18 special alternative instructional program" and inserting in

19 lieu thereof "goals of the program related to the education

20 of children and youth with limited English proficiency";

21 and

22 (II) in clause (i), by striking

23 out "results of the bilingual educational program and of

24 the instructional alternatives" and inserting in lieu

25 thereof "results of the instructional programs related to

26 the education of children and youth with limited English

27 proficiency"; and

1 (B) in paragraph (2)-

2 (i) by amending the paragraph heading  
3 to read "OPTION TO WITHDRAW."; and

4 (ii) by amending subparagraph (A) to  
5 read as follows:

6 "(A) A recipient of funds under subpart 1  
7 of part A shall also provide a written notice to parents of  
8 children who will participate in the programs under that  
9 subpart, in a form and language understandable to the  
10 parents, that informs them that they may withdraw their  
11 child from the program at any time."; and

12 (3) adding a new subsection (c) to read as  
13 follows:

14 "(c) USE OF PARAPROFESSIONALS. The provisions of  
15 section 1119(c) of this Act shall apply to all new staff  
16 hired to provide academic instruction in programs supported  
17 under subpart 1 of part A of this title on or after the  
18 date of enactment of the Educational Excellence for All  
19 Children Act of 1999."

20  
21 TERMINOLOGY

22 SEC. 727. (a) PART A. Subparts 1 and 2 of part A of  
23 title VII of the ESEA are amended by striking out  
24 "bilingual education or special alternative instruction

1 programs" and "bilingual education or special alternative  
2 instructional programs" each place they appear and  
3 inserting in lieu thereof "instructional programs".

4 (b) PART E. Section 7501(6) of the ESEA is amended  
5 by striking out "a bilingual education and special  
6 alternative instructional program" and inserting in lieu  
7 thereof "an instructional program".

8

9

#### REPEALS

10 SEC. 728. (a) REPEALS IN PART A. Sections 7112,  
11 7117, 7119, 7120, 7121, and 7147 of the ESEA are repealed.

12 (b) REPEAL OF PART B. Part B of title VII of the  
13 ESEA is repealed.

14

15

#### REDESIGNATIONS AND CONFORMING AMENDMENTS

16 SEC. 729. (a) PART REDESIGNATIONS. Parts C, D, and E  
17 of title VII of the ESEA are redesignated as parts B, C,  
18 and D, respectively.

19

20 (b) SECTION REDESIGNATIONS. Sections 7113, 7114,  
21 7115, 7116, 7118, 7122, 7123, 7124, 7131, 7132, 7133, 7134,  
22 7135, 7136, 7141, 7142, 7143, 7144, 7145, 7146, 7148, 7149,  
23 7150, 7161, 7301, 7302, 7303, 7304, 7305, 7306, 7307, 7308,  
24 7309, 7401, 7402, 7403, 7404, 7405, 7501, and 7502 of the  
ESEA are redesignated as sections 7112, 7113, 7114, 7115,



1 7116, 7117, 7118, 7119, 7121, 7122, 7123, 7124, 7125, 7126,  
2 7131, 7132, 7133, 7134, 7135, 7136, 7137, 7138, 7139, 7141,  
3 7201, 7202, 7203, 7204, 7205, 7206, 7207, 7208, 7209, 7301,  
4 7302, 7303, 7304, 7305, 7401, and 7402 of the ESEA,  
5 respectively.

6 (c) CONFORMING AMENDMENTS.-(1) Section 7111 of the  
7 ESEA is amended by striking out "7114, and 7115" and  
8 inserting in lieu thereof "and 7114".

9 (2) Section 7112(b)(1)(A) of the ESEA, as  
10 redesignated by subsection (b), is amended by striking out  
11 "section 7116" and inserting in lieu thereof "section  
12 7115".

13 (3) Section 7113(b)(1)(A) of the ESEA, as  
14 redesignated by subsection (b), is amended by striking out  
15 "section 7116" and inserting in lieu thereof "section  
16 7115".

17 (4) Section 7114(b)(1)(A) of the ESEA, as  
18 redesignated by subsection (b), is amended by striking out  
19 "section 7116" and inserting in lieu thereof "section  
20 7115".

21 (5) Section 7115(g) of the ESEA, as  
22 redesignated by subsection (b), is amended-

1 (A) in paragraph (1)(B)(ii), by striking  
2 out "section 14306" and inserting in lieu thereof "section  
3 11505"; and

4 (B) in paragraph (2), by striking out  
5 "section 7114 or 7115" and inserting in lieu thereof  
6 "section 7113 or 7114".

7 (6) Section 7135(a)(3) of the ESEA, as  
8 redesignated by subsection (b), is amended by striking out  
9 "section 7149" and inserting in lieu thereof "section  
10 7138".

11 (7) Section 7202 of the ESEA, as redesignated by  
12 subsection (b), is amended by striking out "section 7304"  
13 and inserting in lieu thereof "section 7204".

14 (8) Section 7204 of the ESEA, as redesignated by  
15 subsection (b), is amended—

16 (A) in subsection (a), by striking out  
17 "section 7301(b)" and inserting in lieu thereof "section  
18 7201(b)"; and

19 (B) in subsection (e)(2), by striking out  
20 "section 7307" and inserting in lieu thereof "section  
21 7207".

22 (9) Section 7205(a) of the ESEA, as  
23 redesignated by subsection (b), is amended—

1                   (A) in paragraph (2), by striking out  
2 "sections 7301 and 7307" and inserting in lieu thereof  
3 "sections 7201 and 7207";

4                   (B) in paragraph (4), by-

5                   (i) striking out "section 7304(e)" and  
6 inserting in lieu thereof "sections 7204(e)"; and

7                   (ii) striking out "section 7304(b)(1)"  
8 and inserting in lieu thereof "section 7204(b)(1)"; and

9                   (C) in paragraph (8), by striking out  
10 "section 7304" and inserting in lieu thereof "section  
11 7204".

12                   (10) Section 7206 of the ESEA, as redesignated  
13 by subsection (b), is amended-

14                   (A) in subsection (a)-

15                   (i) by striking out "section 7305" and  
16 inserting in lieu thereof "section 7205"; and

17                   (ii) by striking out "section 7305" and  
18 inserting in lieu thereof "section 7205"; and

19                   (B) in subsection (b), by striking out  
20 "section 7305(a)(7)" and inserting in lieu thereof "section  
21 7205(a)(7)".

22                   (11) Section 7208 of the ESEA, as redesignated  
23 by subsection (b), is amended by striking out "section  
24 14701" and inserting in lieu thereof "section 11911".

1           (12) Section 7305(d)(2) of the ESEA, as  
2 redesignated by subsection (b), is amended by striking out  
3 "section 7134" and inserting in lieu thereof "section  
4 7124".  
5

## TITLE VIII - IMPACT AID

## PURPOSE

SEC. 801. Section 8001 of the ESEA is amended to read as follows:

## "PURPOSE

"SEC. 8001. The purpose of this title is to provide assistance to certain local educational agencies that are financially burdened as a result of activities of the Federal Government carried out in their jurisdictions, in order to help those agencies provide educational services to their children, including federally connected children, so that they can meet challenging State standards."

## PAYMENTS RELATING TO FEDERAL ACQUISITION OF REAL PROPERTY

SEC. 802. (a) ELIGIBILITY. Section 8002(a) of the ESEA is amended—

(1) in the matter preceding paragraph (1), by striking out "for a fiscal year ending prior to October 1, 1999" and inserting in lieu thereof "for any fiscal year"; and

(2) in paragraph (1)—

(A) in subparagraph (B), by striking out "and" at the end thereof;

1                   (B) in subparagraph (C), by striking out "value  
2 of" and all that follows through the end thereof and inserting  
3 in lieu thereof "value of all real property in the local  
4 educational agency (similarly determined as of the time or times  
5 when the Federal property was so acquired); and"; and

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

8                   "(D) has a current aggregate assessed value,  
9 determined under subsection (b)(3), that is at least 10 percent  
10 of the total current assessed value of all real property in the  
11 local educational agency; and".

12           (b) REPEAL OF SPECIAL-INTEREST PROVISIONS. Section 8002  
13 of the ESEA is further amended by—

14                   (1) striking out subsections (d), (e), (f), (g), (i),  
15 (j), and (k); and

16                   (2) redesignating subsection (h) as subsection (d).

17           (c) HOLD-HARMLESS AMOUNTS. Subsection (d) of section 8002  
18 of the ESEA, as redesignated by subsection (b)(2), is amended to  
19 read as follows:

20                   "(d) HOLD-HARMLESS AMOUNTS. Notwithstanding any other  
21 provision of this section, the Secretary shall make the  
22 following minimum payments for the following fiscal years under  
23 this section to each local educational agency that was eligible  
24 for, and received, a payment under this section for fiscal year

1 1999 but that, as a result of subsection (a)(1)(D), is no longer  
2 eligible for a payment under this section:

3           "(1) For fiscal year 2001, 75 percent of the amount  
4 it received for fiscal year 1999.

5           "(2) For fiscal year 2002, 50 percent of the amount  
6 it received for fiscal year 1999.

7           "(3) For fiscal year 2003, 25 percent of the amount  
8 it received for fiscal year 1999."

9           (d) TECHNICAL AMENDMENTS. Section 8002(b)(1) of the ESEA  
10 is amended—

11           (1) in subparagraph (B), by striking out "section  
12 8014(a)" and inserting in lieu thereof "section 8014(a)(1)"; and

13           (2) in subparagraph (C), by striking out "section  
14 8003(b)(1)(C)" and inserting in lieu thereof "section  
15 8003(b)(1)(B)".

16  
17           PAYMENTS FOR ELIGIBLE FEDERALLY CONNECTED CHILDREN

18           SEC. 803. (a) COMPUTATION OF PAYMENTS. Section 8003(a) of  
19 the ESEA is amended—

20           (1) in paragraph (1)—

21           (A) in subparagraph (B), by inserting "or" after  
22 the semicolon at the end thereof;

1 (B) in subparagraph (C), by striking out the  
2 semicolon at the end thereof and inserting in lieu thereof a  
3 period; and

4 (C) by striking out subparagraphs (D) through  
5 (G);

6 (2) in paragraph (2), by striking out subparagraphs  
7 (C) through (E); and

8 (3) by striking out paragraphs (3) and (4).

9 (b) BASIC SUPPORT PAYMENTS. Section 8003(b) of the ESEA  
10 is amended--

11 (1) in paragraph (1)--

12 (A) in subparagraph (A)--

13 (i) by striking out "section 8014(b)" and  
14 inserting in lieu thereof "section 8014(a)(2)"; and

15 (ii) by striking out "eligible";

16 (B) by striking out subparagraph (B);

17 (C) by redesignating subparagraph (C) as  
18 subparagraph (B);

19 (D) in subparagraph (B), as so redesignated--

20 (i) by striking out "greater" and inserting  
21 in lieu thereof "greatest";

22 (ii) by striking out clauses (i) and (ii);

23 (iii) by redesignating clauses (iii) and

24 (iv) as clauses (i) and (ii);



1 (iv) in clause (i), as so redesignated, by  
2 striking out "or" at the end thereof;

3 (v) in clause (ii), as so redesignated, by  
4 striking out the period at the end thereof and inserting a  
5 semicolon and "or"; and

6 (vi) by adding a new clause (iii) to read  
7 as follows:

8 "(iii) the average per-pupil expenditure of  
9 all of the States, multiplied by the local contribution  
10 percentage for the State."; and

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

13 "(C)(i) In determining the items described in  
14 clauses (i) through (iii) of subparagraph (B), the Secretary  
15 shall use data for the third year preceding the fiscal year for  
16 which the calculation of maximum payment amounts under that  
17 subparagraph is being made, except as provided in clauses (ii)  
18 and (iii) of this subparagraph.

19 "(ii) If the State does not provide all  
20 necessary data for the item described in clause (i) of  
21 subparagraph (B) by September 30 of the fiscal year preceding  
22 the year for which the payments are made, the Secretary shall  
23 use the greater of the items described in clauses (ii) and (iii)  
24 of that subparagraph.

1                   "(iii) If satisfactory data from the third  
2 preceding fiscal year are not available for any of the items  
3 described in clauses (i) through (iii) of subparagraph (B), the  
4 Secretary shall use data from the most recent fiscal year for  
5 which data that are satisfactory to the Secretary are  
6 available.":

7                   (2) in paragraph (2)—

8                   (A) in subparagraph (A), by striking out  
9 "section 8014(b) and inserting in lieu thereof "section  
10 3014(a)(2)";

11                   (B) in subparagraph (B)—

12                   (i) by striking out clauses (ii) and (iii);

13                   (ii) in clause (i)—

14                   (I) by striking out the clause  
15 designation "(i)"; and

16                   (II) by redesignating subclauses (I)  
17 and (II) as clauses (i) and (ii), respectively;

18                   (iii) by striking out "paragraph (1)(C)"  
19 and inserting in lieu thereof "paragraph (1)(B)";

20                   (iv) in clause (i), as redesignated by  
21 clause (ii)(II), by inserting "one-half of" before "the  
22 percentage"; and

23                   (v) by amending clause (ii), as  
24 redesignated by clause (ii)(II), to read as follows:

1                                   (ii) 50 percent."; and

2                                   (C) by amending subparagraph (C) to read as  
3 follows:

4                                   (C) RATABLE DISTRIBUTIONS. For each fiscal  
5 year described in subparagraph (A), the Secretary shall—

6                                   (i) make payments as a ratable  
7 distribution based on the computation made under  
8 subparagraph (B); and

9                                   (ii) ratably increase those payments when  
10 the amount available exceeds the total of the amounts determined  
11 under subparagraph (B), except that no local educational agency  
12 shall receive a payment under this paragraph that exceeds the  
13 maximum payment for which it is eligible under paragraph  
14 (1)(B)."; and

15                                   (3) by striking out paragraph (3).

16                                   (c) TECHNICAL AMENDMENT. Section 8003(c)(1) of the ESEA  
17 is amended by striking out "paragraph (2)" and inserting in lieu  
18 thereof "subsection (b)(1)(C), paragraph (2) of this subsection,  
19 and".

20                                   (d) CHILDREN WITH DISABILITIES. Section 8003(d) of the  
21 ESEA is amended—

22                                   (1) in paragraph (1)—

23                                   (A) by striking out "section 8014(c)" and  
24 inserting in lieu thereof "section 8014(a)(3)";

1 (B) by striking out "determined" and all that  
 2 follows through the subparagraph designation "(A)" and inserting  
 3 in lieu thereof "determined by"; and

4 (C) by striking out "factor of 1.0" and all that  
 5 follows through the period at the end thereof and inserting in  
 6 lieu thereof "factor of 1.0."; and

7 (2) in paragraph (2), by striking out "a free  
 8 appropriate public education" and inserting in lieu thereof  
 9 "services".

10 (e) HOLD-HARMLESS AMOUNTS. Section 8003 of the ESEA is  
 11 further amended by striking out subsection (e).

12 (f) HEAVILY IMPACTED LEAS. Section 8003(f) of the ESEA is  
 13 amended—

14 (1) in paragraph (1), by striking out "section  
 15 8014(b)" and inserting in lieu thereof "section 8014(a)(2)"; and

16 (2) by amending paragraphs (2) through (4) to read as  
 17 follows:

18 "(2) ELIGIBILITY. A local educational agency is  
 19 eligible to receive additional assistance under this subsection  
 20 only if the Secretary determines that—

21 "(A)(i)(I) federally connected children  
 22 described in subsection (a)(1) constitute at least 40 percent of  
 23 the agency's average daily attendance; and



1                                   (ii) the average per-pupil expenditure of  
2 at least 10 generally comparable local educational agencies in  
3 the State.

4                           (B) TOTAL COST FACTOR. The Secretary shall  
5 multiply the amount chosen by the agency under subparagraph (A)  
6 by the average daily attendance in the agency's schools of  
7 children described in subsection (a)(1).

8                           (C) UNMET NEED. The Secretary shall—

9                                   (i) multiply—

10   (I) the amount of funds available to  
11 the agency for current expenditures (determined in accordance  
12 with subparagraph (D)); by

13   (II) the percentage of the agency's  
14 average daily attendance comprised of children described in  
15 subsection (a)(1);

16                                   (ii) subtract the amount determined under  
17 clause (i) from the amount determined under subparagraph (B);  
18 and

19                                   (iii) subtract the amount of any payments  
20 to the agency for that fiscal year under subsections (b) and (d)  
21 of this section.

22                           (D) AMOUNT AVAILABLE FOR CURRENT EXPENDITURES.

23 In determining the amount of funds available in any fiscal year  
24 to a local educational agency for current expenditures (as

1 defined in section 8013(4)) under subparagraph (C)(i)(I), the  
2 Secretary shall also include, with respect to the local  
3 educational agency's opening cash balance for that fiscal year,  
4 the portion of that balance that is the greater of—

5                   "(i) the amount that exceeds the maximum  
6 amount of funds for current expenditures that the agency was  
7 allowed by State law to carry over from the prior fiscal year,  
8 if State restrictions on those amounts were applied uniformly to  
9 all local educational agencies in the State; or

10                   "(ii) the amount that exceeds 30 percent of  
11 the agency's operating costs for the prior fiscal year.

12           "(4) DATA. In determining a local educational  
13 agency's eligibility for, and the amount of, any payment under  
14 this subsection for any fiscal year, the Secretary shall use—

15                   "(A) student, revenue, expenditure, tax, and  
16 other necessary data from the second preceding fiscal year, if  
17 the agency (or the State educational agency) provides the  
18 Secretary those data within 60 days of being requested in  
19 writing to do so; and

20                   "(B) if any of those data are not provided by  
21 that deadline, such data from the most recent preceding fiscal  
22 year for which data that are satisfactory to the Secretary are  
23 available.".

1 (g) CHILDREN WITH SEVERE DISABILITIES. Section 8003 of  
2 the ESEA is further amended by striking out subsection (g).

3 (h) OTHER FEDERAL FUNDS. Section 8003(h) of the ESEA is  
4 amended to read as follows:

5 "(h) OTHER FEDERAL FUNDS. Notwithstanding any other  
6 provision of law, a local educational agency may not receive a  
7 payment under this section for children claimed in its  
8 application if Federal funds (other than funds under this title)  
9 provide a substantial portion of the educational program for  
10 those children."

11 (i) MAINTENANCE OF EFFORT. Section 8003 of the ESEA is  
12 further amended by striking out subsection (i).

13

14 POLICIES AND PROCEDURES RELATING TO  
15 CHILDREN RESIDING ON INDIAN LANDS

16 SEC. 804. Section 8004 of the ESEA is amended—

17 (1) by amending the heading to read "INDIAN COMMUNITY  
18 PARTICIPATION.";

19 (2) by amending subsection (a) to read as follows:

20 "(a) IN GENERAL.—(1) Any local educational agency that  
21 claims children residing on Indian lands for the purpose of  
22 receiving funds under section 8003 shall ensure that those  
23 children participate in programs and activities supported by  
24 those funds on an equal basis with all other children.



1                   "(2)(A) Any local educational agency described in  
2 paragraph (1) shall ensure that the parents of Indian children  
3 and Indian tribes are afforded an opportunity to present their  
4 views and make recommendations on the unique educational needs  
5 of those children and how those children may realize the  
6 benefits of the educational programs and activities of the local  
7 educational agency, including the benefits of programs and  
8 activities assisted under this Act.

9                   "(B)(i) A local educational agency that  
10 receives a grant under subpart 1 of part A of title IX of this  
11 Act shall comply with subparagraph (A) through activities  
12 planned and carried out by the parent committee established  
13 under that subpart.

14                   "(ii) A local educational agency that does  
15 not receive such a grant may form an Indian parent committee to  
16 implement subparagraph (A).

17                   "(iii) Subject to clause (i), a local  
18 educational agency may meet the requirements of subparagraph (A)  
19 by carrying out the parental-involvement requirements of section  
20 1118 of this Act for all children it claims who reside on Indian  
21 lands.

22                   "(C) A local educational agency that provides  
23 services under part A of title I of this Act for any children  
24 residing on Indian lands that it claims for the purpose of

1 receiving funds under section 8003 shall ensure that it complies  
2 with section 1118 with respect to those children and their  
3 parents.

4 "(3) A local educational agency may use funds  
5 provided under section 8003 (other than under section 8003(d)),  
6 for activities designed to increase tribal and parental  
7 involvement in the education of Indian children, including, but  
8 not limited to, parent education, professional development  
9 related to the unique educational needs of Indian children, and  
10 implementing model educational programs that are proven to be  
11 effective for Indian children.";

12 (3) by amending subsection (b) to read as follows:

13 "(b) RECORDS. Each local educational agency described in  
14 subsection (a) shall maintain records demonstrating its  
15 compliance with that subsection.";

16 (4) by striking out subsection (c);

17 (5) by redesignating subsections (d) through (f) as  
18 subsections (c) through (e), respectively; and

19 (6) by amending subsection (c), as so redesignated,  
20 to read as follows:

21 "(c) TECHNICAL ASSISTANCE AND ENFORCEMENT. The Secretary  
22 shall-

1           "(1) provide technical assistance, as the Secretary  
2 finds necessary, to local educational agencies, parents, and  
3 Indian tribes to enable them to carry out this section;

4           "(2) recommend activities for local educational  
5 agencies to carry out using funds provided under section 8003 to  
6 increase tribal and parental involvement; and

7           "(3) enforce this section through such action (which  
8 may include the withholding of funds) as the Secretary finds  
9 appropriate, after affording the agency, parents, and affected  
10 Indian tribes an opportunity to present their views."

11

12           APPLICATIONS FOR PAYMENTS UNDER SECTIONS 8002 AND 8003

13           SEC. 805. Section 8005 of the ESEA is amended—

14           (1) in subsection (b)(2), by striking out "children  
15 residing on Indian lands" and inserting in lieu thereof "Indian  
16 community participation"; and

17           (2) in subsection (d)—

18           (A) in paragraph (2), by striking out "except  
19 that, notwithstanding section 8003(e)," and inserting in lieu  
20 thereof "except that"; and

21           (B) by striking out paragraph (4).

22

1           PAYMENTS FOR SUDDEN AND SUBSTANTIAL INCREASES  
2           IN ATTENDANCE OF MILITARY DEPENDENTS

3           SEC. 806. Section 8006 of the ESEA is repealed.

5   CONSTRUCTION

6           SEC. 807. Section 8007 of the ESEA is amended to read as  
7 follows:

8   "CONSTRUCTION

9           "SEC. 8007. (a) PAYMENTS AUTHORIZED. From the amount  
10 appropriated for each fiscal year under section 8014(a)(4), the  
11 Secretary shall make a payment, to assist in the construction of  
12 school facilities, to each local educational agency—

13                   "(1) that receives a basic payment under section  
14 8003(b);

15                   "(2) in which the number of children described in  
16 section 8003(a)(1)(C) is at least 50 percent of the number of  
17 children who were in average daily attendance in the agency's  
18 schools; and

19                   "(3) that meets the requirements of this section.

20           "(b) APPLICATION. Each local educational agency that  
21 wishes to receive a payment under this section shall submit an  
22 application to the Secretary at such time, in such manner, and  
23 containing such information as the Secretary may require,  
24 including—

1           "(1) a description of the agency's assessment of its  
2 school-construction needs and the results of that assessment;  
3 and

4           "(2) the agency's plan for the use of the funds for  
5 which it is applying.

6           "(c) AMOUNT OF PAYMENTS. The amount of a local  
7 educational agency's payment under this section shall bear the  
8 same ratio to the amount available for all such payments as the  
9 number of children described in section 8003(a)(1)(C) for that  
10 agency bears to the total number of those children for all  
11 agencies eligible for such a payment.

12           "(d) FEDERAL SHARE.—(1) The Federal share of a project  
13 under this section may not exceed 50 percent.

14           "(2) The Secretary shall not obligate funds under  
15 this section with respect to an eligible local educational  
16 agency until the Secretary is satisfied that the agency will  
17 provide the non-Federal share of the cost of the project.

18           "(3) Any funds that are not obligated with respect to  
19 a local educational agency within three years of the approval of  
20 its application under this section shall be reallocated to other  
21 eligible agencies.

22           "(e) USE OF FUNDS. A local educational agency shall use  
23 funds received under this section only for--

24           "(1) construction, as defined in section 8013(3); and

1           "(2) minimum initial equipment necessary for the  
2 operation of a new or renovated school facility."

3

4

#### FACILITIES

5

6           SEC. 808. Section 8008(a) of the ESEA is amended by  
7 striking out "section 8014(f)" and inserting in lieu thereof  
8 "section 8014(a)(5)".

8

9

#### STATE CONSIDERATION OF PAYMENTS IN PROVIDING STATE AID

10

SEC. 809. Section 8009 of the ESEA is amended—

11

(1) in subsection (a)(1), by striking out "or under"

12

and all that follows through "of 1994)";

13

(2) by amending subsection (b)(1) to read as follows:

14

(1) IN GENERAL. A State may reduce State aid to a  
15 local educational agency that receives a payment under section  
16 8002 or section 8003(b) (except the amount calculated in excess  
17 of 1.0 under section 8003(a)(2)(B)) for any fiscal year only if  
18 the Secretary determines, and certifies under subsection  
19 (c)(3)(A), that—

20

(A) the State has in effect a program of State  
21 aid that equalizes expenditures for free public education among  
22 local educational agencies in the State; and

1                   "(B) the average per-pupil expenditure in the  
2 State is at least 80 percent of the average such expenditure in  
3 the 50 States and the District of Columbia."; and

4                   (3) in subsection (d)—

5                   (A) in paragraph (1)—

6                   (i) by striking out "or under" and all that  
7 follows through "of 1994>"; and

8                   (ii) in subparagraph (B), by striking out  
9 "or under" and all that follows through "of 1994>"; and

10                   (B) in paragraph (2), by striking out "or under"  
11 and all that follows through "of 1994)".

12

13

#### FEDERAL ADMINISTRATION

14                   SEC. 810. Section 8010 of the ESEA is amended by striking  
15 out subsection (c).

16

17

#### ADMINISTRATIVE HEARINGS AND JUDICIAL REVIEW

18                   SEC. 811. Section 8011(a) of the ESEA is amended by  
19 striking out "or under" and all that follows through "of 1994)"  
20 and inserting in lieu thereof "or under its predecessor  
21 authorities".

22

## FORGIVENESS OF OVERPAYMENTS

1  
2 SEC. 812. Section 8012 of the ESEA is amended by striking  
3 out "under the" and all that follows through "of 1994)" and  
4 inserting in lieu thereof "under its predecessor authorities".  
5

## DEFINITIONS

6  
7 SEC. 813. Section 8013 of the ESEA is amended—

8 (1) in paragraph (4), by striking out "and title VI";

9 (2) in paragraph (5)—

10 (A) in subparagraph (A)—

11 (i) by striking out "subparagraphs (B)  
12 through (F)" and inserting in lieu thereof "subparagraphs (B)  
13 through (D)";

14 (ii) in clause (ii)(V), by striking out "as  
15 described in paragraph (10)" and inserting in lieu thereof "as  
16 described in clause (iii)"; and

17 (iii) by amending clause (iii) to read as  
18 follows:

19 "(iii)(I) part of a low-income housing  
20 project assisted under the United States Housing Act of 1937; or

21 "(II) affordable housing assisted  
22 under the Native American Housing Assistance and Self-  
23 Determination Act of 1996; or"; and



1 (B) by striking out subparagraphs (B) and (F)  
2 and redesignating subparagraphs (C) through (E) as subparagraphs  
3 (B) through (D), respectively;

4 (3) in paragraph (7), by striking out "or (5)(F)";

5 (4) in paragraph (8)(B), by striking out "all States"  
6 and inserting in lieu thereof "the 50 States and the District of  
7 Columbia";

8 (5) in paragraph (9)(B)(i), by striking out "or the  
9 Act" and all that follows through "of 1994)" and inserting in  
10 lieu thereof "(or under its predecessor authority)";

11 (6) by striking out paragraphs (10) and (11); and

12 (7) by redesignating paragraph (12) as paragraph  
13 (10).

14

15 AUTHORIZATION OF APPROPRIATIONS

16 SEC. 814. Section 8014 of the ESEA is amended to read as  
17 follows:

18 "AUTHORIZATION OF APPROPRIATIONS

19 "SEC. 8014. (a) There are authorized to be appropriated  
20 such sums as may be necessary for fiscal year 2001 and for each  
21 of the four succeeding fiscal years to carry out each of the  
22 following provisions of this title:

23 "(1) Section 8002, payments for Federal acquisition  
24 of real property.

1                   "(2) Section 8003(b), basic payments; and section  
2 8003(f), payments for heavily impacted local educational  
3 agencies.

4                   "(3) Section 8003(d), payments for children with  
5 disabilities.

6                   "(4) Section 8007, construction.

7                   "(5) Section 8008, facilities maintenance.

8                   "(b) Funds appropriated to carry out sections 8007 and  
9 8008 shall be available to the Secretary until expended."

1 TITLE IX - INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

2

3 PART A - INDIAN EDUCATION

4

5 FINDINGS AND PURPOSE

6 SEC. 901. Sections 9101(1)(C), 9102(a), and 9102(b)(1) of  
7 the ESEA are each amended by striking out "special" and  
8 inserting in lieu thereof "unique".

9

10 GRANTS TO LOCAL EDUCATIONAL AGENCIES

11 SEC. 902. Section 9112(b)(2) of the ESEA is amended by  
12 inserting a comma and "except that any such tribe is not subject  
13 to section 9114(c)(4) (parent committee), section 9117(c)  
14 (maintenance of effort), or section 9118 (State review of  
15 applications)" before the period at the end thereof.

16

17 AMOUNT OF GRANTS

18 SEC. 903. Section 9113 of the ESEA is amended--

19 (1) in subsection (b)(2), by striking out "Act" and  
20 inserting in lieu thereof "subpart"; and

21 (2) by amending subsection (d) to read as follows:

22 "(d) SCHOOLS OPERATED OR SUPPORTED BY THE BUREAU OF INDIAN  
23 AFFAIRS.-(1) In addition to the grants awarded under subsection  
24 (a), and subject to subsection (e), the Secretary shall allocate

1 to the Secretary of the Interior an amount equal to the product  
2 of-

3                   "(A) the total number of Indian children  
4 enrolled in schools that are operated by-

5                   " (i) the Bureau of Indian Affairs; or

6                   " (ii) an Indian tribe, or an organization  
7 controlled or sanctioned by an Indian tribal government, for the  
8 children of that tribe under a contract with, or grant from, the  
9 Department of the Interior under the Indian Self-Determination  
10 Act or the Tribally Controlled Schools Act of 1988; and

11                   "(B) the greater of-

12                   " (i) the average per-pupil expenditure of  
13 the State in which the school is located; or

14                   " (ii) 80 percent of the average per-pupil  
15 expenditure in the United States.

16                   "(2) Any school described in paragraph (1) that  
17 wishes to receive an allocation under this subpart shall submit  
18 an application in accordance with section 9114, and shall  
19 otherwise be treated as a local educational agency for the  
20 purpose of this subpart, except that it shall not be subject to  
21 section 9114(c)(4) (parent committee), section 9117(c)  
22 (maintenance of effort), or section 9118 (State review of  
23 applications)."

24

## APPLICATIONS

1  
2 SEC. 904. Section 9114 of the ESEA is amended--

3 (1) in subsection (b) (2), by amending  
4 subparagraph (A) to read as follows:

5 "(A) is consistent with State and local plans  
6 under other provisions of this Act; and";

7 (2) by amending subsection (c) (3) (A) to read as  
8 follows:

9 "(A) is based on a comprehensive local  
10 assessment and prioritization of the unique educational and  
11 culturally related academic needs of the American Indian and  
12 Alaska Native students to whom the local educational agency is  
13 providing an education;" and

14 (3) in paragraph (4)--

15 (A) by amending subparagraph (B) to read as  
16 follows:

17 "(B) a majority of whose members are parents of  
18 Indian children;" and

19 (B) in subparagraph (D) (ii), by striking out  
20 "will not diminish" and inserting in lieu thereof "will  
21 enhance".

## AUTHORIZED SERVICES AND ACTIVITIES

22  
23  
24 SEC. 905. Section 9115(b) of the ESEA is amended--

1           (1) in paragraph (5), by striking out "Applied  
2 Technology Education Act" and inserting in lieu thereof  
3 "Technical Education Act of 1998";

4           (2) in paragraph (6), by striking out "and" at the  
5 end thereof;

6           (3) in paragraph (7), by striking out the period at  
7 the end thereof and inserting in lieu thereof a semicolon and  
8 "and"; and

9           (4) by adding at the end thereof paragraphs (8)  
10 through (11) to read as follows:

11           "(8) activities that promote the incorporation of  
12 culturally responsive teaching and learning strategies into the  
13 educational program of the local educational agency;

14           "(9) activities that incorporate American Indian- and  
15 Alaska Native-specific curriculum content, consistent with State  
16 standards, into the curriculum used by the local educational  
17 agency;

18           "(10) activities to promote coordination and  
19 collaboration between tribal, Federal, and State public schools  
20 in areas that will improve American Indian and Alaska Native  
21 student achievement; and

22           "(11) activities that addresses the special needs of  
23 American Indian and Alaska Native students who are gifted and  
24 talented."

25

## STUDENT ELIGIBILITY FORMS

SEC. 906. Section 9116 of the ESEA is amended-

(1) in subsection (f)-

(A) in the second sentence of paragraph (1)(A),  
by inserting "the" before "size"; and

(B) in paragraph (3), by striking out  
"subsection (d)" and inserting in lieu thereof "subsection (a)";

(2) by amending subsection (g) to read as follows:

"(g) TRIBAL GRANT AND CONTRACT SCHOOLS. Notwithstanding  
any other provision of this section, the Secretary, in awarding  
funds under this subpart to a tribal school that receives a  
grant or contract from the Bureau of Indian Affairs, shall use  
only one of the following, as selected by the school:

"(1) A count of the number of students in those  
schools certified by the Bureau.

"(2) A count of the number of students for whom the  
school has eligibility forms that comply with this section."  
and

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

"(h) TIMING OF CHILD COUNTS. For purposes of determining  
the number of children to be counted in calculating the amount  
of a local educational agency's grant under this subpart (other  
than in the case described in subsection (g)(1)), the local  
educational agency shall-





1 comments to the respective local educational agencies, with an  
2 opportunity to respond."

3

4 IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN

5 SEC. 909. Section 9121(d)(2) of the ESEA is amended--

6 (1) in subparagraph (A), by striking out "subsection"  
7 and inserting in lieu thereof "section"; and

8 (2) in subparagraph (B)--

9 (A) by inserting a comma and "other than an  
10 application for a dissemination grant under paragraph (1)(D),"  
11 after "subparagraph (A)";

12 (B) in clause (ii), by striking out "and" at the  
13 end thereof;

14 (C) by redesignating clause (iii) as clause (v);  
15 and

16 (D) by inserting new clauses (iii) and (iv) to  
17 read as follows:

18 "(iii) information demonstrating that the  
19 proposed program is either a research-based program or such a  
20 program that has been modified to be culturally appropriate for  
21 the students who will be served;

22 "(iv) a description of how the applicant  
23 will incorporate the proposed services into the ongoing school  
24 program once the grant period is over; and".

## PROFESSIONAL DEVELOPMENT

SEC. 910. Section 9122 of the ESEA is amended--

(1) in subsection (e)--

(A) by striking out paragraph (2); and

(B) by striking out the subsection designation "(e)" and all that follows through "Each" and inserting in lieu thereof "(e) APPLICATION. Each";

(2) in subsection (h)(1), by inserting "preservice" after "receives"; and

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

"(i) IN-SERVICE TRAINING FOR TEACHERS OF INDIAN CHILDREN.-(1) GRANTS AUTHORIZED. In addition to the grants authorized by subsection (c), the Secretary may make grants to either of the following, in order to provide high-quality in-service training to teachers in local educational agencies with substantial numbers of Indian children enrolled in their schools:

"(A) A consortium of a tribal college and an institution of higher education that awards a degree in education.

"(B) A consortium of a tribal college or an institution of higher education that awards a degree in education, or both, and one or more elementary or secondary schools operated by an Indian tribe or funded by the Bureau of

1 Indian Affairs, local educational agencies serving Indian  
2 children, or tribal educational agencies.

3           "(2) USE OF FUNDS.-(A) A consortium that receives a  
4 grant under paragraph (1) shall use the grant funds only to  
5 provide high-quality in-service training to teachers, including  
6 teachers who are not Indian, in local educational agencies with  
7 substantial numbers of Indian children enrolled in their  
8 schools, in order to better meet the unique educational needs of  
9 those children.

10           "(B) The training described in subparagraph (A)  
11 shall include such activities as preparing teachers to use the  
12 best available research-based practices and learning strategies,  
13 and to make the most effective use of curriculum and materials,  
14 that respond to the unique needs of Indian children in their  
15 classrooms.

16           "(3) SPECIAL RULE. Subsection (d) of this section  
17 shall not apply to grants made under this subsection.

18           "(4) PREFERENCE FOR INDIAN APPLICANTS. In applying  
19 section 9153 to this subsection, the Secretary shall give a  
20 preference to any consortium that includes one or more of the  
21 entities described in that section."

22

23           REPEAL OF AUTHORITIES

24           SEC. 911. Part A of title IX of the ESEA is further  
25 amended-

- 1 (1) by striking out sections 9123, 9124, and 9125;  
2 (2) by striking out subpart 3; and  
3 (3) by redesignating subparts 4, 5, and 6 as subparts  
4 3, 4, and 5, respectively.

5

6

## FEDERAL ADMINISTRATION

7

SEC. 912. (a) PEER REVIEW. Section 9152 of the ESEA is  
8 amended by striking out "subpart 2, 3, or 4" and inserting in  
9 lieu thereof "subpart 2 or 3".

10

(b) PREFERENCE FOR INDIAN APPLICANTS. Section 9153 of the  
11 ESEA is amended by striking out "subpart 2, 3, or 4" and  
12 inserting in lieu thereof "subpart 2 or 3".

13

(c) MINIMUM GRANT CRITERIA. Section 9154 of the ESEA is  
14 amended by striking out "subpart 2 or 3" and inserting in lieu  
15 thereof "subpart 2".

16

17

## AUTHORIZATION OF APPROPRIATIONS

18

SEC. 913. Section 9162 of the ESEA is amended to read as  
19 follows:

20

## "AUTHORIZATION OF APPROPRIATIONS

21

"SEC. 9162. (a) SUBPART 1. For the purpose of carrying  
22 out subpart 1 of this part, there are authorized to be  
23 appropriated such sums as may be necessary for each of the  
24 fiscal years 2001 through 2005.

1           " (b) SUBPARTS 2 AND 3. For the purpose of carrying out  
2 subparts 2 and 3 of this part, there are authorized to be  
3 appropriated such sums as may be necessary for each of the  
4 fiscal years 2001 through 2005."

1 PART B - NATIVE HAWAIIAN EDUCATION

2  
3 NATIVE HAWAIIAN EDUCATION

4 SEC. 921. Part B of title IX of the ESEA is amended—

5 (1) by amending the heading thereof to read as  
6 follows: "PART B - NATIVE HAWAIIAN EDUCATION";

7 (2) in section 9202(17), by inserting after the first  
8 sentence the following: "Subsequent reports by the Kamahameha  
9 School Bishop Estate and other organizations have generally  
10 confirmed those findings.";

11 (3) in section 9203(2), by striking out "on Native  
12 Hawaiian education," and everything that follows through the end  
13 thereof and inserting in lieu thereof "on Native Hawaiian  
14 education;"

15 (4) by repealing sections 9204 through 9210 and  
16 inserting in lieu thereof a new section 9204 to read as follows:

17 "PROGRAM AUTHORIZED

18 "SEC. 9204. (a) GENERAL AUTHORITY—(1) PROGRAM  
19 AUTHORIZED. The Secretary is authorized to make grants to, or  
20 enter into contracts with, Native Hawaiian educational  
21 organizations; Native Hawaiian community-based organizations;  
22 public and private nonprofit organizations, agencies, or  
23 institutions with experience in developing or operating Native  
24 Hawaiian programs or programs of instruction in the Native  
25 Hawaiian language; and consortia of such organizations,

1 agencies, or institutions to carry out programs that meet the  
2 purposes of this part.

3           "(2) PERMISSIBLE ACTIVITIES. Programs under this  
4 part may include-

5           "(A) the operation of one or more councils to  
6 coordinate the provision of educational and related services and  
7 programs available to Native Hawaiians;

8           "(B) the operation of family-based education  
9 centers that provide such services as-

10           " (i) programs for parents and their infants  
11 from prenatal through age three;

12           " (ii) preschool programs; and

13           " (iii) research on, development of, and  
14 assessment of family-based, early childhood, and preschool  
15 programs for Native Hawaiians;

16           "(C) activities to enable Native Hawaiians to  
17 enter and complete programs of postsecondary education,  
18 including-

19           " (i) full or partial scholarships for  
20 undergraduate or graduate study that are awarded to students  
21 based on their academic promise and financial need, with a  
22 priority, at the graduate level, given to professions in which  
23 Native Hawaiians are underrepresented;

24           " (ii) counseling and support services for  
25 students receiving scholarship assistance;

1                                   “(iii) counseling and guidance for Native  
2 Hawaiian secondary students who have the potential to receive  
3 scholarships; and  
4                                   “(iv) faculty development activities  
5 designed to promote the matriculation of Native Hawaiian  
6 students;  
7                                   “(D) activities that address the special needs  
8 of Native Hawaiian students who are gifted and talented,  
9 including—  
10                                   “(i) educational, psychological, and  
11 developmental activities designed to assist in the educational  
12 progress of those students; and  
13                                   “(ii) activities that involve the parents  
14 of those students in a manner designed to assist in the  
15 students' educational progress;  
16                                   “(E) activities to meet the special needs of  
17 Native Hawaiian students with disabilities, including—  
18                                   “(i) the identification of such students,  
19 and of their needs;  
20                                   “(ii) the provision of support services to  
21 the families of those students; and  
22                                   “(iii) other activities consistent with the  
23 requirements of the Individuals with Disabilities Education Act.  
24                                   “(F) the development of academic and vocational  
25 curricula to address the needs of Native Hawaiian children and



1 adults, including curriculum materials in the Hawaiian language  
2 and mathematics and science curricula that incorporate Native  
3 Hawaiian tradition and culture;

4                   "(G) professional development activities for  
5 educators, including-

6                   "(i) the development of programs to prepare  
7 prospective teachers to address the unique needs of Native  
8 Hawaiian students within the context of Native Hawaiian culture,  
9 language, and traditions;

10                   "(ii) in-service programs to improve the  
11 ability of teachers who teach in schools with concentrations of  
12 Native Hawaiian students to meet those students' unique needs;  
13 and

14                   "(iii) recruiting and preparing Native  
15 Hawaiians, and other individuals who live in communities with a  
16 high concentration of Native Hawaiians, to become teachers;

17                   "(H) the operation of community-based learning  
18 centers that address the needs of native Hawaiian families and  
19 communities through the coordination of public and private  
20 programs and services, including-

21                   "(i) preschool programs;

22                   "(ii) after-school programs; and

23                   "(iii) vocational and adult education  
24 programs;

1                   “(I) research and data-collection activities to  
2 determine the educational status and needs of Native Hawaiian  
3 children and adults;

4                   “(J) other research and evaluation activities  
5 related to programs under this part; and

6                   “(K) other activities, consistent with the  
7 purposes of this part, to meet the educational needs of Native  
8 Hawaiian children and adults.

9                   “(3) PRIORITIES. In awarding grants or contracts to  
10 carry out activities described in paragraphs (2)(F) and (2)(G),  
11 the Secretary shall give priority to projects that—

12                   “(A) focus on the needs of at-risk youth; and

13                   “(B) use the Hawaiian language in instruction.

14                   “(b) AUTHORIZATION OF APPROPRIATIONS. There are  
15 authorized to be appropriated such sums as may be necessary for  
16 each of the fiscal years 2001 through 2005 to carry out this  
17 part.”;

18                   (5) in section 9211, by amending subsection (b)  
19 to read as follows:

20                   “(b) SPECIAL RULE. Each applicant for a grant or contract  
21 under this part shall submit its application for comment to each  
22 local educational agency serving students who will participate  
23 in the project and include those comments, if any, with its  
24 application to the Secretary.”;

25                   (6) in section 9212, by—

- 1 (A) striking out paragraphs (3) and (5); and  
2 (B) redesignating paragraphs (4) and (6) as  
3 paragraphs (3) and (4), respectively; and  
4 (7) by redesignating section 9211 and section 9212 as  
5 section 9205 and section 9206, respectively.

## 1 PART C - ALASKA NATIVE EDUCATION

2  
3 ALASKA NATIVE EDUCATION

4 SEC. 931. Part C of title IX of the ESEA is amended-

5 (1) by repealing sections 9304 through 9306 and  
6 inserting in lieu thereof a new section 9304 to read as follows:

## 7 "PROGRAM AUTHORIZED

8 "SEC. 9304. (a) GENERAL AUTHORITY.-(1) PROGRAM9 AUTHORIZED. The Secretary is authorized to make grants to, or  
10 enter into contracts with, Alaska Native organizations,  
11 educational entities with experience in developing or operating  
12 Alaska Native programs or programs of instruction conducted in  
13 Alaska Native languages, and consortia of such organizations and  
14 entities to carry out programs that meet the purpose of this  
15 part.16 "(2) PERMISSIBLE ACTIVITIES. Programs under  
17 this part may include-18 "(A) the development and implementation of  
19 plans, methods, and strategies to improve the education of  
20 Alaska Natives;21 "(B) the development of curricula and  
22 educational programs that address the educational needs of  
23 Alaska Native students, including-24 "(i) curriculum materials that reflect  
25 the cultural diversity or the contributions of Alaska Natives;

1                   "(ii) instructional programs that make  
2 use of Native Alaskan languages; and

3                   "(iii) networks that introduce  
4 successful programs, materials, and techniques to urban and  
5 rural schools;

6                   "(C) professional development activities for  
7 educators, including-

8                   "(i) programs to prepare teachers to  
9 address the cultural diversity and unique needs of Alaska Native  
10 students;

11                   "(ii) in-service programs to improve the  
12 ability of teachers to meet the unique needs of Alaska Native  
13 students; and

14                   "(iii) recruiting and preparing teachers  
15 who are Alaska Natives, reside in communities with high  
16 concentrations of Alaska Native students, or are likely to  
17 succeed as teachers in isolated, rural communities and engage in  
18 cross-cultural instruction;

19                   "(D) the development and operation of home  
20 instruction programs for Alaska Native preschool children, the  
21 purpose of which is to ensure the active involvement of parents  
22 in their childrens' education from the earliest ages;

23                   "(E) the development and operation of  
24 student enrichment programs in science and mathematics that-

25                   "(i) are designed to prepare Alaska

1 Native students from rural areas, who are preparing to enter  
2 high school, to excel in science and math; and

3                   "(ii) provide appropriate support  
4 services to the families of such students that are needed to  
5 enable such students to benefit from the program;

6                   "(F) research and data-collection activities to  
7 determine the educational status and needs of Alaska Native  
8 children and adults;

9                   "(G) other research and evaluation activities  
10 related to programs under this part; and

11                   "(H) other activities, consistent with the  
12 purposes of this part, to meet the educational needs of Alaska  
13 Native children and adults.

14                   "(3) HOME INSTRUCTION PROGRAMS. Home instruction  
15 programs for Alaska Native preschool children under paragraph  
16 (2) (D) may include—

17                   "(A) programs for parents and their infants,  
18 from prenatal through age three;

19                   "(B) preschool programs; and

20                   "(C) training, education, and support for  
21 parents in such areas as reading readiness, observation, story-  
22 telling, and critical thinking.

23                   "(b) AUTHORIZATION OF APPROPRIATIONS. There are  
24 authorized to be appropriated such sums as may be necessary for

1 each of the fiscal years 2001 through 2005 to carry out this  
2 part.”;

3 (2) in section 9307—

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

6 “(b) APPLICATIONS. State and local educational agencies  
7 may apply for an award under this part only as part of a  
8 consortium involving an Alaska Native organization. This  
9 consortium may include other eligible applicants.”;

10 (B) by amending subsection (d) to read as  
11 follows:

12 “(d) LOCAL EDUCATIONAL AGENCY COORDINATION. Each  
13 applicant for an award under this part shall inform each local  
14 educational agency serving students who would participate in the  
15 project about its application.”; and

16 (C) by striking out subsection (e); and

17 (3) by redesignating section 9307 and section 9308 as  
18 section 9305 and section 9306, respectively.

19

## 1 TITLE X - PROGRAMS OF NATIONAL SIGNIFICANCE

2

## 3 FUND FOR THE IMPROVEMENT OF EDUCATION

4 SEC. 1001. Part A of title X of the ESEA is amended-

5 (1) in section 10101-

6 (A) in subsection (a)-

7 (i) by striking out "National

8 Education Goals" and inserting in lieu thereof "America's

9 Education Goals"; and

10 (ii) by inserting "elementary and

11 secondary" immediately after "improve the quality of";

12 (B) by amending subsection (b) to read as

13 follows:

14 "(b) USE OF FUNDS. Funds under this section may be

15 used for-

16 "(1) development, evaluation, and other

17 activities that are designed to-

18 "(A) improve the quality of elementary and

19 secondary education;

20 "(B) assist all students to meet

21 challenging State standards; and

22 "(C) contribute to the achievement of

23 America's Education goals;



1                   " (2) the development, implementation, and  
2 evaluation of programs that are designed to foster student  
3 community service, encourage responsible citizenship and  
4 improve academic learning, and give students the  
5 opportunity to apply what they learn in the classroom to  
6 meet actual community needs;

7                   " (3) the identification and recognition of  
8 exemplary schools and programs, such as Blue Ribbon  
9 Schools;

10                   " (4) activities to study and implement  
11 strategies for creating smaller learning communities;

12                   " (5) programs under section 10102 and section  
13 10103;

14                   " (6) activities to promote family involvement in  
15 education; and

16                   " (7) other programs and projects that meet the  
17 purposes of this section.";

18                   (C) by amending subsection (c) to read as  
19 follows:

20                   " (c) AWARDS.-(1) The Secretary may-

21                                 " (A) make awards under this section on the  
22 basis of competitions announced by the Secretary; and

23                                 " (B) support meritorious unsolicited  
24 proposals.

1                   " (2) An applicant for an award under this  
2 section, shall-

3                   " (A) establish clear goals and objectives  
4 for its project under this part; and

5                   " (B) describe the activities it will carry  
6 out in order to meet the goals and objectives of its  
7 project.

8                   " (3) A recipient of an award under this section  
9 shall evaluate the effectiveness of its project's  
10 activities in achieving the goals and objectives stated in  
11 its application.

12                   " (4) A recipient of an award under this section  
13 shall report to the Secretary such information as may be  
14 required, including evidence of its progress towards  
15 meeting the goals and objectives of its project, in order  
16 to determine the effectiveness of its project under this  
17 section.

18                   " (5) The Secretary may-

19                   " (A) require recipients of awards under  
20 this section to provide matching funds from non-Federal  
21 sources; and

22                   " (B) limit competitions to particular types  
23 of entities, such as State or local educational agencies.

1           "(6) The Secretary shall use a peer review  
2 process in reviewing applications for assistance under this  
3 section and may use funds appropriated under subsection (d)  
4 for the cost of such peer review."; and

5           (D) by amending subsection (d) to read as  
6 follows:

7           "(d) AUTHORIZATION OF APPROPRIATIONS. For the  
8 purposes of carrying out this section, there are authorized  
9 to be appropriated such sums as may be necessary for fiscal  
10 year 2001 and each of the four succeeding fiscal years.";

11           (E) by redesignating subsection (d), as  
12 amended by subparagraph D, as subsection (e) and inserting  
13 a new subsection (d) to read as follows:

14           "(d) EVALUATION AND PROGRAM DEVELOPMENT.-(1) Each  
15 recipient of a grant under this section shall submit to the  
16 Secretary a comprehensive evaluation of the effects of its  
17 program assisted under this part, including its impact on  
18 students, teachers, administrators, parents and others-

19           "(A) at the mid-point of the program; and

20           "(B) not later than one year after  
21 completion of the program.

22           "(2) Evaluations under this subsection shall  
23 focus on the effectiveness of the program in achieving its  
24 goals and objectives.";

1 (2) by repealing section 10102;

2 (3) by amending section 10103 to read as

3 follows:

4 "STATE AND LOCAL CHARACTER EDUCATION PROGRAM

5 "SEC. 10103. (a) PROGRAM AUTHORIZED.-(1) The  
6 Secretary may make grants to State educational agencies,  
7 local educational agencies, or consortia of such  
8 educational agencies for the design and implementation of  
9 character education programs.

10 "(2) Each grant under this section shall be  
11 awarded for a period not to exceed five years, of which the  
12 recipient shall use not more than one year for planning and  
13 program design.

14 "(b) APPLICATIONS.-(1) Each applicant desiring a  
15 grant under this section shall submit an application to the  
16 Secretary at such time and in such manner as the Secretary  
17 may require.

18 "(2) Each application under this section shall  
19 include-

20 "(A) a description of any partnerships and  
21 other collaborative efforts between the applicant and other  
22 educational agencies;

23 "(B) a description of the program's goals  
24 and objectives;

1                   "(C) a description of the activities the  
2 applicant will carry out, and how these activities are  
3 designed to meet the program's goals and objectives under  
4 subparagraph (B), including-

5                   " (i) how parents, students, and other  
6 members of the community, including members of private and  
7 nonprofit organizations, will be involved in the design and  
8 implementation of the program;

9                   " (ii) the curriculum and  
10 instructional practices that will be used or developed; and

11                   " (iii) the methods of teacher training  
12 and parent education that will be used or developed;

13                   "(D) a description of how the program will  
14 be linked to other efforts to improve educational outcomes,  
15 including-

16                   " (i) broader educational reforms that  
17 are being instituted by the applicant or its partners; and

18                   " (ii) applicable State and local  
19 standards for student performance;

20                   "(E) a description of how the applicant  
21 will evaluate the progress of its program in meeting the  
22 goals and objectives under subparagraph (B), including the  
23 performance indicators that will be used to measure  
24 progress; and



1                   "(A) the effectiveness of instructional  
2 models;

3                   "(B) materials and curricula that can be  
4 used by programs in character education;

5                   "(C) models of professional development in  
6 character education; and

7                   "(D) the development of outcome measures  
8 for character education programs;

9                   "(2) to provide technical assistance to the  
10 agencies receiving awards under section 10102, particularly  
11 on matters of program evaluation;

12                   "(3) to conduct a national evaluation of  
13 programs under section 10102; and

14                   "(4) to compile and disseminate, through various  
15 approaches, such as a national clearinghouse--

16                   "(A) information on model character  
17 education programs;

18                   "(B) character education materials and  
19 curricula;

20                   "(C) research findings in the area of  
21 character education and character development; and

22                   "(D) any other information that will be  
23 useful to character education program participants and  
24 other educators and administrators, nationwide."; and

1 (5) by repealing section 10104, section 10105,  
2 section 10106, and section 10107.

3

4 GIFTED AND TALENTED CHILDREN

5 SEC. 1002. Part B of title X of the ESEA is amended--

6 (1) in section 10201, by striking out "of 1994";

7 (2) in section 10204(c), by adding at the end  
8 thereof a new paragraph (3) to read as follows:

9 "(3) DISSEMINATION. The National Center shall  
10 focus the dissemination of the results of its activities  
11 under subsection (b) (7) to schools with high percentages of  
12 economically disadvantaged students.";

13 (3) by amending section 10206(b) to read as  
14 follows:

15 "(b) REVIEW AND DISSEMINATION. The Secretary--

16 "(1) shall use a peer review process in  
17 reviewing applications under this part;

18 "(2) shall ensure that the information on the  
19 activities and results of programs and projects funded  
20 under this part is disseminated to appropriate State and  
21 local agencies and other appropriate organizations,  
22 including private nonprofit organizations; and



1           " (3) may evaluate the effectiveness of programs  
2 under this part in accordance with section 11801 of this  
3 Act."; and

4           (4) by amending section 10207 to read as  
5 follows:

6                           "AUTHORIZATION OF APPROPRIATIONS

7           "SEC. 10207. AUTHORIZATION OF APPROPRIATIONS. For the  
8 purpose of carrying out this part, there are authorized to  
9 be appropriated such sums as may be necessary for fiscal  
10 year 2001 and each of the four succeeding fiscal years."

11

12                           INTERNATIONAL EDUCATION PROGRAM

13           SEC. 1003. Title VI of Goals 2000: Educate  
14 America Act (P.L. 103-227) is amended—

15           (1) in section 601(c)(6) to read as follows:

16           "(6) DEFINITIONS. For the purposes of this  
17 subsection, the term 'eligible country' means a Central  
18 European country, an Eastern European country, Lithuania,  
19 Latvia, Estonia, Georgia, the Republic of Ireland, the  
20 province of Northern Ireland in the United Kingdom of Great  
21 Britain, the Commonwealth of Independent States, any  
22 country that formerly was a republic of the Soviet Union  
23 whose political independence is recognized by the United  
24 States, and any other emerging democracy in a developing

1 country. For the purpose of this definition, the term  
 2 'developing country' shall have the same meaning given it  
 3 in the Education of the Deaf Act.";

4 (2) by amending section 601(d) to read as  
 5 follows:

6 " (d) AUTHORIZATION OF APPROPRIATIONS. For the  
 7 purposes of carrying out this part, there are authorized to  
 8 be appropriated such sums as may be necessary for fiscal  
 9 year 2001 and each of the four succeeding fiscal years.";  
 10 and

11 (3) by redesignating such title and section as  
 12 part C of title X of the ESEA and section 10301,  
 13 respectively.

14

15 ARTS IN EDUCATION

16 SEC. 1004. Part D of title X of the ESEA is amended--

17 (1) by striking out the heading and designation  
 18 of subpart 1;

19 (2) in section 10401--

20 (A) in subsection (d)--

21 (i) by redesignating paragraphs (9)  
 22 and (10) as paragraphs (10) and (11), respectively; and

23 (ii) by inserting immediately after  
 24 paragraph (8) the following new paragraph:

1           "(9) supporting model arts and cultural programs  
2 for at-risk children and youth, particularly programs that  
3 use arts and culture to promote students' academic  
4 progress;" and

5           (B) by amending subsection (f) to read as  
6 follows:

7           "(f) AUTHORIZATION OF APPROPRIATIONS. For the  
8 purpose of carrying out this part, there are authorized to  
9 be appropriated such sums as may be necessary for fiscal  
10 year 2001 and each of the four succeeding fiscal years.";  
11 and

12           (3) by repealing subpart 2.

13

14           INEXPENSIVE BOOK DISTRIBUTION PROGRAM

15           SEC. 1005. Section 10501(e) of the ESEA is amended by  
16 striking out "\$10,300,000 for fiscal year 1995 and such  
17 sums as may be necessary" and inserting in lieu thereof  
18 "such sums as may be necessary for fiscal year 2001 and".

19

20           CIVIC EDUCATION

21           SEC. 1006. Part F of title X of the Elementary and  
22 Secondary Education Act of 1965 is amended—

23           (1) by repealing section 10602;

1 (2) by amending section 10603 to read as  
2 follows:

3 "AUTHORIZATION OF APPROPRIATIONS

4 "SEC. 10603. AUTHORIZATION OF APPROPRIATIONS. For  
5 the purpose of carrying out this part, there are authorized  
6 to be appropriated such sums as may be necessary for fiscal  
7 year 2001 and each of the four succeeding fiscal years.";  
8 and

9 (3) by redesignating section 10603, as amended  
10 by paragraph (2), as section 10602.

11

12 ALLEN J. ELLENDER FELLOWSHIP PROGRAM

13 SEC. 1007. Part G of title X of the Elementary and  
14 Secondary Education Act of 1965 is repealed.

15

16 21<sup>ST</sup> CENTURY COMMUNITY LEARNING CENTERS

17 SEC. 1008. Part I of title X of the ESEA is amended--

18 (1) in section 10902(2), by striking out "should  
19 collaborate" and inserting in lieu thereof "must  
20 collaborate";

21 (2) in section 10903--

22 (A) by amending subsection (a) to read as  
23 follows:

1           "(a) GRANTS BY THE SECRETARY.-(1) The Secretary is  
2 authorized, in accordance with paragraph (2), to award  
3 grants to community-based organizations and local  
4 educational agencies, on behalf of public elementary or  
5 secondary schools in inner-cities, small cities, and rural  
6 areas, that serve communities with a substantial need for  
7 expanded learning opportunities because--

8                       "(A) they have a high proportion of low-  
9 achieving students;

10                      "(B) they lack resources to establish or  
11 expand after-school centers that benefit the educational,  
12 health, social service, cultural, and recreational needs of  
13 the community; or

14                      "(C) they have other needs consistent with  
15 the purposes of this part.

16                      "(2) The Secretary may reserve up to 10 percent  
17 of the funds appropriated to carry out this part for any  
18 fiscal year to make grants to community-based organizations  
19 to carry out projects, consistent with the purposes of this  
20 part and with subsection (c).";

21                      (B) by amending subsection (b) to read as  
22 follows:

23                      "(b) EQUITABLE DISTRIBUTION. In awarding grants  
24 under this part, the Secretary shall ensure an equitable

1 distribution of assistance among the States and among urban  
2 and rural areas of the United States."; and

3 (C) in subsection (c), by striking out "3  
4 years" and inserting in lieu thereof "5 years";

5 (3) in section 10904-

6 (A) in subsection (a)-

7 (i) in the matter preceding paragraph  
8 (1), by striking out "an elementary or secondary school or  
9 consortium" and inserting in lieu thereof "a local  
10 educational agency, on behalf of one or more elementary or  
11 secondary schools, or a community-based organization";

12 (ii) in paragraph (1), by striking out  
13 "the school or consortium" and inserting in lieu thereof  
14 "the applicant";

15 (iii) in paragraph (2), by striking  
16 out "and" at the end thereof;

17 (iv) in paragraph (3)-

18 (I) in subparagraph (C),

19 (aa) by inserting "schools,"  
20 immediately after "undertaken by"; and

21 (bb) by inserting a comma  
22 and "in order to promote community involvement in the  
23 planning and implementation of services provided under this  
24 part" immediately after "appropriate organizations";

1 (II) in subparagraph (D), by  
2 striking out "the school or consortium" and inserting in  
3 lieu thereof "the applicant"; and

4 (III) in subparagraph (E), by-  
5 (aa) striking out "the  
6 school or consortium" and inserting in lieu thereof "the  
7 applicant"; and

8 (bb) striking out the period  
9 at the end thereof and inserting in lieu thereof a semi-  
10 colon; and

11 (v) by adding, at the end thereof, the  
12 following new paragraphs (4), (5), and (6):

13 " (4) information demonstrating that the  
14 applicant will provide at least 50 percent of the cost of  
15 the project from other sources, which may include other  
16 Federal funds and may be provided in cash or in-kind,  
17 fairly evaluated;

18 " (5) an assurance that the applicant will, in  
19 each year of the project, expend, from non-Federal sources,  
20 at least as much for the services under this part as it  
21 expended for the preceding year; and

22 " (6) information demonstrating how the applicant  
23 will continue the project after completion of the grant.;"

1 (B) by amending subsection(b) to read as  
2 follows:

3 "(b) PRIORITY. The Secretary shall give priority to  
4 applications that describe projects that-

5 "(1) offer a broad selection of services that  
6 address the needs of the community; and

7 "(2) offer significant, expanded learning  
8 opportunities for children and youth in the community.";

9 and

10 (C) by further amending section 10904 by  
11 adding at the end thereof a new subsection (c), to read as  
12 follows:

13 "(c) SPECIAL RULE. An application submitted by a  
14 community-based organization shall contain evidence that  
15 affected local educational agencies concur with the  
16 proposed project.";

17 (4) in section 10905, by striking out "may be  
18 used to plan, implement, or expand community learning  
19 centers which include not less than four" and inserting in  
20 lieu thereof "shall be used to establish or expand  
21 community learning centers that provide activities that  
22 offer significant expanded learning opportunities, such as  
23 before and after school, for children and youth in the  
24 community, and that may also include any";



1 (5) by amending section 10906 to read as  
2 follows:

3 "SEC. 10906. (a) COMMUNITY LEARNING CENTER. For the  
4 purpose of this part, the term 'community learning center'  
5 means an entity that-

6 "(1) provides expanded learning opportunities,  
7 and may also provide services that address health, social  
8 service, cultural, and recreational needs of the community;  
9 and

10 "(2) is operated in conjunction with local  
11 governmental agencies, businesses, vocational education  
12 programs, institutions of higher education, community  
13 colleges, and cultural, recreational, and other community  
14 and human service entities.

15 "(b) SPECIAL RULE. In the case of a community  
16 learning center operated by a local educational agency, the  
17 center shall be located within a public elementary or  
18 secondary school building.";

19 (6) by amending section 10907 to read as  
20 follows:

21 "AUTHORIZATION OF APPROPRIATIONS

22 "SEC. 10907. AUTHORIZATION OF APPROPRIATIONS. For  
23 the purposes of carrying out this part, there are  
24 authorized to be appropriated such sums as may be necessary

1 for fiscal year 2001 and each of the four succeeding fiscal  
2 years.";

3 (7) by adding at the end thereof the following  
4 new section 10908:

5 "CONTINUATION AWARDS

6 "SEC. 10908. CONTINUATION AWARDS. The Secretary may  
7 use funds under this part to make continuation awards for  
8 projects that were funded with fiscal year 1999 and 2000  
9 funds, under the terms and conditions that applied to the  
10 original awards for those projects."; and

11 (8) by redesignating -

12 (A) part I as part G; and

13 (B) sections 10901 through 10908, as  
14 amended by this section, as sections 10701 through 10708,  
15 respectively.

16

17 URBAN AND RURAL EDUCATION ASSISTANCE

18 SEC.1009. Part J of title X of the Elementary and  
19 Secondary Education Act of 1965 is repealed.

20

21 HIGH SCHOOL REFORM

22 SEC. 1010. Title X of the ESEA is further amended by  
23 inserting after part G, as redesignated by section  
24 1008(8)(A), a new part H to read as follows:

## 1 "PART H - HIGH SCHOOL REFORM

2

3 "FINDINGS AND PURPOSES

4 "SEC. 10801. (a) FINDINGS. The Congress finds as  
5 follows:

6 "(1) All high school students must obtain the  
7 academic foundations needed for further education and  
8 training, and to succeed in an economy that is increasingly  
9 characterized by global competition, evolving technologies,  
10 and high demands for a skilled, literate, and adaptable  
11 workforce.

12 "(2) To be effective, high schools must not only  
13 prepare students academically, they must also ensure that  
14 students are connecting with adults and are receiving the  
15 necessary supports to continue their personal and  
16 interpersonal growth during this critical transition stage.

17 "(3) Effective high schools are places where  
18 students feel safe, the school is free of drugs, and the  
19 classrooms are disciplined environments where all students  
20 can learn. High schools are increasingly larger places  
21 where students feel increasingly disconnected from adults  
22 and often from their peers, particularly in urban and  
23 suburban areas. Research shows that when students feel  
24 connected to school and to their parents, they are less

1 likely than other adolescents to suffer from emotional  
2 distress, have suicidal thoughts and behaviors, use  
3 violence, and smoke cigarettes, drink alcohol, or smoke  
4 marijuana.

5 " (4) Research and national data collections  
6 indicate that many high schools do not succeed in meeting  
7 both the academic and developmental needs of students. For  
8 example—

9 " (A) more than 20 percent of Americans,  
10 ages 25 through 29, do not have a regular high school  
11 diploma;

12 " (B) on the most recent international  
13 assessment of mathematics and science knowledge, the Third  
14 International Mathematics and Science Study (TIMSS),  
15 American 12th-graders outperformed students from only two  
16 of the 21 other participating Nations. A comparison of  
17 these assessment results with 4th-grade and 8th-grade TIMSS  
18 scores indicates that American students lose ground during  
19 the high school years;

20 " (C) recent results from National  
21 Assessment of Educational Progress reading assessments for  
22 12th-graders indicate improvement in the performance of  
23 higher-achieving students, but no improvement in the scores  
24 for the lowest-achieving students;

1                   "(D) the problems facing high schools are  
2 particularly prevalent in schools that enroll  
3 concentrations of minority students and students from low-  
4 income families; and

5                   "(E) relatively few high schools are  
6 undertaking serious, standards-based educational reforms.  
7 For instance, most of the initiatives carried out through  
8 the Comprehensive School Reform Demonstrations program have  
9 been at the elementary level.

10                  "(5) Because of changes made by the Improving  
11 America's Schools Act of 1994, high schools now receive  
12 significantly more title I funding than was the case  
13 before, and the number of high schools operating title I  
14 schoolwide programs has increased. However, evaluations  
15 indicate that title I, by itself, has not yet resulted in  
16 significant reforms in high schools. High schools now have  
17 the opportunity to use title I funds to leverage Federal,  
18 State, and local funds to implement education reforms.

19                  "(6) High school reforms can be effective. For  
20 example, schools participating in the Southern Regional  
21 Education Board 'High Schools that Work' program, a whole-  
22 school, research-based reform initiative, have shown  
23 significant improvement in reading and mathematics scores.  
24 The Johns Hopkins University Talent Development model has

1 demonstrated promising results at its initial  
2 implementation site. The schools implementing locally  
3 based reforms and participating in the Department of  
4 Education's 'New American High Schools' initiative have  
5 generally achieved improved outcomes in graduation,  
6 attendance, and achievement.

7           "(7) A variety of approaches to high school  
8 reform, geared to local conditions and needs, can be  
9 effective. These approaches include "schools within  
10 schools" and other innovations that create smaller learning  
11 environments and involve adults more fully in the lives of  
12 students, "career academies" and other approaches that  
13 structure learning around careers, partnerships that pair  
14 schools with businesses or institutions of higher  
15 education, and reforms that reorganize the school day. In  
16 addition, most successful reforms include a strong focus on  
17 the professional development of participating educators and  
18 provision of in-depth academic, career, and college  
19 counseling.

20           "(b) PURPOSES. The purposes of this part are to-

21           "(1) support the planning and implementation of  
22 educational reforms in high schools, particularly in urban  
23 and rural high schools that educate concentrations of  
24 students from low-income families, in order to-

1                   "(A) meet the needs of students at risk of  
2 failing to achieve to challenging standards, by  
3 strengthening curriculum and instruction, offering extended  
4 learning opportunities, and providing professional  
5 development opportunities to school staff; and

6                   "(B) improve title I schoolwide programs in  
7 high schools;

8                   "(2) support the further development of  
9 educational reforms, designed specifically for high  
10 schools, that-

11                   "(A) help students meet challenging State  
12 standards; and

13                   "(B) increase connections between students  
14 and adults and provide safe learning environments;

15                   "(3) create positive incentives for serious  
16 change in high schools, by offering rewards to  
17 participating schools that achieve significant improvements  
18 in student achievement;

19                   "(4) increase the national knowledge base on  
20 effective high school reforms by identifying the most  
21 effective approaches and disseminating information on those  
22 approaches so that they can be adopted nationally; and

23                   "(5) support the implementation of reforms in at  
24 least 5,000 American high schools by the year 2007.

## 1 "GRANTS TO LOCAL EDUCATIONAL AGENCIES

2 "SEC. 10802. (a) GRANTS AUTHORIZED. The Secretary  
3 may make grants to local educational agencies, on a  
4 competitive basis, for activities, consistent with this  
5 part, carried out in their high schools.

6 "(b) DURATION. Each grant under this section shall  
7 be for a period of up to three years.

8 "(c) LIMITATION. The Secretary shall not provide  
9 assistance under this part to any high school under more  
10 than one grant.

## 11 "APPLICATIONS

12 "SEC. 10803. (a) APPLICATIONS REQUIRED. A local  
13 educational agency that desires to receive a grant under  
14 this part shall submit an application at such time, in such  
15 manner, and containing such information as the Secretary  
16 may determine.

17 "(b) CONTENTS. Each such application shall, for each  
18 high school for which assistance is sought—

19 "(1) identify the school and describe its need  
20 for assistance under this part;

21 "(2) include—

22 "(A) a preliminary plan for grades above  
23 8th grade in the school that describes the educational  
24



1 reforms that will take place, as well as the specific  
2 activities to be carried out with grant funds; and

3           "(B) an assurance that the local  
4 educational agency will have a final plan for those reforms  
5 and activities within six months of receiving a grant under  
6 this part; and

7           "(3) demonstrate that a substantial percentage  
8 of administrators, teachers, and students at the school, as  
9 well as parents of students and other members of the  
10 community, were (and will be) involved in developing and  
11 carrying out that plan.

12

13                               "SELECTION OF GRANTEES

14           "SEC. 10804. (a) IN GENERAL. The Secretary shall  
15 select grantees, using a peer-review process, on the basis  
16 of-

17           "(1) the relative need of each high school for  
18 which assistance is sought, considering such factors as the  
19 percentage of students who are from low-income families,  
20 student achievement data, dropout rates, and attendance  
21 rates; and

22           "(2) the quality of applications, including the  
23 likelihood that the proposed reforms will succeed.

1           "(b) APPLICATIONS FOR MORE THAN ONE HIGH SCHOOL. In  
2 the case of a meritorious application that requests  
3 assistance for more than one high school, the Secretary may  
4 approve the application for any number of those schools.

5           "(c) SPECIAL RULES. In approving applications under  
6 this section, the Secretary shall--

7                 "(1) to the extent possible, award a majority of  
8 grants under this part to assist high schools that  
9 participate in programs under part A of title I of this Act  
10 or serve high-poverty school attendance areas; and

11                 "(2) equitably distribute grants among the  
12 geographic regions of the Nation and among urban and rural  
13 local educational agencies.

14  
15           "PRINCIPLES AND COMPONENTS OF EDUCATIONAL REFORMS

16           "SEC. 10805. (a) PRINCIPLES. Each grantee under this  
17 part shall ensure that the reforms it carries out under  
18 this part are designed so that that each assisted high  
19 school--

20                 "(1) is a place where students receive  
21 individual attention and support, through such strategies  
22 as creating smaller learning environments, such as 'schools  
23 within schools' and career academies and providing students  
24 with counselors and mentors;

1           " (2) provides all students in the school with  
2 challenging coursework, aligned with State content and  
3 performance standards, through such strategies as the use  
4 of technology to enhance academic instruction and the  
5 establishment or expansion of international baccalaureate  
6 programs or advanced placement programs;

7           " (3) is a place where students are motivated to  
8 learn, through such strategies as applied learning and  
9 linking the arts, music, and cultural opportunities with  
10 the school, both during and after the normal school day;

11           " (4) enables students to receive an education  
12 that is continuous and integrated, through such strategies  
13 as partnerships with middle schools and institutions of  
14 higher education;

15           " (5) helps students achieve their educational  
16 and career goals, through such strategies as integrated  
17 academic and vocational instruction that connects students  
18 with career opportunities; and

19           " (6) functions as a center for the community,  
20 through such strategies as increasing the involvement of  
21 parents, employers, and others in the community.

22           " (b) REQUIRED COMPONENTS. In order to  
23 institutionalize the principles described in subsection  
24 (a), each grantee under this part shall use funds that are

1 provided on behalf of a high school to implement (and, if  
2 necessary, to use not more than six months to complete the  
3 planning and development of) research-based educational  
4 reform strategies throughout the entire school that--  
5 " (1) in the case of a school with a schoolwide  
6 program under part A of title I, build on and improve the  
7 schoolwide reform program;  
8 " (2) address the needs of students who are at  
9 risk of failing to be promoted to the next grade or to  
10 graduate, including--  
11 " (A) covering material that students need  
12 to master in order to pass State-mandated exit exams; and  
13 " (B) strengthening curriculum, instruction,  
14 and assessments and by offering extended learning  
15 opportunities such as after-school, weekend, and summer  
16 programs;  
17 " (3) are implemented at the school level, but  
18 include strong support and assistance from the local  
19 educational agency, as documented in its application;  
20 " (4) make full and effective use of the  
21 resources that the school receives under other Federal  
22 programs;  
23 " (5) make use of outside experts in high-school  
24 reform, unless the local educational agency demonstrates in

1 its application, to the Secretary's satisfaction, that the  
2 school's reform strategy can be implemented effectively  
3 without outside assistance;

4 " (6) include professional development of school  
5 staff, including development of the skills needed to use  
6 student achievement and other outcome data to refine and  
7 improve the educational reform strategy; and

8 " (7) provide for collecting data on, and  
9 evaluating, the reforms and for reporting to the Secretary  
10 on the results of those evaluations.

11

12

"PRIVATE SCHOOLS

13

"SEC. 10806. (a) PROFESSIONAL DEVELOPMENT. Each  
14 grantee under section 10804 shall, in accordance with  
15 sections 11803 through 11806, provide for the equitable  
16 participation of private school personnel in the  
17 professional development activities it carries out with  
18 grant funds.

19

" (b) INFORMATION. If a grantee uses grant funds to  
20 develop curricular materials, it shall make information  
21 about those materials available to private schools at their  
22 request.

1 "ADDITIONAL ACTIVITIES

2 "SEC. 10807. From the amount available to carry out  
3 this part for any fiscal year under section 10809, the  
4 Secretary shall reserve the amount he finds appropriate to  
5 carry out one or more of the following:

6 "(1) INCENTIVE AWARDS.-(A) (i) The Secretary  
7 shall select a random sample of schools from each of the  
8 first two years' cohorts of grantees, along with a  
9 similarly selected control group of comparable schools, to  
10 participate in an incentive-based experiment, under which  
11 the Secretary makes incentive payments to teachers and  
12 administrators in the grantee schools if, after three years  
13 of program participation, their students demonstrate  
14 significant gains in student educational outcomes compared  
15 to the gains made in the schools in the control group.

16 "(ii) If those significant gains  
17 continue, the Secretary may make further incentive payments  
18 to those teachers and administrators for up to two  
19 additional years.

20 "(B) The Secretary shall base  
21 determinations of student educational outcomes on multiple  
22 measures, including scores on State assessments.

23 "(C) The maximum amount of an incentive  
24 award under this paragraph is \$3,000 per teacher and

1 administrator per year, which may be used by those  
2 individuals for any purpose.

3 " (2) RECOGNITION, DISSEMINATION, NETWORKS, AND  
4 PEER REVIEW. The Secretary may--

5 " (A) recognize high schools and high school  
6 reforms that show outstanding results;

7 " (B) disseminate information on those  
8 schools and reforms;

9 " (C) carry out other activities to  
10 encourage the spread and adoption of successful high school  
11 reform strategies;

12 " (D) facilitate the creation of networks  
13 among participating schools and local educational agencies,  
14 which may include schools and local educational agencies  
15 interested in meeting the purpose of this part; and

16 " (E) pay the costs of the peer review of  
17 applications under this part.

18 " (3) EVALUATION. The Secretary may reserve  
19 funds, consistent with section 11911, to evaluate  
20 activities carried out under this part.

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## "DEFINITION

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## "AUTHORIZATION OF APPROPRIATIONS

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## FOREIGN LANGUAGE ASSISTANCE PROGRAM

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## "FINDINGS; PURPOSE

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"SEC. 10808. For the purpose of this part, the term 'high school' means any school that serves students in 12th grade.

"SEC. 10809. For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years."

SEC. 1011. Title X of the ESEA is further amended by inserting after part H, as added by section 1010, a new part I to read as follows:

"PART I - FOREIGN LANGUAGE ASSISTANCE PROGRAM

"SEC. 10901. (a) FINDINGS. The Congress finds that:

"(1) Increased fluency in languages other than English is necessary if the United States is to compete effectively in a global economy.

"(2) Four out of five new jobs in the United States are created from foreign trade.



1                   "(3) The optimum time to begin learning a second  
2 language is in elementary school, when children have the  
3 greatest ability to learn and excel in foreign languages.

4                   "(4) Foreign language study can increase  
5 children's capacity for critical and creative thinking, and  
6 children who study a second language show greater cognitive  
7 development in such areas as mental flexibility,  
8 creativity, tolerance, and higher-order thinking skills.

9                   "(5) Children who have studied a foreign  
10 language in elementary school score higher on standardized  
11 tests of reading, language arts, and mathematics than  
12 children who have not studied a foreign language.

13                   "(6) The United States lags behind other  
14 developed countries in offering foreign language study to  
15 elementary and secondary school students.

16                   "(7) While research suggests that students more  
17 easily acquire foreign languages when instruction begins in  
18 the early grades, fewer than one-third of elementary  
19 schools in the United States offer foreign language  
20 instruction.

21                   "(8) Of those elementary schools that do offer  
22 foreign language instruction, most offer only an  
23 introductory exposure to the foreign language.

24                   "(9) Few elementary school foreign language

1 programs are coordinated with secondary school foreign  
2 language programs to promote transitions that build on  
3 student knowledge of the foreign language.

4           "(10) Foreign language teachers have a  
5 continuing need for professional development that provides  
6 opportunities to improve their language competence and  
7 their teaching skills in the language they teach. This  
8 need is particularly important for elementary school  
9 teachers, most of whom have no specialized training or  
10 certification to teach languages at that level.

11           "(11) The next generation of advanced computers  
12 and telecommunications technology has a tremendous  
13 potential for improving access to foreign language  
14 instruction and the quality of that instruction at the  
15 elementary level.

16           "(12) It is a national goal that 25 percent of  
17 all public elementary schools offer high-quality,  
18 comprehensive foreign language programs by 2005, and that  
19 50 percent offer such programs by 2010. Such programs  
20 should be designed to achieve language proficiency, aligned  
21 with State foreign language standards, and available to all  
22 students (including students with limited English  
23 proficiency and students with disabilities), and should

1 ensure effective coordination between elementary and  
2 secondary school foreign language instruction.

3       "(b) PURPOSE. It is the purpose of this part to  
4 expand, improve the quality of, and enhance foreign  
5 language programs at the elementary school level, including  
6 programs that recruit and train qualified elementary school  
7 foreign language teachers, by supporting-

8               "(1) State efforts to encourage and support such  
9 programs;

10              "(2) local implementation of innovative programs  
11 that meet local needs; and

12              "(3) the identification and dissemination of  
13 information on best practices in elementary school foreign  
14 language education.

15

16                               "ELEMENTARY SCHOOL FOREIGN LANGUAGE ASSISTANCE  
17   PROGRAM  
18

19       "SEC. 10902. (a) AUTHORITY.-(1) From funds  
20 appropriated under subsection (g) for any fiscal year, the  
21 Secretary is authorized to make grants to State educational  
22 agencies and to local educational agencies for the Federal  
23 share of the cost of the activities set forth in subsection  
24 (b) .

25               "(2) Each grant under paragraph (1) shall be

1 awarded for a period of three years.

2 " (3) A State educational agency may receive a  
3 grant under paragraph (1) if it-

4 " (A) has established, or is establishing,  
5 State standards for foreign language instruction; or

6 " (B) requires the public elementary schools  
7 of the State to provide foreign language instruction.

8 " (4) A local educational agency may receive a  
9 grant under paragraph (1) if the program proposed in its  
10 application under subsection (c)-

11 " (A) shows promise of being continued  
12 beyond the grant period;

13 " (B) would demonstrate approaches that can  
14 be disseminated to, and duplicated by, other local  
15 educational agencies;

16 " (C) would include performance measurements  
17 and assessment systems that measure students' proficiency  
18 in a foreign language; and

19 " (D) would use a curriculum that is aligned  
20 with State standards, if the State has such standards.

21 " (b) AUTHORIZED ACTIVITIES.-(1) Grants to State  
22 educational agencies under this section shall be used to  
23 support programs that promote the implementation of high-

1 quality foreign language programs in the elementary schools  
2 of the State, which may include-

3                   "(A) developing foreign language standards  
4 and assessments that are aligned with those standards;

5                   "(B) supporting the efforts of institutions  
6 of higher education within the State to develop programs to  
7 prepare the elementary school foreign language teachers  
8 needed in schools within the State and to recruit  
9 candidates to prepare for, and assume, such teaching  
10 positions;

11                   "(C) developing new certification  
12 requirements for elementary school foreign language  
13 teachers, including requirements that allow for alternative  
14 routes to certification;

15                   "(D) providing technical assistance to  
16 local educational agencies in the State in developing,  
17 implementing, or improving elementary school foreign  
18 language programs, including assistance to ensure effective  
19 coordination with, and transition of students among,  
20 elementary, middle, and secondary schools;

21                   "(E) disseminating information on  
22 promising or effective practices in elementary school  
23 foreign language instruction and supporting educator  
24 networks that help improve that instruction;

1                   "(F) stimulating the development and  
2 dissemination of information on instructional programs that  
3 use educational technologies and technology applications  
4 (including such technologies and applications as multimedia  
5 software, web-based resources, digital television, and  
6 virtual reality and wireless technologies) to deliver  
7 instruction or professional development, or to assess  
8 students' foreign language proficiency; and

9                   "(G) collecting data on and evaluating the  
10 elementary school foreign language programs in the State  
11 and activities carried out with the grant.

12                   "(2) Grants to local educational agencies  
13 under this section shall be used for activities to develop  
14 and implement high-quality, standards-based elementary  
15 school foreign language programs, which may include—

16                   "(A) curriculum development and  
17 implementation;

18                   "(B) professional development for  
19 teachers and other staff;

20                   "(C) partnerships with institutions  
21 of higher education to provide for the preparation of the  
22 teachers needed to implement programs under this section;

23                   "(D) efforts to coordinate elementary

1 school foreign language instruction with secondary-level  
2 foreign language instruction, and to provide students with  
3 a smooth transition from elementary to secondary programs;

4 " (E) implementation of instructional  
5 approaches that make use of advanced educational  
6 technologies; and

7 " (F) collection of data on, and  
8 evaluation of, the activities carried out under the grant,  
9 including assessment, at regular intervals, of  
10 participating students' proficiency in the foreign language  
11 studied.

12 " (3) SPECIAL RULE. Efforts under paragraph  
13 (2) (D) may include support for the expansion of secondary  
14 school instruction, so long as that instruction is part of  
15 an articulated elementary-through-secondary school foreign  
16 language program that is designed to result in student  
17 fluency in a foreign language.

18 " (c) APPLICATIONS.-(1) Any State educational agency  
19 or local educational agency desiring to receive an grant  
20 under this section shall submit an application to the  
21 Secretary at such time, in such form, and containing such  
22 information and assurances, as the Secretary may require.

23 " (2) Each application shall include descriptions  
24 of-

1                   "(A) the goals that the applicant intends  
2 to accomplish through the project, including-

3                   "(i) for applications submitted by  
4 State educational agencies, the goal of ensuring the  
5 availability of qualified elementary school foreign  
6 language teachers throughout the State; and

7                   "(ii) for applications submitted by  
8 local educational agencies, the goal of enabling all  
9 participating students to become proficient in a foreign  
10 language;

11                   "(B) the activities to be carried out  
12 through the project; and

13                   "(C) how the applicant will determine the  
14 extent to which its project meets its goals.

15                   "(d) PRIORITIES. In awarding grants under this  
16 section, the Secretary may establish one or more priorities  
17 consistent with the purpose of this part, including  
18 priorities for projects carried out by local educational  
19 agencies that-

20                   "(1) provide immersion programs in which  
21 instruction is in the foreign language for a major portion  
22 of the day; or

23                   "(2) promote the sequential study of a



1 foreign language for students, beginning in elementary  
2 schools.

3       "(e) REPORTS.-(1) A State educational agency or  
4 local educational agency that receives a grant under this  
5 section shall submit to the Secretary an annual report that  
6 provides information on the project's progress in reaching  
7 its goals.

8               "(2) A local educational agency that receives a  
9 grant under this section shall include in its report under  
10 paragraph (1), information on students' gains in  
11 comprehending, speaking, reading, and writing a foreign  
12 language, and shall compare such educational outcomes to  
13 the State's foreign language standards, if such State  
14 standards exist.

15       "(f) FEDERAL SHARE.-(1) The Federal share for each  
16 fiscal year of a program under this section shall be not  
17 more than 50 percent.

18               "(2) The Secretary may waive the requirement of  
19 paragraph (1) for any local educational agency that the  
20 Secretary determines does not have adequate resources to  
21 pay the non-Federal share of the cost of the activities  
22 assisted under this section.

23       "(g) AUTHORIZATION OF APPROPRIATIONS.-(1) For the  
24 purpose of carrying out this section, there are authorized

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

3 " (2) For any fiscal year, the Secretary may  
4 reserve up to five percent of the amount appropriated under  
5 paragraph (1) to-

6 " (A) conduct independent evaluations of the  
7 activities assisted under this section;

8 " (B) provide technical assistance to  
9 recipients of awards under this section; and

10 " (C) disseminate findings and methodologies  
11 from evaluations required by, or funded under, this section  
12 and other information obtained from such programs.".

13

14

NATIONAL WRITING PROJECT

15

SEC. 1012. Part K of title X of the ESEA is amended-

16

(1) in section 10991-

17

(A) in paragraph (15)-

18

(i) by striking "154 regional sites"

19

and inserting in lieu thereof "157 regional sites"; and

20

(ii) by striking "45 States" and

21

inserting in lieu thereof "46 States";

22

(B) in paragraph (17) by adding "and" at the

23

end thereof;

1 (C) in paragraph (18) by striking out at the  
2 end thereof the semicolon and "and" and inserting in lieu  
3 thereof a period; and

4 (D) by striking out paragraph (19);

5 (2) in section 10992-

6 (A) by striking out subsection (e);

7 (B) by amending subsection (g) to read as  
8 follows:

9 "(g) EVALUATION. The Secretary may conduct an  
10 independent evaluation, by grant or contract, of the  
11 program administered pursuant to this part."; and

12 (C) by amending subsection (i) to read as  
13 follows:

14 "(i) AUTHORIZATION OF APPROPRIATIONS. For the  
15 purposes of carrying out this part, there are authorized to  
16 be appropriated such sums as may be necessary for fiscal  
17 year 2001 and each of the four succeeding fiscal years."; and  
18 and

19 (3) by redesignating-

20 (A) part K, as amended by this section, as  
21 part J; and

22 (B) section 10991 and section 10992 as  
23 section 10951 and section 10952, respectively.

1 TITLE XI - GENERAL PROVISIONS, DEFINITIONS AND  
2 ACCOUNTABILITY  
3

4 DEFINITIONS

5 SEC. 1101. Part A of title XIV of the ESEA is  
6 amended-

7 (1) in section 14101-

8 (A) in paragraphs (5), (6), (7), and (8),  
9 by striking out "section 14302" and inserting in lieu  
10 thereof "section 11502";

11 (B) by amending paragraph (10) to read as  
12 follows:

13 "(10) COVERED PROGRAM. The term 'covered  
14 program' means each of the programs authorized by-

15 "(A) part A of title I,

16 "(B) part C of title I;

17 "(C) part A of title II;

18 "(D) subpart 1 of part D of title III;

19 "(E) part A of title IV (other than section  
20 4115);

21 "(F) the Comprehensive School Reform  
22 Demonstration Program; and

23 "(G) title VI.";

24 (C) in paragraph (11)(B), by striking out  
25 "and title VI";

1 (D) in paragraph (24), by striking out  
2 "section 602(a)(17)" and inserting in lieu thereof "section  
3 602(22)";

4 (E) by redesignating paragraphs (15)  
5 through (29) as paragraphs (16) through (30), respectively;  
6 and

7 (F) by inserting after paragraph (14) a new  
8 paragraph (15) to read as follows:

9 "(15) FAMILY LITERARY SERVICES. The term  
10 'family literacy services' means services provided to  
11 eligible participants on a voluntary basis that are of  
12 sufficient intensity, both in hours and duration, to make  
13 sustainable changes in a family, and that integrate all of  
14 the following activities:

15 "(A) Interactive literacy activities  
16 between parents and their children.

17 "(B) Training for parents on how to be the  
18 primary teachers for their children and full partners in  
19 the education of their children.

20 "(C) Parent literacy training that leads to  
21 economic self-sufficiency.

22 "(D) An age-appropriate education to  
23 prepare children for success in school and life  
24 experiences."; and

1                   (2) in section 14102, by striking out "Parts B,  
2 C, D, E, and F" and inserting in lieu thereof "Parts D, E,  
3 F, and G".

4

5

## ADMINISTRATIVE FUNDS

6

SEC. 1102. Part B of title XIV of the ESEA is

7

amended-

8

(1) in section 14201-

9

(A) by amending subsection (a)(2) to read

10 as follows:

11

" (2) APPLICABILITY. This section applies to-

12

" (A) programs under title I and those

13

programs described in subparagraphs (C), (D), and (E) of

14

section 11101(10);

15

" (B) the Comprehensive School Reform

16

Demonstration Program;

17

" (C) title VI;

18

" (D) the Carl D. Perkins Vocational and

19

Technical Education Act of 1998; and

20

" (E) such other programs as the Secretary

21

may designate.";

22

(B) by amending subsection (b)(2) to read

23

as follows:

1           "(2) ADDITIONAL USES. A State educational  
2 agency may also use the funds available under this section  
3 for administrative activities designed to enhance the  
4 effective and coordinated use of funds under the programs  
5 included in the consolidation under subsection (a), such  
6 as-

7                   "(A) State-level activities designed to  
8 carry out this title, including part B;

9                   "(B) the coordination of those programs  
10 with other Federal and non-Federal programs;

11                   "(C) the establishment and operation of  
12 peer-review mechanisms under this Act;

13                   "(D) collaborative activities with other  
14 State educational agencies to improve administration under  
15 this Act;

16                   "(E) the dissemination of information  
17 regarding model programs and practices;

18                   "(F) technical assistance under the  
19 programs specified in subsection (a) (2);

20                   "(G) training personnel engaged in audit  
21 and other monitoring activities; and

22                   "(H) implementation of the Cooperative  
23 Audit Resolution and Oversight Initiative."; and

24                   (C) by striking out subsection (f);

- 1                   (2) in section 14203-
- 2                   (A) in subsection (b), by striking out
- 3 "Improving America's Schools Act of 1994" and inserting in
- 4 lieu thereof "Educational Excellence for All Children Act
- 5 of 1999"; and
- 6                   (B) in subsection (d), by striking out "the
- 7 uses described in section 14201(b)(2)" and inserting in
- 8 lieu thereof "for uses, at the school district and school
- 9 levels, comparable to those described in section
- 10 11401(b)(2)";
- 11                   (3) by repealing section 14204;
- 12                   (4) in section 14205(a)(2)(B)(i), by striking
- 13 out "National Education Goals" and inserting in lieu
- 14 thereof "America's Education Goals"; and
- 15                   (5) in section 14206-
- 16                   (A) by amending the section heading to
- 17 read: "MOST EFFECTIVE USE OF PROGRAM FUNDS.";
- 18                   (B) by amending subsection (a) to read as
- 19 follows:
- 20                   "(a) MOST EFFECTIVE USE. With the approval of its
- 21 State educational agency, a local educational agency that
- 22 determines for any fiscal year that funds under a covered
- 23 program (other than part A of title I) would be more
- 24 effective in helping all its students achieve the State's



1 challenging standards if used under another covered  
 2 program, may use those funds, not to exceed five percent of  
 3 the local educational agency's total allotment for that  
 4 fiscal year, to carry out programs and activities under  
 5 that other covered program."; and

6 (C) in subsection (b), by striking out  
 7 "title XI of this Act" and inserting in lieu thereof "part  
 8 I of this title".

9  
 10 COORDINATION OF PROGRAMS

11 SEC. 1103. Part C of title XIV of the Act is amended--

12 (1) in the heading thereof, by striking out "AND  
 13 APPLICATIONS";

14 (2) by amending section 14302 to read as  
 15 follows:

16 "OPTIONAL CONSOLIDATED STATE PLANS

17 "SEC. 14302. (a) GENERAL.-(1) PURPOSE AND  
 18 AUTHORITY. In order to promote continuing, standards-based  
 19 education reform, encourage the integration and  
 20 coordination of resources, and simplify application  
 21 requirements and reduce burden for State educational  
 22 agencies under this Act, the Secretary, in accordance with  
 23 subsection (b), shall establish procedures and criteria  
 24 under which a State educational agency may submit a

1 consolidated State plan meeting the requirements of this  
2 section for any or all of-

3 " (A) the covered programs in which the  
4 State participates; and

5 " (B) the additional programs described in  
6 paragraph (2).

7 " (2) ADDITIONAL PROGRAMS. A State educational  
8 agency may also include in its consolidated State plan-

9 " (A) the Even Start program under part B of  
10 title I;

11 " (B) the State Agency Programs for Children  
12 and Youth Who Are Neglected or Delinquent under part D of  
13 title I;

14 " (C) programs under part A of title II of  
15 the Carl D. Perkins Vocational and Technical Education Act  
16 of 1998; and

17 " (D) such other programs as the Secretary  
18 may designate.

19 " (3) STATE DEVELOPMENT AND SUBMISSION.-(A) A  
20 State educational agency desiring to receive a grant under  
21 two or more of the programs to which this section applies  
22 may submit a consolidated State plan for those programs  
23 that satisfies the procedures and criteria established  
24 under this section.

1                   "(B) A State educational agency that  
2 submits a consolidated State plan shall not be required to  
3 submit separate State plans or applications for the  
4 programs included in the consolidated State plan.

5                   "(C) A State educational agency that  
6 submits a consolidated State plan shall comply with all the  
7 requirements applicable to the programs in the consolidated  
8 State plan as if it had submitted separate State plans.

9                   "(4) CONSOLIDATED STATE PLANS. A State  
10 educational agency that desires to receive funds under a  
11 program to which this section applies for the fiscal year  
12 2001 and the succeeding four fiscal years shall submit to  
13 the Secretary a new consolidated plan that meets the  
14 requirements of this section within the time specified by  
15 the Secretary.

16                   "(b) PLAN CONTENTS.-(1) COLLABORATIVE PROCESS.-(A)  
17 In establishing criteria and procedures under this section,  
18 the Secretary shall collaborate with State educational  
19 agencies and, as appropriate, with other State agencies,  
20 local educational agencies, public and private nonprofit  
21 agencies, organizations, and institutions, private schools,  
22 and representatives of parents, students, and teachers.

23                   "(B) (i) Through the collaborative process  
24 described in paragraph (1), the Secretary shall establish,

1 for each program under the Act to which this section  
2 applies, the descriptions and information that must be  
3 included in a consolidated State plan.

4                                 "(ii) In carrying out clause (i), the  
5 Secretary shall ensure that a consolidated State plan  
6 contains, for each program included in the plan, the  
7 descriptions and information needed to ensure proper and  
8 effective administration of that program in accordance with  
9 its purposes.

10                                 "(2) INTEGRATION AND COORDINATION OF RESOURCES.

11 In its consolidated plan under this section, a State  
12 educational agency shall describe how-

13                                 "(A) funds under the programs included in  
14 the plan will be integrated to best serve the students and  
15 teachers intended to benefit from those programs; and

16                                 "(B) those programs will be coordinated at  
17 the State, school district, and school levels with-

18   "(i) other covered programs not  
19 included in the plan; and

20   "(ii) related programs, such as  
21 programs under the Reading Excellence Act under part E of  
22 title I, the 21st Century Community Learning Centers  
23 program and the High School Reform program under Parts G  
24 and H of Title X, respectively, and the Teacher Quality

1 Enhancement Programs, and the Gaining Early Awareness and  
2 Readiness for Undergraduate Programs under Title II and  
3 chapter 2 of subpart 2 of part A of title IV, of the Higher  
4 Education Act of 1965, respectively.

5 " (c) INDICATORS. In order to evaluate its  
6 performance under its consolidated State plan, a State  
7 educational agency shall include in its plan-

8 " (1) any information required by the Secretary  
9 under section 11912 regarding performance indicators,  
10 benchmarks, and targets; and

11 " (2) any other indicators or measures the State  
12 determines are appropriate for evaluating its performance  
13 under its consolidated State plan.

14 " (d) MONITORING AND DATA INTEGRITY. A State  
15 educational agency shall include in its consolidated State  
16 plan a description of the strategies it will use to meet  
17 the requirements of section 11503(a)(4) and (5).

18 " (e) PEER REVIEW AND SECRETARIAL APPROVAL. (1) The  
19 Secretary shall-

20 " (A) establish a peer-review process to  
21 assist in the review, and provide recommendations for the  
22 revision, of consolidated State plans under this section;  
23 and

1                   " (B) to the extent practicable, appoint  
2 individuals to the peer-review process who-

3                   " (i) are knowledgeable about the  
4 programs, and the populations they serve, included in the  
5 plans;

6                   " (ii) are representative of State  
7 educational agencies, local educational agencies, teachers,  
8 and parents of students served under those programs; and

9                   " (iii) have expertise on educational  
10 standards, assessments, and accountability.

11                  " (2) (A) Following such peer review, the  
12 Secretary shall approve a consolidated State plan if the  
13 Secretary determines that the plan meets the requirements  
14 of this section.

15                  " (B) The Secretary may accompany such  
16 approval with one or more conditions that the State  
17 educational agency shall meet.

18                  " (3) If the Secretary determines that the plan  
19 does not meet the requirements of this section, the  
20 Secretary shall notify the State of that determination and  
21 the reasons for it.

22                  " (4) The Secretary shall not finally disapprove  
23 a consolidated State plan before-

1                   "(A) offering the State an opportunity to  
2 revise its plan;

3                   "(B) providing technical assistance to  
4 assist the State to meet the requirements; and

5                   "(C) providing a hearing.

6                   "(f) REVISION AND AMENDMENT. A State educational  
7 agency shall periodically review its consolidated State  
8 plan to ensure that it accurately reflects its strategies  
9 and activities under the programs covered by the plan. If  
10 the State educational agency makes significant changes to  
11 its strategies and activities, it shall submit an amendment  
12 to its plan to the Secretary for approval in accordance  
13 with this section.";

14                   (3) in section 14303(a)-

15                   (A) in the matter before paragraph (1)-

16                   (i) by striking out "or consolidated  
17 State application"; and

18                   (ii) by striking out "section 14302"  
19 and inserting in lieu thereof "section 11502";

20                   (B) by redesignating paragraphs (4), (5),  
21 (6), and (7) as paragraphs (6), (7), (8), and (9),  
22 respectively; and

23                   (C) by inserting after paragraph (3) the  
24 following new paragraphs:

1           "(4) the State will monitor performance by local  
2 educational agencies to ensure compliance with the  
3 requirements of this Act and-

4           "(A) maintain proper documentation of  
5 monitoring activities;

6           "(B) provide technical assistance when  
7 appropriate and undertake enforcement activities when  
8 needed; and

9           "(C) systematically analyze the results of  
10 audits and other monitoring activities to identify trends  
11 in funding and to develop strategies to correct problems;

12           "(5) the data used by the State to measure its  
13 performance (and that of its local educational agencies)  
14 under this Act are complete, reliable, and accurate, or, if  
15 not, that the State will take such steps as are necessary  
16 to make those data complete, reliable, and accurate.";

17           (4) by repealing section 14304;

18           (5) by amending section 14305 to read as  
19 follows:

20                                   "CONSOLIDATED LOCAL PLANS

21           "SEC. 14305. (a) GENERAL AUTHORITY. A local  
22 educational agency receiving funds under more than one  
23 covered program may submit plans to the State educational  
24 agency under such programs on a consolidated basis.



1           "(b) CONSOLIDATED PLANS. A State educational agency  
2 that has an approved consolidated State plan under section  
3 11502 may require local educational agencies that receive  
4 funds under more than one program included in the  
5 consolidated State plan to submit consolidated local plans  
6 for such programs.

7           "(c) COLLABORATION. A State educational agency shall  
8 collaborate with local educational agencies in the State in  
9 establishing criteria and procedures for the submission of  
10 the consolidated local plans under this section.

11           "(d) CONTENTS. For each program under this Act that  
12 may be included in a plan under this section, the Secretary  
13 may designate the descriptions and information that must be  
14 included in a local consolidated plan, to ensure that each  
15 such program is administered in a proper and effective  
16 manner in accordance with its purposes.";

17           (6) in section 14306, by striking out "section  
18 14304" and inserting in lieu thereof "section 11504";

19           (7) by repealing section 14307; and

20           (8) by adding at the end thereof a new section  
21 to read as follows:

22                                   "CONSOLIDATED REPORTING

23           "SEC. 14307. In order to encourage integration and  
24 coordination of resources, simplify reporting requirements,

1 and reduce reporting burden, the Secretary shall establish  
2 procedures and criteria under which a State educational  
3 agency must submit a consolidated State annual performance  
4 report. Such a report shall contain information about the  
5 programs included in the report, including the State's  
6 performance under those programs, and other matters, as the  
7 Secretary determines, such as information regarding  
8 monitoring activities under part I and section 11503(a)(4).  
9 Such a report shall take the place of individual annual  
10 performance reports for the programs subject to it."

11

12

## WAIVERS

13

SEC. 1104. Part D of title XIV of the Act is amended--

14

(1) in section 14401(a), by inserting a comma

15

and "the Carl D. Perkins Vocational and Technical Education

16

Act of 1998, or subtitle B of title VII of the Stewart B.

17

McKinney Homeless Assistance Act" immediately after

18

"requirement of this Act";

19

(2) in section 14401(b), by amending paragraph

20

(1) to read as follows:

21

"(1) IN GENERAL. A State educational agency,

22

local educational agency, or Indian tribe that desires a

23

waiver shall submit an application to the Secretary at such

24

time, in such manner, and containing such information as

1 the Secretary may reasonably require. Each such application  
2 shall-

3 " (A) identify each Federal program affected  
4 and the statutory or regulatory requirement requested to be  
5 waived;

6 " (B) describe the purpose and expected  
7 results of waiving each such requirement;

8 " (C) describe for each school year  
9 specific, measurable, educational goals for the State  
10 educational agency and for each local educational agency,  
11 Indian tribe, or school that would be affected by the  
12 waiver; and

13 " (D) explain why the waiver would assist  
14 the State educational agency and each affected local  
15 educational agency, Indian tribe, or school in reaching  
16 those goals.";

17 (3) in section 14401(c)-

18 (A) in paragraph (8) by-

19 (i) striking out "part C of title X"  
20 and inserting in lieu thereof "part B of title V"; and

21 (ii) by striking out "or" at the end  
22 thereof;

23 (B) in paragraph (9)-

1 (i) by striking out "section 14502"  
2 and "section 14507" and inserting in lieu thereof "section  
3 11702" and "section 11707", respectively; and

4 (ii) at the end thereof, by striking  
5 out the period and inserting in lieu thereof a semi-colon  
6 and "and"; and

7 (C) by adding at the end thereof a new  
8 paragraph to read as follows:

9 "(10) health and safety."; and

10 (4) in section 14401(e)(4), by-

11 (A) striking out "fiscal year 1997" and  
12 inserting in lieu thereof "fiscal year 2001"; and

13 (B) striking out "the Committee on  
14 Education and Labor of the House of Representatives and the  
15 Committee on Labor and Human Resources of the Senate" and  
16 inserting in lieu thereof "the Committee on Education and  
17 the Workforce of the House of Representatives and the  
18 Committee on Health, Education, Labor and Pensions of the  
19 Senate".

20

21 UNIFORM PROVISIONS

22 SEC. 1105. Part E of title XIV of the Act is amended-

23 (1) in section 14501(a), by inserting "(except  
24 part C of title I)" immediately after "covered program";

1 (2) in section 14503-

2 (A) in subsection (a)(1), by inserting  
3 "that address their needs" immediately before the period;

4 (B) by amending subsection (b)(1) to read  
5 as follows:

6 "(1) IN GENERAL. This section applies to  
7 programs under-

8 "(A) part C of title I;

9 "(B) part E of title I;

10 "(C) subpart 2 of part A of title II;

11 "(D) title III;

12 "(E) part A of title IV, other than section  
13 4115; and

14 "(F) part A of title VII."; and

15 (C) in subsection (c)-

16 (i) in paragraph (1)-

17 (I) in subparagraph (C), by  
18 striking out "and" at the end thereof;

19 (II) in subparagraph (D), by  
20 striking out the period and inserting a semi-colon; and

21 (III) by adding at the end

22 thereof the following new subparagraphs:

1                   "(E) to the extent applicable, the amount  
2 of funds received by such agency that are attributable to  
3 private school children; and

4                   "(F) how and when such agency will make  
5 decisions about the delivery of services to these  
6 children."; and

7                   (ii) by amending paragraph (2) to read  
8 as follows:

9                   "(2) TIMING. Such consultation shall include  
10 meetings of agency and private school officials, shall  
11 occur before the local educational agency makes any  
12 decision that affects the opportunities of eligible private  
13 school children, teachers, or other educational personnel  
14 to participate in programs under this Act, and shall  
15 continue throughout the implementation and assessment of  
16 activities under this section.";

17                   (3) in section 14504, by striking out "section  
18 14503" and "sections 14503, 14505, and 14506" and inserting  
19 in lieu thereof "section 11703" and "sections 11703, 11705,  
20 and 11706", respectively;

21                   (4) in section 14506-

22                   (A) in subsection (a)(1)(A), by striking  
23 out "section 14504" and inserting in lieu thereof "section  
24 11704";

1 (B) in subsection (b), by striking out  
2 "section 14503" and inserting in lieu thereof "section  
3 11703"; and

4 (C) in subsection (d), by striking out  
5 "Improving America's Schools Act of 1994" and inserting in  
6 lieu thereof "Educational Excellence for All Children Act  
7 of 1999"; and

8 (5) by repealing section 14513 and section  
9 14514.

10

11 REPEAL

11

12 SEC. 1106. Part F of title XIV of the Act is  
13 repealed.

14

15 EVALUATION AND INDICATORS

15

16 SEC. 1107. Part G of title XIV of the Act is amended—

17 (1) by amending the heading thereof to read as  
18 follows: "EVALUATION AND INDICATORS".

19 (2) in section 14701—

20 (A) in subsection (a)—

21 (i) in paragraph (1)—

22 (I) by redesignating

23 subparagraphs (B) and (C) as subparagraphs (C) and (D),  
24 respectively;

1 (II) by inserting the following  
2 new subparagraph (B):

3 " (B) conduct evaluations that carry out the  
4 purposes of the Government Performance and Results Act of  
5 1993 with respect to programs under this Act;";

6 (III) in subparagraph (C), as  
7 redesignated by clause (i), by striking out "and" at the  
8 end thereof;

9 (IV) in subparagraph (D), as  
10 redesignated by clause (i), by striking out the period and  
11 inserting in lieu thereof a semi-colon and "and"; and

12 (V) by adding at the end thereof  
13 the following new subparagraph (E):

14 " (E) to work in partnership with the States  
15 to develop information relating to program performance that  
16 can be used to help achieve continuous program improvement  
17 at the State, school district, and school levels.";

18 (B) by striking out subsections (b) and  
19 (c); and

20 (C) by inserting after subsection (a) the  
21 following new subsections:

22 " (b) NATIONAL EVALUATION. The Secretary shall use  
23 funds reserved under subsection (a) to conduct independent  
24 studies of programs under this Act and the effectiveness of



1 those programs in achieving their purposes, to determine  
2 whether those programs (or the administration of those  
3 programs) are--

4 " (1) contributing to improved student academic  
5 performance;

6 " (2) supporting the development of challenging  
7 standards and aligned assessments that guide other elements  
8 of school reform, including teacher certification,  
9 curriculum frameworks, instruction, and professional  
10 development;

11 " (3) assisting efforts in schools and classrooms  
12 to improve teaching and the climate for learning,  
13 particularly in high-poverty schools, including efforts  
14 related to technology, professional development, school  
15 violence and drug prevention, and public school choice;

16 " (4) promoting flexibility with accountability;

17 " (5) supporting efforts to strengthen family and  
18 community involvement in education;

19 " (6) targeting their resources effectively;

20 " (7) contributing to reform efforts and  
21 continuous improvement; and

22 " (8) achieving other goals consistent with the  
23 purposes of this Act.

1           "(c) INDEPENDENT PANEL. The Secretary shall  
2 establish an independent panel to review studies under  
3 subsection (b) to advise the Secretary on their progress,  
4 and to comment, if the panel chooses, on the final report  
5 described in subsection (d).

6           "(d) REPORTS. The Secretary shall submit an interim  
7 report on the evaluation described in subsection (b) within  
8 three years of enactment of the Educational Excellence for  
9 All Children Act of 1999 and a final report within four  
10 years of its enactment to the Committee on Education and  
11 the Workforce of the House of Representatives and to the  
12 Committee on Health, Education, Labor and Pensions of the  
13 Senate.

14           "(e) PARTNERSHIPS TO STRENGTHEN PERFORMANCE  
15 INFORMATION FOR IMPROVEMENT. The Secretary may provide  
16 technical assistance to recipients of assistance under this  
17 Act in order to strengthen the collection and assessment of  
18 information relating to program performance and quality  
19 assurance at the State and local levels. Such technical  
20 assistance shall be designed to promote the development,  
21 measurement, use, and reporting of data on valid, reliable,  
22 timely, and consistent performance indicators, within and  
23 across programs, and may include one-time grants, from  
24 funds reserved under subsection (a), to recipients to

1 develop their data systems with the goal of helping  
2 recipients make continuous program improvement."; and  
3 (3) by adding at the end thereof the following  
4 new section:

5 "PERFORMANCE MEASURES

6 "SEC. 14702. (a) IN GENERAL. The Secretary is  
7 authorized to establish performance indicators, benchmarks,  
8 and targets for each program under this Act and subtitle B  
9 of title VII of the Stewart B. McKinney Homeless Assistance  
10 Act, to assist in measuring program performance.  
11 Indicators, benchmarks, and targets under this section  
12 shall be consistent with the Government Performance and  
13 Results Act of 1993 (and strategic plans adopted by the  
14 Secretary under that Act) and section 11501.

15 "(b) COLLABORATION. The Secretary shall collaborate  
16 with State educational agencies, local educational  
17 agencies, and other recipients under this Act in  
18 establishing performance indicators, benchmarks, and  
19 targets under this section.

20 "(c) PLANS AND APPLICATIONS. The Secretary may  
21 require any applicant for funds under this Act or subtitle  
22 B of title VII of the Stewart B. McKinney Homeless  
23 Assistance Act to-

1                   "(1) include in its plan or application  
2 information relating to how it will use performance  
3 indicators, benchmarks, and targets under this section to  
4 improve its program performance; and

5                   "(2) report data relating to such  
6 performance indicators, benchmarks, and targets to the  
7 Secretary."

8

9

COORDINATED SERVICES

10           SEC. 1108. (a) REPEALS AND REDESIGNATIONS. The ESEA  
11 is further amended by-

12                   (1) repealing sections 11003 and 11007; and

13                   (2) redesignating-

14                           (A) title XI of the ESEA as part I of title  
15 XI of the ESEA; and

16                           (B) sections 11001, 11002, 11004, 11005,  
17 and 11006 as sections 11901, 11902, 11903, 11904, and  
18 11905, respectively.

19           (b) MISCELLANEOUS. Part I of title XI of the ESEA,  
20 as redesignated by subsection (a) (2), is amended-

21                   (1) by amending section 11903, as redesignated  
22 by subsection (a) (2) (B), to read as follows:

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"PROJECT DEVELOPMENT AND IMPLEMENTATION

"SEC. 11903. (a) APPLICATIONS. Each eligible entity desiring to use funds made available under section 11405(b) shall submit an application to the appropriate State educational agency at such time, in such manner, and accompanied by such information as that agency may reasonably require.

"(b) PROJECT ACTIVITIES. An eligible entity that wishes to conduct a coordinated services project shall-

"(1) maintain on file-

"(i) the results of its assessment of the economic, social, and health barriers to educational achievement experienced by children and families, including foster children and their foster families, in the community, and of the local, State, Federal, and privately funded services available to meet those needs;

"(ii) a description of the entities operating the coordinated services project;

"(iii) a description of its coordinated services project, the objectives of that project, where the project will be located, the community-wide partnership that will link public and private agencies providing services to children and their families, the staff that

1 will be used to carry out the project, and how the project  
2 will meet the requirements in this part; and

3                   (iv) an annual budget that indicates the  
4 sources and amounts of funds under this Act that will be  
5 used for the project, consistent with section 11405(b), and  
6 the purposes, by budget category, for which those funds  
7 will be used;

8                   (2) evaluate annually the success of the  
9 coordinated services project under this section in meeting  
10 its goals and objectives;

11                   (3) train teachers and appropriate personnel on  
12 the purposes, activities, and services of the coordinated  
13 services project, and how children and families may obtain  
14 those activities and services; and

15                   (4) ensure that the coordinated services  
16 project addresses the health and welfare needs of migratory  
17 families.

18                   (c) SPECIAL RULE. A State educational agency need  
19 not require eligible entities to submit an application  
20 under subsection (a) in order to permit them to carry out  
21 coordinated services projects under this section.";

22                   (2) in section 11904(a)–

23                   (A) in paragraph (1), by striking out  
24 "section 14206(b)" and "section 11004(b)(1)" and inserting

1 in lieu thereof "section 11405(b) for a coordinated  
2 services project" and "section 11903(b)(1)(i)",  
3 respectively; and

4 (B) in paragraph (2), by striking out  
5 "section 14206(b)" and inserting in lieu thereof "section  
6 11405(b)"; and

7 (3) in section 11905--

8 (A) by striking out "Secretary" each place  
9 it appears and inserting in lieu thereof "State educational  
10 agency"; and

11 (B) by striking out "section 14206(b)" and  
12 inserting in lieu thereof "section 11405(b)".

13

14

#### REDESIGNATIONS

15 SEC. 1109. Title XIV of the ESEA is further amended--

16 (1) by redesignating such title as title XI;

17 (2) by redesignating sections 14101, 14102, and  
18 14103 as sections 11101, 11102, and 11103, respectively;

19 (3) by redesignating--

20 (A) part B as part D; and

21 (B) sections 14201, 14202, 14203, 14205,  
22 and 14206 as sections 11401, 11402, 11403, 11404, and  
23 11405, respectively;

24 (4) by redesignating--

- 1 (A) part C as part E; and  
2 (B) sections 14301, 14302, 14303, 14305,  
3 14306, and 14307 as sections 11501, 11502, 11503, 11504,  
4 11505, and 11506, respectively;
- 5 (5) by redesignating--  
6 (A) part D as part F; and  
7 (B) section 14401 as section 11601;
- 8 (6) by redesignating--  
9 (A) part E as part H; and  
10 (B) sections 14501, 14502, 14503, 14504,  
11 14505, 14506, 14507, 14508, 14509, 14510, 14511, and 14512  
12 as sections 11801, 11802, 11803, 11804, 11805, 11806,  
13 11807, 11808, 11809, 11810, 11811, and 11812, respectively;
- 14 (7) by redesignating--  
15 (A) part G as part J; and  
16 (B) sections 14701 and 14702 as sections  
17 11911 and 11912, respectively; and
- 18 (8) by redesignating--  
19 (A) part H as part K and  
20 (B) sections 14801 and 14802 as sections  
21 11921 and 11922, respectively.



## ED-FLEX PARTNERSHIPS

1  
2 SEC. 1110. (a) IN GENERAL. The Education Flexibility  
3 Partnership Act of 1999 (P.L. 106-25) is amended--

4 (1) by striking out everything before section 1;

5 (2) in section 1, by--

6 (A) striking out "Act" and inserting in  
7 lieu thereof "part"; and

8 (B) striking out "of 1999";

9 (3) in section (2), by--

10 (A) striking out paragraph (5);

11 (B) redesignating paragraphs (6) and (7) as  
12 paragraphs (5) and (6), respectively; and

13 (C) in paragraph (5), as redesignated by  
14 subparagraph (B), by--

15 (i) striking out "Expansion of waiver  
16 authority will allow for the waiver of" and inserting  
17 "States should be allowed to waive"; and

18 (ii) striking out the comma after  
19 "affected programs" and everything that follows through  
20 "and maintaining" and inserting "and maintaining";

21 (4) by amending section 3 to read as follows:

## "DEFINITIONS

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"SEC. 3. As used in this part, the terms 'eligible school attendance area' and 'school attendance area' have the meanings given those terms in section 1113(a)(2) of this Act.";

(5) in section 4-

(A) in subsection (a)-

(i) in paragraph (2)-

(I) in the matter before

subparagraph (A), by inserting a comma after "section";

(II) by amending subparagraph (A)

to read as follows:

"(A) has an approved educational accountability plan under section 11208 of this Act and is making satisfactory progress, as determined by the Secretary, in implementing its policies under sections 11204 and 11205 of this Act;"; and

(III) by amending subparagraph

(B) to read as follows:

"(B) has developed and implemented challenging State content standards, challenging State student performance standards, and aligned assessments described in section 1111(b) of this Act; and";

(ii) in paragraph (3)(B)-

1 (I) in the matter before clause  
2 (i), by striking out "such application" and inserting "it";  
3 and

4 (II) in clause (iv)(I), by  
5 striking out "have the ability to" and inserting "can";

6 (iii) in paragraph (4)(A)–

7 (I) in the matter before clause  
8 (i), by inserting a comma immediately after "paragraph  
9 (1)(A)" and immediately after "regulatory requirement", the  
10 second time that phrase appears, respectively; and

11 (II) in clause (iv), by striking  
12 out "why" and inserting "how";

13 (iv) in paragraph (5)–

14 (I) in subparagraph (B)(ii), by  
15 striking out "each such State" and inserting in lieu  
16 thereof "it"; and

17 (II) in subparagraph (C), by  
18 striking out "2 years after the date of the enactment of  
19 this Act" and inserting "May 1, 2001";

20 (v) in paragraph (6), by amending  
21 subparagraph (A) to read as follows:

22 "(A) IN GENERAL. The Secretary shall not  
23 approve the application of a State educational agency under  
24 paragraph (3) for a period exceeding 5 years, except that

1 the Secretary may, in accordance with subparagraph (C),  
2 extend that period if the Secretary determines that—

3                                 "(i) the State educational agency's  
4 authority to grant waivers has been effective in enabling  
5 that State or affected local educational agencies or  
6 schools to carry out their State or local reform plans and  
7 to continue to meet the accountability requirement  
8 described in paragraph (2) (B); and

9                                 "(ii) the State has made significant  
10 statewide gains in student achievement and in closing the  
11 achievement gap between low- and high-performing  
12 students."; and

13                                 (vi) in paragraph (7), by striking out  
14 "1999" and inserting "2000";

15                                 (B) by amending subsection (b) to read as  
16 follows:

17                 "(b) INCLUDED PROGRAMS. The statutory and regulatory  
18 requirements referred to in subsection (a) (1) (A) are any  
19 requirements for programs carried out under the following  
20 provisions:

21                                 "(1) Title I of this Act (other than subsection  
22 (a) and (c) of section 1116).

23                                 "(2) Part A of title II of this Act.

1           "(3) Subpart 1 of part D of title III of this  
2 Act.

3           "(4) Part A of title IV of this Act.

4           "(5) Title VI of this Act.

5           "(6) Part B of title VII of this Act.

6           "(7) The Carl D. Perkins Vocational and  
7 Technical Education Act of 1998.

8           "(8) Subtitle B of title VII of the Stewart B.  
9 McKinney Homeless Assistance Act.";

10                   (C) in subsection (c)-

11                           (i) in subparagraph (G), by striking  
12 out "such Act" and inserting "this Act";

13                           (ii) by redesignating subparagraphs  
14 (H) and (I) as subparagraphs (I) and (J), respectively; and

15                           (iii) by inserting a new subparagraph  
16 (H) to read as follows:

17                           "(H) the eligibility of a school for a  
18 schoolwide program under section 1114 of this Act, except  
19 that a State educational agency may grant a waiver to allow  
20 a local educational agency to conduct a schoolwide program  
21 in a school that serves an attendance area in which not  
22 less than 40 percent of the children are from low-income  
23 families or in which not less than 40 percent of the  
24 children enrolled are from such families;"

1 (D) in subsection (d)-

2 (i) in paragraph (1), by striking out  
3 "the waiver authority" and inserting "that waiver  
4 authority"; and

5 (ii) in paragraph (4), by-

6 (I) striking out "date of the  
7 enactment of this Act" and inserting "effective date of  
8 this part"; and

9 (II) striking out "subpart 2 of  
10 part A of title III of the Elementary and Secondary  
11 Education Act of 1965 (other than section 3136 of such  
12 Act)" and inserting "subpart 1 of part D of title III of  
13 this Act"; and

14 (E) at the end thereof, by adding a new  
15 subsection (f) to read as follows:

16 "(f) TRANSITION. Waivers granted under applicable  
17 ED-Flex authority prior to the effective date of this part  
18 shall remain in effect in accordance with the terms and  
19 conditions that applied to those waivers when they were  
20 granted. Waivers granted on or after the effective date of  
21 this part shall be subject to the provisions of this  
22 part.";

1 (6) by striking out "the Elementary and  
2 Secondary Education Act of 1965" each place it appears and  
3 inserting "this Act"; and

4 (7) by repealing sections 5 and 6.

5 (b) REDESIGNATIONS. Title XI of the ESEA is further  
6 amended--

7 (1) by redesignating the Education Flexibility  
8 Partnership Act, as amended by subsection (a), as part G of  
9 title XI; and

10 (2) by redesignating sections 1, 2, 3, and 4 as  
11 sections 11701, 11702, 11703, and 11704, respectively.

12

13

#### ACCOUNTABILITY

14 SEC. 1111. Title XI of the ESEA, as redesignated by  
15 section 1109, is further amended by inserting a new part B  
16 to read as follows:

17 "PART B - IMPROVING EDUCATION THROUGH ACCOUNTABILITY

18

19

#### "SHORT TITLE

20 "SEC. 11201. This part may be cited as the "Education  
21 Accountability Act of 1999".

1

## "PURPOSE

2 "SEC. 11202. It is the purpose of this part to  
3 improve academic achievement for all children, assist in  
4 meeting America's Education Goals under section 3 of this  
5 Act, promote the incorporation of challenging State  
6 academic content and student performance standards into  
7 classroom practice, enhance the accountability of State and  
8 local officials for student progress, and improve the  
9 effectiveness of programs under this Act and the  
10 educational opportunities of the students that they serve.

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## "TURNING AROUND FAILING SCHOOLS

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"SEC. 11203. Consistent with section 1111(b)(3)(B) of  
this Act, a State that receives assistance under this Act  
shall develop and implement a statewide system for holding  
its local educational agencies and schools accountable for  
student performance that includes-

"(1) a procedure for identifying local  
educational agencies and schools in need of improvement;

"(2) intervening in those agencies and schools  
to improve teaching and learning; and

"(3) implementing corrective actions, if those  
interventions are not effective.



## 1 "STUDENT PROGRESS AND PROMOTION POLICY

2 "SEC. 11204. (a) IN GENERAL.-(1) A State that3 receives assistance under this Act shall, at the time it  
4 submits its accountability plan under section 11208, have  
5 in effect a State policy that is designed to-6 "(A) ensure that students progress through  
7 school on a timely basis, having mastered the challenging  
8 material needed for them to reach high standards of  
9 performance; and10 "(B) end the practices of social promotion  
11 and retention.

12 "(2) As used in this part, the term-

13 "(A) 'social promotion' means the unsound  
14 educational practice of promoting students who have not  
15 demonstrated mastery of challenging State academic  
16 standards; and17 "(B) 'retention' means the unsound  
18 educational practice of requiring students who have not  
19 demonstrated mastery of challenging State academic  
20 standards to remain in the same grade, without the specific  
21 educational interventions they need to master those  
22 standards.23 "(b) POLICY. In order to ensure that students will  
24 progress through school and graduate having mastered the

1 challenging material needed for them to meet high standards  
2 of performance, a State policy under subsection (a) shall-

3 " (1) require-

4 " (A) its local educational agencies to  
5 implement continuing, intensive and comprehensive  
6 educational interventions as may be necessary to ensure  
7 that all students can meet the challenging academic  
8 performance standards required under section 1111(b) (1) (A)  
9 of this Act; and

10 " (B) all students to meet those  
11 challenging standards before being promoted at three key  
12 transition points (one of which shall be graduation from  
13 secondary school), as determined by the State, consistent  
14 with section 1111(b) (2) (D) of this Act;

15 " (2) require the State educational agency to  
16 determine, through the collection of appropriate data,  
17 whether local educational agencies and schools are ending  
18 the practices of social promotion and retention;

19 " (3) require its local educational agencies to  
20 provide to all students educational opportunities in  
21 classrooms with qualified teachers who use proven  
22 instructional practices that are aligned with the State's  
23 challenging standards and who are supported by high-quality  
24 professional development;

1           "(4) require its local educational agencies to  
2 use effective, research-based prevention and early  
3 intervention strategies to identify and support students  
4 who need additional help to meet those promotion standards;

5           "(5) provide, with respect to students who have  
6 not demonstrated mastery of challenging State academic  
7 standards on a timely basis-

8           "(A) for continuing, intensive, and age-  
9 appropriate interventions, including extended instruction  
10 and learning time, such as after-school and summer programs  
11 that are designed to help students master such material;

12           "(B) for other specific interventions, with  
13 appropriate instructional strategies, to enable students  
14 with limited English proficiency and students with  
15 disabilities to master such material;

16           "(C) for the identification of the  
17 knowledge and skills in particular subject areas that  
18 students have not mastered, in order to facilitate  
19 remediation in those areas;

20           "(D) for the development, by schools, of  
21 plans to provide individualized attention to students who  
22 have not mastered such material;

23           "(E) for full communication between the  
24 school and parents, including a description and analysis of

1 the students' performance, how it will be improved, and how  
2 parents will be involved in the process; and

3 " (F) in cases in which significant numbers  
4 of students have failed to master such material, for a  
5 State review of whether corrective action under section  
6 1116 of this Act with respect to the school or local  
7 educational agency is needed;

8 " (6) require its local educational agencies to  
9 disseminate widely their policies under this subsection in  
10 language and in a format that is concise and that parents  
11 can understand; and

12 " (7) ensure that any assessments used by a  
13 State, local educational agency, or school for the purpose  
14 of implementing a policy under this subsection--

15 " (A) are aligned with the State's  
16 challenging content and performance standards and provide  
17 coherent information about student progress towards  
18 attainment of those standards;

19 " (B) include multiple measures, including  
20 teacher evaluations, no one of which may be assigned  
21 determinative weight in making adverse decisions about  
22 individual students;

23 " (C) offer multiple opportunities for  
24 students to demonstrate that they meet the standards;

1                   "(D) are valid and reliable for the  
2 purposes for which they are used and must fairly and  
3 accurately measure what students have been taught;

4                   "(E) provide reasonable adaptations and  
5 accommodations for students with disabilities and students  
6 with limited English proficiency;

7                   "(F) provide that students with limited  
8 English proficiency are assessed, to the greatest extent  
9 practicable, in the language and form most likely to yield  
10 accurate and reliable information about what those students  
11 know and can do; and

12                   "(G) provide that Spanish-speaking students  
13 with limited English proficiency are assessed using tests  
14 written in Spanish, if Spanish-language assessments are  
15 more likely than English-language tests to yield accurate  
16 and reliable information on what those students know and  
17 can do.

18           "(c) PLAN CONTENT. A State shall include in its  
19 accountability plan under section 11208 a detailed  
20 description of—

21                   "(1) its policy under subsection (b), in  
22 accordance with paragraph (2);

23                   "(2) the strategies and steps (including

1 timelines and performance indicators) that the State will  
 2 take to ensure that its policy is fully implemented no  
 3 later than four years from the date of the approval of its  
 4 accountability plan; and

5 " (3) the steps that the State will take to  
 6 ensure that the policy is disseminated to all local  
 7 educational agencies and schools in the State and to the  
 8 general public.

9

10 "ENSURING TEACHER QUALITY

11 "SEC. 11205. (a) IN GENERAL. A State that receives  
 12 assistance under this Act shall, at the time it submits its  
 13 accountability plan under section 11208, have in effect a  
 14 policy that-

15 " (1) is designed to ensure that there are  
 16 qualified teachers in every classroom in the State; and

17 " (2) meets the requirements of this section.

18 " (b) POLICY. A policy to ensure teacher quality  
 19 under this section shall include the strategies that the  
 20 State will carry out to ensure that, within four years from  
 21 the date of the approval of its accountability plan-

22 " (1) not less than 95 percent of the teachers in  
 23 public schools in the State are certified or-

1                   "(A) have a baccalaureate degree and are  
2 enrolled in a program, such as an alternative certification  
3 program, leading to full certification in their field  
4 within three years; or

5                   "(B) have full certification in another  
6 State and are establishing certification where they are  
7 teaching;

8                   "(2) not less than 95 percent of the teachers in  
9 public secondary schools in the State have academic  
10 training or demonstrated competence in the subject area in  
11 which they teach;

12                   "(3) there is no disproportionate concentration  
13 in particular school districts of teachers who are not  
14 described in paragraphs (1) or (2); and

15                   "(4) its certification process for new teachers  
16 includes an assessment of content knowledge and teaching  
17 skills that is aligned with State standards.

18                   "(c) PLAN CONTENT.-(1) A State shall include in its  
19 accountability plan under section 11208 the performance  
20 indicators by which it will annually measure its progress  
21 in-

22                   "(A) decreasing the percentage of teachers  
23 in the State teaching without full licenses or credentials;  
24 and

1                   "(B) increasing the percentage of  
2 secondary school classes in core academic subject areas  
3 taught by teachers who-

4                   "(i) have a postsecondary-level  
5 academic major or minor in the subject area they teach or a  
6 related field; or

7                   "(ii) otherwise demonstrate a high  
8 level of competence through rigorous tests in their  
9 academic subject.

10                   "(2) In its accountability plan under  
11 section 11208, a State shall assure that, in carrying out  
12 this policy, it will not decrease the rigor or quality of  
13 its teacher certification standards.

14

15                   "SOUND DISCIPLINE POLICY

16                   "SEC. 11206. (a) IN GENERAL. A State that receives  
17 assistance under this Act shall, at the time it submits its  
18 accountability plan under section 11208, have in effect a  
19 policy that requires its local educational agencies and  
20 schools to have in place and implement sound and equitable  
21 discipline policies, in order to ensure a safe, orderly,  
22 and drug-free learning environment in every school.

23                   "(b) POLICY. A State discipline policy under this  
24 section shall require local educational agencies and



1 schools to have in place and implement disciplinary  
2 policies that-

3 " (1) focus on prevention and are coordinated  
4 with prevention strategies and programs under title IV of  
5 this Act;

6 " (2) apply to all students and are enforced  
7 consistently and equitably;

8 " (3) are clear and understandable;

9 " (4) are developed with the participation of  
10 school staff, students, and parents;

11 " (5) are broadly disseminated;

12 " (6) ensure that due process is provided;

13 " (7) are consistent with applicable Federal,  
14 State and local laws, including the Individuals With  
15 Disabilities Education Act;

16 " (8) ensure that teachers are adequately trained  
17 to manage their classrooms effectively; and

18 " (9) in case of students who are suspended or  
19 expelled from school, provide for appropriate supervision,  
20 counseling, and educational services that will help those  
21 students continue to meet the State's challenging  
22 standards.

23 " (c) PLAN CONTENT. A State shall include in its  
24 accountability plan under section 11208 an assurance that

1 it has in effect a policy that meets the requirements of  
2 this section.

3

4 "EDUCATION REPORT CARDS

5 "SEC. 11207. (a) IN GENERAL.-(1) A State that  
6 receives assistance under this Act shall, at the time it  
7 submits its accountability plan under section 11208, have  
8 in effect a policy that requires the development and  
9 dissemination of annual report cards, regarding the status  
10 of education and educational progress in the State and in  
11 its local educational agencies and schools, that meet the  
12 requirements of this section.

13 "(2) Report cards under this section shall-

14 "(A) be concise;

15 "(B) be disseminated in a format and manner  
16 that parents can understand; and

17 "(C) focus on educational results.

18 "(b) CONTENT OF STATE-LEVEL REPORT CARD.-(1) The  
19 State shall, at a minimum, include in the annual State-  
20 level report card information regarding-

21 "(A) student performance on statewide  
22 assessments, set forth on an aggregated basis, in both  
23 reading (or language arts) and mathematics, as well as any

1 other subject area for which the State requires  
2 assessments;

3                   "(B) attendance and graduation rates in the  
4 public schools of the State;

5                   "(C) average class size in each of the  
6 school districts in the State;

7                   "(D) school safety, including the incidence  
8 of school violence and drug and alcohol abuse and the  
9 number of instances in which a student has possessed a  
10 firearm at school, subject to the Gun-Free Schools Act; and

11                   "(E) the professional qualifications of  
12 teachers in the State, including the number of teachers  
13 teaching with emergency credentials and the number of  
14 teachers teaching out of their field of expertise.

15                   "(2) Student achievement data in the report card  
16 shall contain statistically sound, disaggregated results  
17 for the following categories:

18                   "(A) Gender.

19                   "(B) Racial and ethnic group.

20                   "(C) Migrant status.

21                   "(D) Students with disabilities, as  
22 compared to students who are not disabled.

1                   "(E) Economically disadvantaged students,  
2 as compared to students who are not economically  
3 disadvantaged.

4                   "(F) Students with limited English  
5 proficiency, as compared to students who are proficient in  
6 English.

7                   "(3) A State may include in such report cards  
8 any other information it determines appropriate to reflect  
9 school quality and student achievement, such as information  
10 on-

11                   "(A) longitudinal achievement scores from  
12 the National Assessment of Educational Progress or State  
13 assessments;

14                   "(B) parent involvement, as determined by  
15 such measures as the extent of parental participation in  
16 school parental involvement activities;

17                   "(C) participation in extended learning  
18 time programs, such as after-school and summer programs;  
19 and

20                   "(D) the performance of students in meeting  
21 physical education goals.

22                   "(c) CONTENT OF LOCAL EDUCATIONAL AGENCY AND SCHOOL  
23 REPORT CARDS.-(1) The State shall ensure that each local

1 educational agency and each school in the State includes in  
2 its annual report card, at a minimum—

3                   "(A) the information described in  
4 subsections (b) (1) and (b) (2); and

5                   "(B) (i) in the case of a local educational  
6 agency—

7                                 "(I) the number of schools  
8 identified as low-performing schools, such as schools  
9 identified as in need of improvement under section  
10 1116(c) (1) of this Act; and

11                                "(II) information that shows how  
12 students in its schools performed on statewide assessments  
13 compared to students in the rest of the State (including  
14 such comparisons over time, if the information is  
15 available); or

16                                "(ii) in the case of a school—

17   "(I) whether it has been  
18 identified as a low-performing school; and

19                                        "(II) information that shows how  
20 its students performed on statewide assessments compared to  
21 students in the rest of the local educational agency and  
22 the State (including such comparisons over time, if the  
23 information is available).

1                   " (2) Local educational agencies and schools may  
2 include in their annual report cards the information  
3 described in subsection (b) (3) and any other appropriate  
4 information.

5                   " (d) DISSEMINATION AND ACCESSIBILITY OF REPORT  
6 CARDS.-(1) State-level report cards under subsection (b)  
7 shall be posted on the Internet, disseminated to all  
8 schools and local educational agencies in the State, and  
9 made broadly available to the public.

10                   " (2) Local educational agency report cards under  
11 subsection (c) shall be disseminated to all schools in the  
12 school district and to all parents of students attending  
13 these schools, and made broadly available to the public,  
14 through such means as posting on the Internet.

15                   " (3) School report cards under subsection (c)  
16 shall be disseminated to all parents of students attending  
17 that school and be made broadly available to the public,  
18 through such means as posting on the Internet.

19                   " (e) PLAN CONTENT. A State shall include in its  
20 accountability plan under section 11208 an assurance that  
21 it has in effect a policy that meets the requirements of  
22 this section.

## "EDUCATION ACCOUNTABILITY PLANS

1  
2 "SEC. 11208. (a) IN GENERAL. Each State that  
3 receives assistance under this Act on or after July 1, 2000  
4 shall have on file with the Secretary an approved  
5 accountability plan that meets the requirements of this  
6 section.

7 "(b) CONTENT. An accountability plan under  
8 subsection (a) shall include-

9 "(1) a description of the State's system under  
10 section 11203;

11 "(2) a description of the steps the State will  
12 take to ensure that all local educational agencies have the  
13 capacity needed to ensure compliance with this part;

14 "(3) the information or assurances called for by  
15 sections 11204(c), 11205(c), 11206(c), and 11207(e);

16 "(4) information indicating that the Governor  
17 and the State educational agency concur with the plan; and

18 "(5) any other information that the Secretary  
19 may reasonably require to ensure the proper and effective  
20 administration of this part.

21 "(c) REPORTS.-(1) A State shall report annually to  
22 the Secretary, in such form and containing such information  
23 as the Secretary may require, on its progress in carrying  
24 out the requirements of this part, and shall include such

1 report in its consolidated State performance report under  
2 section 11506.

3           "(2) In reporting on its progress in  
4 implementing its student progress and social promotion  
5 policy under section 11204, a State shall assess the effect  
6 of its policy, and its implementation, in improving  
7 academic achievement for all children and otherwise  
8 carrying out the purpose specified in section 11202.

9           "(d) RELATIONSHIP TO CONSOLIDATED PLAN.-(1) If a  
10 State submits a consolidated State plan under section  
11 11502, it shall include in that plan its accountability  
12 plan under this section.

13           "(2) If a State does not submit a consolidated  
14 State plan, it shall submit a separate accountability plan  
15 under this section to receive assistance under this Act.

16           "(e) APPROVAL.-(1) (A) The Secretary shall approve an  
17 accountability plan under this section if the Secretary  
18 determines that it complies substantially with the  
19 requirements of this part.

20                           "(B) The Secretary may accompany the  
21 approval of a plan with conditions that are consistent with  
22 the purpose of this part.



1           "(2) In reviewing accountability plans under  
2 this part, the Secretary shall employ the peer-review  
3 procedures under section 11502(e).

4           "(3) If a State does not submit a consolidated  
5 State plan under section 11502, the Secretary shall, in  
6 considering that State's separate accountability plan under  
7 this section, employ such procedures, comparable to those  
8 set forth in section 11502(e), as the Secretary may  
9 determine.

10

11           "AUTHORITY OF SECRETARY TO ENSURE ACCOUNTABILITY

12           "SEC. 11209. (a) REMEDIES FOR SUBSTANTIAL FAILURE.

13 If the Secretary determines that a State has failed  
14 substantially to carry out a requirement of this part or a  
15 provision in its approved accountability plan under section  
16 11208, or that its performance has failed substantially to  
17 meet a performance indicator in such plan, the Secretary  
18 shall take, consistent with applicable due process  
19 procedures, one or more of the following steps to ensure  
20 that the purpose of this part is carried out promptly:

21           "(1) Providing, or arranging for the provision  
22 of, technical assistance to the State educational agency in  
23 question.

24           "(2) Requiring a plan for corrective action.

1           " (3) Suspending or terminating authority to  
2 grant waivers under applicable ED-Flex authority.

3           " (4) Suspending or terminating eligibility to  
4 participate in competitive programs under this Act.

5           " (5) Withholding, in whole or in part, State  
6 administrative funds available under this Act.

7           " (6) Withholding, in whole or in part, program  
8 funds available to such State under the Act.

9           " (7) Imposing one or more conditions upon the  
10 Secretary's approval of a State plan or application under  
11 this Act.

12           " (8) Taking other action authorized under part D  
13 of the General Education Provisions Act, such as a cease-  
14 and-desist order or compliance agreement.

15           " (9) Taking any other appropriate accountability  
16 step that is consistent with this Act, including referral  
17 to the Department of Justice for enforcement.

18           " (b) EFFECTIVE ENFORCEMENT. If remedial steps taken  
19 by the Secretary under subsection (a) fail to correct the  
20 State's non-compliance, the Secretary shall take one or  
21 more additional steps under subsection (a) to bring the  
22 State into compliance.

## 1 "RECOGNITION AND REWARDS

2 "SEC. 11210. (a) IN GENERAL. If the Secretary  
3 determines that a State has demonstrated significant,  
4 statewide achievement gains in core subjects, as measured  
5 by the National Assessment of Educational Progress for  
6 three consecutive years, is closing the achievement gap  
7 between low- and high-performing students, and has in place  
8 strategies for continuous improvement, including  
9 improvement in reducing the practices of social promotion  
10 and retention, the Secretary shall, in light of all the  
11 circumstances, including the size of those gains, recognize  
12 and reward the State, as described under subsection (b).

13 "(b) REWARDS. The Secretary shall establish, through  
14 regulation, a system for recognizing and rewarding States  
15 described under subsection (a). Such rewards may include-

16 "(1) conferring priority in competitive programs  
17 under this Act;

18 "(2) increased flexibility in administering  
19 programs under this Act, consistent with maintaining  
20 accountability; and

21 "(3) supplementary grants or administrative  
22 funds to carry out the purposes of this Act.

23 "(c) AUTHORIZATION. There are authorized to be  
24 appropriated for fiscal year 2001 and each of the four

1 succeeding fiscal years, such sums as may be necessary to  
2 carry out subsection (b) (3).

3

4 "BEST PRACTICES AND MODELS

5 "SEC. 11211. In implementing this part, the Secretary  
6 shall, after consulting with State and local educational  
7 agencies and other agencies, institutions, and  
8 organizations with experience or information relevant to  
9 the purpose of this part, disseminate information about  
10 best practices, models, and other forms of technical  
11 assistance.

12

13 "CONSTRUCTION

14 "SEC. 11212. Nothing in this part shall be construed  
15 as affecting home schooling or the application of the civil  
16 rights laws or the Individuals with Disabilities Education  
17 Act."

18

19 AMERICA'S EDUCATION GOALS PANEL

20 SEC. 1112. Title XI of the ESEA, as redesignated by  
21 section 1109, is further amended by adding a new part C to  
22 read as follows:

## 1 "PART C - AMERICA'S EDUCATION GOALS PANEL

2  
3 "PURPOSE

4 "SEC. 11301. It is the purpose of this part to  
5 establish a bipartisan mechanism for-

6 "(1) building a national consensus for education  
7 improvement; and

8 "(2) reporting on progress toward achieving  
9 America's Education Goals.

10  
11 "AMERICA'S EDUCATION GOALS PANEL

12 "SEC. 11302. (a) ESTABLISHMENT. There is established  
13 an America's Education Goals Panel (hereinafter in this  
14 part referred to as the 'Goals Panel') to advise the  
15 President, the Secretary, and the Congress.

16 "(b) COMPOSITION. The Goals Panel shall be composed  
17 of 18 members (hereinafter in this part referred to as  
18 'members'), including-

19 "(1) 2 members appointed by the President;

20 "(2) 8 members who are Governors, 3 of whom  
21 shall be from the same political party as the President and  
22 5 of whom shall not be from same political party as the  
23 President, appointed by the Chairperson and Vice  
24 Chairperson of the National Governors' Association, with

1 the Chairperson and Vice Chairperson each appointing  
 2 representatives of such Chairperson's or Vice Chairperson's  
 3 respective political party, in consultation with each  
 4 other;

5 " (3) 4 Members of the Congress, of whom-

6 " (A) 1 member shall be appointed by the  
 7 Majority Leader of the Senate from among the Members of the  
 8 Senate;

9 " (B) 1 member shall be appointed by the  
 10 Minority Leader of the Senate from among the Members of the  
 11 Senate;

12 " (C) 1 member shall be appointed by the  
 13 Majority Leader of the House of Representatives from among  
 14 the Members of the House of Representatives; and

15 " (D) 1 member shall be appointed by the  
 16 Minority Leader of the House of Representatives from among  
 17 the Members of the House of Representatives; and

18 " (4) 4 members of State legislatures appointed  
 19 by the President of the National Conference of State  
 20 Legislatures, of whom 2 shall be of the same political  
 21 party as the President of the United States.

22 " (c) SPECIAL APPOINTMENT RULES.-(1) IN GENERAL. The  
 23 members appointed pursuant to subsection (b) (3) shall be  
 24 appointed as follows:

1                   "(A) If the Chairperson of the National  
2 Governors' Association is from the same political party as  
3 the President, the Chairperson shall appoint 3 individuals  
4 and the Vice Chairperson of such association shall appoint  
5 5 individuals.

6                   "(B) If the Chairperson of the National  
7 Governors' Association is not from the same political party  
8 as the President, the Chairperson shall appoint 5  
9 individuals and the Vice Chairperson of such association  
10 shall appoint 3 individuals.

11                  "(3) REPRESENTATION. To the extent feasible,  
12 the membership of the Goals Panel shall be geographically  
13 representative and reflect the racial, ethnic, and gender  
14 diversity of the United States.

15                  "(d) TERMS. The terms of service of members shall be  
16 as follows:

17                  "(1) PRESIDENTIAL APPOINTEES. Members appointed  
18 under subsection (b) (1) of this section shall serve at the  
19 pleasure of the President.

20                  "(2) GOVERNORS. Members appointed under  
21 paragraph (2) of subsection (b) of this section shall serve  
22 for 2-year terms, except that the initial appointments  
23 under such paragraph shall be made to ensure staggered

1 terms with one-half of such members' terms concluding every  
2 2 years.

3 " (3) CONGRESSIONAL APPOINTEES AND STATE  
4 LEGISLATORS. Members appointed under paragraphs (3) and  
5 (4) of subsection (b) shall serve for 2-year terms.

6 " (e) VACANCIES. A vacancy on the Goals Panel shall  
7 not affect its powers, but shall be filled in the same  
8 manner as the original appointment.

9 " (f) TRAVEL. Each member may be allowed travel  
10 expenses, including per diem in lieu of subsistence, as  
11 authorized by section 5703 of title 5 of the United States  
12 Code for each day the member is engaged in the performance  
13 of duties for the Goals Panel away from the home or regular  
14 place of business of the member.

15 " (g) CHAIRPERSON.-(1) IN GENERAL. Subject to  
16 paragraph (3), the members shall select a Chairperson from  
17 among themselves.

18 " (2) TERM. The Chairperson of the Goals Panel  
19 shall serve a 1-year term.

20 " (3) POLITICAL AFFILIATION. The duties of the  
21 Chairperson shall alternate between political parties.

22 " (h) CONFLICT OF INTEREST. A member of the Goals  
23 Panel who is an elected official of a State that has  
24 developed content or student performance standards may not



1 participate in Goals Panel consideration of that State's  
2 standards.

3 " (i) EX OFFICIO MEMBER. If the President has not  
4 appointed the Secretary as 1 of the 2 members the President  
5 appoints pursuant to subsection (b) (1), then the Secretary  
6 shall serve as a nonvoting ex officio member of the Goals  
7 Panel.

8

9 "DUTIES

10 "SEC. 11303. (a) IN GENERAL. The Goals Panel shall-

11 "(1) report to the President, the Secretary, and  
12 the Congress regarding the progress the Nation and the  
13 States are making toward achieving America's Education  
14 Goals established under section 2 of this Act, including  
15 issuing an annual report;

16 "(2) report on promising or effective actions  
17 being taken at the national, State, and local levels, and  
18 in the public and private sectors, to achieve America's  
19 Education Goals; and

20 "(3) help build a nationwide, bipartisan  
21 consensus for the reforms necessary to achieve America's  
22 Education Goals.

23 "(b) REPORT.--(1) IN GENERAL. The Goals Panel shall  
24 annually prepare and submit to the President, the

1 Secretary, the appropriate committees of Congress, and the  
2 Governor of each State a report that shall-

3 " (A) report on the progress of the United  
4 States toward achieving America's Education Goals; and

5 " (B) identify actions that should be taken  
6 by Federal, State, and local governments to enhance  
7 progress toward achieving America's Education Goals and to  
8 provide all students with a fair opportunity to learn.

9 " (2) FORM; DATA. Reports under this subsection  
10 shall be presented in a form, and include data, that is  
11 understandable to parents and the general public.

12

13

"POWERS OF THE GOALS PANEL

14 SEC. 11304. (a) HEARINGS.-(1) IN GENERAL. The Goals  
15 Panel shall, for the purpose of carrying out this part,  
16 conduct such hearings, sit and act at such times and  
17 places, take such testimony, and receive such evidence, as  
18 the Goals Panel considers appropriate.

19 " (2) REPRESENTATION. In carrying out this part,  
20 the Goals Panel shall conduct hearings to receive reports,  
21 views, and analyses of a broad spectrum of experts and the  
22 public on the establishment of voluntary national content  
23 standards, voluntary national student performance  
24 standards, and State assessments.

1           "(b) INFORMATION. The Goals Panel may secure  
2 directly from any department or agency of the United States  
3 information necessary to enable the Goals Panel to carry  
4 out this part. Upon request of the Chairperson of the  
5 Goals Panel, the head of a department or agency shall  
6 furnish such information to the Goals Panel to the extent  
7 permitted by law.

8           "(c) POSTAL SERVICES. The Goals Panel may use the  
9 United States mail in the same manner, and under the same  
10 conditions, as other departments and agencies of the United  
11 States.

12           "(d) USE OF FACILITIES. The Goals Panel may, with or  
13 without reimbursement, and with the consent of any agency  
14 or instrumentality of the United States, or of any State or  
15 political subdivision thereof, use the research, equipment,  
16 services, and facilities of such agency, instrumentality,  
17 State, or political subdivision, as the case may be.

18           "(e) ADMINISTRATIVE ARRANGEMENTS AND SUPPORT.-(1) IN  
19 GENERAL. The Secretary shall provide to the Goals Panel,  
20 on a reimbursable basis, such administrative support  
21 services as the Goals Panel may request.

22           "(2) CONTRACTS AND OTHER ARRANGEMENTS. The  
23 Secretary, to the extent appropriate, and on a reimbursable

1 basis, shall make contracts and other arrangements that are  
2 requested by the Goals Panel to help it compile and analyze  
3 data or carry out other functions necessary to the  
4 performance of its responsibilities.

5       "(f) GIFTS. The Goals Panel may accept, administer,  
6 and utilize gifts or donations of services, money, or  
7 property, whether real or personal, tangible or intangible.

8

9                               "ADMINISTRATIVE PROVISIONS

10       "SEC. 11305. (a) MEETINGS. The Goals Panel shall  
11 meet on a regular basis, as necessary, at the call of the  
12 Chairperson of the Goals Panel or a majority of its  
13 members.

14       "(b) QUORUM. A majority of the members shall  
15 constitute a quorum for the transaction of business.

16       "(c) VOTING AND FINAL DECISIONS.- (1) VOTING. No  
17 individual may vote, or exercise any of the powers of a  
18 member, by proxy.

19       "(2) FINAL DECISIONS.- (A) In making final  
20 decisions of the Goals Panel with respect to the exercise  
21 of its duties and powers, the Goals Panel shall operate on  
22 the principle of consensus among the members of the Goals  
23 Panel.

1                   "(B) Except as otherwise provided in this  
2 part, if a vote of the membership of the Goals Panel is  
3 required to reach a final decision with respect to the  
4 exercise of its duties and powers, then such final decision  
5 shall be made by a three-fourths vote of the members of the  
6 Goals Panel who are present and voting.

7           "(d) PUBLIC ACCESS. The Goals Panel shall ensure  
8 public access to its proceedings (other than proceedings,  
9 or portions of proceedings, relating to internal personnel  
10 and management matters) and make available to the public,  
11 at reasonable cost, transcripts of such proceedings.

12

13                   "DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS

14           "SEC. 11306. (a) DIRECTOR. The Chairperson of the  
15 Goals Panel, without regard to the provisions of title 5 of  
16 the United States Code relating to the appointment and  
17 compensation of officers or employees of the United States,  
18 shall appoint a Director to be paid at a rate not to exceed  
19 the rate of basic pay payable for level V of the Executive  
20 Schedule.

21           "(b) APPOINTMENT AND PAY OF EMPLOYEES.-(1) IN  
22 GENERAL.-(A) The Director may appoint not more than 4  
23 additional employees to serve as staff to the Goals Panel  
24 without regard to the provisions of title 5 of the United

1 States Code governing appointments in the competitive  
2 service.

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

10                   "(2) ADDITIONAL EMPLOYEES. The Director may  
11 appoint additional employees to serve as staff to the Goals  
12 Panel in accordance with title 5 of the United States Code.

13                   "(c) FEDERAL EMPLOYEES. Any individual appointed to  
14 serve as the Director of, or as staff to, the Goals Panel  
15 on or after March 31, 1994, is an 'employee' within the  
16 definition of section 2105 of title 5, United States Code.

17                   "(d) EXPERTS AND CONSULTANTS. The Goals Panel may  
18 procure temporary and intermittent services of experts and  
19 consultants under section 3109(b) of title 5 of the United  
20 States Code.

21                   "(e) STAFF OF FEDERAL AGENCIES. Upon the request of  
22 the Goals Panel, the head of any department or agency of  
23 the United States may detail any of the personnel of such

1 agency to the Goals Panel to assist the Goals Panel in its  
2 duties under this part.

3

4 "AUTHORIZATION OF APPROPRIATIONS

5 "SEC. 11307. For purposes of carrying out this part,  
6 there are authorized to be appropriated such sums as may be  
7 necessary for fiscal year 2001 and for each of the four  
8 succeeding fiscal years."

9

10 REPEAL

11 SEC. 1113. Title XII of the ESEA is repealed.

## 1 TITLE XII - AMENDMENTS TO OTHER LAWS; REPEALS

2

3

## PART A - AMENDMENTS TO OTHER LAWS

4

5

AMENDMENTS TO THE STEWART B. MCKINNEY  
6 HOMELESS ASSISTANCE ACT

7

SEC. 1201. (a) POLICY. Section 721(3) of the Stewart

8

B. McKinney Homeless Assistance Act (42 U.S.C. 11421 et

9

seq.; hereinafter referred to in this section as "the Act")

10

is amended by striking out "should not be" and inserting in

11

lieu thereof "is not".

12

(b) GRANTS TO STATES FOR STATE AND LOCAL ACTIVITIES.

13

Section 722 of the Act is amended-

14

(1) in subsection (c)-

15

(A) in paragraph (2)(A)-

16

(i) by inserting "and" before "the

17

Commonwealth of"; and

18

(ii) by striking out "and Palau (until

19

the effective date of the Compact of Free Association with

20

the Government of Palau),"; and

21

(B) in paragraph (3)-

22

(i) by inserting "and" before "the

23

Commonwealth of"; and

24

(ii) striking out ", or Palau";



1                   (2) in subsection (e), by adding at the end  
2 thereof the following new paragraph:

3                   "(3) PROHIBITION ON SEGREGATING HOMELESS  
4 STUDENTS. In providing a free, appropriate public  
5 education to a homeless child or youth, no State receiving  
6 funds under this subtitle shall segregate such child or  
7 youth, either in a separate school, or in a separate  
8 program within a school, based on such child or youth's  
9 status as homeless, except in accordance with section  
10 723(a)(2)(B)(ii).";

11                   (3) in subsection (f)-

12                                 (A) by striking out paragraph (1);

13                                 (B) by amending paragraph (4) to read as  
14 follows:

15                                 "(4) collect and transmit to the Secretary,  
16 at such time and in such manner as the Secretary may  
17 require, such information as the Secretary deems necessary  
18 to assess the educational needs of homeless children and  
19 youth within the State;";

20                                 (C) by amending paragraph (6) to read as  
21 follows:

22                                 "(6) in order to improve the provision of  
23 comprehensive education and related services to homeless

1 children and youth and their families, coordinate and  
2 collaborate with-

3 " (A) educators, including child development  
4 and preschool program personnel;

5 " (B) providers of services to homeless and  
6 runaway children and youth and homeless families (including  
7 domestic violence agencies, shelter operators, transitional  
8 housing facilities, runaway and homeless youth centers, and  
9 transitional living programs for homeless youth);

10 " (C) local educational agency liaisons for  
11 homeless children and youth; and

12 " (D) community organizations and groups  
13 representing homeless children and youth and their  
14 families." ; and

15 (D) by redesignating paragraphs (2) through  
16 (6) as paragraphs (1) through (5), respectively; and

17 (4) in subsection (g)-

18 (A) by amending paragraph (1)(H) to read as  
19 follows:

20 " (H) contain assurances that-

21 " (i) State and local educational  
22 agencies will adopt policies and practices to ensure that  
23 homeless children and youth are not segregated on the basis  
24 of their status as homeless or stigmatized; and

1                   "(ii) local educational agencies in  
2 which homeless children and youth reside or attend school  
3 will-

4                   "(I) post public notice of the  
5 educational rights of such children and youth where such  
6 children and youth receive services under this Act (such as  
7 family shelters, and soup kitchens); and

8                   "(II) designate an appropriate  
9 staff person, who may also be a coordinator for other  
10 Federal programs, as a liaison for homeless children and  
11 youth.";

12                   (B) by amending paragraph (3) (B) to read as  
13 follows:

14                   "(B) In determining the best interest of  
15 the child or youth under subparagraph (A), the local  
16 educational agency shall-

17                   "(i) to the extent feasible, keep  
18 a homeless child or youth in his or her school of origin,  
19 except when doing so is contrary to the wishes of his or  
20 her parent or guardian; and

21                   "(ii) provide a written explanation to  
22 the homeless child or youth's parent or guardian when the  
23 local educational agency sends such child or youth to a

1 school other than the school of origin or a school  
2 requested by the parent or guardian.";

3 (C) by amending paragraph (6) to read as  
4 follows:

5 " (6) COORDINATION.-(A) Each local educational  
6 agency serving homeless children and youth that receives  
7 assistance under this subtitle shall coordinate the  
8 provision of services under this part with local services  
9 agencies and other agencies or programs providing services  
10 to homeless children and youth and their families,  
11 including services and programs funded under the Runaway  
12 and Homeless Youth Act.

13 " (B) Where applicable, each State and local  
14 educational agency that receives assistance under this  
15 subtitle shall coordinate with State and local housing  
16 agencies responsible for developing the comprehensive  
17 housing affordability strategy described in section 105 of  
18 the Cranston-Gonzales National Affordable Housing Act to  
19 minimize educational disruption for children and youth who  
20 become homeless.

21 " (C) The coordination required in  
22 subparagraphs (A) and (B) shall be designed to-

1                   "(i) ensure that homeless children and  
2 youth have access to available education and related  
3 support services; and

4                   "(ii) raise the awareness of school  
5 personnel and service providers of the effects of short-  
6 term stays in a shelter and other challenges associated  
7 with homeless children and youth.";

8                   (D) in paragraph (7) (A)-

9                   (i) in the matter before clause  
10 (i), by striking out "local educational agency that  
11 receives assistance under this subtitle shall designate a  
12 homelessness liaison to ensure that" and inserting in lieu  
13 thereof "local liaison for homeless children and youth,  
14 designated pursuant to subsection (g) (1) (H) (ii) (II), shall  
15 ensure that";

16                   (ii) by amending clause (i) to read as  
17 follows:

18                   "(i) homeless children and youth  
19 enroll in, and have a full and equal opportunity to succeed  
20 in, schools of that agency;"

21                   (iii) in clause (ii), by striking out  
22 the period at the end thereof and inserting in lieu thereof  
23 a semicolon and "and";

1 (iv) by adding a new clause (iii) to  
2 read as follows:

3 "(iii) the parents or guardians of  
4 homeless children and youth are informed of the education  
5 and related opportunities available to their children and  
6 are provided with meaningful opportunities to participate  
7 in the education of their children."; and

8 (v) by adding a new subparagraph (C)  
9 to read as follows:

10 "(C) Local educational agency liaisons for  
11 homeless children and youth shall, as a part of their  
12 duties, coordinate and collaborate with State coordinators  
13 and community and school personnel responsible for the  
14 provision of education and related services to homeless  
15 children and youth."; and

16 (E) by striking out paragraph (9).

17 (c) LOCAL EDUCATIONAL AGENCY GRANTS. Section 723 of  
18 the Act is amended—

19 (1) by amending subsection (a)(2) to read as  
20 follows:

21 "(2) SERVICES.—(A) Services under paragraph  
22 (1)—

23 "(i) may be provided through programs  
24 on school grounds or at other facilities;

1                                   "(ii) shall, to the maximum extent  
2 practicable, be provided through existing programs and  
3 mechanisms that integrate homeless individuals with non-  
4 homeless individuals; and

5                                   "(iii) shall be designed to expand or  
6 improve services provided as part of a school's regular  
7 academic program, but not replace that program.

8           "(B) Where services under paragraph (1) are provided  
9 on school grounds, schools-

10                                   "(i) may use funds under this Act to  
11 provide the same services to other children and youth who  
12 are determined by the local educational agency to be at  
13 risk of failing in, or dropping out of, schools, subject to  
14 the requirements of clause (ii) as applied to such other  
15 children and youth; and

16                                   "(ii) shall not provide services in  
17 settings within a school that segregate homeless children  
18 and youths from other children and youths, except as is  
19 necessary for short periods of time-

20                                   "(I) because of health and safety  
21 emergencies; or

22                                   "(II) to provide temporary,  
23 special, supplementary services to meet the unique needs of  
24 homeless children and youth."; and

1                   (2) in subsection (b)-

2                   (A) by redesignating paragraphs (1) through  
3 (4) as paragraphs (2) through (5), respectively; and

4                   (B) by adding a new paragraph (1) to read  
5 as follows:

6                   "(1) an assessment of the educational and  
7 related needs of homeless children and youth in their  
8 district (which may be undertaken as a part of needs  
9 assessments for other disadvantaged groups);"; and

10                   (3) in subsection (c)-

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

13                   "(1) IN GENERAL. The State educational agency  
14 shall, in accordance with the requirements of this subtitle  
15 and from amounts made available to it under section 726,  
16 make competitive subgrants to local educational agencies  
17 that submit applications under subsection (b). Such  
18 subgrants shall be awarded on the basis of the need of such  
19 agencies for assistance under this subtitle and the quality  
20 of the applications submitted.";

21                   (B) by redesignating paragraph (3) as  
22 paragraph (4); and

23                   (C) by inserting immediately after  
24 paragraph (2) the following new paragraph:



1                   "(3) QUALITY. In determining the quality of  
2 applications under paragraph (1), the State educational  
3 agency shall consider-

4                   "(A) the applicant's needs assessment under  
5 subsection (b) (1) and the likelihood that the program  
6 presented in the application will meet those needs;

7                   "(B) the types, intensity, and coordination  
8 of the services to be provided under the program;

9                   "(C) the involvement of parents or  
10 guardians;

11                   "(D) the extent to which homeless children  
12 and youth will be integrated within the regular education  
13 program;

14                   "(E) the quality of the applicant's  
15 evaluation plan for the program;

16                   "(F) the extent to which services provided  
17 under this subtitle will be coordinated with other  
18 available services; and

19                   "(G) such other measures as the State  
20 educational agency deems indicative of a high-quality  
21 program."

22           (d) COLLECTION AND DISSEMINATION OF INFORMATION;

23 REPORT. Section 724 of the Act is amended-

24           (1) by striking out subsection (f); and

1                   (2) adding at the end thereof the following new  
2 subsections:

3           "(f) INFORMATION.-(1) From funds appropriated under  
4 section 726, the Secretary shall, either directly or  
5 through grants, contracts, or cooperative agreements,  
6 periodically collect and disseminate data and information  
7 on:

8                   "(A) the number and location of homeless  
9 children and youth;

10                   "(B) the education and related services  
11 such children and youth receive;

12                   "(C) the extent to which such needs are  
13 being met; and

14                   "(D) such other data and information as the  
15 Secretary deems necessary and relevant to carry out this  
16 subtitle.

17                   "(2) The Secretary shall coordinate such  
18 collection and dissemination with the other agencies and  
19 entities that receive assistance and administer programs  
20 under this subtitle.

21           "(g) REPORT. Not later than four years after the  
22 date of the enactment of the Educational Excellence for All  
23 Children Act of 1999, the Secretary shall prepare and  
24 submit to the President and appropriate committees of the

1 House of Representatives and the Senate a report on the  
2 status of education of homeless youth and children, which  
3 may include information on-

4 " (1) the education of homeless children and  
5 youth; and

6 " (2) the actions of the Department and the  
7 effectiveness of the programs supported under this  
8 subtitle.".

9 (e) Section 726 of the Act is amended to read:

10 "AUTHORIZATION OF APPROPRIATIONS

11 "SEC. 726. For the purpose of carrying out this  
12 subtitle, there are authorized to be appropriated such sums  
13 as may be necessary for each of the fiscal years 2001  
14 through 2005.".

15

16

AMENDMENTS TO OTHER LAWS

17 SEC. 1202. (a) PERKINS ACT. Section 116(a) of the  
18 Carl D. Perkins Vocational and Technical Education Act of  
19 1998 (20 U.S.C. 2326(a)) is amended by striking out  
20 paragraph (5).

21 (b) HIGHER EDUCATION ACT OF 1965. Section 317(b) (1)  
22 of the Higher Education Act of 1965 (20 U.S.C.  
23 1059d(b) (10)) is amended by striking out "9308" and  
24 inserting in lieu thereof "9306".

1           (c) PRO-CHILDREN ACT OF 1994. The Pro-Children Act  
2 of 1994 (20 U.S.C. 6081 et seq.) is amended—  
3           (1) in section 1042(2)—  
4               (A) by striking out "education"; and  
5               (B) in subparagraph (A)(i), by striking out  
6 "or the Secretary of Education"; and  
7           (2) in section 1043—  
8               (A) in subsection (a), by striking out  
9 "kindergarten, elementary, or secondary education or"; and  
10              (B) in subsection (c)—  
11                  (i) in paragraph (1)—  
12                      (I) in the heading thereof, by  
13 striking out "KINDERGARTEN, ELEMENTARY, OR SECONDARY  
14 EDUCATION OR"; and  
15                  (ii) by striking out  
16 kindergarten, elementary, or secondary education or"; and  
17                  (ii) in paragraph (3), by striking out  
18 "kindergarten, elementary, or secondary education or".

## PART B - REPEALS

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14

## REPEALS

SEC. 1211. (a) Title XIII of the ESEA is repealed.

(b) The Goals 2000: Educate America Act (P.L. 103-227) is amended—

(1) by repealing titles I, II, III, IV, VII, and VIII; and

(2) in title X, by repealing part B.

(b) The Educational Research, Development, Dissemination, and Improvement Act of 1994 (Title IX of P.L. 103-227) is amended by repealing parts F, G, and H.

(c) Title III of the Education for Economic Security Act (20 U.S.C 3901 et seq.) is repealed.

THE EDUCATIONAL EXCELLENCE FOR ALL CHILDREN ACT OF 1999  
Section-by-Section Analysis

Section 2. Table of Contents. Section 2 of the bill would set out the table of contents for the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq., hereinafter in the section-by-section analysis referred to as "the ESEA") as it would be amended by the bill.

Section 3. America's Education Goals. Section 3 of the bill would rename the National Education Goals (currently in Title I of the Goals 2000: Educate America Act, P.L. 103-227), as "America's Education Goals" and update the Goals to reflect our Nation's continuing need for the Goals. Even though all the Goals will not have been reached by the year 2000 as originally hoped, nor accomplished to equal degrees, the Goals were purposely designed to set high expectations for educational performance at every stage of an individual's life, and there is a continued need to reaffirm these Goals as a benchmark to which all students can strive and attain. With policymakers, educators, and the public united in an effort to achieve America's Education Goals, the Nation will be able to raise its overall level of educational achievement.

Section 3(a) of the bill would contain findings concerning America's Education Goals, as well as descriptions of areas in which the Nation as a whole, as well as individual States, have been successful (or unsuccessful) at making progress toward achieving the various Goals during the last decade.

In order to reflect the overarching importance of America's Education Goals, section 3(b) of the bill would amend the ESEA to place the Goals in a proposed new section 3 of the ESEA. Proposed new section 3(a) of the ESEA would state the purpose of America's Education Goals as: setting forth a common set of national goals for the education of our Nation's students that the Federal Government and all States and local communities will work to achieve; identifying the Nation's highest education priorities related to preparing students for responsible citizenship, further learning, and the technological, scientific, economic, challenges of the 21st century; and establishing

a framework for educational excellence at the national, State, and local levels. Proposed new section 3(b) of the ESEA would state the Goals.

Title I of the Goals 2000: Educate America Act, the current authority for the National Education Goals, would be repealed by section 1211 of the bill.

Section 4. Transition. Section 4 of the bill would specify the actions that the Secretary must, and a recipient of ESEA funds may, take as part of the transition between the requirements of the ESEA as in effect the day before the date of enactment of the Educational Excellence for All Children Act of 1999, and the requirements of the ESEA as amended by the bill.

Under section 4(a) of the bill, the Secretary would be required to take such steps as the Secretary determines to be appropriate to provide for the orderly transition to programs and activities under the ESEA, as amended by the bill, from programs and activities under the ESEA, as it was in effect the date before the date of enactment of the bill.

Under section 4(b) of the bill, a recipient of funds under the ESEA, as it was in effect the date before the date of enactment of the bill, may use such funds to carry out necessary and reasonable planning and transition activities in order to ensure a smooth implementation of programs and activities under the ESEA, as amended by the bill.

Section 5. Effective Dates. Section 5 of the bill would set out the effective dates for the bill. The bill would take effect July 1, 2000, except for those amendments made by the bill that pertain to programs administered by the Secretary on a competitive basis, and the amendments made by Title VIII of the bill (Impact Aid), which would take effect with respect to appropriations for fiscal year 2001 and subsequent fiscal years, and amendments made by section 4 of the bill (transition requirements), which would take effect upon enactment.

## TITLE I - HELPING DISADVANTAGED CHILDREN MEET HIGH STANDARDS

Section 101, declaration of policy and statement of purpose [ESEA, §1001]. Section 101(a) of the bill would amend the statement of policy in section 1001(a) of the ESEA by deleting paragraph (2), which called for an annual increase in appropriations of at least \$750 million from fiscal years 1996 through 1999.

Section 101(b) would amend the statement of need in section 1001(b) of the ESEA to reflect the bill's proposal to move the text of the National Education Goals from the Goals 2000: Educate America Act to section 3 of the ESEA, and to add a paragraph (6) noting the benefits of holding local educational agencies (LEAs) and schools accountable for results.

Section 101(c) would update the statement, in section 1001(c), of what has been learned, to reflect experience and research since that statement was enacted in 1994, including the addition of six new findings.

Section 101(d) would add, to the list of activities through which Title I's purpose is to be achieved, promoting comprehensive schoolwide reforms that are based on reliable research and effective practices.

Section 102, authorization of appropriations [ESEA, §1002]. Section 102 of the bill would restate, in its entirety, section 1002 of the ESEA, which authorizes the appropriation of funds to carry out the various Title I programs. As revised, section 1002 would authorize the appropriation of "such sums as may be necessary" for fiscal years 2001 through 2005 for grants to LEAs under Part A, the Even Start program under Part B, the education of migratory children under Part C, State agency programs for neglected or delinquent children under Part D, the Reading Excellence program (to be transferred to Part E from Title II), and certain Federal activities under section 1502 (to be redesignated as section 1602). Funds would no longer be authorized for capital expenses relating to the provision of Title I services to children in private schools. In addition, certain school-improvement activities would be funded by requiring States to dedicate a portion of their Title I grants to those activities, rather than through a separate authorization as in current law.

Section 103, reservations for accountability and evaluation [ESEA, §1003]. Section 103 of the bill would amend, in its entirety, section 1003 of the ESEA, to require each SEA to reserve 2.5 percent of its annual Basic Grant under Part A of



Title I to carry out the LEA and school improvement activities described in sections 1116 and 1117 in fiscal years 2001 and 2002, and 3.5 percent of that amount for that purpose in subsequent fiscal years. This requirement, which is an important component of the bill's overall emphasis on accountability for results, will ensure that each participating State devotes a sufficient portion of its Part A funds to the critical activities described in those sections. In addition, the SEA would have to allocate at least 70 percent of the reserved amount directly to LEAs in accordance with certain specified priorities or use at least that portion of the reserved amount to carry out an alternative system of school and LEA improvement and corrective action described in the State plan and approved by the Secretary.

Section 1003(b) of the ESEA would permit the Secretary to reserve up to 0.30 percent of each year's Title I appropriation to conduct evaluations and studies, collect data, and carry out other activities under section 1501.

## PART A - BASIC GRANTS

Section 111, State plans [ESEA, §1111]. Section 111(1)(A) of the bill would amend section 1111(a)(1) of the ESEA, which requires a State that wishes to receive a Basic Grant under Part A of Title I to submit a State plan to the Secretary of Education (the Secretary). Section 111(1)(A)(i) would add language emphasizing that the purpose of a State's plan is to help all children achieve to high State standards and to improve teaching and learning in the State.

Section 111(1)(A)(ii) would add, to the list of other programs with which the plan must be coordinated, a specific reference to the Individuals with Disabilities Education Act (IDEA) and the Carl D. Perkins Vocational and Technical Education Act of 1998. This section would also delete a reference to the Goals 2000: Educate America Act, which another provision of the bill would repeal, and delete a cross-reference to a section in Title XIV that another provision of the bill would repeal.

Section 111(1)(B) would improve the readability of section 1111(a)(2), which permits a State to submit its Part A plan as part of a consolidated plan under section 14302 (to be redesignated as §11502).

Section 111(2)(A) would add a reference to accountability to the heading of section 1111(b), to reflect the proposed addition of language on that topic as section 1111(b)(3).

Section 111(2)(B)(i) would streamline section 1111(b)(1)(B), which requires that the challenging content and student-performance standards each State must use in carrying out Part A be the same standards that the State uses for all schools and children in the State, to reflect the progress that States are expected to have made under current law by the effective date of the bill.

Section 111(2)(B)(ii) would delete outdated language from section 1111(b)(1)(C), which provides that, if a State has not adopted content and student-performance standards for all students, it must have those standards for children served under Part A in subjects determined by the State, which must include at least mathematics and reading or language arts.

Section 111(2)(C) would delete current section 1111(b)(2), which requires States to describe, in their plans, what constitutes adequate yearly progress by LEAs and schools participating in the Part A program. This requirement would be

replaced by the new provisions on accountability in section 1111(b)(3), described below. Section 111(2)(C) would also redesignate paragraph (3) of section 1111(b), relating to assessments, as paragraph (2).

Section 111(2)(D)(i) would clarify that States must start using the yearly assessments described in current paragraph (3) of section 1111(b) (which the bill would redesignate as paragraph (2)) no later than the 2000-2001 school year.

Section 111(2)(D)(ii) would amend subparagraph (F) of current-of section 1111(b)(3), relating to assessments of limited English proficient (LEP) children. Clauses (iv) and (v) would be added to require, respectively, that: (1) LEP students who speak Spanish be assessed with tests written in Spanish, if Spanish-language tests are more likely than English-language tests to yield accurate and reliable information on what those students know and can do in content areas other than English; and (2) tests written in English be used to assess the reading and language arts proficiency of any student who has attended school in the United States for three or more consecutive years.

Section 111(2)(E) would add a new provision on accountability as section 1111(b)(3). It would replace the current requirement that States establish criteria for "adequate yearly progress" in LEAs and schools with a requirement that they submit an accountability plan as part of their State applications, reflecting the critical role that accountability plays as a component of overall systems. In particular, each State would have to have an accountability system that is based on challenging standards, includes all students, promotes continuous improvement, and includes rigorous criteria for identifying and intervening in schools and districts in need of improvement. This proposal addresses concerns that many current accountability systems focus only on overall school performance and divert attention away from the students who need the greatest help.

Section 111(2)(F) would make a conforming amendment to section 1111(b)(4).

Section 111(2)(G) would delete paragraphs (5), (6), and (7) from section 1111(b). Paragraph (5) requires States to identify languages other than English that are present in the participating school population, to indicate the languages for which assessments are not available, and to make every effort to develop those assessments. This provision is burdensome and unnecessary. Paragraph (6) describes the schedule, established

in 1994, for States to develop the necessary standards and assessments, while paragraph (7) governs the transition period during which States were not required to have "final" standards and assessments in place. These provisions would be obsolete by the time the bill takes effect. Instead, section 112(2)(G) would enact a new paragraph (5), providing that while a State may revise its assessments at any time, it must comply with the statutory timelines for identifying, assisting, and taking corrective action with respect to, LEAs and schools that need to improve.

Section 111(2)(H) and (I) would redesignate paragraph (8) of section 1111(b) as paragraph (6) and make conforming amendments to cross-references in that paragraph.

Section 111(3) of the bill would amend section 1111(c) of the ESEA, to significantly shorten the list of assurances that each State must include in its plan.

Section 111(4)(A) would delete section 1111(d)(2), relating to withholding of funds from States whose plans don't meet section 1111's requirements. That provision duplicates Part D of the General Education Provisions Act, which establishes uniform procedures and rules for withholding and other enforcement actions across a broad range of programs, including the ESEA programs, administered by the Department of Education.

Section 111(4)(B) would make technical amendments to section 1111(d)(1).

Section 111(4)(C) would amend current section 1111(d)(1)(B) to require the Secretary to include experts on educational standards, assessments, accountability, and the diverse educational needs of students in the peer-review process used to review State plans.

Section 111(5) would amend section 1111(e) to require each State to submit its plan to the Secretary for the first year for which Part A is in effect following the bill's enactment.

Section 111(6) would replace subsection (g) of section 1111, which is obsolete by its terms, with language permitting the Secretary to take any of the actions described in proposed section 11209 if the Secretary determines that a State is not carrying out its responsibilities under the new accountability provisions in section 1111(b)(3). These actions, which apply under section 11209 in the case of a State that fails to carry out its responsibilities under proposed Part B of Title XI (relating to teacher quality, social promotion, LEA and school

report cards, and school discipline) would afford the Secretary a broad range of actions, ranging from providing technical assistance to withholding funds.

Section 112, local educational agency plans [ESEA, §1112]. Section 112(1) of the bill would amend section 1112(a)(1) of the ESEA, which requires an LEA that wishes to receive subgrants under Part A of Title I to have a plan on file with, and approved by, the State educational agency. The bill would add, to the list of other programs with which the plan must be coordinated, a specific reference to the IDEA and the Carl D. Perkins Vocational and Technical Education Act of 1998. The bill would also delete a reference to the Goals 2000: Educate America Act, which another provision of the bill would repeal, and delete an inappropriate cross-reference.

Section 112(2)(A) would add language to section 1112(b) to emphasize that the purpose of an LEA's plan is to help all children achieve to high standards.

Section 112(2)(B) would amend section 1112(b)(1), relating to any student assessments that the LEA uses (other than those described in the State plan under section 1111), to require the LEA's plan to describe any such assessments that it will use to determine the literacy levels of first graders and their need for interventions and how it will ensure that those assessments are developmentally appropriate, use multiple measures to provide information about the variety of relevant skills, and are administered to students in the language most likely to yield valid results.

Section 112(2)(C) would amend section 1112(b)(3) to require an LEA's professional development strategy under Part A to also be a component of its professional development plan under the new Title II, if it receives Title II funds.

Section 112(2)(D) would amend section 1112(b)(4)(B) to remove an obsolete reference; conform that provision to the proposed repeal of Subpart 2 of Part 2 of Title I, relating to local programs for neglected or delinquent children; and include Indian children served under Title IX of the ESEA in the categories of children for whom an LEA's plan must describe the coordination of Title I services with other educational services those children receive.

Section 112(2)(F) would amend section 1112(b)(9), relating to preschool programs, to replace language in that provision with a cross-reference to new language that the bill would add to section 1120B.

Section 112(2)(G) would amend section 1112(b) to require LEAs to include two additional items in their plans: (1) a description of the actions it will take to assist its low-performing schools, if any, in making the changes needed to educate all children to the State standards; and (2) a description of how the LEA will promote the use of extended learning time, such as an extended school year, before- and after-school programs, and summer programs.

Section 112(3) would amend section 1112(c), which describes the assurances that an LEA must include in its application, to conform to other provisions in the bill and to delete obsolete provisions relating to the Head Start program. Instead, the new Head Start standards would be incorporated into proposed section 1120B. Section 112(3) would also require that an LEA include new assurances that it will: (1) annually assess the English proficiency of all LEP children participating in Part A programs, use the results of those assessments to help guide and modify instruction in the content areas, and provide those results to the parents of those children; and (2) comply with the requirements of section 1119 regarding teacher qualifications and the use of paraprofessionals.

Section 112(4) would amend section 1112(d), relating to the development and duration of an LEA's plan, to require the LEA to submit the plan for the first year for which Part A, as amended by the bill, is in effect, and to require an LEA to submit subsequent revisions to its plan to the SEA for its approval.

Section 112(5) would amend section 1112(e), relating to State review and approval of LEA plans, to require that States use a peer-review process in reviewing those plans, and to remove some obsolete language.

Section 113, eligible school attendance areas [ESEA, §1113]. Section 113(1) of the bill would amend section 1113, relating to eligible school attendance areas, to clarify language relating to waivers of the normal requirements for school attendance areas covered by State-ordered or court-ordered desegregation plans, and to afford the same treatment to voluntary desegregation plans approved by the Secretary.

Section 113(2)(C) would restore to section 1113 the authority for an LEA to continue serving an attendance area for one year after it loses its eligibility. This language, which was removed from the Act in 1994, would give LEAs flexibility to prevent the abrupt loss of services to children who can clearly

benefit from them, as individual attendance areas move in and out of eligibility from year to year.

Section 113(3)(A) would add, as section 1113(c)(2)(C), language to clarify that an LEA may allocate greater per-child amounts of Title I funds to higher-poverty areas and schools than it provides to lower-poverty areas and schools.

Section 113(3)(B) would amend section 1113(c)(3) to require an LEA to reserve sufficient funds to serve homeless children who do not attend participating schools, not just when the LEA finds it "appropriate". Some LEAs have invoked the current language as a justification for failing to provide services that they should provide.

Section 114, schoolwide programs [ESEA, §1114]. Section 114(a)(1) and (2) of the bill would amend section 1114(a) of the ESEA, which describes the purpose of, and eligibility for, schoolwide programs under section 1114, by revising the subsection heading to more accurately reflect subsection (a)'s contents, and to delete current paragraph (2), which is obsolete.

Section 114(a)(3)(A) would make a conforming amendment to section 1114(a)(4)(A) to reflect the bill's redesignation of section 1114(b)(2) as section 1114(c).

Section 114(a)(3)(B) would amend the prohibition on using IDEA funds to support a schoolwide program to reflect the fact that section 613(a)(2)(D) of the IDEA, as enacted by the IDEA Amendments of 1997, now permits funds received under Part B of that Act to be used to support schoolwide programs, subject to certain conditions.

Section 114(a)(4) would delete paragraph (5) of section 1114(a), relating to professional development in schoolwide programs. That topic is addressed by other applicable provisions, including the revised statement of the required elements of schoolwide programs. See, especially, proposed sections 1114(b)(2)(C) and 1119.

Section 114(b)(1) would delete section 1114(c), which duplicates other provisions relating to school improvement, and section 114(b)(2) would redesignate current subsection (b)(2) as subsection (c). Under this revised structure, subsection (b) would list the required components of a schoolwide program, and subsection (c) would describe the contents of a plan for a schoolwide program.

Section 114(c) would revise the statement of the elements of a schoolwide program in section 1114(b) in its entirety. The revised statement would strengthen current law, to reflect experience and research over the past several years, including significant aspects of the Comprehensive School Reform Demonstration program.

Section 114(d)(1) - (4) would amend the requirements of section 1114 relating to plans for schoolwide programs (current subsection (b)(2), which the bill would redesignate as subsection (c)), to delete an obsolete reference and make technical and conforming amendments.

Section 114(d)(5) would add, as section 1114(c)(3), language requiring peer review and LEA approval of a schoolwide plan before the school implements it.

Section 115, targeted assistance schools [ESEA, §1115].  
Section 115(1)(A)(i)(I) would make a technical amendment to section 1115(b)(1)(A) of the ESEA.

Section 115(1)(A)(ii) would delete the requirement that children be at an age at which they can benefit from an organized instructional program provided at a school or other educational setting in order to be eligible for services under section 1115. This change would make clear that preschool children of any age may be served under Part A as long as they can benefit from an organized instructional program.

Section 115(1)(B)(i) would amend section 1115(b)(2), which addresses the eligibility of certain groups of children, by deleting references to children who are economically disadvantaged. The current reference to that category of children is confusing, because it erroneously assumes that there are specific eligibility requirements for them.

Section 115(1)(B)(ii) would clarify that children who, within the prior two years, had received Title I preschool services are eligible for services under Part A, as are children who participated in a Head Start or Even Start program in that period.

Section 115(1)(B)(iii) and (iv) would amend section 1115(b)(2)(C) and (D) to clarify that certain other groups of children are eligible for services under section 1115.

Section 115(2)(C) would streamline section 1115(c)(1)(E), relating to coordination with, and support of, the regular education program.



Section 115(2)(D) would amend section 1115(c)(1)(F) to emphasize that instructional staff must meet the standards set out in revised section 1119.

Section 115(2)(E) would make a technical amendment to section 1115(c)(1)(G).

Section 115(2)(F) would correct an error in section 1115(c)(1)(H).

Section 115(3) would delete section 1115(e)(3), relating to professional development, because other provisions of Part A would address that topic.

Section 115A, school choice [ESEA, §1115A]. Section 115A of the bill would make a conforming change to section 1115A(b)(4) of the ESEA.

Section 116, assessment and local educational agency and school improvement [ESEA, §1116]. Section 116(a) of the bill would revise subsections (a) through (d) of section 1116 of the ESEA, in their entirety, as follows:

Section 1116(a), relating to LEA reviews of schools served under Part A, would be revised to conform to amendments that the bill would make to section 1111 (State plans).

Section 1116(b) would provide examples of the criteria a State could use in designating Distinguished Schools, and would delete the cross-reference to section 1117, to reflect the bill's streamlining of that section.

Section 1116(c)(1) - (3), relating to an LEA's obligation to identify participating schools that need improvement, and to take various actions to bring about that improvement, would be strengthened, consistent with the bill's overall emphasis on greater accountability. In particular, section 1116(c)(3)(A) would require each school so identified by an LEA, within three months of being identified, to develop or revise a school plan, in consultation with parents, school staff, the LEA, and a State school support team or other outside experts. The plan would have to have the greatest likelihood of improving the performance of participating children in meeting the State student performance standards, address the fundamental teaching and learning needs in the school, identify and address the need to improve the skills of the school's staff through effective professional development, identify student performance targets and goals for the next three years, and specify the

responsibilities of the LEA and the school under the plan. The LEA would have to submit the plan to a peer-review process, work with the school to revise the plan as necessary, and approve it before it is implemented.

Section 1116(c) (5) (C) would be revised to make clear that, with limited exceptions, an LEA would have to take at least one of a list of specified corrective actions in the case of a school that fails to make progress within three years of its identification as being in need of improvement. The list would be limited to four possible actions, each of which is intended to have serious consequences for the school, to ensure that the LEA takes action that is likely to have a positive effect.

Section 1116(d), relating to SEA review of LEA programs, would similarly be revised to conform to other provisions of the bill relating to accountability for achievement; to remove obsolete provisions; and to require an LEA that has been identified by the SEA as needing improvement to submit a revised Part A plan to the SEA for peer review and approval. In addition, the bill would strengthen and clarify language relating to the corrective actions that SEAs must take in the case of an LEA that fails to make sufficient progress within three years of being identified by the SEA as in need of improvement.

Section 117, State assistance for school support and improvement (ESEA, §1117). Section 117 of the bill would substantially streamline section 1117 of the ESEA, relating to State support for LEA and school support and improvement. Much of current section 1117 is needlessly prescriptive and otherwise unnecessary, particularly in light of the strengthened provisions on LEA and school improvement and corrective actions in revised sections 1003(a)(2) and 1116.

Section 1117(a) would retain the requirement of current law that each SEA establish a statewide system of intensive and sustained support and improvement for LEAs and schools, in order to increase the opportunity for all students in those LEAs and schools to meet State standards.

Section 1117(b) would replace the statement of priorities in current section 1117(1) with a 3-step statement of priorities. The SEA would first provide support and assistance to LEAs that it has identified for corrective action under section 1116 and to individual schools for which an LEA has failed to carry out its responsibilities under that section. The SEA would then support and assist other LEAs that it has identified as in need of improvement under section 1116, but

that it has not identified as in need of corrective action. Finally, the SEA would support and assist other LEAs and schools that need those services in order to achieve Title I's purpose.

Section 1117(c) would provide examples of approaches the SEA could use in providing support and assistance to LEAs and schools.

Section 1117(d) would direct each SEA to use the funds available to it for technical assistance and support under section 1003(a)(1) (other than the 70 percent or more that it reserves under section 1003(a)(2)) to carry out section 1117, and would permit the SEA to also use the funds it reserves for State administration under redesignated section 1701(c) (current section 1603(c)) for that purpose.

Section 118, parental involvement [ESEA, §1118]. Section 118(1), (2), and (3) would make conforming amendments to section 1118, relating to parental involvement in Part A programs.

Section 118(4) would amend section 1118(f) so that the requirement to provide full opportunities for participation by parents with limited English proficiency and parents with disabilities, to the extent practicable, applies to all Part A activities, not just to the specific provisions relating to parental involvement.

Section 118(5) would repeal subsection (g) of section 1118, to reflect the bill's proposed repeal of the Goals 2000: Educate America Act.

Section 119, teacher qualifications and professional development [ESEA, §1119]. Section 119(1) would change the heading of section 1119 to "High-Quality Instruction" to reflect amendments made to this section that are designed to ensure that participating children receive high-quality instruction.

Section 119(2) of the bill would delete subsection (f) of section 1119, which is not needed, and redesignate subsections (b) through (e) and (g) of that section as subsections (d) through (h).

Section 119(3) would insert a new subsection (a) in section 1119 to require that each participating LEA hire qualified instructional staff, provide high-quality professional development to staff members, and use at least five percent of its Part A grant for fiscal years 2001 and 2002, and 10 percent of its grant for each year thereafter, for that professional development.

Section 119(4) would insert new subsections (b) and (c) in section 1119 to specify the minimum qualifications for teachers and for paraprofessionals in programs supported with Part A funds. These requirements are designed to ensure that participating children receive high-quality instruction and assistance, so that they can meet challenging State standards.

Section 119(5)(A) would revise the list of required professional development activities in current section 1119(b), which would be redesignated as section 1119(c), to reflect experience and research on the most effective approaches to professional development.

Section 119(5)(B)(iii) would add child-care providers to those with whom an LEA could choose to conduct joint professional development activities under redesignated section 1119(d)(2)(H) (current section 1119(b)(2)(H)).

Section 119(6) would make a conforming amendment to section 1119(g), which would be redesignated as section 1119(h), relating to the combined use of funds from multiple sources to provide professional development.

Section 120, participation of children enrolled in private schools [ESEA, §1120]. Section 120(1)(A) of the bill would add, to section 1120(a)'s statement of an LEA's responsibility to provide for the equitable participation of students from private schools, language to make clear that the services provided those children are to address their needs, and that the teachers and parents of these students participate on an equitable basis in services and activities under sections 1118 and 1119 (parental involvement and professional development).

Section 120(1)(B) would amend section 1120(a)(4) to give each LEA the option of determining the number of poor children in private schools every year, as under current law, or every two years.

Section 120(2)(A)(ii) and (iii) would amend section 1120(b)(1), relating to the topics on which an LEA consults with private school officials about services to children in those schools, to include: (1) how the results of the assessments of the services the LEA provides will be used to improve those services; (2) the amounts of funds generated by poor children in each participating attendance area; (3) the method or sources of data that the LEA uses to determine the number of those children; and (4) how and when the LEA will make decisions about the delivery of services to those children.

Section 120(2)(B)(i) would amend section 1120(b)(2) to require that an LEA's consultation with private school officials include meetings. Consultations through telephone conversations and similar methods, while still permissible, would not, by themselves, be sufficient.

Section 120(2)(B)(ii) would amend section 1120(b)(2) to clarify that LEA-private school consultations are to continue throughout the implementation and assessment of the LEA's Part A program.

Section 120(3) would revise cross-references in section 1120(d)(2) to reflect the redesignation of sections by other provisions of the bill.

Section 120(4) would delete subsection (e) of section 1120(b), which authorizes the award of separate grants to States to help them pay for capital expenses that States and LEAs incur in providing services to children who attend private schools. In light of the Supreme Court's 1997 decision in Agostini v. Felton, which allows LEAs to provide Title I services on the premises of parochial schools, this authority is no longer needed.

Section 120A, fiscal requirements [ESEA, §1120A]. Section 120A(1) of the bill would make a conforming amendment to a cross-reference in section 1120A(a) of the ESEA, which requires an LEA to maintain fiscal effort as a condition of receiving Part A funds.

Section 120A(2) would amend section 1120A(c) of the ESEA, which requires a participating LEA to ensure that it provides services in Title I schools, from State and local sources, that are at least comparable to the services it provides in its other schools.

Section 120A(2)(A) would amend section 1120A(c)(2) to replace the current criteria for determining comparability with three criteria that would capture the concept of comparability more fairly and thoroughly. LEAs would be given until July 1, 2002, to comply with these new criteria.

Section 120A(2)(B) would amend section 1120A(c)(3)(B) to require LEAs to update their records documenting compliance with the comparability requirement annually, rather than every two years.

Section 120B, preschool services and coordination requirements [ESEA, §1120B]. Section 120B(1) of the bill would amend the heading of section 1120B of the ESEA to read "Preschool Services; Coordination Requirements" to more accurately reflect its content.

Section 120B(2) would make a technical amendment to section 1120B(c), relating to coordination of Title I regulations with Head Start regulations issued by the Department of Health and Human Services, to reflect enactment of the Head Start Amendments of 1998.

Section 120B(3) would add a subsection (d) to section 1120B to provide additional direction to preschool programs carried out with Part A funds, and to ensure that those programs are of high quality. This language replaces, and builds on, current section 1112(c)(1)(H).

Section 120C, allocations [ESEA, §§1121-1127]. Section 120C(a) of the bill would amend section 1121(b) of the ESEA, which authorizes assistance to the outlying areas, to correct an internal cross-reference in paragraph (1) and to make the \$5 million total for assistance to the Freely Associated States (FAS) a maximum rather than a fixed annual amount. The Secretary should have the flexibility to determine that an amount less than the full \$5 million may be warranted for the FAS in any given year, particularly in light of possible revisions to their respective compacts of free association.

Section 120C(b) would amend section 1122 of the ESEA, which governs the allocation of Part A funds to the States, by: (1) removing provisions that have expired; (2) describing the amount to be available for targeted assistance grants under section 1125; (3) providing for proportionate reductions in State allocations in case of insufficient appropriations; and (4) retaining the provisions on "hold-harmless" amounts that apply to fiscal year 1999. Most of the substance of law that is currently applicable would be retained, but the section as a whole would be significantly shortened.

Section 120C(c)(1)(A) would clarify (without substantive change) section 1124(a)(1), relating to the allocation of basic grants to LEAs.

Section 120C(c)(1)(B) would redesignate paragraphs (3) and (4) of section 1124(a) as paragraphs (4) and (5).

Section 120C(c)(1)(C) would revise, in their entirety, the statutory provisions governing the calculation of LEA basic

grants in section 1124(a)(2) and move some of those provisions to section 1124(a)(3) to improve the section's structure and readability. As amended, section 1124(a)(2)(A) would direct the Secretary to make allocations on an LEA-by-LEA basis, unless the Secretary and the Secretary of Commerce (who is responsible for the decennial census and other activities of the Bureau of the Census) determine that LEA-level data on poor children is unreliable or that its use would otherwise be inappropriate. In that case, the two Secretaries would announce the reasons for their determination, and the Secretary would make allocations on the basis of county data, rather than LEA data, in accordance with new paragraph (3).

For any fiscal year for which the Secretary allocates funds to LEAs, rather than to counties, section 1124(a)(2)(B) would clarify that the amount of a grant to any LEA with a population of 20,000 or more is the amount determined by the Secretary. For LEAs with fewer people, the SEA could either allocate the amount determined by the Secretary or use an alternative method, approved by the Secretary, that best reflects the distribution of poor families among the State's small LEAs.

For any fiscal year for which the Secretary allocates funds to counties, rather than to LEAs, section 1124(a)(3) would direct the States to suballocate those funds to LEAs, in accordance with the Secretary's regulations. A State could propose to allocate funds directly to LEAs without regard to the county allocations calculated by the Secretary if a large number of its LEAs overlap county boundaries, or if it believes it has data that would better target funds than allocating them initially by counties.

In general, paragraphs (2) and (3) of section 1124(a) would retain current law, while eliminating extraneous or obsolete provisions, and making this portion of the statute much easier to read and understand than current law.

Section 120C(c)(1)(D) would revise language relating to Puerto Rico's Part A allocation (current section 1124(a)(3), which the bill would redesignate as section 1124(a)(4)) so that, over a 5-year phase-in period, its allocation would be determined on the same basis as are the allocations to the 50 States and the District of Columbia.

Section 120C(c)(2) would amend section 1124(b), relating to the minimum number of poor children needed to qualify for a basic grant, to improve its readability and to delete obsolete language.

Section 120C(c)(3)(A)(ii) would amend section 1124(c)(1), which describes the children to be counted in determining an LEA's eligibility for, and the amount of, a basic grant, to delete subparagraph (B), which permits the inclusion of certain children whose families have income above the poverty level. The number of these children is now quite small, and collection of reliable data on them is burdensome.

Section 120C(c)(3)(A)(iii) would amend section 1124(c)(1)(C), relating to counts of certain children who are neglected or delinquent, to give the Secretary the flexibility to use the number of those children for either the preceding year (required by current law) or for the second preceding year.

Section 120C(c)(3)(B)(ii) would delete the 3rd and 4th sentences of section 1124(c)(2), which provide a special, and unwarranted, benefit to a single LEA.

Section 120C(c)(3)(C) would update section 1124(c)(3), relating to census updates.

Section 120C(c)(3)(D) would repeal section 1124(c)(4), relating to a study by the National Academy of Sciences, which has been completed, and redesignate paragraphs (5) and (6) of section 1124(c) as paragraphs (4) and (5).

Section 120C(c)(3)(E)(i) would delete the first sentence of current section 1124(c)(5), which the bill would redesignate as section 1124(c)(4). This language, relating to counts of certain children from families with incomes above the poverty level, would no longer be needed in light of the deletion of these children from the count of children under section 1124(c)(1), described above.

Section 120C(c)(3)(E)(iii) and (F) would move, from current section 1124(c)(6) to current section 1124(c)(5) (to be redesignated as section 1124(c)(4)) a sentence about the counting of children in correctional institutions. This provides a more logical location for this provision.

Section 120C(c)(4)(B) would make a conforming amendment to section 1124(d).

Section 120C(d)(1)(A)(i) would remove obsolete language from section 1124A(a)(1)(A) of the ESEA, which sets eligibility criteria for LEAs to receive concentration grants under section 1124A. The current eligibility criteria would be retained.



Section 120C(d)(1)(A)(ii) would make conforming amendments to section 1124A(a)(1)(B), relating to minimum allocations to States.

Section 120C(d)(1)(B) would replace the lengthy and complicated language in section 1124A(a)(4), relating to calculation of LEA concentration grant amounts, with a simple cross-reference to the streamlined allocation provisions in section 1124(a)(3) and (4). Since the applicable rules are the same, there is no need to repeat them. In addition, the revised section 1124A(a)(4)(B) would retain the authority, unique to the allocation of concentration grants, under which a State may use up to two percent of its allocation for subgrants to LEAs that meet the numerical eligibility thresholds but are located in ineligible counties.

Section 120C(d)(2) would delete subsections (b) and (c) from section 1124A and redesignate subsection (d) as subsection (b). Subsection (b), relating to the total amount available for concentration grants, would be replaced by section 1122(a)(2). Subsection (c), providing for ratably reduced allocations in the case of insufficient funds, duplicates proposed section 1122(c).

Section 120C(e)(1) would make conforming amendments to section 1125(b) of the FSEA, relating to the calculation of targeted assistance grants under section 1125.

Section 120C(e)(2) would amend section 1125(c), which establishes weighted child counts used to calculate targeted assistance grants for both counties and LEAs, by deleting obsolete provisions and making technical and conforming amendments.

Section 120C(e)(3) would replace the lengthy and complicated language in section 1125(d), relating to calculation of targeted assistance grant amounts, with a simple cross-reference to the streamlined allocation provisions in section 1124(a)(3) and (4). Since the applicable rules are the same, there is no need to repeat them.

Section 120C(e)(4) would make a conforming amendment to section 1125(e).

Section 120C(f) would repeal section 1125A(e) of the ESEA, which authorizes appropriations for education finance incentive programs under section 1125A, and make conforming amendments to that section. Appropriations for this provision would be

covered by the general authorization of appropriations for Part A of Title I in section 1002(a).

Section 120C(g) would make a conforming amendment to section 1126(a)(1), relating to allocations for neglected children.

Section 120D, program indicators [ESEA, §1131]. Section 120D of the bill would add a new Subpart 3, Program Indicators, to Part A of Title I of the ESEA. Subpart 3 would contain only one section, §1131, which would identify 7 program indicators relating to schools participating in the Part A program, on which States would report annually to the Secretary.

## PART B - EVEN START

Part B of Title I of the bill would amend Part B of Title I of the ESEA, which authorizes the Even Start program.

Section 121, statement of purpose [ESEA, §1201]. Section 121 of the bill would amend the Even Start statement of purpose in section 1201 of the ESEA by requiring that the existing community resources on which Even Start programs are built be of high quality, and by adding a requirement that Even Start programs be based on the best available research on language development, reading instruction, and prevention of reading difficulties. These amendments would reflect amendments made to other provisions of the Even Start statute in 1998 and enactment of the Reading Excellence Act (Title II, Part C of the ESEA) in that same year.

Section 122, program authorized [ESEA, §1202]. Section 122 (1) of the bill would amend section 1202(a) of the ESEA, which directs the Secretary to reserve 5 percent of each year's Even Start appropriation for certain populations and areas. As revised, section 1202(a) would emphasize that programs funded under the 5-percent reservation are meant to serve as national models; retain the current requirement to support projects for the children of migratory workers, Indian tribes and tribal organizations, and the outlying areas; specify that the amount reserved each year for the outlying areas is one-half of one percent of the available funds; and permit the Secretary to fund projects that serve additional populations (such as homeless families, families that include children with severe disabilities, and families that include incarcerated mothers of young children). The latter provision would replace the current requirement to award a grant for a program in a woman's prison when appropriations reach a certain level.

Section 122(2) of the bill would amend section 1202(b) of the ESEA, which authorizes the Secretary to reserve up to 3 percent of each year's appropriation for evaluation and technical assistance. Because other provisions of the bill would provide a new authority to fund evaluations across the entire range of ESEA programs, the specific reference to evaluations would be deleted here, and the maximum set-aside for technical assistance (the remaining activity under this provision) would be one percent. In addition, section 1202(b) would permit the Secretary to provide technical assistance directly, as well as through grants and contracts.

Section 122(3) of the bill would amend section 1202(c) of the ESEA, which directs the Secretary to spend \$10 million each

year on competitive grants for interagency coordination of statewide family literacy initiatives, to make these awards permissive rather than mandatory, and to remove the specific dollar amount that must be devoted to these awards each year. The Secretary should have the flexibility to determine the ongoing need for these awards, as well as the amount devoted to them, and whether program funds should be devoted instead to services to children and families.

Section 122(4) and (5) would make technical and conforming amendments to section 1202(d) and (e).

Section 122(5)(A) would amend the definition of "eligible organization" in section 1202(e)(2) to permit for-profit, as well as nonprofit, organizations to qualify as providers of technical assistance under section 1202(b). The current limitation unnecessarily limits the pool of providers, excluding some who are highly qualified.

Section 123, State programs [ESEA, §1203]. Section 123(1) of the bill would redesignate subsections (a) and (b) of section 1203 of the ESEA as subsections (b) and (c) and insert a new subsection (a) relating to State plans. New subsection (a)(1) would require a State that wants an Even Start grant to submit a State plan to the Secretary, including certain key information specified in the bill, including the State's indicators of program quality, which the 1998 amendments require each State to develop. Subsection (a)(2) would parallel language relating to State plans under Part A of Title I by providing that each State's plan would cover the duration of its participation in the program and requiring the State to periodically review it and revise it as necessary.

Section 123(3) and (4) of the bill would make technical and conforming amendments to section 1203.

Section 124, uses of funds [ESEA, §1204]. Section 124(1) of the bill would amend section 1204(a) of the ESEA, relating to the permissible uses of Even Start funds, by replacing a reference to "family-centered education programs" with "family literacy services". "Family literacy services" is the term used elsewhere in the statute and defined in section 1202(e)(3).

Section 124(2) would make a conforming amendment to section 1204(b)(1).

Section 125, program elements [ESEA, §1205]. Section 125 of the bill would restate, in its entirety, section 1205 of the ESEA, which lists the required elements of each Even Start

program. This restatement would provide helpful clarification and greater readability for some of these elements; reorder the elements in a more logical sequence; add some new elements; and move certain requirements that now apply to local applications and State award of subgrants (under sections 1207(c)(1) and 1208(a)(1)) to the list of program elements, where they more logically belong.

In particular, career counseling and job-placement services would be added to the examples of services that can be offered as a way to accommodate participants' work schedules and other responsibilities under paragraph (3). Paragraph (4) would be revised to require that instructional programs integrate all the elements of family literacy services and use instructional approaches that, according to the best available research, will be most effective. Paragraph (5) would contain new requirements relating to the qualifications of instructional staff and paraprofessionals that parallel the requirements proposed, under section 1119, for Part A and that are designed to ensure that Even Start participants receive high-quality services. Paragraph (6) (currently (5)) would add a new requirement that staff training be aimed at helping staff obtain certification in relevant instructional areas, as well as the necessary skills. Paragraph (8) (currently (9)) would add (to language incorporated from current section 1207(c)(1)(E)(ii)) a specific reference to individuals with disabilities as included among those who may be most in need of services. Paragraph (9) would clarify and consolidate, into a single element, the various statutory provisions that promote the retention of families in Even Start programs, including the requirement of current paragraph (7) to operate on a year-round basis, the requirement of current section 1208(a)(1)(C) to provide services for at least a 3-year age range, and the language in current section 1207(c)(1)(E)(iii) about encouraging participating families to remain in the program for a sufficient period of time to meet their program goals.

This updated statement of program elements reflects experience and research over the past several years. It will promote better program planning and higher quality programs, with better results for participating families.

Section 126, eligible participants [ESEA, §1206]. Section 126 of the bill would amend section 1206(a)(1)(B) of the ESEA to restore the eligibility of teenage parents who are attending school, but who are above the State's age for compulsory school attendance. As amended in 1994, the current statute terminates a parent's eligibility when he or she is no longer within the State's age range for compulsory school attendance, excluding

many teen parents and their children who could benefit from Even Start services.

Section 127, applications [ESEA, §1207]. Section 127(a) of the bill would amend section 1207(c) of the ESEA, relating to local Even Start plans, by emphasizing the importance of continuous program improvement; requiring a local program's goals to include outcome goals for participating children and families that are consistent with the State's program indicators; emphasize that the program must address each of the program elements in the revised section 1205; and require each program to have a plan for rigorous and objective evaluation. Current subparagraphs (E) and (F) of section 1207(c)(1) would be deleted because the substance of those provisions would be addressed in the revised statement of program elements in section 1205.

Section 127(b) of the bill would delete subsection (d) of section 1207, which purports to allow an eligible entity to submit its local Even Start plan as part of an SEA's consolidated application under Title XIV of the ESEA. This provision has had no practical effect.

Section 128, award of subgrants [ESEA, §1208]. Section 128(a)(1) of the bill would amend section 1208(a)(1) of the ESEA, relating to a State's criteria for selecting local programs for Even Start subgrants, by deleting subparagraph (C), which refers to a three-year age range for providing services, because that provision would be converted to a program element under section 1205. Section 128(a)(1) would also make technical and clarifying amendments to section 1208(a)(1).

Section 128(a)(2) would amend section 1208(a)(3) to require a State's review panel to include an individual with expertise in family literacy programs, to enhance the quality of the panel's review and selections. Inclusion of one or more of the types of individuals described in section 1208(a)(3)(A) - (E) would be made optional, rather than mandatory.

Section 128(b) of the bill would add a new authority, as section 1208(c), for each State to continue Even Start funding, for up to two years beyond the statutory 8-year limit, for not more than two projects in the State that have been highly successful and that show substantial potential to serve as models for other projects throughout the Nation and as mentor sites for other family literacy projects in the State. This would allow States and localities to learn valuable lessons from well-tested, proven programs.

Section 129, evaluation [ESEA, §1209]. Section 129 of the bill would delete paragraph (3) from the national evaluation provisions in section 1209 of the ESEA. That paragraph describes certain technical assistance activities that are more appropriately addressed under section 1202(b).

Section 130, program indicators [ESEA, §1210]. Section 130 of the bill would amend section 1210 of the ESEA to set a deadline of September 30, 2000 for States to develop the indicators of program quality required by the 1998 amendments. Those amendments did not include any deadline for the development of those indicators. In addition, the bill would add, to the current indicators that States are to develop, indicators relating to the levels of intensity of services and the duration of participating children and adults needed to reach the outcomes the State specifies for the currently required indicators.

Section 130A, repeal and redesignation [ESEA, §§1211 and 1212]. Section 131(a) of the bill would repeal section 1211 of the ESEA, relating to research. The essential elements of this section would be incorporated into the revised section on evaluations (§1209). Section 131(b) of the bill would redesignate section 1212 of the ESEA as section 1211.

## PART C - EDUCATION OF MIGRATORY CHILDREN

Part C of Title I of the bill would amend Part C of Title I of the ESEA, which authorizes grants to State educational agencies to establish and improve programs of education for children of migratory farmworkers and fishers, to enable them to meet the same high academic standards as other children.

Section 131, State allocations [ESEA, §1303]. Section 131(1) of the bill would amend section 1303(a) of the ESEA, which describes how available funds are allocated to States each year. The bill would replace the current provisions relating to the count of migratory children, which are based on estimates and full-time equivalents (FTE) of these children. These provisions are ambiguous, and require either a burdensome collection of data or the continued use of increasingly dated FTE adjustment factors based on 1994 data. The bill would base a State's child count on the number of eligible children, aged 3 through 21, residing in the State in the previous year, plus the number of those children who received services under Part C in summer or intersession programs provided by the State. This approach would be simple to understand and administer, minimize data-collection burden on States, and encourage the identification and recruitment of eligible children. The double weight given to children served in summer or intersession programs would reflect the greater cost of those programs, and would encourage States to provide them.

Section 131(1) would also add, to section 1303(a), a new paragraph (2), which would establish minimums and maximums for annual State allocations. No State would be allocated more than 120 percent, or less than 80 percent, of its allocation for the previous year, except that each State would be allocated at least \$200,000. The link to a State's prior-year allocation would ameliorate the disruptive effects of substantial increases and decreases in State child counts from year to year, which are typical among migratory children. The \$200,000 minimum would ensure that each participating State receives enough funds to carry out an effective program, including the costs of finding eligible children and encouraging them to participate in the program.

Section 131(2) would revise subsection (b), which describes the computation of Puerto Rico's allocation, so that, over a 5-year phase-in period, its allocation would be determined on the same basis as are the allocations of the 50 States.

Section 131(3) would delete subsections (d) and (e) of section 1303, relating to certain consortia formed by LEAs and



the methods the Secretary must follow to determine the estimated number of migratory children in each State, respectively. Subsection (d) is unduly burdensome for States and the Department to administer, and consortia can be addressed more effectively through incentive grants under section 1308(d). Subsection (e) would have no further relevance under the revised child-count provisions of section 1303(a)(1).

Section 132, State applications [ESEA, §1304]. Section 132 of the bill would amend section 1304 of the ESEA, which requires States to submit applications for grants under the Migrant Education program, describes the children who are to be given priority for services, and authorizes the provision of services to certain categories of children who are no longer migratory.

Section 132(1)(A) would amend section 1304(b)(1) to require the State's application to include certain material that is now required to be in its comprehensive plan (but not in its application) under section 1306(a). This reflects the proposed repeal of the requirement for a comprehensive service-delivery plan that is separate from the State's application for funds, in order to streamline program requirements and reduce paperwork burden on States.

Section 132(1)(B) would amend section 1304(b)(5) to clarify the factors that States are to consider when making subgrants to local operating agencies.

Section 132(1)(C) would redesignate paragraphs (5) and (6) of section 1304(b) as paragraphs (6) and (7), respectively.

Section 132(1)(D) would insert a new paragraph (5) in section 1304(b) to require a State's application to describe how the State will encourage migratory children to participate in State assessments required under Part A of Title I.

Section 132(2)(A) and (B) would make technical and conforming amendments to section 1304(c)(1) and (2).

Section 132(2)(C) would strengthen the requirements of section 1304(c)(3) relating to the involvement of parents and parent advisory councils.

Section 132(2)(D) would make a conforming amendment to section 1304(c)(7) to reflect the bill's amendments relating to child counts.

Section 133, authorized activities [ESEA, §1306]. Section 133 of the bill would restate, in its entirety, section 1306 of

the ESEA, to delete the requirement that a participating State develop a comprehensive service-delivery plan that is separate from its application for funds under section 1304. The important elements of this plan would be incorporated into section 1304, as amended by section 132 of the bill. In addition, section 1306(a) would clarify current provisions regarding priority in the use of program funds; the use of those funds to provide services described in Part A to children who are eligible for services under both the Migrant Education program and Part A; and the prohibition on using program funds to provide services that are available from other sources.

Section 134, coordination of migrant education activities [ESEA, §1308]. Section 134 of the bill would amend section 1308 of the ESEA, which authorizes various activities to support the interstate and intrastate coordination of migrant-education activities.

Section 134(1)(A) would make for-profit entities eligible for awards under section 1308(a). The current restriction to nonprofit entities has made it difficult to find organizations with the necessary technical expertise and experience to carry out certain important activities, such as the 1-800 help line and the program support center.

Section 134(1)(B) would make a technical amendment to section 1308(a)(2).

Section 134(2) would amend section 1308(b) to remove obsolete provisions relating to the records of migratory children and to conform to the proposed deletion of references in section 1303 to the "full-time equivalent" numbers of those students in determining child counts.

Section 134(3) would increase, from \$6,000,000 to \$10,000,000, the maximum amount that the Secretary could reserve each year from the appropriation for the Migrant Education program to support coordination activities under section 1308. This increase would be consistent with the Department's appropriations Acts for the two most recent fiscal years, increase the amount available for State incentive grants under section 1308(d), and make funds available to assist States and LEAs in transferring the school records of migratory students.

Section 134(4) would amend section 1308(d), which authorizes incentive grants to States that form consortia to improve the delivery of services to migratory children whose education is interrupted. These grants would be permitted, rather than required as under current law, so that the Secretary

would have the flexibility to determine, from year to year, whether funds ought to be devoted to other activities under section 1308. The maximum amount that could be reserved for these grants would be increased from \$1.5 million to \$3 million so that, in years when these grants are warranted, they can be made to more than a token number of States. The requirement to make these awards on a competitive basis would be deleted because it is needlessly restrictive and results in an unduly complicated process of determining the merits of applications in relation to each other in years when all applications warrant approval and sufficient funds are available. Deleting this requirement would provide the Secretary with flexibility to, for example, award equal amounts to each consortium with an approvable application, or to provide larger awards to consortia including States that receive relatively small allocations under section 1303.

Section 135, definitions [ESEA, §1309]. Section 135 of the bill would delete two references to a child's guardian in the definition of "migratory child" in section 1309(2) of the ESEA, because the term "parent", which is also used in that section, is defined in section 14101(22) of the ESEA (which the bill would redesignate as section 11101(22)) to include "a legal guardian or other person standing in loco parentis".

## PART D - NEGLECTED AND DELINQUENT

Part D of Title I of the bill would amend Part D of Title I of the ESEA, which authorizes assistance to States and, through the States, to local agencies, to provide educational services to children and youth who are neglected or delinquent.

Section 141, program name. Section 141 of the bill would amend the heading of Part D of Title I of the ESEA to read, "State Agency Programs for Children and Youth Who Are Neglected or Delinquent". This name would more accurately reflect the bill's proposed deletion of the authority for local programs in Subpart 2 of Part D.

Section 142 findings; purpose; program authorized [ESEA, §1401]. Section 142(a) of the bill would update the findings in section 1401(a) of the ESEA, and shorten them to reflect the proposed deletion of Subpart 2.

Section 142(b) would amend the statement of purpose in section 1401(b) to reflect the proposed deletion of Subpart 2.

Section 142(c) would amend the statement of the program's authorization in section 1401(b) to reflect the proposed deletion of Subpart 2.

Section 143, payments for programs under Part D [ESEA, §1402]. Section 143 of the bill would delete section 1402(b) of the ESEA, which requires that States retain funds generated throughout the State under Part A of Title I (Basic Grants) on the basis of youth residing in local correctional facilities or attending community day programs for delinquent children and youth, and use those Part A funds for local programs under Subpart 2 of Part D. This conforms to the bill's proposal to delete Subpart 2. Section 142 would also make other conforming amendments to section 1402.

Section 144, allocation of funds [ESEA, §1412]. Section 144 of the bill would amend section 1412(b) of the ESEA, which describes the computation of Puerto Rico's allocation under Part D, so that, over a 5-year phase-in period, its allocation would be determined on the same basis as are the allocations of the 50 States. Section 144 would also make conforming and technical amendments to section 1412(a).

Section 145, State plan and State agency applications [ESEA, §1414]. Section 145(2)(A) of the bill would amend section 1414(a)(2) of the Act, relating to the contents of a State's plan, to require the plan to provide that participating

children will be held to the same challenging academic standards, as well as given the same opportunity to learn, as they would if they were attending local public schools. Section 145 would also correct erroneous citations in section 1414.

Section 146, use of funds [ESEA, §1415]. Section 146 of the bill would correct an erroneous citation in section 1415 of the ESEA, relating to the permissible use of Part D funds.

Section 147, local agency programs [ESEA, §§1421-1426]. Section 147 of the bill would repeal Subpart 2 (Local Agency Programs) of Part D and redesignate Subpart 3 (General Provisions) as Subpart 2. The local agency program is unduly complicated for States to administer and does not promote effective services for children who are, or have been, neglected or delinquent. Those services are better provided through other local, State, and Federal programs, including other ESEA programs, such as Basic Grants under Part A.

Section 148, program evaluations [ESEA, §1431]. Section 148(1) of the bill would amend section 1431(a) of the ESEA, relating to the scope of evaluations under Part D, to conform to the proposed repeal of Subpart 2.

Section 148(2) would amend section 1431(b) to require that the multiple measures of student progress that a State agency must use in conducting program evaluations, while consistent with section 1414's requirement to provide participating children the same opportunities to learn and to hold them to the same standards that would apply if they were attending local public schools, must be appropriate for the students and feasible for the agency. This modification would recognize that, for a variety of reasons, it may not be appropriate to administer the same tests to students who are, or have been, neglected or delinquent, as are given to children of the same age who are in traditional public schools.

Section 148(3) of the bill would amend section 1431(c), relating to the results of evaluations, to reflect the proposed repeal of Subpart 2.

Section 149, definitions [ESEA, §1432]. Section 149 of the bill would delete the definition of "at-risk youth" in paragraph (2) of section 1432, and renumber the remaining paragraphs. The deleted term is used only in Subpart 2, which would be repealed.

PART E - FEDERAL EVALUATIONS, DEMONSTRATIONS,  
AND TRANSITION PROJECTS

Section 151, evaluations, management information, and other Federal activities [ESEA, §1501]. Section 151 of the bill would amend, in its entirety, section 1501 of the ESEA, which authorizes the Secretary to conduct evaluations and assessments, collect data, and carry out other activities that support the Title I programs and provide information useful to those who authorize and administer that title. As revised, section 1501 would support the activities that are essential for the Secretary to carry out over the next several years: evaluating Title I programs; helping States, LEAs, and schools develop management-information systems; carrying out applied research, technical assistance, dissemination, and recognition activities; and obtaining updated census information so that funds are allocated using the most up-to-date information about low-income families. Section 1501 would also provide for the continued conduct of the national assessment of Title I and the national longitudinal study of Title I schools.

Section 1502, demonstrations of innovative practices. Section 152 of the bill would make conforming amendments to section 1502 of the ESEA.

## PART F - GENERAL PROVISIONS

Section 161, general provisions [ESEA, §§ 1601-1604].

Section 161(1) of the bill would repeal sections 1601 and 1602 of the ESEA. Section 1601 sets out highly prescriptive requirements relating to regulations under Title I that should not be retained. Instead, Title I, like other ESEA programs, should remain subject to the rulemaking requirements of the Administrative Procedure Act and of section 437 of the General Education Provisions Act. Section 1602 requires the Secretary to issue a program assistance manual and to respond to certain inquiries within 90 days. These are similarly inappropriate and unwarranted restrictions on the Secretary's discretion in administering the Title I program.

Section 161(2) would redesignate sections 1603 and 1604 as sections 1601 and 1602.

## PART G - READING EXCELLENCE

Section 171, reading and literacy grants to State educational agencies [ESEA, §2253]. Section 171 of the bill would amend section 2253 of the ESEA (which directs the Secretary to award grants to SEAs to carry out the reading and literacy activities described in Part C of Title II of the ESEA), which section 178(B)(1) of the bill would transfer to Part E of Title I, as follows:

Paragraph (1) would amend the current limit of one grant per State, in section 2252(a)(2)(A), to permit a State to receive sequential, but not simultaneous, grants. Thus, a State could receive a second grant after its first grant period is over.

Paragraph (2) would add, to the State application requirements in section 2253(b)(2)(B), a clause (ix) to require an SEA's application to include the process and criteria it will use to review and approve LEA applications for the two types of subgrants available under this part: local reading improvement subgrants under section 2255 and tutorial assistance subgrants under section 2256, including a peer-review process that includes individuals with relevant expertise.

Paragraph (3) would clarify the unclear language in section 2253(c)(2)(C), which requires the Federal peer-review panel, in making funding recommendations to the Secretary, to give priority to States that have modified, are modifying, or will modify their teacher certification requirements to require effective training of prospective teachers in methods of reading instruction that reflect scientifically based reading research.

Paragraph (4) would make a technical amendment to section 2253(d)(3), which permits States to use certain consortia or similar entities that it formed before enactment of the Reading Excellence Act on October 21, 1998, in lieu of a partnership that meets that Act's requirements.

Section 172, use of amounts by State educational agencies [ESEA, §2254]. Section 172 of the bill would amend section 2254 of the ESEA so that the State's cost of administering the program of tutorial assistance subgrants under section 2256 would be subject to the overall five percent limit on State administrative costs. That amount should be sufficient for all the State's costs of administering the Reading Excellence program. Any amounts set aside under the 15 percent limit in section 2254(2) would have to be used for the actual subgrants to LEAs and not for State administrative expenses.



Section 173, local reading improvement subgrants [ESEA, §2255]. Section 173(a) of the bill would amend section 2255(a) of the ESEA, which describes the LEAs that are eligible to apply for a local reading improvement subgrant under section 2255, to limit eligibility to LEAs that operate schools for grades 1 through 3. LEAs that serve only middle and/or high school students should not be eligible for this program, which is intended to help children read well and independently by the third grade.

Section 173(b) would amend section 2255(d)(1), which describes the activities that an LEA may carry out with its subgrant, to require that the schools in which reading instruction is provided serve children in the first through third grades. As with the provision described above relating to LEA eligibility, this amendment will ensure that the program's objective of helping children to read by the 3rd grade is met.

Section 174, tutorial assistance subgrants [ESEA, §2256]. Section 174(a) and (b) of the bill would make amendments to section 2256 of the ESEA, which authorizes subgrants to LEAs for tutorial assistance, that correspond to the amendments to section 2255 (local reading improvement subgrants) that ensure that the program focuses on its intended age range, children from pre-kindergarten through the 3rd grade.

Section 174(a) would also make the following amendments to section 2256:

Paragraph (1)(B) would delete subsection (a)(1)(A), which makes an LEA eligible for a tutorial assistance subgrant if any school in its jurisdiction is located in an empowerment zone or enterprise community, because LEAs are not eligible through this route for local reading improvement subgrants under section 2255. Making the eligibility criteria the same for the two types of subgrants, as provided by this amendment, will increase the likelihood that tutorial activities are carried out in the same LEAs that receive local reading improvement subgrants, promoting the coordination of the activities supported by the two types of subgrants.

Paragraph (5) would delete, from current section 2256(a)(2)(B), which the bill would redesignate as section 2256(a)(3)(B), language conditioning the receipt of all Title I funds by each LEA that is currently eligible under section 2256 on its providing public notice of the tutorial assistance program to parents and possible providers of tutoring services. This provision is grossly disproportionate in its severity and

is not logically related to the large amounts of funds it affects under the other Title I programs. Any failure to provide the notice described in this section should be subject to the same range of consequences that attach to possible noncompliance with any other requirement of the statute.

Paragraph (6) would make conforming amendments to current section 2256(a)(3), which the bill would redesignate as section 2256(a)(4), to reflect the proposed deletion of eligibility of LEAs on the basis of having a school located in an empowerment zone or enterprise community under section 2256(a)(1)(A).

Paragraph (7) would make technical and conforming amendments to current subsection (a)(4), which the bill would redesignate as subsection (a)(5).

Section 175, national evaluation [ESEA, §2257]. Section 175 of the bill would amend section 2257 of the ESEA, which provides for a national evaluation of the program under this part, to remove a cross-reference to a current provision that earmarks funds for that evaluation. Other provisions of the bill would provide the Secretary with authority to pay for evaluations of all ESEA programs, removing the need for individual evaluation earmarks.

Section 176, information dissemination [ESEA, §2258]. Section 176(1) of the bill would amend section 2258 of the ESEA, which provides for the dissemination of program information, to reflect the transfer of the program's authorization of appropriations to section 1002(e) of the ESEA. It would also add authority for the National Institute for Literacy, which administers section 2258, to use up to five percent of the amount available each year to pay for the costs of administering that section.

Section 176(2) would add, as subsection (c) of section 2258, authority for the Secretary to reserve up to one percent of each fiscal year's appropriation for the Reading Excellence program for technical assistance, program improvement, and replication activities.

Section 177, authorization of appropriations [ESEA, §2260]. Section 177 of the bill would repeal section 2260 of the ESEA, which authorizes appropriations for the program, to reflect the transfer of the program's authorization of appropriations to section 1002(e) of the ESEA.

Section 178, transfer and redesignations. Section 178 of the bill would transfer the authority for the Reading Excellence

program, currently in Part C of Title II of the ESEA, to Part E of Title I, redesignate current Parts E and F of Title I as Parts F and G, and make other technical and conforming amendments.

## TITLE II - HIGH STANDARDS IN THE CLASSROOM

Section 201 of the bill would amend Title II of the ESEA in its entirety, as follows:

## PART A - TEACHING TO HIGH STANDARDS

Part A of Title II would authorize a new program in the ESEA by consolidating the existing Eisenhower State Grants (Title II) and Innovative Education Program Strategies (Title VI) programs in the ESEA and Title III of the Goals 2000: Educate America Act.

## SUBPART 1 - FINDINGS, PURPOSE, AND AUTHORIZATION OF APPROPRIATIONS

Section 2111, findings. Section 2111 would set out findings for Part A.

Section 2112, purpose. Section 2112 would state that the purpose of Part A is to: (1) support States and LEAs in continuing the task of developing challenging content and student performance standards and aligned assessments, revising curricula and teacher certification requirements, and using challenging content and student performance standards to improve teaching and learning; (2) ensure that teachers and administrators have access to professional development that is aligned with challenging State content and student performance standards in the core academic subjects; (3) provide assistance to new teachers during their first three years in the classroom; and (4) support the development and acquisition of curricular materials and other instructional aids that are not normally provided as part of the regular instructional program and that will advance local standards-based school reform efforts.

Section 2113, authorizations of appropriations. Section 2113 would authorize the appropriation of such sums as may be necessary for each of the two operational subparts of Part A for fiscal years 2001 through 2005.

## SUBPART 2 - STATE AND LOCAL ACTIVITIES

Section 2121, allocations to States. Section 2121 would provide for allocations to the States, including the District of Columbia and Puerto Rico; the outlying areas; and schools operated or funded by the Bureau of Indian Affairs (BIA). The Secretary would reserve a total of one percent for the outlying

areas and the BIA. The remaining funds would be allocated to States, based one-half on each State's share of funds under Part A of Title I for the previous fiscal year and one-half on each State's relative share of the population aged 5 to 17. No State may receive a grant that is less than one-half of one percent of the amount available for State grants.

Section 2122, priority for professional development in mathematics and science. Section 2122(a) would establish rules for the use of Part A funds for professional development in mathematics and science at various appropriations levels. A key priority of the Teaching to High Standards proposal is directing Federal sources to support professional development that strengthens instruction in the core academic content areas, instead of professional development that uses general strategies for improving classroom instruction that are not based on academic content. Toward that end, the bill would require States and LEAs to use funds for professional development only in the academic content areas and would increase the current Eisenhower program's \$250 million set-aside for professional development in mathematics and science to \$300 million. This "trigger" means that if the annual appropriation for Part A is \$300 million or less, each State would be required to devote its entire allocation to supporting professional development in mathematics and science (including all funds retained at the State level and those distributed by the SEA and the State agency for higher education (SAHE) as grants to LEAs). For years in which the appropriation is higher than \$300 million, each State would be required to allocate a percentage of its funding toward mathematics and science professional development that is at least as much as the State would have received had the appropriation been \$300 million. The SEA and the SAHE would jointly determine how the State would structure the use of State-level funding and grants to LEAs to meet this requirement.

Section 2122(b) would provide that, for purposes of meeting the priority requirements of subsection (a), professional development in mathematics and science may include interdisciplinary activities, as long as these activities include a strong focus on mathematics and science. Subsection (c) would require that funds in excess of the \$300 million appropriation be used in one or more of the core academic subjects, including mathematics and science.

Section 2123, State application. Section 2123 would require each State to submit an application that is developed by the SEA in consultation with the SAHE, community-based and other nonprofit organizations with experience in providing

professional development, and institutions of higher education (IHEs). This section would also describe what States must include in their applications. The Secretary would have to approve a State application if a peer-review panel determines that it satisfactorily addresses the application requirements and holds reasonable promise of achieving the purposes of the program.

Section 2124, annual State reports. Section 2124 would require a State to submit annual reports to the Secretary that describe its activities under this program, report on the progress of subgrant recipients against program performance indicators that the Secretary identifies and any other indicators that the State requires, and contain other information that the Secretary requires.

Section 2125, within-State allocations. Section 2125 would allow an SEA to reserve up to 10 percent of the State allocation for State-level activities, program evaluations, and administration. Not more than one third of this reservation could be used for administration. The SEA would also have to make available to the SAHE an amount equal to what the State's allocation would be if the amount of the appropriation for this subpart were \$60 million. From the amount remaining, the SEA would make formula and competitive subgrant awards to LEAs. Of the amount that is reserved for LEAs, the SEA would allocate 50 percent to LEAs in proportion to the relative numbers of children, aged 5 to 17, from low-income families within the LEA and award 50 percent to LEAs on a competitive basis.

Section 2126, State-level activities. Section 2126 would provide examples of activities that SEAs could carry out with the funds they reserve for State-level activities to promote high-quality instruction.

Section 2127, subgrants to partnerships of institutions of higher education and local educational agencies. Section 2127 would allow SAHEs to reserve not more than 3½ percent of their allocation for administrative activities and program evaluations and require them, in cooperation with the SEA, to award competitive subgrants to, or enter into contracts or cooperative agreements with, IHEs or nonprofit organizations to provide professional development in the core academic subjects. These awards would be for 3 years (which would be extended for 2 more years if the subgrantee is making substantial progress) and made using a peer-review process. The SAHE would give priority to projects that focus on teacher induction programs and could make

awards only to projects that include an LEA, are coordinated with activities carried out under Title II of the Higher Education Act of 1965 (if the LEA or IHE is participating in that program), and involve the IHE's school or department of education and the school or departments in the specific disciplines in which the professional development will be provided.

Section 2127 would also describe the activities that award recipients must carry out and require them to submit an annual report to the SAHE, beginning with fiscal year 2002, on their progress against indicators of program performance that the Secretary may establish. The SAHE would provide the SEA with copies of these reports.

Section 2128, competitive local awards. Section 2128 would require SEAs to award competitive subgrants to LEAs from the funds reserved for that purpose under section 2125. The SEA would use a peer-review process that includes reviewers who are knowledgeable in the academic content areas. SEAs would award subgrants based on the quality of the applicants' proposals and their likelihood of success, and on the demonstrated need of applicants, based on specified criteria.

Section 2128 would also require SEAs to adopt strategies to ensure that LEAs with the greatest need are provided a reasonable opportunity to receive an award. Subgrants would be for a three-year period, which the SEA would extend for an additional two years if it determines that the LEA is making substantial progress toward meeting the goals in the LEA's district-wide plan for raising student achievement against State standards and against the performance indicators identified by the Secretary under section 2136.

Section 2129, local applications. Section 2129 would require an LEA to submit an application to the SEA in order to be eligible to receive a formula or competitive subgrant. The application would include a district-wide plan that describes how the LEA will raise student achievement against State standards by: (1) supporting the alignment of curricula, assessments, and professional development to challenging State and local content standards. (2) providing professional development in the core academic content areas; (3) carrying out activities to assist new teachers during their first three years in the classroom; and (4) ensuring that teachers employed by the LEA are proficient in teaching skills and content knowledge.

In addition, the LEA application would: (1) identify specific goals for achieving the purposes of the program; (2) describe how the LEA will address the needs of high-poverty, low-performing schools; (3) describe how the LEA will address the needs of teachers of students with limited English proficiency and other students with special needs; (4) include an assurance that the LEA will collect data that measures progress toward the indicators of program performance that the Secretary identifies; (5) describe how the LEA will coordinate funds under this subpart with professional development activities funded through other State and Federal programs; (6) describe how the LEA will use its subgrant funds awarded by formula to address the items in the district-wide plan described above; and (7) describe how it would use the additional funds from a competitive subgrant, if it is applying for one, to implement that plan.

Section 2130, uses of funds. Section 2130 would describe the activities an LEA may conduct with program funds in order to implement its district-wide plan.

Section 2131, local accountability. Section 2131 would require each LEA to submit an annual report to the SEA, beginning in fiscal year 2002, that contains: (1) information on its progress against the indicators of program performance that the Secretary identifies and against the LEA's program goals; (2) data disaggregated by school poverty level, as defined by the Secretary; and (3) a description of the methodology the subgrantee used to gather the data.

Section 2132, local cost-sharing requirement. Section 2132 would provide that the Federal share of activities carried out under Subpart 2 with funds received by formula may not exceed 67 percent for any fiscal year. The Federal share of activities carried out under this subpart with funds awarded on a competitive basis could not exceed 85 percent during the first year of the subgrant, 75 percent during the second year, 65 percent during the third year, 55 percent during the fourth year, and 50 percent during the fifth year.

Section 2133, maintenance of effort. Section 2133 would require each participating LEA to maintain its fiscal effort for professional development at the average of its expenditures over the previous three years.

Section 2134, equipment and textbooks. Section 2134 would provide that subgrantees may not use program funds for



equipment, computer hardware, textbooks, telecommunications fees, or other items, that would otherwise be provided by the LEA or State, or by a private school whose students receive services under the program.

Section 2135, supplement, not supplant. Section 2135 would require an LEA to use program funds only to supplement the level of funds or resources that would otherwise be made available from non-Federal sources, and not to supplant those non-Federal funds or resources.

Section 2136, program performance indicators. Section 2136 would require the Secretary to identify indicators of program performance against which recipients would report their progress.

Section 2137, definitions. Section 2137 would define "core academic subjects", "high-poverty local educational agency", "low-performing school", and "professional development".

### SUBPART 3 - NATIONAL ACTIVITIES FOR THE IMPROVEMENT OF TEACHING AND SCHOOL LEADERSHIP

Section 2141, program authorized. Section 2141 would authorize the Secretary to make awards to a wide variety of public and private agencies and entities to support:

(1) activities of national significance that are not supported through other sources and that the Secretary determines will contribute to the improvement of teaching and school leadership in the Nation's schools; (2) activities of national significance that will contribute to the recruitment and retention of highly qualified teachers and principals in high-poverty LEAs; (3) a national evaluation of the Part A program; and (4) the National Board for Professional Teaching Standards. Section 2141(b)(5) would direct the Secretary to provide support for the Eisenhower National Clearinghouse for Mathematics and Science Education under section 2142.

Section 2142, Eisenhower National Clearinghouse for Mathematics and Science Education. Section 2142 would retain, with few changes, the authority in current section 2102(b) for the Eisenhower National Clearinghouse for Mathematics and Science Education, as follows:

Subsection (a) would provide authority for the Clearinghouse.

Subsection (b) would authorize activities and establish certain requirements related to the Clearinghouse, including the application and award process, the duration of the grant or contract, the activities the award recipient must carry out, the submission of materials to the Clearinghouse, and the establishment of a steering committee.

## PART B - TRANSITION TO TEACHING; TROOPS TO TEACHERS

Section 2111, findings. Section 2111 of the ESEA would set out the Congressional findings for the new Part B. In the next decade, school districts will need to hire more than 2 million teachers, especially in the areas of math, science, foreign languages, special education, and bilingual education. The need for teachers able to teach in high-poverty school districts will be particularly high. To meet this need, talented Americans of all ages should be recruited to become successful, qualified teachers.

Nearly 28 percent of teachers of academic subjects have neither a major nor a minor in their main assignment fields. This problem is even more acute in high-poverty areas, where the out-of-field percentage is 39.

Additionally, the Third International Math and Science Study (TIMSS) ranked U.S. high school seniors last among 16 countries in physics, and next to last in math. Based mainly on TIMSS data, it is also evident that a stronger emphasis needs to be placed on the academic preparation of our children in math and science.

Further, one-fourth of high-poverty schools find it very difficult to fill bilingual teaching positions, and nearly half of public school teachers have students in their classrooms for whom English is a second language.

Many career-changing professionals with strong content-area skills are interested in making a transition to a teaching career, but need assistance in getting the appropriate pedagogical training and classroom experience. The Troops to Teachers model has been highly successful in linking high-quality teachers to teach in high-poverty school districts.

Section 2212, purpose. Section 2212 of the ESEA would establish the statement of purpose for the program, which would be to address the need of high-poverty school districts for highly qualified teachers in subject areas such as mathematics, science, foreign languages, bilingual education, and special education needed by those school districts. This would be accomplished by continuing and enhancing the Transition to Teaching model for recruiting and supporting the placement of such teachers, and by recruiting, preparing, placing, and supporting career-changing professionals who have knowledge and experience that would help them become such teachers.

Section 2213, program authorized. Section 2213 of the ESEA would establish the program authority and the authorization of appropriations for the Transition to Teaching program. Under section 2213(a), the Secretary would be authorized to use funds appropriated under section 2213(c) for each fiscal year to award grants, contracts, or cooperative agreements to institutions of higher education and public and private nonprofit agencies or organizations to carry out programs authorized by this part.

Section 2213(b)(1)(A) would provide that, before making any awards under section 2213(a), the Secretary would be required to consult with the Secretaries of Defense and Transportation with respect to the appropriate amount of funding necessary to continue and enhance the Troops to Teachers program. Additionally, section 2213(b)(1)(B) would provide that, upon agreement, the Secretary would transfer the amount under section 2213(b)(1)(A) to the Department of Defense to carry out the Troops to Teachers program. Further, section 2213(b)(2) would allow the Secretary to enter into a written agreement with the Departments of Defense and Transportation, or take such steps as the Secretary determines are appropriate to ensure effective continuation of the Troops to Teachers program.

Finally, section 2213(c) would authorize the appropriation of such sums as may be necessary to carry out Part B for fiscal years 2001 through 2005.

Section 2214, application. Section 2214 of the ESEA would establish the application requirements. Section 2214 would provide that an applicant that desires a grant under Part B must submit to the Secretary an application containing such information as the Secretary may require. Applicants would be required to: (1) include a description of the target group of career-changing professionals on which they would focus in carrying out their programs under this part, including a description of the characteristics of that target group that shows how the knowledge and experience of its members is relevant to meeting the purpose of this part; (2) describe how it plans to identify and recruit program participants; (3) include a description of the training program participants would receive and how that training would relate to their certification as teachers; (4) describe how it would ensure that program participants were placed and would teach in high-poverty LEAs; (5) include a description of the teacher induction services that program participants would receive throughout at least their first year of teaching; (6) include a description of

how the applicant would collaborate, as needed, with other institutions, agencies, or organizations to recruit, train, place, and support program participants under this part, including evidence of the commitment of the institutions, agencies, or organizations to the applicant's program; (7) include a description of how the applicant would evaluate the progress and effectiveness of its program, including the program's goals and objectives, the performance indicators the applicant would use to measure the program's progress, and the outcome measures that would be used to determine the program's effectiveness; and (8) submit an assurance that the applicant would provide to the Secretary such information as the Secretary determines necessary to determine the overall effectiveness of programs under this part.

Section 2215, uses of funds and period of service. Section 2215 of the ESEA would describe the activities authorized under Part B. Under section 2215(a), Part B funds could be used to: (1) recruit program participants, including informing them of opportunities under the program and putting them in contact with other institutions, agencies, or organizations that would train, place, and support them; (2) authorize training stipends and other financial incentives for program participants, not to exceed \$5,000, in the aggregate, per participant; (3) assist institutions of higher education or other providers of teacher training to meet the particular needs of professionals who are changing their careers to teaching; (4) authorize placement activities, including identifying high-poverty LEAs with needs for particular skills and characteristics of the newly trained program participants and assisting those participants to obtain employment in those LEAs; and (5) authorize post-placement induction or support activities for program participants.

Section 2215(b) would establish the required period of service for program participants. Under section 2215(b), a program participant who completes his or her training would be required to teach in a high-poverty LEA for at least three years. Section 2215(c) would allow the Secretary to establish appropriate requirements to ensure that program participants who receive a training stipend or other financial incentive, but fail to complete their service obligation, repay all or a portion of such stipend or other incentive.

Section 2216, equitable distribution. Section 2216 of the ESEA would require the Secretary, to the extent practicable, to make awards under Part B that support programs in different geographic regions of the Nation.

Section 2217, definitions. Section 2217 of the ESEA would establish definitions for the program. Section 2217(1) would define the term "high-poverty local educational agency" as an LEA in which the percentage of children, ages 5 through 17, from families below the poverty line is 20 percent or greater, or the number of such children exceeds 10,000. Section 2217(2) would define the term "program participants" as career-changing professionals who hold at least a baccalaureate degree, demonstrate interest in, and commitment to, becoming a teacher, and have knowledge and experience relevant to teaching a high-need subject area in a high-poverty LEA.

## PART C - EARLY CHILDHOOD EDUCATOR PROFESSIONAL DEVELOPMENT

Section 2301, purpose. Section 2301 of the ESEA would establish the purpose of the new Part C program, which is to support the national effort to attain the first of America's Education Goals by enhancing school readiness and preventing reading difficulties in young children, through early childhood education programs that improve the knowledge and skills of early childhood educators working in high-poverty communities. The program would help meet the need for early childhood educators in high-poverty communities with limited access to early childhood education and to high-quality early childhood education professionals.

Section 2302, program authorized. Section 2302(a) of the ESEA would authorize the Secretary to make competitive grants to eligible partnerships. An eligible partnership would consist of: (1) at least one institution of higher education that provides professional development for early childhood educators who work with children from low-income families in high-need communities, or another public or private, nonprofit entity that provides that professional development; and (2) at least one other public or private nonprofit agency or organization, such as an LEA, an SEA, a State human services agency, a State or local agency administering programs under the Child Care and Development Block Grant Act of 1990, or a Head Start agency.

Section 2302(b) would direct the Secretary to give a priority to applications from partnerships that include at least one LEA that operates early childhood programs for children from low-income families in high-need communities.

Section 2302(c) would authorize grants for up to four years, and limit each grantee to one grant under this program.

Section 2303, applications. Section 2303 of the ESEA would set out requirements for applications for funds. Among other information, each application would include a description of the high-need community to be served; information on the quality of the early childhood educator professional development program currently being conducted by a member of the partnership; the results of the applicant's assessment of the professional development needs of early childhood education providers to be served by the partnership and in the broader community and how the project will address those needs; a description of how the proposed project would be carried out; descriptions of the project's specific objectives and how progress toward those

objectives will be measured; how the applicant plans to institutionalize project activities once Federal funding ends; an assurance that, where applicable, the project will provide appropriate professional development to volunteer staff, as well as to paid staff; and an assurance that the applicant consulted with, and will consult with, relevant agencies and organizations that are not members of the partnership.

Section 2304, selection of grantees. Section 2304 of the ESEA would require the Secretary to select grantees according to both the community's need for assistance and the quality of applications, and seek to ensure that communities in urban and rural communities and in different regions of the Nation are served.

Section 2305, uses of funds. Section 2305 of the ESEA would require that, in general, grant recipients use grant funds to carry out activities that will improve the knowledge and skills of early childhood educators who are working in early childhood programs serving concentrations of poor children in high-need communities. Allowable professional development activities for early childhood educators include, but would not be limited to, activities that: familiarize early childhood educators with recent research on child, language, and literacy development and on early childhood pedagogy; train them to work with parents, and with children with limited English proficiency, disabilities, and other special needs; assist educators during their first three years in the field; development and implementation of professional development programs for early childhood educators using distance learning and other technologies; and data collection, evaluation, and reporting activities necessary to meet program accountability requirements.

Section 2306, accountability. Section 2306(a) of the ESEA would require the Secretary to announce performance indicators, designed to measure the quality of the professional development on the early childhood education provided by the individuals trained, and such other measures of program impact as the Secretary determines. Section 2306(b) would require projects to report annually on their progress in meeting these performance indicators. The Secretary could terminate a grant if the grantee is not making satisfactory progress against the Secretary's indicators.

Section 2307, cost-sharing. Section 2307 of the ESEA would require each grantee to contribute at least half of the overall



cost of its project, including at least 20 percent in each year, from other sources, which may include other Federal sources. The Secretary could waive or modify this requirement in the case of demonstrated financial hardship.

Section 2308, definitions. Section 2308 of the ESEA would define the terms "high-need community", "low-income family", and "early childhood educator".

Section 2309, Federal coordination. Section 2309 of the ESEA would direct the Secretaries of Education and Health and Human Services to coordinate activities of this program and other early childhood programs that they administer.

Section 2310, authorization of appropriations. Section 2310 of the ESEA would authorize the appropriation of such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years to carry out Part C.

## PART D - TECHNICAL ASSISTANCE PROGRAMS

Section 2401, findings. Section 2401 of the ESEA would state the Congressional findings for Part D as follows: (1) sustained, high-quality technical assistance that responds to State and local demand supported by widely disseminated, research-based information on what constitutes high-quality technical assistance and how to identify high-quality technical assistance providers, can enhance the opportunity for all children to achieve to challenging State academic content and student performance standards; (2) an integrated system for acquiring, using, and supplying technical assistance is essential to improving programs and affording all children this opportunity; (3) States, LEAs, tribes, and schools serving students with special needs, such as educationally disadvantaged students and students with limited English proficiency, have clear needs for technical assistance in order to use funds under the ESEA to provide those students with opportunities to achieve to challenging State academic content standards and student performance standards; (4) current technical assistance and dissemination efforts are insufficiently responsive to the needs of States, LEAs, schools, and tribes for help in identifying their particular needs for technical assistance and developing and implementing their own integrated systems for using the various sources of funding for technical assistance activities under the ESEA (as well as other Federal, State, and local resources) to improve teaching and learning and to implement more effectively the programs authorized by the ESEA; and (5) the Internet and other forms of advanced telecommunications technology are an important means of providing information and assistance in a cost-effective way.

Section 2402, purpose. Section 2402 of the ESEA would state the purpose for Part D as being to create a comprehensive and cohesive, national system of technical assistance and dissemination that is based on market principles in responding to the demand for, and expanding the supply of, high-quality technical assistance. This system would support States, LEAs, tribes, schools, and other recipients of funds under the ESEA in implementing standards-based reform and improving student performance through: (1) the provision of financial support and impartial, research-based information designed to assist States and high-need LEAs to develop and implement their own integrated systems of technical assistance and select high-quality technical assistance activities and providers for use in those systems; (2) the establishment of technical assistance centers in areas that reflect identified national needs, in order to

ensure the availability of strong technical assistance in those areas; (3) the integration of all technical assistance and information dissemination activities carried out or supported by the Department of Education in order to ensure comprehensive support for school improvement; (4) the creation of a technology-based system, for disseminating information about ways to improve educational practices throughout the Nation, that reflects input from students, teachers, administrators, and other individuals who participate in, or may be affected by, the Nation's educational system; and (5) national evaluations of effective technical assistance.

SUBPART 1 - STRENGTHENING THE CAPACITY OF STATE AND LOCAL EDUCATIONAL AGENCIES TO BECOME EFFECTIVE, INFORMED CONSUMERS OF TECHNICAL ASSISTANCE

Section 2411, purpose. Section 2411 of the ESEA would state the purposes of Subpart 1 of Part D of Title II. Section 2411(1) would state one such purpose as being to provide grants to SEAs and LEAs in order to: (1) respond to the growing demand for increased local decisionmaking in determining technical assistance needs and appropriate technical assistance services; (2) encourage SEAs and LEAs to assess their technical assistance needs and how their various sources of funding for technical assistance under the ESEA and from other sources can best be coordinated to meet those needs (including their needs to collect and analyze data); (3) build the capacity of SEAs and LEAs to use technical assistance effectively and thereby improve their ability to provide the opportunity for all children to achieve to challenging State academic content standards and student performance standards; and (4) assist SEAs and LEAs in acquiring high-quality technical assistance.

Section 2411(2) would state the other purpose of Subpart 1 as being to establish an independent source of consumer information regarding the quality of technical assistance activities and providers, in order to assist SEAs and LEAs, and other consumers of technical assistance that receive funds under the ESEA, in selecting technical assistance activities and providers for their use.

Section 2412, allocation of funds. Section 2412 of the ESEA would describe how funds appropriated to carry out Subpart 1 would be allocated. From those appropriations for any fiscal year, the Secretary would first allocate one percent of the funds to the Bureau of Indian Affairs and the Outlying Areas, in

accordance with their respective needs for such funds (as determined by the Secretary) to carry out activities that meet the purposes of Subpart 1. The Secretary would allocate two-thirds of the remaining funds to SEAs in accordance with the formula described in section 2413 and allocate one-third of the remaining funds to the 100 LEAs with the largest number of children counted under section 1124(c) of the ESEA, in accordance with the formula described in section 2416.

Section 2413, formula grants to State educational agencies. Section 2413 of the ESEA would set out the formula for awarding grants to States. The Secretary would allocate funds among the States in proportion to the relative amounts each State would have received for Basic Grants under Subpart 2 of Part A of Title I of the ESEA for the most recent fiscal year, if the Secretary had disregarded the allocations under that subpart to LEAs that are eligible to receive direct grants under new section 2416. This allocation would be adjusted as necessary to ensure that, of the total amount allocated to States and to LEAs under section 2416, the percentage allocated to a State under section 2413 and to localities in the State under section 2416 is at least the percentage used for the small-State minimum under section 1124(d) for the previous fiscal year. The Secretary would also reallocate to other States any amount of any State's allocation under section 2413 of the ESEA that would not be required to carry out the activities for which such amount has been allocated for a fiscal year.

Section 2414, State application. Section 2414 of the ESEA would describe the application requirements for State formula grants. Each State seeking a grant under Subpart 1 would be required to submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. Each such application would be required to describe: (1) the State's need for, and the capacity of the SEA to provide, technical assistance in implementing programs under the ESEA (including assistance on the collection and analysis of data) and in implementing the State plan or policies for comprehensive, standards-based education reform; (2) how the State will use the funds provided under this subpart to coordinate all its sources of funds for technical assistance, including all sources of such funds under the ESEA, into an integrated system of providing technical assistance to LEAs, and other local recipients of funds under the ESEA, within the State and implement that system; (3) the SEA's plan for using funds from all sources under the ESEA to build its capacity, through the acquisition of outside technical assistance and other means,

to provide technical assistance to LEAs and other recipients within the State; (4) how, in carrying out technical assistance activities using funds provided from all sources under the ESEA, the State will assist LEAs and schools in providing high-quality education to all children served under the ESEA to achieve to challenging academic standards, give the highest priority to meeting the needs of high-poverty, low-performing LEAs (taking into consideration any assistance that the LEAs may be receiving under section 2416), and give special consideration to LEAs and other recipients of funds under the ESEA serving rural and isolated areas. The Secretary would be required to approve a State's application for funds if it meets these requirements and is of sufficient quality to meet the purposes of Subpart 1. In determining whether to approve a State's application, the Secretary would be required to take into consideration the advice of peer reviewers, and could not disapprove any application without giving the State notice and opportunity for a hearing.

Section 2415, State uses of funds. Section 2415 of the ESEA would describe the permissible uses of State formula grant funds under Subpart 1. The SEA could use these funds to: (1) build its capacity (and the capacity of other State agencies that implement ESEA programs) to use ESEA technical assistance funds effectively through the acquisition of high-quality technical assistance, and the selection of high-quality technical assistance activities and providers, that meet the technical assistance needs identified by the State; (2) develop, coordinate, and implement an integrated system that provides technical assistance to LEAs and other ESEA recipients within the State, directly, through contracts, or through subgrants to LEAs, or other ESEA recipients of funds, for activities that meet the purposes of Subpart 1, and uses all sources of funds provided for technical assistance, including all ESEA sources; and (3) acquire the technical assistance it needs to increase opportunities for all children to achieve to challenging State academic content standards and student performance standards, and to implement the State's plan or policies for comprehensive standards-based education reform.

A State's integrated system of providing technical assistance could include assistance on such activities as: (1) implementing State standards in the classroom, including aligning instruction, curriculum, assessments, and other aspects of school reform with those standards; (2) collecting, disaggregating, and using data to analyze and improve the implementation, and increase the impact, of educational

programs; (3) conducting needs assessments and planning intervention strategies that are aligned with State goals and accountability systems; (4) planning and implementing effective, research-based reform strategies, including schoolwide reforms, and strategies for making schools safe, disciplined, and drug-free; (5) improving the quality of teaching and the ability of teachers to serve students with special needs (including educationally disadvantaged students and students with limited English proficiency); and (6) planning and implementing strategies to promote opportunities for all children to achieve to challenging State academic content standards and student performance standards.

Section 2416, Grants to large local educational agencies. Section 2416 of the ESEA would describe the formula for providing grants under Subpart 1 to the 100 largest, high-need LEAs. Under section 2416, the Secretary would allocate funds among the LEAs described in section 2412(2)(B) in proportion to the relative amounts allocated to each such LEA for Basic Grants under Subpart 2 of Part A of Title I for the most recent fiscal year. As under the State formula in section 2413, the Secretary would be required to reallocate unused LEA allocations.

Section 2417, local application. Section 2417 of the ESEA would detail the application requirements that the LEAs must meet to receive direct grants under Subpart 1. Each LEA would be required to submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. Each application would be required to describe: (1) the LEA's need for technical assistance in implementing ESEA programs (including assistance on the use and analysis of data) and in implementing the State's, or its own, plan or policies for comprehensive standards-based education reform; (2) how the LEA will use the grant funds to coordinate all its various sources of funds for technical assistance, including all ESEA sources and other sources, into an integrated system for acquiring and using outside technical assistance and other means of building its own capacity to provide the opportunity for all children to achieve to challenging State academic content standards and student performance standards implementing programs under the ESEA, and implement that system. In determining whether to approve a State's application, the Secretary would be required to take into consideration the advice of peer reviewers, and could not disapprove any application without giving the State notice and opportunity for a hearing.

Section 2418, local uses of funds. Section 2418 of the ESEA would describe the ways in which an LEA could use direct grant funds awarded under Subpart 1. The LEA could use those funds to: (1) build its capacity to use ESEA technical assistance funds through the acquisition of high-quality technical assistance and the selection of high-quality technical assistance activities and providers that meet its technical assistance needs; (2) develop, coordinate, and implement an integrated system of providing technical assistance to its schools using all sources of funds provided for technical assistance, including all ESEA sources; and (3) acquire the technical assistance it needs to increase opportunities for all children to achieve to challenging State academic content standards and student performance standards and to implement the State's, or its own, plan or policies for comprehensive standards-based education reform. An LEA may use these funds for technical assistance activities such as those described in section 2415(b) of the ESEA.

Section 2419, equitable services for private schools.

Section 2419 of the ESEA would describe how equitable services would be provided to private schools. First, if an SEA or LEA uses funds under Subpart 1 to provide professional development for teachers or school administrators, the SEA or LEA would be required to provide for professional development for teachers or school administrators in private schools located in the same geographic area on an equitable basis. Similarly, if an SEA or LEA uses funds under Subpart 1 to provide information about State educational goals, standards, or assessments, the SEA or LEA would be required to provide that information, upon request, to private schools located in the same geographic area. However, if an SEA or LEA is prohibited by law from meeting these requirements, or the Secretary determines the SEA or LEA has substantially failed or is unwilling to comply with these requirements, the Secretary shall waive these requirements and arrange for the provision of professional development services for the private school teachers or school administrators, consistent with applicable State goals and standards and section 11806 of the ESEA.

Section 2419A, consumer information. Section 2419A of the ESEA would require the Secretary to establish, through one or more contracts, an independent source of consumer information regarding the quality and effectiveness of technical assistance activities and providers available to States, LEAs, and other recipients of funds under the ESEA, in selecting technical assistance activities and providers for their use. Such a

contract could be awarded for a period of up to five years, and the Secretary could reserve, from the funds appropriated to carry out Subpart 1 for any fiscal year, such sums as the Secretary determines necessary to carry out section 2419A.

Section 2419B, authorization of appropriations. Section 2419B of the ESEA would authorize the appropriation of such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years to carry out Subpart 1.

#### SUBPART 2 - TECHNICAL ASSISTANCE CENTERS SERVING SPECIAL NEEDS

Section 2421, general provisions. Section 2421 of the ESEA would set out the general provisions applicable to all technical assistance providers that receive funds under Subpart 2, all consortia that receive funds under proposed Subpart 2 of Part B of Title III of the ESEA (as amended by Title III of the bill), and the educational laboratories, and clearinghouses of the Educational Resources Information Center, supported under the Educational Research, Development, Dissemination, and Improvement Act. Each provider, consortium, laboratory or clearinghouse would be required to: (1) participate in a technical assistance network with the Department and other federally supported technical assistance providers in order to coordinate services and resources; (2) ensure that the services they provide are high-quality, cost-effective, reflect the best information available from research and practice, and are aligned with State and local education reform efforts; (3) in collaboration with SEAs in the States served, educational service agencies (where appropriate), and representatives of high-poverty, low-performing urban and rural LEAs in each State served, develop a targeted approach to providing technical assistance that gives priority to providing intensive, ongoing services to high-poverty LEAs and schools that are most in need of raising student achievement (such as schools identified as in need of improvement under section 1116(c) of the ESEA); (4) cooperate with the Secretary in carrying out activities (including technical assistance activities authorized by other ESEA programs) such as publicly disseminating materials and information that are produced by the Department and are relevant to the purpose, expertise, and mission of the technical assistance provider; and (5) use technology, including electronic dissemination networks and Internet-based resources, in innovative ways to provide high-quality technical assistance.



Section 2422, centers for technical assistance on the needs of special populations. Section 2422 of the ESEA would authorize the Secretary to award grants, contracts, or cooperative agreements to public or private nonprofit entities (or consortia of those entities) to operate two new centers to provide technical assistance to SEAs, LEAs, schools, tribes, community-based organizations, and other recipients of funds under the ESEA concerning how to address the specific linguistic, cultural, or other needs of limited English proficient, migratory, Indian, and Alaska Native students, and educational strategies for enabling those students to achieve to challenging State academic content and performance standards. An entity could receive an award to operate a center only if it demonstrates, to the satisfaction of the Secretary, that it has expertise in these needs and strategies, and an award under section 2422 could be up to 5 years in duration.

Under section 2422(c), each center would be required to maintain appropriate staff expertise, and provide support, training, and assistance to SEAs, tribes, LEAs, schools, and other ESEA funding recipients in meeting the needs of the students in these special populations, including the coordination of other Federal programs and State and local programs, resources, and reforms. Each center would be required to give priority to providing services to schools, including Bureau of Indian Affairs-funded schools, that educate the students described in subsection (a)(1)(A) and have the highest percentages or numbers of children in poverty and the lowest student achievement levels.

Under section 2422(d), the Secretary would be required to: (1) develop a set of performance indicators that assesses whether the work of the centers assists in improving teaching and learning under the ESEA for students in the special populations described; (2) conduct surveys every two years of entities to be served under this section to determine if they are satisfied with the access to, and quality of, the services provided; (3) collect, as part of the Department's reviews of ESEA programs, information about the availability and quality of services provided by the centers, and share that information with the centers; and (4) take whatever steps are reasonable and necessary to ensure that each center performs its responsibilities in a satisfactory manner, which may include termination of an award under this part, the selection of a new center, and any necessary interim arrangements. All of these activities are designed to ensure the quality and effectiveness of the proposed centers.

Section 2422(e) would authorize the appropriation of such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years to carry out the purposes of section 2422.

Section 2423, parental information and resource centers. Section 2423 of the ESEA would authorize Parental Information and Resource Centers (PIRCs), which are currently authorized under Title IV of the Goals 2000: Educate America Act.

Section 2423(a) would authorize the Secretary to award grants, contracts, or cooperative agreements to nonprofit organizations that serve parents (particularly those organizations that make substantial efforts to reach low-income, minority, or limited English proficient parents) to establish PIRCs. The PIRCs would coordinate the efforts of Federal, State, and local parent education and family involvement initiatives. In addition, the PIRCs would provide training, information, and support to SEAs, LEAs (particularly LEAs with high-poverty and low-performing schools), schools (particularly high-poverty and low-performing schools), and organizations that support family-school partnerships (such as parent teacher organizations). In making awards, the Secretary would be required, to the greatest extent possible, to ensure that each State is served by at least one award recipient. Currently, there are PIRCs in all 50 States, the District of Columbia, Puerto Rico, and each territory.

Section 2423(b) would establish the application requirements for the PIRCs. Applicants desiring assistance under section 2423 would be required to submit an application at such time, and in such manner, as the Secretary shall determine. At a minimum, the application would include: a description of the applicant's capacity and expertise to implement a grant under section 2423; a description of how the applicant would use its award to help SEAs and LEAs, schools, and non-profit organizations in the State (particularly those organizations that make substantial efforts to reach a large number or percentage of low-income, minority, or limited English proficient children) to: (1) identify barriers to parent or family involvement in schools, and strategies to overcome those barriers; and (2) implement high-quality parent education and family involvement programs that improve the capacity of parents to participate more effectively in the education of their children, support the effective implementation of research-based instructional activities that support parents and families in

promoting early language and literacy development and support schools in promoting meaningful parent and family involvement; a description of the applicant's plan to disseminate information on high-quality parent education and family involvement programs to LEAs, schools, and non-profit organizations that serve parents in the State; a description of how the applicant would coordinate its activities with the activities of other Federal, State, and local parent education and family involvement programs and with national, State, and local organizations that provide parents and families with training, information, and support on how to help their children prepare for success in school and achieve to high academic standards; a description of how the applicant would use technology, particularly the Worldwide Web, to disseminate information; and a description of the applicant's goals for the center, as well as baseline indicators for each of the goals, a timeline for achieving the goals, and interim measures of success toward achieving the goals.

Section 2423(c) would limit the Federal share to not more than 75 percent of the cost of a PIRC. The non-Federal share may be in cash or in kind. Under current law, a grant recipient must provide a match in each fiscal year after the first year of the grant, but does not specify the amount of the match.

Section 2423(d)(1) would establish the allowable uses for program funds. Recipients would be required to use their awards to support SEAs and LEAs, schools, and non-profit organizations in implementing programs that provide parents with training, information, and support on how to help their children achieve to high academic standards. Such activities could include: assistance in the implementation of programs that support parents and families in promoting early language and literacy development and prepare children to enter school ready to succeed in school; assistance in developing networks and other strategies to support the use of research-based, proven models of parent education and family involvement, including the "Parents as Teachers" and "Home Instruction Program for Preschool Youngsters" programs, to promote children's development and learning; assistance in preparing parents to communicate more effectively with teachers and other professional educators and support staff, and providing a means for on-going, meaningful communication between parents and schools; assistance in developing and implementing parent education and family involvement programs that increase parental knowledge about standards-based school reform; and disseminating information on programs, resources, and services available at

the national, State, and local levels that support parent and family involvement in the education of their school-age children.

Section 2423(d) (2) would require that each recipient use at least 75 percent of its award to support activities that serve areas with large numbers or concentrations of low-income families. Currently, recipients are required to use 50 percent of their funds to provide services to low-income areas.

Section 2423(e) would authorize the Secretary to reserve up to 5 percent of the funds appropriated for section 2423 to provide technical assistance to the PIRCS and to carry out evaluations of program activities.

Section 2423(f) of the ESEA would set out three definitions, taken from current law, for purposes of section 2423. The term "parent education" would be defined to include parent support activities, the provision of resource materials on child development, parent-child learning activities and child rearing issues, private and group educational guidance, individual and group learning experiences for the parent and child, and other activities that enable the parent to improve learning in the home.

The term "Parents as Teachers program" would be defined as a voluntary childhood parent education program that: is designed to provide all parents of children from birth through age 5 with the information and support that such parents need to give their child a solid foundation for school success; is based on the Missouri Parents as Teachers model, with the philosophy that parents are their child's first and most influential teachers; provides regularly scheduled personal visits with families by certified parent educators; provides regularly scheduled developmental screenings; and provides linkage with other resources within the community to provide services that parents may want and need, except that such services are beyond the scope of the Parents As Teachers program.

The term "Home Instruction for Preschool Youngsters program" would be defined as a voluntary early-learning program for parents with one or more children between the ages of 3 through 5 that provides support, training, and appropriate educational materials necessary for parents to implement a school-readiness, home instruction program for their child. Such a program also includes: group meetings with other parents participating in the program; individual and group learning

experiences with the parent and child; provision of resource materials on child development and parent-child learning activities; and other activities that enable the parent to improve learning in the home.

Section 2423(g) would require each PIRC to submit an annual report on its activities. The report would include at least: the number and types of activities supported by the recipient with program funds; activities supported by the recipient that served areas with high numbers or concentrations of low-income families; and the progress made by the PIRC in achieving the goals included in its application.

Section 2423(h) would prohibit any individual from being required to participate in any parent education program or developmental screening supported by program funds. In addition, PIRCs would be prohibited from infringing on the right of a parent to direct the education of their children. Finally, the requirements of section 444(c) of the General Education Provisions Act, relating to procedures protecting the rights of privacy of students and their families in connection with surveys or data-gathering activities, would apply to PIRCs. All of these protections would be continued from current law.

Section 2423(i) would authorize the appropriation of such sums as may be necessary for fiscal years 2001 through 2005 to carry out the PIRC program.

Section 2424, Eisenhower Regional Mathematics and Science Education Consortia. Section 2424 of the ESEA would authorize the establishment and operation of the Eisenhower Regional Mathematics and Science Education Consortia. The Eisenhower Consortia are currently authorized under Part C of Title XIII of the ESEA. In addition to updating current law to eliminate outdated or unnecessary provisions and making structural changes, section 2424 would eliminate some of the current authorized uses of funds for the Eisenhower Consortia in order to focus the uses of funds more closely on the program's core purposes. Section 2424 would also authorize the appropriation of such sums as may be necessary for fiscal years 2001 through 2005 to carry out the Eisenhower Consortia.

SUBPART 3 - TECHNOLOGY-BASED TECHNICAL ASSISTANCE INFORMATION  
DISSEMINATION

Section 2431, Web-based and other information dissemination. Section 2431 of the ESEA would authorize the Secretary to carry out, through grants, contracts, or cooperative agreements, a national system, through the Worldwide Web and other advanced telecommunications technologies, that supports interactive information sharing and dissemination about ways to improve educational practices throughout the Nation. In designing and implementing this proposed information dissemination system, the Secretary would be required to create opportunities for the continuing input of students, teachers, administrators, and other individuals who participate in, or may be affected by, the Nation's educational system.

The proposed new information dissemination system would include information on: (1) stimulating instructional materials that are aligned with challenging content standards; and (2) successful and innovative practices in instruction, professional development, challenging academic content and student performance standards, assessments, effective school management, and such other areas as the Secretary determines are appropriate.

Under section 2431(a)(3)(A), the Secretary could require the technical assistance providers funded under proposed Part D of Title II of the ESEA, or under Subpart 2 of Part D of Title III of the ESEA (as amended by Title III of the bill), or the educational laboratories and clearinghouses of the Educational Resources Information Center supported under the Educational Research, Development, Dissemination, and Improvement Act, to: (1) provide information (including information on practices employed in the regions or States served by the providers) for use in the proposed information dissemination system; (2) coordinate their activities in order to ensure a unified system of technical assistance; or (3) otherwise participate in the proposed information dissemination system. Under section 2431(a)(3)(B), the Secretary would be required to ensure that these dissemination activities are integrated with, and do not duplicate, the dissemination activities of the Office of Educational Research and Improvement (OERI), and that the public has access, through this system, to the latest research, statistics, and other information supported by, or available from, OERI.

Section 2431(b) would authorize the Secretary to carry out additional activities, using advanced telecommunications technologies where appropriate, to assist LEAs, SEAs, tribes, and other ESEA recipients in meeting the requirements of the Government Performance and Results Act of 1993. This assistance could include information on measuring and benchmarking program performance and student outcomes.

Section 2432 would authorize the appropriation of such sums as may be necessary for fiscal years 2001 through 2005 to carry out Subpart 3. - - -

#### SUBPART 4 - NATIONAL EVALUATION ACTIVITIES

Section 2441, national evaluation activities. Section 2441 of the ESEA would require the Secretary to conduct, directly or through grants, contracts, or cooperative agreements, such activities as the Secretary determines necessary to:

- (1) determine what constitutes effective technical assistance;
- (2) evaluate the effectiveness of the technical assistance and dissemination programs authorized by, or assisted under, Part E of Title II of the ESEA, and the educational laboratories, and clearinghouses of the Educational Resources Information Center, supported under the Educational Research, Development, Dissemination, and Improvement Act, (notwithstanding any other provision of such Act); and (3) increase the effectiveness of those programs.

## TITLE III - TECHNOLOGY FOR EDUCATION

Section 301. Short Title. Section 301 of the bill would amend section 3101 of the ESEA to change the short title for Title III of the ESEA to the "Technology For Education Act."

Section 302. Findings. Section 302 of the bill would update the findings in section 3111 of the ESEA to reflect progress that has been made in achieving the four national technology goals and identify those areas in which progress still needs to be made.

Section 303. Statement of Purpose. Section 303 of the bill would amend section 3112 of the ESEA to better align the purposes of Title III of the ESEA to the national technology goals and the Department's goals for the use of educational technology to improve teaching and learning. The purposes for this title are to: (1) help provide all classrooms with access to educational technology through support for the acquisition of advanced multimedia computers, Internet connections, and other technologies; (2) help ensure access to, and effective use of, educational technology in all classrooms through the provision of sustained and intensive, high-quality professional development that improves teachers' capability to integrate educational technology effectively into their classrooms by actively engaging students and teachers in the use of technology; (3) help improve the capability of teachers to design and construct new learning experiences using technology, and actively engage students in that design and construction; (4) support efforts by SEAs and LEAs to create learning environments designed to prepare students to achieve to challenging State academic content and performance standards through the use of research-based teaching practices and advanced technologies; (5) support technical assistance to State educational agencies, local educational agencies, and communities to help them use technology-based resources and information systems to support school reform and meet the needs of students and teachers; (6) support the development of applications that make use of such technologies as advanced telecommunications, hand-held devices, web-based learning resources, distance learning networks, and modeling and simulation software; (7) support Federal partnerships with business and industry to realize more rapidly the potential



of digital communications to expand the scope of, and opportunities for, learning; (8) support evaluation and research on the effective use of technology in preparing all students to achieve to challenging State academic content and performance standards, and the impact of technology on teaching and learning; (9) provide national leadership to stimulate and coordinate public and private efforts, at the national, State and local levels, that support the development and integration of advanced technologies and applications to improve school planning and classroom instruction; (10) support the development, or redesign, of teacher preparation programs to enable prospective teachers to integrate the use of technology in teaching and learning; (11) increase the capacity of State and local educational agencies to improve student achievement, particularly that of students in high-poverty, low-performing schools; (12) promote the formation of partnerships and consortia to stimulate the development of, and new uses for, technology in teaching and learning; (13) support the creation or expansion of community technology centers that will provide disadvantaged residents of economically distressed urban and rural communities with access to information technology and related training; and (14) help to ensure that technology is accessible to, and usable by, all students, particularly students with disabilities or limited English proficiency.

Section 304. Prohibition Against Supplanting.

Section 304 of the bill would repeal section 3113 of the ESEA, which currently contains the definitions applicable to Title III of the ESEA. Definitions would instead be placed in the part of the title to which they apply. In its place, section 304 of the bill would add a new section 3113 to the ESEA that would require a recipient of funds awarded under this title to use that award only to supplement the amount of funds or resources that would, in the absence of such Federal funds, be made available from non-Federal sources for the purposes of the programs authorized under Title III of the ESEA, and not to supplant those non-Federal funds or resources.

## PART A - FEDERAL LEADERSHIP AND NATIONAL ACTIVITIES

Section 311. Structure of Part. Section 311 of the bill would make technical changes to Title III of the ESEA to eliminate the current structure of Part A of Title III of the ESEA and add a new heading for Part A, Federal Leadership and National Activities. This section also would repeal the current Product Development program, which has never received funding.

Section 312. National Long-Range Technology Plan. Section 312 of the bill would amend section 3121 of the ESEA, which currently requires the Secretary to publish a national long-range technology plan within one year of the enactment of the Improving America's School Act of 1994. Instead, section 312(1) of the bill would amend section 3121(a) of the ESEA to require the Secretary to update the national long-range technology plan within one year of the enactment of the bill and to broadly disseminate the updated plan.

Section 312(2) of the bill would amend section 3121(c) of the ESEA, which establishes the requirements for the national long-range technology plan, by adding the requirements that the plan describe how the Secretary will: promote the full integration of technology into learning, including the creation of new instructional opportunities through access to challenging courses and information that would otherwise not have been available, and independent learning opportunities for students through technology; encourage the creation of opportunities for teachers to develop, through the use of technology, their own networks and resources for sustained and intensive, high-quality professional development; and encourage the commercial development of effective, high-quality, cost-competitive educational technology and software.

Section 313. Federal Leadership. Section 313 of the bill would amend section 3122 of the ESEA, which authorizes a program of Federal leadership in promoting the use of technology in education. Section 313(1) of the bill would amend 3122(a) of the ESEA by eliminating a reference to the United States National Commission on Libraries and Information Systems, and replacing it with the White House Office of Science and Technology Policy, on the list of agencies with which the Secretary consults under this program.

Section 313(2) of the bill would amend section 3122(b)(1) of the ESEA by removing the reference to the Goals 2000: Educate America Act, which would be repealed by another section of this bill. The National Education Goals would be renamed America's Education Goals and added to the ESEA by section 2 of the bill.

Section 313(3) of the bill would amend current 3122(c) of the ESEA by eliminating the authority for the Secretary to undertake activities designed to facilitate maximum interoperability of educational technologies. Instead, the Secretary would be authorized to develop a national repository of information on the effective uses of educational technology, including its use for sustained and intensive, high-quality professional development, and the dissemination of that information nationwide.

Section 314 Repeals; Redesignations; Authorization of Appropriations. Section 314 of the bill would repeal sections 3114 (Authorization of Appropriations), 3115 (Limitation on Costs), and 3123 (Study, Evaluation, and Report of Funding Alternatives) of the ESEA. As amended by the bill, an authorization of appropriations section would be included in the part of Title III of the ESEA to which it applies. These changes would also eliminate the current statutory provision that requires that funds be used for a discretionary grant program when appropriations for current Part A of Title III of the ESEA are less than \$75 million, and for a State formula grant program when the appropriation exceeds that amount. This provision must currently be overridden in appropriation language each year in order to operate both the Technology Literacy Challenge Fund and the Technology Innovation Challenge Grants program.

Section 314(b) of the bill would redesignate several sections of the ESEA, and would add new sections 3101 and 3104 to the ESEA. Proposed new section 3101 of the ESEA ("National Evaluation of Education Technology") would require the Secretary to develop and carry out a strategy for an ongoing evaluation of existing and anticipated future uses of educational technology. This national evaluation strategy would be designed to better inform the Federal role in supporting the use of educational technology, in stimulating reform and innovation in teaching and learning with technology, and in advancing the

development of more advanced and new types and applications of such technology. As part of this evaluation strategy, the Secretary would be authorized to: conduct long-term controlled studies on the effectiveness of the uses of educational technology; convene panels of experts to identify uses of educational technology that hold the greatest promise for improving teaching and learning, assist the Secretary with the review and assessment of the progress and effectiveness of projects that are funded under this title, and identify barriers to the commercial development of effective, high-quality, cost-competitive educational technology and software; conduct evaluations and applied research studies that examine how students learn using educational technology, whether singly or in groups, and across age groups, student populations (including students with special needs, such as students with limited English proficiency and students with disabilities) and settings, and the characteristics of classrooms and other educational settings that use educational technology effectively; collaborate with other Federal agencies that support research on, and evaluation of, the use of network technology in educational settings; and carry out such other activities as the Secretary determines appropriate. The Secretary would be authorized to use up to 4 percent of the funds appropriated to carry out Title III of the ESEA for any fiscal year to carry out national evaluation strategy in that year.

Proposed new section 3104 of the ESEA ("Authorization of Appropriations") would authorize the appropriation of such sums as may be necessary to carry out the national evaluation strategy, national plan, and Federal Leadership activities for fiscal years 2001 through 2005.

## PART B - SPECIAL PROJECTS

Section 321. Repeals; Redesignations; New Part.

Section 321 of the bill would make several structural and conforming changes to Title III of the ESEA. Section 321(a) of the bill would repeal Part B, the Star Schools Program, and Part E, the Elementary Mathematics and Science Equipment Program. Section 321(b) of the bill would redesignate current Part C of Title III of the ESEA, Ready-To-Learn Television, as Subpart 2 of Part B of Title III of the ESEA, and redesignate current Part D of Title III of the ESEA, Telecommunications Demonstration Project for Mathematics as Subpart 3 of Part B of Title III of the ESEA.

Section 321(d) of the bill would add a new Subpart 1, Next-Generation Technology Innovation Awards, to Part B of Title III of the ESEA.

Proposed new section 3211 of the ESEA ("Purpose; Program Authority") would state, in subsection (a), that it is the purpose of the program to: (1) expand the knowledge base about the use of the next generation of advanced computers and telecommunications in delivering new applications for teaching and learning; (2) address questions of national significance about the next generation of technology and its use to improve teaching and learning; and (3) develop, for wide-scale adoption by SEAs and LEAs, models of innovative and effective applications in teaching and learning of technology, such as high-quality video, voice recognition devices, modeling and simulation software (particularly web-based software and intelligent tutoring), hand-held devices, and virtual reality and wireless technologies, that are aligned with challenging State academic content and performance standards. These purposes would focus the projects funded under this proposed new subpart on developing "cutting edge" applications of educational technology.

Proposed new section 3211(b) of the ESEA would authorize the Secretary, through the Office of Educational Technology, to award grants, contracts, or cooperative agreements on a competitive basis to eligible applicants. Proposed new section 3211(c) of the bill would state that

those awards could be made for a period of not more than five years.

Proposed new section 3212 of the ESEA ("Eligibility") would specify the eligibility and application requirements for the proposed new program. Under proposed new section 3212(a) of the ESEA, in order to be eligible to receive an award an applicant would have to be a consortium that includes: (1) at least one SEA or LEA; and (2) at least one institution of higher education, for-profit business, museum, library, other public or private entity with a particular expertise that would assist in carrying out the purposes of the proposed new subpart.

Under proposed new section 3212(b) of the ESEA, applicants would be required to provide a description of the proposed project and how it would carry out the purposes of the program, and a detailed plan for the independent evaluation of the program, which must include benchmarks to monitor progress toward the specific project objectives.

Proposed new section 3212(c) of the ESEA would allow the Secretary, when making awards, to set one or more priorities. Priorities could be provided for: (1) applications from consortia that consist of particular types of the members described in proposed new section 3212(a) of the ESEA; (2) projects that develop innovative models of effective use of educational technology, including the development of distance learning networks, software (including software deliverable through the Internet), and online-learning resources; (3) projects serving more than one State and involving large-scale innovations in the use of technology in education; (4) projects that develop innovative models that serve traditionally underserved populations, including low-income students, students with disabilities, and students with limited English proficiency; (5) projects in which applicants provide substantial financial and other resources to achieve the goals of the project; and (6) projects that develop innovative models for using electronic networks to provide challenging courses, such as Advanced Placement courses.

Proposed new section 3213 of the ESEA ("Uses of Funds") would require award recipients to use their program funds to develop new applications of educational

technologies and telecommunications to support school reform efforts, such as wireless and web-based telecommunications, hand-held devices, web-based learning resources, distributed learning environments (including distance learning networks), and the development of educational software and other applications. In addition, recipients would also be required to use program funds to carry out activities consistent with the purposes of the proposed new subpart, such as: (1) developing innovative models for improving teachers' ability to integrate technology effectively into course curriculum, through sustained and intensive, high-quality professional development; (2) developing high-quality, standards-based, digital content, including multimedia software, digital video, and web-based resources; (3) using telecommunications, and other technologies, to make programs accessible to students with special needs (such as low-income students, students with disabilities, students in remote areas, and students with limited English proficiency) through such activities as using technology to support mentoring; (4) providing classroom and extracurricular opportunities for female students to explore the different uses of technology; (5) promoting school-family partnerships, which may include services for adults and families, particularly parent education programs that provide parents with training, information, and support on how to help their children achieve to high academic standards; (6) acquiring connectivity linkages, resources, distance learning networks, and services, including hardware and software, as needed to accomplish the goals of the project; and (7) collaborating with other Department of Education and Federal information technology research and development programs.

Proposed new section 3214 of the ESEA ("Evaluation") would authorize the Secretary to: (1) develop tools and provide resources for recipients of funds under the proposed new subpart to evaluate their activities; (2) provide technical assistance to assist recipients in evaluating their projects; (3) conduct independent evaluations of the activities assisted under the proposed new subpart; and (4) disseminate findings and methodologies from evaluations assisted under the proposed new subpart, or other information obtained from such projects that would promote the design and implementation of effective models for evaluating the impact of educational technology on teaching and learning. This evaluation authority would

enable the Department to provide projects with tools for evaluation and disseminate the findings from the individual project evaluations.

Proposed new section 3215 of the ESEA ("Authorization of Appropriations") would authorize the appropriation of such sums as may be necessary to carry out this part for fiscal years 2001 through 2005.

Section 322. Ready To Learn Digital Television.

Section 322 of the bill would amend the subpart heading for Subpart 2 of Part B of Title III of the ESEA (as redesignated by section 321(b) of the bill) to reflect advances in technology by replacing the reference to "television" with a reference to "digital television."

In addition, section 322 of the bill would amend the provisions of this subpart to reflect the redesignations made by section 321(c) of the bill, and to authorize the appropriation of such sums as may be necessary to carry out this subpart for fiscal years 2001 through 2005.

Section 323. Telecommunications Program for Professional Development in the Core Content Areas.

Section 323(a) of the bill would amend the heading for Subpart 3 of Part B of Title III (as redesignated by section 321(b) of the bill) from the current "Telecommunications Demonstration Project for Mathematics" to "Telecommunications Program for Professional Development in the Core Content Areas."

Section 323(b) of the bill would amend section 3231 of the ESEA (as redesignated by section 321(c) of the bill), which currently states the purpose of this part as carrying out a national telecommunications-based demonstration project to improve the teaching of mathematics and to assist elementary and secondary school teachers in preparing all students for achieving State content standards. As amended by section 323(b) of the bill, this program would no longer be only a demonstration project, and its purposes would be expanded to assist elementary and secondary school teachers in preparing all students to achieve to challenging State academic content and performance standards through a national telecommunications-based program to improve teaching in all core content areas, not just mathematics.



Section 323(c) of the bill would amend the application requirements in section 3232 of the ESEA (as redesignated by section 321(c) of the bill) to eliminate references to the program as a demonstration project, update the references to technology, expand the types of entities with which recipients would be required to coordinate their efforts, and make conforming changes.

Section 323(d) of the bill would amend section 3233 of the ESEA (as redesignated by section 321(c) of the bill) to authorize the appropriation of such sums as may be necessary to carry out this subpart for fiscal years 2001 through 2005.

Section 324. Community Technology Centers. Section 324 of the bill would add a new Subpart 4, Community Technology Centers, to Part B of Title III of the ESEA.

Proposed new section 3241 of the ESEA ("Purpose; Program Authority") would state, in subsection (a), that the purpose of this proposed new subpart is to assist eligible applicants to create or expand community technology centers that will provide disadvantaged residents of economically distressed urban and rural communities with access to information technology and related training and provide technical assistance and support to community technology centers.

Proposed new section 3241(b) of the ESEA would authorize the Secretary, through the Office of Educational Technology, to award grants, contracts, or cooperative agreements on a competitive basis to eligible applicants to carry out the purposes of the proposed new subpart. The Secretary could make these awards for a period of not more than three years.

Proposed new section 3242 of the ESEA ("Eligibility and Application Requirements") would set out the eligibility and application requirements for the proposed new subpart. Under proposed new section 3242(a) of the ESEA, to be eligible an applicant must: (1) have the capacity to expand significantly access to computers and related services for disadvantaged residents of economically distressed urban and rural communities (who would otherwise be denied such access); and (2) be an entity such as a foundation, museum, library, for-profit business, public or private nonprofit organization,

community-based organization, an institution of higher education, an SEA, an LEA, or a consortium of these entities.

Under the application requirements in proposed new section 3242(b) of the ESEA, an applicant would be required to submit an application to the Secretary at such time, and containing such information, as the Secretary may require, and that application must include: (1) a description of the proposed project, including a description of the magnitude of the need for the services and how the project would expand access to information technology and related services to disadvantaged residents of an economically distressed urban or rural community; (2) a demonstration of the commitment, including the financial commitment, of entities such as institutions, organizations, business and other groups in the community that will provide support for the creation, expansion, and continuation of the proposed project, and the extent to which the proposed project establishes linkages with other appropriate agencies, efforts, and organizations providing services to disadvantaged residents of an economically distressed urban or rural community; (3) a description of how the proposed project would be sustained once the Federal funds awarded under this subpart end; and (4) a plan for the evaluation of the program, including benchmarks to monitor progress toward specific project objectives.

Under proposed new section 3242(c) of the ESEA, the Federal share of the cost of any project funded under the proposed new subpart could not exceed 50 percent, and the non-Federal share of such project may be in cash or in kind, fairly evaluated, including services.

Proposed new section 3243 of the ESEA ("Uses of Funds") would describe the required and permissible uses of funds awarded under the proposed new subpart. Under proposed new section 3243(a) of the ESEA, a recipient would be required to use these funds for creating or expanding community technology centers that expand access to information technology and related training for disadvantaged residents of distressed urban or rural communities, and evaluating the effectiveness of the project.

Under proposed new section 3243(b) of the ESEA, a recipient could use funds awarded under the proposed new

subpart for activities that it described in its application that carry out the purposes of this subpart such as: (1) supporting a center coordinator, and staff, to supervise instruction and build community partnerships; (2) acquiring equipment, networking capabilities, and infrastructure to carry out the project; and (3) developing and providing services and activities for community residents that provide access to computers, information technology, and the use of such technology in support of pre-school preparation, academic achievement, lifelong learning, and workforce development job preparation activities.

Proposed new section 3244 of the Act ("Authorization of Appropriations") would authorize the appropriation of such sums as may be necessary to carry out the proposed new subpart for each of the fiscal years 2001 through 2005.

## PART C - PREPARING TOMORROW'S TEACHERS TO USE TECHNOLOGY

Section 331. New Part. Section 331 of the bill would amend Title III of the ESEA by adding a new Part C, Preparing Tomorrow's Teachers To Use Technology.

Proposed new section 3301 of the ESEA ("Purpose; Program Authority") would state, in subsection (a), that the purpose of the proposed new part is to assist consortia of public and private entities in carrying out programs that prepare prospective teachers to use advanced technology to foster learning environments conducive to preparing all students to achieve to challenging State and local content and student performance standards.

Proposed new section 3301(b) of the ESEA would authorize the Secretary, through the Office of Educational Technology, to award grants, contracts, or cooperative agreements on a competitive basis to eligible applicants in order to assist them in developing or redesigning teacher preparation programs to enable prospective teachers to use technology effectively in their classrooms. The Secretary could make these awards for a period of not more than five years.

Proposed new section 3302 of the ESEA ("Eligibility") would detail the eligibility, application, and matching requirements for the proposed new part. To be eligible under proposed new section 3302(a), an applicant must be a consortium that includes at least one institution of higher education that offers a baccalaureate degree and prepares teachers for their initial entry into teaching, and at least one SEA or LEA. In addition, each consortium must include at least one of the following entities: an institution of higher education (other than the institution described above); a school or department of education at an institution of higher education; a school or college of arts and sciences at an institution of higher education; a private elementary or secondary school; or a professional association, foundation, museum, library, for-profit business, public or private nonprofit organization, community-based organization, or other entity with the capacity to contribute to the technology-related reform of teacher preparation programs.

The application requirements in proposed new section 3302(b) of the ESEA would require an applicant to submit an

application to the Secretary at such time, and containing such information, as the Secretary may require, and that application would be required to include: a description of the proposed project, including how the project would ensure that individuals participating in the project would be prepared to use technology to create learning environments conducive to preparing all students to achieve to challenging State and local content and student performance standards; a demonstration of the commitment, including the financial commitment, of each of the members of the consortium to the proposed project; a demonstration of the active support of the leadership of each member of the consortium for the proposed project; a description of how each member of the consortium would be included in project activities; a description of how the proposed project would be sustained once the Federal funds awarded under this part end; and a plan for the evaluation of the program, which shall include benchmarks to monitor progress toward specific project objectives.

Proposed new section 3302(c)(1) of the ESEA would limit the Federal share of any project funded under this part to no more than 50 percent of the cost of the project. The non-Federal share may be in cash or in kind, except as required under proposed new section 3302(c)(2) of the ESEA, which would limit, to not more than 10 percent of the funds awarded for a project under this part, the amount that may be used to acquire equipment, networking capabilities or infrastructure, and would require that the non-Federal share of the cost of any such acquisition be in cash.

Proposed new section 3303 of the ESEA ("Uses of Funds") would establish the required and permissible uses of funds awarded under the proposed new part. Under proposed new section 3303(a) of the ESEA, recipients would be required to: create programs that enable prospective teachers to use advanced technology to create learning environments conducive to preparing all students to achieve to challenging State and local content and student performance standards; and evaluate the effectiveness of the project.

Under proposed new section 3303(b), recipients would be permitted to use funds for activities such as: developing and implementing high-quality teacher preparation programs that enable educators to learn the full range of resources that can be accessed through the

use of technology, integrate a variety of technologies into the classroom in order to expand students' knowledge, evaluate educational technologies and their potential for use in instruction, and help students develop their own digital learning environments; developing alternative teacher development paths that provide elementary and secondary schools with well-prepared, technology-proficient educators; developing performance-based standards and aligned assessments to measure the capacity of prospective teachers to use technology effectively in their classrooms; providing technical assistance to other teacher preparation programs; developing and disseminating resources and information in order to assist institutions of higher education to prepare teachers to use technology effectively in their classrooms; and acquiring equipment, networking capabilities, and infrastructure to carry out the project.

Proposed new section 3304 of the ESEA ("Authorization of Appropriations") would authorize the appropriation of such sums as may be necessary to carry out the proposed new part for each of the fiscal years 2001 through 2005.

PART D - REGIONAL, STATE, AND LOCAL EDUCATIONAL TECHNOLOGY  
RESOURCES

Section 341. Repeal; New Part. Section 341 of the bill would add a new Part D, Regional, State, and Local Educational Technology Resources, to Title III of the ESEA that would consist of two subparts: Subpart 1, the Technology Literacy Challenge Fund (TLCF), and Subpart 2, Regional Technology in Education Consortia (RTECs).

Proposed new section 3411 of the ESEA ("Purpose") would state that it is the purpose of the TLCF to increase the capacity of SEAs and LEAs to improve student achievement, particularly that of students in high-poverty, low-performing schools, by supporting State and local efforts to: (1) make effective use of new technologies and technology applications, networks, and electronic resources; (2) utilize research-based teaching practices that are linked to advanced technologies; and (3) promote sustained and intensive, high-quality professional development that increases teacher capacity to create improved learning environments through the integration of educational technology into instruction. These purposes would focus program efforts on activities that have been proven to improve teaching and learning.

Section 342. Allotment and Reallotment. Section 342 of the bill would amend section 3131(a)(2) of the ESEA, which pertains to the allotment and reallotment of TLCF funds. First, for purposes of section 3131 of the ESEA, "State educational agency" would be defined to include the Bureau of Indian Affairs (BIA). This change is necessary because the current definition is in section 3113 of the ESEA, which is proposed for repeal in section 3004 of the bill.

Next, section 342 of the bill would amend section 3131(a)(2) of the ESEA by modifying the minimum TLCF State grant amount in two ways. First, the minimum amount would be the lesser of one-half of one percent of the appropriations for TLCF for a fiscal year, or \$2,250,000. Second, the new minimum amount would apply in the aggregate to the amount received by the Outlying Areas. Currently, this aggregate minimum amount for the Outlying Areas is accomplished through appropriations language each year.

Section 343. Technology Literacy Challenge Fund.

Section 343 of the bill would amend current 3132(a)(2) of the ESEA to require an SEA to award not less than 95 percent of its allocation to eligible local applicants (from which up to 2 percent of its total allocation could be used for planning subgrants to LEAs that need assistance in developing local technology plans). An SEA could use the remainder of its allocation for administrative costs and technical assistance. This change is necessary because section 314 of the bill would repeal current 3115 of the ESEA, which limited the amount of any grant that could be used for administrative expenses.

Section 343 of the bill would also require an SEA to provide a priority for eligible local applicants that are partnerships. ("Eligible local applicant" is defined in proposed new section 3417 of the ESEA, as added by section 348 of the bill.)

Section 343(3) of the bill would amend 3132(b)(2) of the ESEA, which currently requires SEAs to provide technical assistance in developing applications for program funds to LEAs with high concentrations of poor children and a demonstrated need for such assistance. In addition to this requirement, the amended section 3132(b)(2) of the ESEA would also require that an SEA provide an eligible local applicant with assistance in forming partnerships to apply for program funds and developing performance indicators.

Section 344. State Application. Section 344 of the bill would completely revise the application requirements for the State formula grant program in section 3133 of the ESEA. As revised, section 3133 of the ESEA would require an SEA to: (1) provide a new or updated State technology plan that is aligned with the State plan or policies for comprehensive standards-based education reform; (2) describe how it will meet the national technology goals; (3) describe its long-term strategies for financing educational technology, including how it would use other Federal and non-Federal funds, including E-Rate funds; (4) describe and explain its criteria for identifying an LEA as high-poverty and having a substantial need for technology; (5) describe its goals for using educational technology to improve student achievement; (6) establish performance indicators for each of its goals described in the plan, baseline performance data for the indicators, a timeline



for achieving the goals, and interim measures of success toward achieving the goals; (7) describe how it would ensure that grants awarded under this subpart are of sufficient size, scope, and quality to meet the purposes of this subpart effectively; (8) describe how it would provide technical assistance to eligible local applicants and its capacity for providing that assistance; (9) how it would ensure that educational technology is accessible to, and usable by, all students, including students with special needs, such as students who have disabilities or limited English proficiency; and (10) how it would evaluate its activities under the plan. The application requirements would better align the information required from States with the purposes for the program.

Section 345. Local Uses of Funds. Section 345 of the bill would amend section 3134 of the ESEA, which describes the local uses of funds under the TLECF. These local uses of funds would be: adapting or expanding existing and new applications of technology; providing sustained and intensive, high-quality professional development in the integration of advanced technologies into curriculum; enabling teachers to use the Internet to communicate with other teachers and to retrieve web-based learning resources; using technology to collect, manage, and analyze data for school improvement; acquiring advanced technologies with classroom applications; acquiring wiring and access to advanced telecommunications; using web-based learning resources, including those that provide access to challenging courses such as Advanced Placement courses; and assisting schools to use technology to promote parent and family involvement, and support communications between family and school.

Section 346. Local Applications. Section 346 of the bill would amend section 3135 of the ESEA to make an "eligible local applicant," rather than an LEA, the entity eligible to apply for TLECF subgrants. This change is aligned with the proposed change to target program funds to LEAs with large numbers or percentages of poor children and a demonstrated need for technology, or a consortium that includes such an LEA. Eligible local applicants that are partnerships would also be required to describe the membership of the partnership, their respective roles, and their respective contributions to improving the capacity of the LEA.

In addition to making several updating and conforming changes, section 346 of the bill would also amend section 3135 of the ESEA regarding what must be included in the subgrant application. An applicant would be required to describe how the applicant would use its funds to improve student achievement by making effective use of new technologies, networks, and electronic learning resources, using research-based teaching practices that are linked to advanced technologies, and promoting sustained and intensive, high-quality professional development. This requirement would focus local efforts on activities that have demonstrated the greatest potential for improving teaching and learning.

In addition, an applicant would also be required to describe: its goals for educational technology, as well as timelines, benchmarks, and indicators of success for achieving the goals; its plan for ensuring that all teachers are prepared to use technology to create improved classroom learning environments; the administrative and technical support it would provide to schools; its plan for financing its local technology plan; how it would use technology to promote communication between teachers; how it would use technology to meet the needs of students with special needs, such as students with disabilities or limited English proficiency; how it will involve parents, public libraries, and business and community leaders in the development of the local technology plan; and if the applicant is a partnership, the members of the partnership and their respective roles and contributions.

Finally, an applicant would be required to provide an assurance that, before using any funds received under this subpart for acquiring wiring or advanced telecommunications, it would use all the resources available to it through the E-Rate. This would ensure that districts were using their E-Rate funds, which have more limited uses than TLEF funds, for wiring and telecommunications fees before using TLEF funds for those purposes.

Section 347. Repeals; Conforming Changes; Redesignations. Section 347 of the bill would repeal current sections 3136 and 3137 of the ESEA. Section 3136 of the ESEA currently authorizes the National Challenge Grants for Technology in Education, and its purposes would be accomplished under the Next-Generation Technology

Innovation Awards program proposed as the new Subpart 1 of Part C of Title III of the ESEA. Section 3137 of the ESEA contains now outdated evaluation requirements. Section 347 of the bill would also make several conforming changes to, and redesignations of, provisions in Title III of the ESEA.

Section 348. Definitions; Authorization of Appropriations. Section 348 of the bill would add two new sections to Title III of the ESEA. Proposed new section 3417 of the ESEA ("Definitions") would define "eligible local applicant" and "low-performing school." The definitions would be included to better target funds on high-poverty schools with the greatest need for educational technology.

An "eligible local applicant" would be defined as: (1) an LEA with high numbers or percentages of children from households living in poverty, that includes one or more low-performing schools, and has a substantial need for educational technology; or (2) a partnership that includes at least one LEA that meets those requirements and at least one: LEA that can demonstrate that teachers in schools served by that agency are using technology effectively in their classrooms; institution of higher education; for-profit organization that develops, designs, manufactures, or produces technology products or services, or has substantial expertise in the application of technology; or public or private non-profit organization with demonstrated experience in the application of educational technology.

A "low-performing school" would be defined as a school identified for school improvement under section 1116(c) of the ESEA, or in which a substantial majority of students fail to meet State performance standards.

Proposed new section 3418 of the ESEA ("Authorization of Appropriations") would authorize the appropriation of such sums as may be necessary to carry out this subpart for fiscal years 2001 through 2005.

Section 349. Regional Technology in Education Consortia. Section 349(a) of the bill would add a new subpart heading and designation, Subpart 2, Regional Technology In Education Consortia (RTECs), to Part B of Title III of the ESEA. This proposed new subpart is based on current section 3141 of the ESEA, as amended by this section of the bill.

Section 349(b) of the bill would amend section 3141 of the bill in several ways. First, section 349(b)(1) of the bill would amend section 3141(a) of the ESEA to authorize the Secretary to enter into contracts and cooperative agreements, in addition to the Secretary's current authority to award grants, to carry out the purposes of the proposed new subpart. In addition, the priority for various regional entities would be eliminated, although the Secretary would still be required to ensure, to the extent possible, that each geographic region of the United States is served by a project funded under this program.

Section 349(b)(1)(C) of the bill would add a new section 3141(a)(2)(B) of the ESEA that would require the RTECs to meet the general provisions relating to technical assistance providers contained in proposed new section 2421 of the ESEA. Section 349(b) of the bill would also make several conforming changes and update the references in section 3141 of the ESEA, including updating provisions to reflect recent advances in technology.

Section 349(b)(2)(B)(ii) of the bill would amend section 3141(b)(2)(A) of the ESEA, which currently requires RTECs, to the extent possible, to develop and implement technology-specific, ongoing professional development. Section 349(b)(2)(B)(ii) of the bill would revise that requirement to require the consortia to develop and implement sustained and intensive, high-quality professional development that prepares educators to be effective developers, users, and evaluators of educational technology. As amended, this section of the ESEA also would require that the professional development is to be provided to teachers, administrators, school librarians, and other education personnel.

Section 349(b)(2)(B)(iv) of the bill would amend section 3141(b)(2)(F) of the ESEA, which currently requires the RTECs to assist colleges and universities to develop and implement preservice training programs for students enrolled in teacher education programs. As amended, this provision would require the RTECs to coordinate their activities in this area with other programs supported under Title III of the ESEA. This coordination is particularly important with respect to the Preparing Tomorrow's Teachers To Use Technology program (proposed new part C of Title III of the ESEA, as added by section 331 of the bill).

Section 349(b)(2)(B)(v)(I) of the bill would amend 3141(b)(2)(G) of the ESEA, which currently requires the RTECs to work with local districts and schools to develop support from parents and community members for educational technology programs. The amendments made by section 349(b)(2)(B)(v) of the bill would require the RTECs to work with districts and schools to increase the involvement and support of parents and community members for educational technology programs.

Section 349(b)(2)(C)(iv) of the bill would amend section 3141(b)(3) of the ESEA by eliminating the requirement that the RTECs coordinate their activities with organizations and institutions of higher education that represent the interests of the region served as such interests pertain to the application of technology in teaching, learning, and other activities.

Section 349(b)(2)(C)(vi) of the bill would amend section 3141(b)(3) of the ESEA by adding a new requirement that each RTEC maintain, or contribute to, a national repository of information on the effective uses of educational technology, including for professional development, and to disseminate the information nationwide.

Section 349(b)(2)(D) would revise section 3141(b)(4) of the ESEA, which requires the RTECs to coordinate their activities with appropriate entities. As revised, section 3141(b)(4) of the ESEA would require each consortium to: (1) collaborate, and coordinate the services that it provides, with appropriate regional and other entities assisted in whole or in part by the Department; (2) coordinate activities and establish partnerships with organizations and institutions of higher education that represent the interests of the region regarding the application of technology to teaching, learning, instructional management, dissemination, the collection and distribution of educational statistics, and the transfer of student information; and (3) collaborate with the Department and recipients of funding under other technology programs of the Department, particularly the Technology Literacy Challenge Fund and the Next-Generation Technology Innovation Grant Program (as added by sections 343 and 341(d) of the bill, respectively), to assist the Department and those recipients as requested by the Secretary.

Finally, section 349(c) of the bill would redesignate section 3141 of the ESEA as section 3421 of the ESEA, and

section 349(d) of the bill would amend Title III of the ESEA by inserting proposed new section 3422 of the ESEA ("Authorization of Appropriations"), which would authorize the appropriation of such sums as may be necessary for this subpart for fiscal years 2001 through 2005.

## TITLE IV - SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES ACT

Section 401. Safe and Drug Free Schools and Communities. Section 401 of the bill would amend and restate Title IV of the ESEA, which authorizes assistance to States, LEAs, and other public entities and nonprofit organizations for programs to create and maintain drug-free, safe, and orderly schools, as described below.

Proposed new section 4001 ("Short Title") of the ESEA would rename Title IV of the ESEA as the "Safe and Drug-Free Schools and Communities Act" to update the short title of "Safe and Drug-Free Schools and Communities Act of 1994" in the current law.

Proposed new section 4002 ("Findings") of the ESEA would update the findings in section 4002 of the current law to focus on the need for program quality and accountability.

Proposed new section 4003 ("Purpose") of the ESEA would revise the statement of purpose in section 4003 of the current law to reflect the following overarching changes proposed in Title IV of the bill: (1) a more focused program emphasis on supporting activities for creating and maintaining drug-free, safe, and orderly environments for learning in and around schools, as compared to the more current, general emphasis on supporting activities to prevent youth from using drugs and engaging in violent behavior any time, anywhere; (2) improved targeting of resources, through the requirement that SEAs award funds competitively to LEAs with a demonstrated need for funds and the highest quality proposed programming, as compared to the current noncompetitive awarding of funds to all LEAs in the State, based on student enrollment; and (3) stronger coordination between programs funded by the Governors and the SEAs, by requiring that programs funded by the Governors directly complement and support LEA programs, and by requiring Governors and SEAs to reserve funds at the State level for joint capacity-building and technical assistance, and accountability services, to improve the effectiveness of, and institutionalize, State and local Safe and Drug-Free Schools and Communities (SDFSC) programs.

Proposed new section 4004 ("Authorization of Appropriations") of the ESEA would authorize the

appropriation of such sums as may be necessary for each of the fiscal years 2001 through 2005 to carry out proposed new Title IV of the ESEA.



## PART A - STATE GRANTS FOR DRUG AND VIOLENCE PREVENTION PROGRAMS

Proposed new section 4111 ("Reservations and Allotments") of the ESEA would describe the way in which funds would be distributed under this title. Proposed new section 4111(a) would retain the requirements in the current law for the Secretary to reserve, from each fiscal year's appropriation for SDFSC (Safe and Drug-Free Schools and Communities) State grant funds, 1 percent for the Outlying Areas, 1 percent for programs for Indian youth, and 0.2 percent for programs for Native Hawaiians, and would increase the amount of SDFSC State Grant funds the Secretary may reserve each fiscal year for evaluation to \$2 million (up from \$1 million under the current law) to support more intensive evaluations that are needed to demonstrate program outcomes and effectiveness.

Proposed new section 4111(a)(2)(A)(i) of the ESEA would prohibit the Outlying Areas from consolidating their SDFSC funds with other Department of Education program funds, as would otherwise be permitted under Insular Areas Consolidated Grant Authority in Title V of P.L. 95-134. This language would ensure that the SEA and Governor of each Outlying Area can coordinate their SDFSC programs as required elsewhere in this part. Without this prohibition, a Governor or SEA may choose to spend its SDFSC funds on other eligible program(s), making it impossible for the Governor and SEA to meet these SDFSC program coordination requirements. This section would, however, permit the Governor of an Outlying Area to consolidate its SDFSC funds with the Area's SDFSC SEA funds, and allow the Outlying Area to administer both SDFSC funding streams under the statutory requirements applicable to SDFSC SEA programs. This provision would address the reduced program flexibility and increased administrative burden the Outlying Areas may experience from the prohibition in proposed new section 4111(a)(2)(i) of the ESEA.

Proposed new section 411(a)(2) would also:

(1) explicitly make applicable to the Outlying Areas the same SDFSC requirements concerning authorized programs and activities, applications for funding, and coordination between the Governor and the SEA that are applicable to the States; (2) explicitly make applicable to the Secretary of the Interior the same SDFSC requirements concerning

authorized programs and activities for SDFSC programs for Indian youth that are applicable to the States; and (3) authorize SDFSC programs for Native Hawaiians (which are currently authorized under section 4118 of the ESEA) and explicitly make applicable to these programs the same SDFSC requirements concerning authorized programs and activities that are applicable to the States. This section would also delete the language in section 4118 of the ESEA requiring the Governor of the State of Hawaii to recognize organizations eligible for funding under the SDFSC Native Hawaiian set-aside, and add language requiring that programs funded under this set-aside be coordinated with the Hawaii SEA.

Proposed new section 4111(b) of the ESEA would retain the provisions in current law: (1) requiring the Secretary to allocate State grant funds half on the basis of school-aged population, and half on the basis of State shares of ESEA Title I funding for the preceding year; (2) that no State receive less than one-half of one percent of all State grant funding; (3) permitting the Secretary to redistribute to other States, on the basis of the formula in section 4111(b)(1), any amount of State grant funds the Secretary determines a State will be unable to use within two year of the initial award; and (4) defining "State" and "local educational agency."

Proposed new section 4112 ("State Applications") of the ESEA would set forth the State grant application procedure for this title. Proposed new section 4112(a) of the ESEA would change the current State grant application requirements to require that the Governor and SEA apply jointly for funds, to ensure increased coordination between the Governor and SEA, consistent with the new program requirements in proposed new sections 4113(b)(4) and 4115(b)(3) of the ESEA.

This jointly submitted application would contain: (1) a description of how SDFSC State grant funds will be coordinated with other Federal education and drug prevention programs; (2) a list of the State's outcome-based performance indicators for drug and violence prevention that are selected from a core set of indicators to be developed by the Secretary in consultation with State and local officials; and (3) a description of the procedures the State will use to inform its LEAs of the State's performance indicators under this program and for

assessing and publicly reporting progress toward meeting those indicators (or revising them as needed), and how the procedures the State will use to select LEAs and other entities for SDFSC State grant funding will support the attainment of the State's results-based performance indicators. These changes would address the problem that, under current law, many States have weak goals and objectives for their SDFSC programs that are entirely process-oriented and do not tie strategically to the State's needs in this area.

The proposed new State grant application would also contain a description of the procedures the SEA will use for reviewing applications and awarding funds to LEAs competitively, based on need and quality as required by proposed new section 4113(c)(2) of the ESEA, as well as a description of the procedures the SEA will use for reviewing applications and awarding funds to LEAs non-competitively, based on need and quality as permitted by section 4113(c)(3) of the ESEA. These changes constitute a significant departure from current law, under which SEAs award funds to LEAs on the basis of student enrollment and on State-determined "greatest need" criteria.

Under proposed new section 4112(a) of the ESEA, the Governor must include in its SDFSC State grant applications a description of the procedures the Governor will use for reviewing applications and awarding funds to eligible applicants competitively, based on need and quality, as required by section 4115(c) of the ESEA. These changes would significantly strengthen the current law, which does not specify any criteria for how Governors must award their funds under this program.

States would also be required to include in their applications a description of how the SEA and Governor will use the funds reserved under proposed new sections 4113(b) and 4115(b) of the ESEA for coordinated capacity-building, technical assistance, and program accountability services and activities at the State and local levels, including how they will coordinate their activities with law enforcement, health, mental health, and education programs and officials at the State and local levels.

The proposed new State grant application would add a new requirement for States to describe in their applications how the SEA will provide technical assistance

to LEAs not receiving SDFSC State grant funds to improve their programs, consistent with the requirement in proposed new section 4113(b)(4)(B)(ii) that, to the extent practicable, SEAs and Governors use a portion of the funds they reserve for State-level activities to provide capacity building and technical assistance and accountability services to all LEAs in the State, including those that do not receive SDFSC State grant funds. Finally, this proposed new section would retain the assurances in current law that: (1) States develop their applications in consultation and coordination with appropriate State officials and representatives of parents, students, and community-based organizations; and (2) States will cooperate with, and assist the Secretary in conducting national impact evaluations of programs required by proposed new section 4117(a).

Proposed new section 4112(b) of the ESEA would retain the language in the current law under section 4112(d) requiring the Secretary to use a peer review process in reviewing SDFSC State grant applications.

Proposed new section ("State and Local Educational Agency Programs") of the ESEA would describe the SEA and LEA programs to be carried out under this part. Proposed new section 4113(a) of the ESEA would retain the requirement in current law that 80 percent of the funds allocated to each State under section 4111(b) of the ESEA be awarded to SEAs for use by the SEAs and LEAs, with minor changes in language conforming with the revised statement of purpose in proposed new section 4003 of the ESEA that the funds be used to carry out programs and activities that are designed to create and maintain drug-free, safe, and orderly learning environments for learning in and around schools.

Proposed new section 4113(b) of the ESEA would depart from the current statute by establishing a new authority requiring SEAs to reserve between 10 percent and 20 percent of their allocations under proposed new section 4113(a) for State-level activities. Under this new authority, SEAs may use the reserved funds to plan, develop, and implement, jointly with the Governor, capacity building and technical assistance and accountability services to support the effective implementation of local drug and violence prevention activities throughout the State and promote program accountability and improvement. Within this

20 percent cap, but in addition to the 10 percent minimum for State-level activities, SEAs may also use up to 5 percent of their funding (i.e., up to 25 percent of the amount they reserve for State-level activities) for program administration. This increased allowance for SEA State administrative costs is provided to accommodate the increased administrative responsibilities of running a State grant competition under proposed new section 4113(c) of the ESEA, and would provide greater assistance to LEAs for program improvement than under the current law.

Proposed new section 4113(b)(4)(A) of the ESEA would require SEAs and Governors to jointly use the amount reserved under sections 4113(b)(3) and 4114(b)(3) to plan, develop, and implement capacity building and technical assistance and accountability services designed to support the effective implementation of local drug and violence prevention activities throughout the State, as well as promote program accountability and prevention.

Proposed new section 4113(b)(4)(B)(i) of the ESEA would add new language to the statute clarifying that the SEA and Governor may carry out the services and activities required under proposed new section 4113(b)(4)(A) directly, or through subgrants or contracts with public and private organizations, as well as individuals.

Proposed new section 4113(b)(4)(B)(ii) of the ESEA would add new language to the statute requiring that, to the extent practicable, SEAs and Governors use funds under proposed new section 4113(b)(4)(A) to provide capacity building and technical assistance and accountability services and activities to all LEAs in the State, not just those that receive SDFSC State grants, in order to ensure that: (1) LEAs receiving SDFSC funds receive adequate help to implement and institutionalize high-quality programs; and (2) States can provide at least some program assistance to LEAs that will no longer receive SDFSC awards once funding is limited to 50 percent of LEAs in each State under the targeting provisions proposed in new section 4113(c)(2)(D) of the ESEA.

Proposed new section 4113(b)(4)(B)(iii) of the ESEA would permit the SEA and Governor to provide emergency intervention services to schools and communities following a traumatic crisis, such as a shooting or major accident that has disrupted the learning environment.

Proposed new section 4113(b)(4)(C) of the ESEA would add definitions of "capacity building" and "technical assistance and accountability services" to clarify the meaning of these terms in the statute.

Proposed new section 4113(c)(1) of the ESEA would specify that SEAs must use at least 80 percent of their funding for local-level activities, as described in proposed new sections 4113(c)(2) and (3), rather than awarding at least 91 percent of their funding to LEAs as is required under current law.

Proposed new section 4113(c)(2)(A) of the ESEA would require SEAs to use at least 70 percent of their total SDFSC State grant funding for competitive awards to LEAs that the SEA determines have need for assistance, rather than the current law approach of awarding at least 91 percent of their funding to LEAs in the State by formula, based on enrollment (70 percent) and "greatest need" (30 percent).

Proposed new section 4113(c)(2)(B) of the ESEA would make minor wording changes to the nine "need" factors in the current statute, and add three additional factors relating to local fiscal capacity to fund drug and violence prevention programs without Federal assistance; the incidence of drug paraphernalia in schools; and the high rates of drug-related emergencies or deaths.

Proposed new section 4113(c)(2)(C) of the ESEA would depart from the current statute to require SEAs to base their competition under proposed new section 4113(c)(2)(A) on the quality of an LEA's proposed program and how closely it is aligned with the following principles of effectiveness: (1) the LEA's program is based on a thorough assessment of objective data about the drug and violence problems in the schools and communities to be served; (2) the LEA has established a set of measurable goals and objectives aimed at ensuring that all schools served by the LEA have a drug-free, safe, and orderly learning environment, and has designed its program to meet those goals and objectives; (3) the LEA has designed and will implement its programs for youth based on research or evaluation that provides evidence that the program to be used will prevent or reduce drug use, violence, delinquency, or disruptive behavior among youth; and

(4) the LEA will evaluate its program periodically to assess its progress toward achieving its goals and objectives, and will use evaluation results to refine, improve, and strengthen its program, and refine its goals and objectives, as needed.

Proposed new section 4113(c)(2)(D) of the ESEA would require SEAs to make competitive awards under proposed new section 4113(c)(2)(A) to no more than 50 percent of the LEAs in the State, unless the State demonstrates in its application that the SEA can make subgrants to more than 50 percent of the LEAs in the State and still comply with proposed new subparagraph (E) of this section.

Proposed new section 4113(c)(2)(E) of the ESEA would require SEAs to make their competitive awards to LEAs under proposed new section 4113(c)(2) of sufficient size to support high-quality, effective programs and activities that are designed to create safe, disciplined, and drug-free learning environments in schools and that are consistent with the needs, goals, and objectives identified in the State's plan under proposed new section 4112.

Proposed new section 4113(c)(3)(A) of the ESEA would depart from the current statute to permit SEAs to use up to 10 percent of their total SDFSC State grant funding for non-competitive awards to LEAs with the greatest need for assistance, as described in proposed new section 4113(c)(2)(B), that did not receive a competitive award under section 4113(c)(2)(A). LEAs would be eligible to receive only one subgrant under this paragraph.

Proposed new section 4113(c)(3)(B) of the ESEA would require, for accountability purposes, that in order for an SEA to make a non-competitive award to an LEA under proposed new section 4113(c)(3)(A), the SEA must assist the LEA in meeting the information requirements under proposed new section 4116(a) of the ESEA pertaining to LEA needs assessment, results-based performance measures, comprehensive safe and drug-free schools plan, evaluation plan, and assurances, and provide continuing technical assistance to the LEA to build its capacity to develop and implement high-quality, effective programs consistent with the principles of effectiveness in proposed new section 4113(c)(2)(C)(ii) of the ESEA.

Proposed new section 4113(d) of the ESEA would provide that LEA awards under section 4113(c) be for a project period not to exceed three years, and require that, in order to receive funds for the second or third year of a project, the LEA demonstrate to the satisfaction of the SEA that the LEA's project is making reasonable progress toward its performance indicators under proposed new section 4116(a)(3)(C) of the ESEA. This proposed new section would also make technical changes to the local allocation formula in current law.

Proposed new section 4114 ("Local Drug and Violence Prevention Programs") of the ESEA would describe the local drug and violence prevention services and activities that may be carried out under this title. Proposed new section 4114(a) of the ESEA would require that each LEA that receives SDFSC funding use those funds to support research-based drug and violence prevention services and activities that are consistent with the principles of effectiveness in proposed new section 4113(c)(2)(C)(ii) of the ESEA.

Proposed new section 4114(b) ("Other Authorized Activities") of the ESEA would permit an LEA that receives an SDFSC subgrant to use those funds for activities other than research-based programming, so long as the LEA meets the requirements in proposed new section 4114(a), and those additional activities are carried out in a manner that is consistent with the most recent relevant research and with the purposes of this title. Proposed new section 4114(b)(1) of the ESEA would also include an illustrative list of 13 such activities.

Proposed new section 4114(b)(2) of the ESEA would retain the 20 percent cap on SDFSC subgrant funds that LEAs may spend for the acquisition or use of metal detectors and security personnel, but would permit SEAs to waive this cap for an LEA that demonstrates, to the satisfaction of its SEA, in its application for funding under proposed new section 4116 of the ESEA, that it has a compelling need to do so.

Proposed new section 4115 ("Governor's Programs") of the ESEA would establish the Governor's Programs. Proposed new section 4115(a) would retain the requirement in the current law that 20 percent of the funds allocated to each State under proposed new section 4111(b) be awarded to the



Governor, but require the Governor to use these funds to support community efforts that directly complement the efforts of LEAs to foster drug-free, safe, and orderly learning environments for learning in and around schools.

Proposed new section 4115(b) of the ESEA would establish a new authority requiring Governors to reserve between 10 percent and 20 percent of their allocations under proposed new section 4115(a) for State-level activities to plan, develop, and implement, jointly with the SEA, capacity building, technical assistance, and accountability services to support the effective implementation of local drug and violence prevention activities throughout the State and promote program accountability and improvement, as described in proposed new section 4113(b)(4) of the ESEA. Within this 20 percent cap, but in addition to the 10 percent minimum for State-level activities, the Governors could use up to 5 percent of their total funding (i.e., up to 25 percent of the amount they reserve for State-level activities) for direct or indirect administrative costs.

Proposed new section 4115(c) of the ESEA would specify that a Governor must use at least 80 percent of SDFSC State grant funding under proposed new section 4111(b) to make competitive subgrants to community-based organizations, LEAs, and other public entities and private non-profit organizations to support community efforts that directly complement the efforts of LEAs to foster drug-free, safe, and orderly learning environments in and around schools. Proposed new section 4115(c)(1)(B) of the ESEA would require that, to be eligible for a subgrant, an applicant (other than a LEA applying on its own behalf) must include in its application its written agreement with one or more LEAs, or one or more schools within an LEA, to provide services and activities in support of these LEAs or schools, as well as an explanation of how those services and activities will complement or support the LEAs' or schools' efforts to provide a drug-free, safe, and orderly school environment. Proposed new section 4115(c)(1)(C) of the ESEA would require a Governor to base the competition for these subgrants on: (1) the quality of the applicant's proposed program and how closely it is aligned with the principles of effectiveness described in section 4113(c)(2)(C)(ii); and (2) on objective criteria, determined by the Governor, on the needs of the schools or LEAs to be served.

Subgrants made by Governors under proposed new section 4115(c) of the ESEA may support community efforts on a Statewide, regional, or local basis and may support the efforts of LEAs and schools that do not receive subgrants. Recipients of these subgrants would use these funds generally to support research-based drug and violence prevention services and activities that are consistent with the principles of effectiveness, and may use subgrant funds for activities other than research-based programming, provided that these additional activities are carried out in a manner that is consistent with the most recent relevant research and with the purposes of this title. Proposed new section 4115(c)(2)(B) of the ESEA also includes an illustrative list of 5 such activities.

Proposed new section 4116 ("Local Applications") of the ESEA would: (1) retain language in the current statute, with minor technical changes, requiring applicants for subgrants from the SEA to submit an application to the SEA at such time, and include such other information, as the SEA may require; and (2) add a corresponding requirement not in the current statute, requiring applicants for subgrants from the Governor to submit an application to the Governor at such time, and includes such other information, as the Governor may require.

Proposed new section 4116(a)(2)(A) of the ESEA would retain the current law requirement that LEAs applying for SEA subgrants under proposed new sections 4113(c)(2), 4113(c)(3), or 4115(c) of the ESEA develop their applications in consultation with a local or regional advisory council that includes, to the extent possible, representatives of local government, business, parents, students, teachers, public school personnel, mental health service providers, appropriate State agencies, private schools, law enforcement, community-based organizations, and other groups interested in, and knowledgeable about, drug and violence prevention. Proposed new section 4116(a)(2)(B) of the ESEA would add similar consultation requirements for the development of applications by entities other than LEAs seeking subgrants under the Governor's program authorized by proposed new section 4115(c) of the ESEA.

Proposed new section 4116(a)(3) of the ESEA would: (1) make technical changes to strengthen the current LEA

application requirements for the SEA formula grant program by increasing the emphasis on the applicant's need for assistance and the quality of its proposed programming; and (2) make these strengthened requirements applicable to LEAs seeking subgrants under the proposed new competitive subgrant authority in proposed new section 4113(c)(2) of the ESEA, or the non-competitive subgrant authority in proposed new section 4113(c)(3) of the ESEA, as well as to LEAs that apply to Governors under the subgrant authority in proposed new section 4115(c) of the ESEA.

Proposed new section 4116(a)(4) of the ESEA would add a requirement that each LEA (or consortium of LEAs, if applying jointly) that applies to its SEA under the competitive subgrant authority in proposed new section 4113(c)(2) of the ESEA, or the non-competitive subgrant authority in proposed new section 4113(c)(3) of the ESEA, include in its application assurances that it: (1) has a policy, consistent with State law, that requires the expulsion of students who possess a firearm at school consistent with the Gun-Free Schools Act; (2) has, or will have, a full- or part-time program coordinator whose primary responsibility is planning, designing, implementing, and evaluating the applicant's programs (unless the applicant demonstrates in its application, to the satisfaction of the SEA, that such a program coordinator is not needed); (3) will evaluate its program every two years to assess its progress toward meeting its goals and objectives, and will use the results of its evaluation to improve its program and refine its goals and objectives, as needed; and (4) has, or the schools to be served have, a comprehensive Safe and Drug-Free Schools plan that includes: (a) appropriate and effective discipline policies that prohibit disorderly conduct, the possession of firearms and other weapons, and the illegal use, possession, distribution, and sale of tobacco, alcohol, and other drugs by students, and that mandates predetermined consequences, sanctions, or interventions for specific offenses; (b) school security procedures at school and while students are on the way to and from school which may include the use of metal detectors and the development and implementation of formal agreements with law enforcement officials; (c) early intervention and prevention activities of demonstrated effectiveness designed to create and maintain safe, disciplined, and drug-free environments; (d) school readiness and family involvement activities; (e) improvements to classroom

management and school environment, such as efforts to reduce class size or improve classroom discipline; (f) procedures to identify and intervene with troubled students, including establishing linkages with, and referring students to, juvenile justice, community mental health, and other service providers; (g) activities that connect students to responsible adults in the community, including activities such as after-school or mentoring programs; and (h) a crisis management plan for responding to violent or traumatic incidents on school grounds which provides for addressing the needs of victims, and communicating with parents, the media, law enforcement officials, and mental health service providers.

Proposed new section 4116(a) (5) of the ESEA would add a requirement that any eligible entity that applies to the Governor for a subgrant under proposed new section 4115(c) include in its application: (1) a description of how the services and activities to be supported will be coordinated with relevant SDFSC State grant programs that are supported by SEAs, including how recipients will share resources, services, and data; (2) a description of how the applicant will coordinate its activities under this part with those implemented under the Drug-Free Communities Act, if any; and (3) an assurance that it will evaluate its program every two years to assess its progress toward meeting its goals and objectives, and will use the results of its evaluation to improve its program and refine its goals and objectives as needed (if the applicant is not an LEA), or the assurances under proposed new section 4116(a) (4) of the ESEA (if the applicant is an LEA.)

Proposed new section 4116(b) of the ESEA would modify the current requirement that Governors use a peer review process in reviewing local applications for SDFSC subgrants, by giving Governors the flexibility to use other methods to ensure that applications under proposed new section 4116 of the ESEA are funded on the basis of need and quality, while requiring SEA to use a peer review process.

Proposed new section 4117 ("National Evaluations and Data Collections") of the ESEA would authorize the Secretary to provide for national evaluations on the quality and impact of programs under this title, make minor technical changes to current law to give the Secretary increased flexibility in meeting the national evaluation

and data collection requirements in this section, and add a new requirement for the Secretary and the Attorney General to publish an annual report on school safety.

Proposed new section 4117(b) of the ESEA would make minor technical changes to the current law to refocus the State reports required by this section on the State's progress toward attaining its performance indicators for achieving drug-free, safe, and orderly learning environments in its schools, consistent with the changes proposed throughout proposed new Part A of Title IV of the ESEA. This section would also add a new requirement for States to report, in such form as the Secretary, in consultation with the Secretary of Health and Human Services, may require, all school-related suicides and homicides within the State, whether at school or at a school sponsored function, or on the way to or from school or a school-sponsored function, within 30 days of the incident. This requirement will enable the Federal Government to collect longitudinal data on this statistic more cost-effectively, and will impose little administrative burden on the States.

Proposed new section 4117(c)(1)(A) of the ESEA would make minor technical changes to the current law to refocus the local reports required by this section on the LEA's progress toward attaining its performance indicators for achieving drug-free, safe, and orderly learning environments in its schools, consistent with the changes proposed for the corresponding State reports under proposed new section 4117(a) of the ESEA, would add a new requirement that the LEA include in this report a statement of any problems the LEA has encountered in implementing its program that warrant the provision of technical assistance by the SEA, to assist the SEA in planning its technical assistance activities. These changes would apply to LEAs that receive SDFSC subgrants through their SEA under proposed new sections 4113(c)(2) or 4113(c)(3).

Proposed new section 4117(c)(1)(B) of the ESEA would add a new requirement that SEAs review the annual LEA reports, and terminate funding for the second or third year of an LEA's program unless the SEA determines that the LEA is making reasonable progress toward meeting its objectives.

Proposed new section 4117(c) (2) of the ESEA would add new language to the ESEA requiring that Governors' award recipients under proposed new section 4115(c) of the ESEA submit an annual progress report to the Governor and to the public containing the same type of information required for LEA progress reports under proposed new section 4117(c) (1) (A) of the ESEA. The Governor would be required to review the annual progress reports, and to terminate funding for the second or third year of a subgrantee's program unless the Governor determines that the subgrantee is making reasonable progress toward meeting its objectives.

## PART B - NATIONAL PROGRAMS

Proposed new section 4211 ("National Activities") of the ESEA would authorize national programs. Proposed new section 4211(a) of the ESEA would, with only minor changes, authorize the Secretary to use national programs funds for programs to promote drug-free, safe, and orderly learning environments for students at all educational levels, from preschool through the postsecondary level and for programs that promote lifelong physical activity. The Secretary would be authorized to carry out the national programs authorized under proposed new section 4211(a) directly, or through grants, contracts, or cooperative agreements with public and private organizations and individuals, or through agreements with other Federal agencies, and to coordinate with other Federal agencies as appropriate.

Proposed new section 4211(b)(2) of the ESEA would streamline the list of authorized national programs activities to the following examples: (1) one or more centers to provide training and technical assistance for teachers, school administrators and staff, and others on the identification and implementation of effective strategies to promote safe, orderly, and drug-free learning environments; (2) programs to train teachers in innovative techniques and strategies of effective drug and violence prevention; (3) research and demonstration projects to test innovative approaches to drug and violence prevention; (4) evaluations of the effectiveness of programs funded under this title, and of other programs designed to create safe, disciplined, and drug-free environments; (5) direct services and technical assistance to schools and schools systems, including those afflicted with especially severe drug and violence problems; (6) developing and disseminating drug and violence prevention materials and information in print, audiovisual, or electronic format, including information about effective research-based programs, policies, practices, strategies, and curriculum and other relevant materials to support drug and violence prevention education; (7) recruiting, hiring, and training program coordinators to assist school districts in implementing high-quality, effective, research-based drug and violence prevention programs; (8) the development and provision of education and training programs, curricula, instructional materials, and professional training for preventing and reducing the incidence of crimes or conflicts motivated by bullying, hate, prejudice,

intolerance, or sexual harassment and abuse; (9) programs for youth who are out of the education mainstream, including school dropouts, students who have been suspended or expelled from their regular education program, and runaway or homeless children and youth; (10) programs implemented in conjunction with other Federal agencies that support LEAs and communities in developing and implementing comprehensive programs that create safe, disciplined, and drug-free learning environments and promote healthy childhood development; (11) services and activities that reduce the need for suspension and expulsion in maintaining classroom order and discipline; (12) services and activities to prevent and reduce truancy; (13) programs to provide counseling services to troubled youth, including support for the recruitment and hiring of counselors and the operation of telephone help lines; and (14) other activities that meet emerging or unmet national needs consistent with the purposes of this title.

Proposed new section 4211(c)(1) of the ESEA would authorize the Secretary to carry out programs for students that promote lifelong physical activity directly, or through grants, contracts, or cooperative agreements with public and private organizations and individuals, or through agreements with other Federal agencies, and to coordinate with the Centers for Disease Control and Prevention, the President's Council on Physical Fitness, and other Federal agencies as appropriate. Such programs could include: conducting demonstrations of school-based programs that promote lifelong physical activity, with a particular emphasis on physical education programs that are a part of a coordinated school health programs; training, technical assistance, and other activities to encourage States and LEAs to implement sound school-based programs that promote lifelong physical activity; and activities designed to build State capacity to provide leadership and strengthen schools' capabilities to provide school-based programs that promote lifelong physical activity.

Proposed new section 4211(d) of the ESEA would retain the requirement in the current statute that the Secretary use a peer review process in reviewing applications for funds under proposed new section 4211(a) of the ESEA.



## PART C - SCHOOL EMERGENCY RESPONSE TO VIOLENCE

Proposed new section 4311 ("Project SERV") of the ESEA would authorize Project SERV, a program designed to provide education-related services to LEAs in which the learning environment has been disrupted due to a violent or traumatic crisis, such as a shooting or major accident. The Secretary would be authorized to carry out Project SERV directly, through contracts, grants, or cooperative agreements with public and private organizations, agencies, and individuals, or through agreements with other Federal agencies.

Under proposed new section 4311(b) of the ESEA, Project SERV would provide: (1) assistance to school personnel in assessing a crisis situation, including assessing the resources available to the LEA and community in response to the situation, and developing a response plan to coordinate services provided at the Federal, State, and local level; (2) mental health crisis counseling to students and their families, teachers, and others in need of such services; (3) increased school security; (4) training and technical assistance for SEAs and LEAs, State and local mental health agencies, State and local law enforcement agencies, and communities to enhance their capacity to develop and implement crisis intervention plans; (5) services and activities designed to identify and disseminate the best practices of school- and community-related plans for responding to crises; and (6) other needed services and activities that are consistent with the purposes of Project SERV.

Proposed new section 4311(b) of the ESEA would require the Secretary of Education, in consultation with the Attorney General, the Secretary of Health and Human Services, and the Director of the Federal Emergency Management Agency, to establish criteria and application requirements as may be needed to select which LEAs are assisted under Project SERV, and permit the Secretary to establish reporting requirements for uniform data and other information from all LEAs assisted under Project SERV.

Proposed new section 4311(c) of the ESEA would require the establishment of a Federal Coordinating Committee on school crises comprised of the Secretary (who shall serve as chair of the Committee), the Attorney General, the Secretary of Health and Human Services, the Director of the

Federal Emergency Management Agency, the Director of the Office of National Drug Control Policy, and such other members as the Secretary shall determine. This committee would be charged with coordinating the Federal responses to crises that occur in schools or directly affect the learning environment in schools.

## PART D - RELATED PROVISIONS

Proposed new section 4411 ("Gun-Free Schools Act") of the ESEA would authorize the Gun-Free Schools Act as proposed new Part D of Title IV of the ESEA because of its close relationship with the SDFSC program. The Gun-Free Schools Act is currently authorized under Part F of Title XIV of the ESEA.

Proposed new section 4411(b) of the ESEA would continue, with minor technical changes, the current requirement that each State receiving Federal funds under the ESEA have in effect a State law requiring LEAs to expel from school, for a period of not less than one year, a student who is determined to have possessed a firearm at school under the jurisdiction of the LEA in that State, and that such State law allow the chief administering officer of that LEA to modify the expulsion requirement for a student on a case-by-case basis. It would also define the term 'firearm' as that term is defined in section 921 of title 18, United States Code (which includes bombs).

Proposed new section 4411 of the ESEA would contain: (1) a special rule that the provisions of this section be construed in a manner consistent with the Individuals with Disabilities Education Act; (2) local reporting requirements requiring each LEA requesting assistance from the SEA under the ESEA to provide to the State in its application: (a) an assurance that such LEA is in compliance with the State law required by proposed new section 4411(b); (b) a description of the circumstances surrounding any expulsions imposed under the State law required by proposed new section 4411(b), including the name of the school concerned, the number of students expelled from such school (disaggregated by gender, race, ethnicity, and educational level); and (c) the type of weapons concerned; (3) the number of students referred to the criminal justice or juvenile justice system as required in section 4412(a)(1), and the instances in which the chief administering officer of an LEA modified the expulsion requirement described in section 4411(b)(1) on a case-by-case basis; and (4) a requirement that each State report the information described in proposed new section 4411(d) to the Secretary on an annual basis.

Proposed new section 4412 ("Local Policies") of the ESEA would restate, with minor technical changes, the

current prohibition against ESEA funds being awarded to any LEA unless it has a policy ensuring referral to the criminal justice or juvenile delinquency system of any student who possesses a firearm at a school served by such agency. It would also add two new additional requirements that no funds may be made available under the ESEA to any LEA unless: (1) it has a policy ensuring that a student who possesses a firearm at school is referred to a mental health professional for assessment as to whether he or she poses an imminent threat of harm to himself, herself, or others and needs appropriate mental health services before readmission to school; and (2) it has a policy that a student who possesses a firearm at school who has been determined by a mental health professional to pose an imminent threat of harm to himself, herself, or others receive, in addition to appropriate services under section 11206(9) of the ESEA, appropriate mental health services before being permitted to return to school.

Proposed new section 4412(b) of the ESEA would restate the current Gun-Free Schools Act requirement that proposed new section 4412 be construed in a manner consistent with the Individuals with Disabilities Education Act, and proposed new section 4413(c) of the ESEA would restate the current definitions of the terms "firearm" and "school."

Proposed new section 4413 ("Materials") of the ESEA would restate the current requirement that drug prevention programs supported under Title IV of the ESEA convey a clear and consistent message that the illegal use of alcohol and other drugs is wrong and harmful.

Proposed new section 4413(b) of the ESEA would continue, with minor changes, the current law provision that the Secretary shall not prescribe the use of particular curricula for programs under Title IV of the ESEA, but may evaluate and disseminate information about the effectiveness of such curricula and programs.

Proposed new section 4414 ("Prohibited Uses of Funds") of the ESEA would restate the current prohibition against the use of Title IV ESEA funds for: (1) construction (except for minor remodeling needed to accomplish the purposes of this part); and (2) medical services, drug treatment or rehabilitation, except for pupil services or referral to treatment for students who are victims of, or witnesses to, crime or who use alcohol, tobacco, or drugs.

Proposed new section 4415 ("Drug-Free, Alcohol-Free, and Tobacco-Free Schools") of the ESEA would add a new requirement that each SEA and LEA that receives Title IV, ESEA funds have a policy that prohibits possession or use of tobacco, and the illegal use of drugs or alcohol, in any form, at any time, and by any person, in school buildings, on school grounds, or at any school-sponsored event. Each LEA requesting assistance under the ESEA must include in its application for funding an assurance that it is in compliance with this new requirement, and each SEA would be required to report annually to the Secretary if any of its LEAs is not in compliance with this new requirement.

Proposed new section 4416 ("Prohibition on Supplanting") of the ESEA would require that funds under this title be used to increase the level of State, local, and other non-Federal funds that would, in the absence of funds under this title, be made available for programs and activities authorized under this title, and in no case to supplant such State, local, and other non-Federal funds.

Proposed new section 4417 ("Definitions of Terms") of the ESEA would restate the current law definitions for the terms "drug and violence prevention" and "hate crime," and definitions for the terms "drug treatment" and "drug rehabilitation" and "medical services."

TITLE V - PROMOTING EQUITY, EXCELLENCE, AND PUBLIC SCHOOL CHOICE

Among other things, proposed new Title V of the Educational Excellence for All Children Act of 1999 would: (1) improve the Magnet Schools Assistance program by adding emphasis on projects that consider the diversity of the student populations and that have the capacity to continue after the Federal grant has run out; (2) reauthorize the Women's Educational Equity program, currently in Part B of Title V of the ESEA, but move it to Part D of Title V of the ESEA; (3) repeal the Assistance to Address School Dropout Problems program, currently in Part C of Title V of the ESEA; (4) move Charter Schools, from Part C of Title X of the ESEA, to Part B of Title V of the ESEA; and (5) add a new initiative, "Options: Opportunities to Improve Our Nation's Schools", to be new Part C of that Title that would provide a flexible authority to support SEAs and LEAs in experimenting with different kinds of public elementary and secondary schools, such as worksite and college-based schools.

Section 501. Renaming the Title. Section 501 of the bill would change the name of Title V of the ESEA to "Promoting Equity, Excellence, and Public School Choice".

MAGNET SCHOOL ASSISTANCE

Section 502. Findings. Section 502 of the bill would amend Part A (Magnet School Assistance) of Title V of the ESEA. Section 502(a) of the bill would make editorial changes to, and update, section 5101 of the ESEA, the findings for the Magnet School Assistance Program.

Section 502(b) of the bill would amend section 5102(3) of the ESEA (Statement of Purpose) to clarify that the purpose of providing financial assistance to develop and design innovative educational methods and practices is to promote diversity and increase choices in public elementary and secondary schools and educational programs.

Section 502(c) of the bill would amend section 5106(b)(1)(D) of the ESEA (Information and Assurances), a part of the application requirements, to eliminate reference to the Goals 2000: Educate America Act and to make an editorial change.

Section 502(d) of the bill would amend section 5107 of

the ESEA (Priority) to eliminate the current priorities for greatest need and new, or significantly revised, projects. These priorities are not well defined and have not helped to determine which grant applications are most deserving. Section 502(d) would also add a new priority for projects that propose activities, which may include professional development, that will build local capacity to operate the magnet program once Federal assistance has ended.

Section 502(e) of the bill would amend section 5108(a) of the ESEA (Uses of Funds) to: (1) revise paragraph (3) to allow for the payment, or subsidization of the compensation, of elementary and secondary school teachers who are certified or licensed by the State, and instructional staff who have expertise and professional skills necessary for the conduct of programs in magnet schools or who demonstrate knowledge, experience, or skills in the relevant field of expertise; and (2) allow grantees to use funds for activities, including professional development, that will build the applicant's capacity to operate the magnet program once Federal assistance has ended.

Section 502(f) of the bill would repeal section 5111 of the ESEA (Innovative Programs). Activities are subsumed under the new Public School Choice program.

Section 502(g) of the bill would redesignate current section 5112 of the ESEA (Evaluation, Technical Assistance, and Dissemination) as section 5111, and incorporate its requirements into proposed new section ("Evaluation, Technical Assistance, and Dissemination") that would authorize the Secretary to reserve not more than five percent (rather than two percent) of appropriated funds in any fiscal year to evaluate magnet schools programs, as well as provide technical assistance to applicants and grantees and collect and disseminate information on successful magnet school programs. Section 502(g) of the bill would also require each evaluation, in addition to current items, to address the extent to which magnet school programs continue once grant assistance under this part ends.

Section 502(h) of the bill would amend section 5113(a) of the ESEA (Authorization) to authorize such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years to be appropriated to carry out the part. Section 501(h) of the bill would also redesignate section 5113 as section 5112.

## WOMEN'S EDUCATIONAL EQUITY

Section 503. Amendments to the Women's Educational Equity Program. Section 503(a)(1)(A) of the bill would amend section 5201(a) of the ESEA (Short Title) to update and change the short title from the "Women's Educational Equity Act of 1994" to the "Women's Educational Equity Act."

Section 503(a)(1)(B) of the bill would amend section 5201(b) of the ESEA (Findings) to make it clear, in paragraph (3)(B), that classroom textbooks and other educational materials continue not to reflect sufficiently the experiences, achievements, or concerns of women and girls. Little progress has been made in this area since 1994. Section 5201(b) of the ESEA would also be amended by slightly editing paragraph (3)(C) and adding a recent finding to that paragraph that girls are dramatically underrepresented in higher-level computer science courses.

Section 503(a)(2)(A) of the bill would amend section 5204 of the ESEA (Applications) to change several internal section references to conform section numbers to the part redesignation and to clarify that the application requirements in which these references appear apply only to implementation grants. Section 503(a)(2)(B) of the bill would amend section 5204(b)(2) of the ESEA to change a reference to "the National Education Goals" to "America's Education Goals." Section 503(a)(2)(C) of the bill would eliminate section 5204(4) of the ESEA, which requires an application description of how program funds would be used in a consistent manner with the School-to-Work Opportunities Act of 1994. The School-to-Work Opportunities Act sunsets in 2001, and this reference will be obsolete. Paragraphs (5) through (7) in the section would be redesignated.

Section 503(a)(3) of the bill would conform a section reference to a later redesignation.

Section 503(a)(4) of the bill would repeal section 5206 of the ESEA (Report). The report required by this section will be submitted soon, satisfying the requirement and making it obsolete.

Section 503(a)(5) of the bill would amend section 5207 of the ESEA (Administration) by eliminating subsection(a), requiring the Secretary to conduct an evaluation of materials and programs developed under the program and to



submit a report to Congress by January 1, 1998. Congress

did not provide funding for the mandated evaluation, and the report was not done.

Section 503(a)(6) of the bill would amend section 5208 of the ESEA to authorize appropriations of such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years to carry out this part. Because the appropriation for the Women's Educational Equity program has been small in recent years, using two thirds of this appropriation for local implementation grants (rather than national research and development grants) has not been the most effective use of program resources.

Section 503(b) of the bill would redesignate Part B of Title V of the ESEA as Part D of the Title and redesignate sections 5201, 5202, 5203, 5204, 5205, 5207, and 5208 of the ESEA as sections 5401, 5402, 5403, 5404, 5405, 5406, and 5407, respectively.

#### ASSISTANCE TO ADDRESS SCHOOL DROPOUT PROBLEMS

Section 504. Repeal of the Assistance to Address School Dropout Problems Program. Section 504 of the bill would repeal the "Assistance to Address School Dropout Problems" program in Part C of Title V of the ESEA.

#### PUBLIC CHARTER SCHOOLS

Section 505. Redesignation of the Public Charter Schools Program. Section 505 of the bill would redesignate the Public Charter Schools Program, which is currently Part C of Title X of the ESEA, as Part B of Title V of the ESEA. Section 505 would also make necessary conforming changes to carry out the redesignation.

#### OPTIONS: OPPORTUNITIES TO IMPROVE OUR NATION'S SCHOOLS

Section 506. Options: Opportunities to Improve our Nation's Schools. Section 506 of the bill would amend Title V of the ESEA to add a proposed new Part C ("Options: Opportunities to Improve our Nation's Schools") that would authorize a flexible, competitive grant program to help SEAs and LEAs provide innovative, high-quality public school choice programs.

Proposed new section 5301 of the ESEA would set forth the findings of the proposed new part and state that its purpose is to identify and support innovative approaches to

high-quality public school choice by providing financial assistance for the demonstration, development, implementation, and evaluation of, and dissemination of information about, public school choice projects that stimulate educational innovation for all public schools and contribute to standards-based school reform efforts.

Proposed new section 5302(a) of the ESEA would authorize the Secretary, from funds appropriated under section 5305(a) and not reserved under section 5305(b), to make grants to SEAs and LEAs to support programs that promote innovative approaches to high-quality public school choice. Proposed new section 5302(b) of the ESEA would prohibit grants under this part from exceeding three years.

Proposed new section 5303(a) of the ESEA would authorize funds under the part to be used to demonstrate, develop, implement, evaluate, and disseminate information on innovative approaches to broaden public school choice. Examples of such approaches at the school, district, and State levels would be: (1) inter-district approaches to public school choice, including approaches that increase equal access to high-quality educational programs and diversity in schools; (2) public elementary and secondary programs that involve partnerships with institutions of higher education and that are located on the campuses of those institutions; (3) programs that allow students in public secondary schools to enroll in postsecondary courses and to receive both secondary and postsecondary academic credit; (4) worksite satellite schools, in which SEAs or LEAs form partnerships with public or private employers, to create public schools at parents' places of employment; and (5) approaches to school desegregation that provide students and parents choice through strategies other than magnet schools.

Proposed new section 5303(b) of the ESEA would require that funds under this part: (1) supplement, and not supplant, non-federal funds expended for existing programs; (2) not be used for transportation; and (3) not be used to fund projects that are specifically authorized under Part A or B of the title.

Proposed new section 5304(a) of the ESEA would require a SEA or LEA desiring to receive a grant under this part to submit an application to the Secretary, in such form and containing such information, as the Secretary may require. Each application would be required to include a description

of the program for which funds are sought and the goals for such program, a description of how the program funded under this part will be coordinated with, and will complement and enhance, programs under other related Federal and non-federal projects, and, if the program includes partners, the name of each partner and a description of its responsibilities. Also, each application would be required to include a description of the policies and procedures the applicant will use to ensure its accountability for results, including its goals and performance indicators, and that the program is open and accessible to, and will promote high-academic standards for, all students. This will help ensure broad access to high-quality schools, while allowing, for example, public-private partnerships to create public worksite schools that allow children of employees at the worksite to attend such a school. The Secretary would be required to give a priority to applications for projects that would serve high-poverty LEAs, and would be authorized to give a priority to applications demonstrating that the applicant will carry out its project in partnership with one or more public and private agencies, organizations, and institutions, including institutions of higher education and public and private employers.

Proposed new section 5305(a) of the ESEA would authorize such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years to carry out the part. Proposed new section 5305(b) of the ESEA would, from amounts appropriated for any fiscal year, authorize the Secretary to reserve not more than five percent to carry out evaluations, provide technical assistance, and disseminate information. Proposed new section 5305(c) of the ESEA would authorize the Secretary to use funds reserved under subsection (b) to carry out one or more evaluations of programs assisted under this part. Those evaluations would, at a minimum, address: (1) how and the extent to which the programs supported with funds under the part promote educational equity and excellence; and (2) the extent to which public schools of choice supported with funds under the part are held accountable to the public, effective in improving public education, and open and accessible to all students.

## TITLE VI - CLASS-SIZE REDUCTION

Section 601, class-size [ESEA, Title VI]. Section 601 of the bill would replace Title VI of the ESEA with a multi-year extension of the 1-year initiative, enacted in the Department's appropriations Act for fiscal year 1999, to help States and LEAs improve educational outcomes through reducing class sizes in the early grades, as follows:

ESEA, §6001, findings. Section 6001 of the ESEA would set out 8 findings in support of the new Title VI.

ESEA, §6002, purpose. Section 6002 of the ESEA would provide that the purpose of Title VI is to help States and LEAs recruit, train, and hire 100,000 additional teachers, in order to: (1) reduce class sizes nationally, in grades 1 through 3, to an average of 18 students per regular classroom; and (2) improve teaching in the early grades so that all students can learn to read independently and well by the end of the third grade.

ESEA, §6003, authorization of appropriations. Section 6003 of the ESEA would authorize the appropriation of such sums as may be necessary to carry out Title VI for fiscal years 2001 through 2005.

ESEA, §6004, allocations to States. Section 6004(a) of the ESEA would direct the Secretary to reserve a total of not more than 1 percent of each year's appropriation for Title VI to make payments, on the basis of their respective needs, to the several outlying areas and to the Secretary of the Interior for activities in schools operated or supported by the Bureau of Indian Affairs (BIA).

After reserving funds for the outlying areas and the BIA, section 6004(b) would direct the Secretary to allocate the remaining amount among the States on the basis of their respective shares under Part A of Title I of the ESEA or under Title II of the ESEA, whichever was greater, for the previous fiscal year. Because these allocations would exceed the amount available, they would then be proportionately reduced. If a State chooses not to participate in the program, or fails to submit an approvable application, the Secretary would reallocate that State's allocation to the remaining States.

ESEA, §6005, applications. Section 6005(a) of the ESEA would require the SEA of each State desiring to receive a Title VI grant to submit an application to the Secretary.

Subsection (b) would require each application to include: (1) the State's goals for using program funds to reduce average class sizes in regular classrooms in grades 1 through 3; (2) a

description of the SEA's plan for allocating program funds within the State; (3) a description of how the State will use other funds, including other Federal funds, to reduce class sizes and improve teacher quality and reading achievement within the State; and (4) an assurance that the SEA will submit such reports and information as the Secretary may reasonably require.

Subsection (c) would direct the Secretary to approve a State's application if it meets the requirements of subsections (a) and (b) and holds reasonable promise of achieving the program's purposes.

ESEA, §6006, within-State allocations. Section 6006(a) of the ESEA would permit participating States to reserve up to one percent of each year's Title I allocation for the cost of administering the program, and direct them to distribute all remaining funds to LEAs. A State would distribute 80 percent of its allocation on the basis of the relative number of children from low-income families in LEAs, and the remaining 20 percent on the basis of school-age children enrolled in public and private nonprofit schools in LEAs.

Subsection (b) would provide for the reallocation of an LEA's award to other LEAs if it chooses not to participate or fails to submit an approvable application.

ESEA, §6007, local applications. Section 6007 of the ESEA would require each LEA that wishes to receive Title VI funds to submit an application to its SEA that describes its program to reduce class size by hiring qualified teachers.

ESEA, §6008, uses of funds. Section 6008(a) of the ESEA would permit each participating LEA to use up to 3 percent of its subgrant for the costs of administering its Title VI program.

Subsection (b) would permit each LEA to use up to a total of 15 percent of each year's Title VI funds to: (1) assess new teachers for their competency in content knowledge and teaching skills; (2) assist new teachers to take any tests required to meet State certification requirements; and (3) provide professional development to teachers.

Subsection (c) would require each LEA to use the rest of its Title VI funds to recruit, hire, and train certified teachers for the purpose of reducing class size in grades 1 through 3 to 18 children.

Subsection (d) would prohibit an LEA from using its Title VI funds to increase the salary of, or to provide benefits to, a teacher who it already employs (or has employed).

Subsection (e) would permit an LEA that has already reduced class size in grades 1 through 3 to 18 or fewer children to use its Title VI funds to make further class-size reductions in grades 1 through 3, reduce class sizes in other grades, or for activities, including professional development, to improve teacher quality.

Subsection (f) would permit an LEA whose subgrant is too small to pay the starting salary for a new teacher to use its subgrant funds to form a consortium with one or more other LEAs for the purpose of reducing class size; to help pay the salary of a full-time or part-time teacher hired to reduce class size; or, if the subgrant is less than \$10,000, for professional development.

ESEA, §6009, cost-sharing requirement. Section 6009(a) of the ESEA would allow program funds to pay the full cost of local programs under the Act in LEAs with child-poverty rates greater than 50 percent. The maximum Federal share for LEAs with child-poverty rates below 50 percent would be 65 percent.

Subsection (b) would require an LEA to provide the non-Federal share of a project through cash expenditures from non-Federal sources. However, an LEA operating one or more schoolwide programs under section 1114 of the ESEA could use funds under Part A of Title I of that Act to pay the non-Federal share of activities under this program that benefit those schoolwide programs, so long as the LEA meets the Title I requirement to ensure that services provided with State and local funds in Title I schools are at least comparable to services provided with State and local funds in non-Title I schools. This option would not, however, be available with respect to schools operating schoolwide programs through a waiver of the normal eligibility rules governing schoolwide programs (current section 1114(a)(1)(B), which the bill would re-enact as section 1114(a)(2)).

ESEA, §6010, nonsupplanting. Section 6010 of the ESEA would require each participating LEA to use its Title VI funds to increase the overall amount of its expenditures for the combination of: (1) teachers in regular classrooms in schools receiving assistance; (2) assessing new teachers and assisting them to take tests required for State certification; and (3) professional development for teachers.

ESEA, §6011, annual State reports. Section 6011 of the ESEA would require each participating State to submit an annual report to the Secretary on its activities under Title VI.

ESEA, §6012, participation of private school teachers. Section 6012 of the ESEA would require each LEA to provide for

the equitable participation of teachers from private schools in professional development activities it carries out with program funds.

ESEA, §6013, definition. Section 6013 of the ESEA would define "State", for the purpose of Title VI, as meaning each of the 50 States, the District of Columbia, and Puerto Rico. The outlying areas, which would otherwise be treated as States under the definition in current §14101(27) (to be redesignated as §11101(27)), would be funded through the special reservation in section 6004(a), rather than through the formula allocations to States in section 6004(b).



TITLE VII - BILINGUAL EDUCATION, LANGUAGE ENHANCEMENT, AND  
LANGUAGE ACQUISITION PROGRAMS

Title VII of the bill would revise Title VII (Bilingual Education, Language Enhancement, and Language Acquisition Programs) of the ESEA to enhance and make more effective the accountability provisions for those receiving grants under Subpart 1 of the title and improve the professional development programs under Subpart 2 of Title VII by eliminating overlap among the different authorized activities and targeting activities on specific areas where assistance is most needed. Other program improvements are also proposed.

BILINGUAL EDUCATION

Section 701. Findings, Policy, and Purpose. Section 701 of the bill would amend sections 7102(a) (Findings) and (b) (Policy) of the ESEA to incorporate recent research findings and to add the policy that limited English proficient students be tested in English after three consecutive years in United States' schools. This requirement is consistent with the school accountability requirements associated with limited English proficient students in section 1111(b)(2)(F)(v) of Title I of the ESEA. Section 701 of the bill would also amend section 7102(c) (Purpose) of the ESEA to add helping to ensure that limited English proficient students master English as a stated purpose and to make minor editorial changes.

Section 702. Authorization of Appropriations for Part A. Section 702 of the bill would amend section 7103(a) of the ESEA to authorize the appropriation of such sums as may be necessary to carry out programs under Part A of the Title from fiscal year 2001 through 2005.

Section 703. Program Development and Enhancement Grants. In order to simplify and improve administration of instructional services grants, section 703 of the bill would amend section 7113 of the ESEA (Enhancement Grants) to consolidate the activities of the Program Development and Implementation Grants program (currently in section 7112 of the ESEA and repealed in section 730 of the bill) and the Enhancement Grants program into a new three-year grant program, "Program Development and Enhancement Grants."

Section 703(3) of the bill would require grants to be used to: (1) develop and implement comprehensive, preschool, elementary, or secondary education programs for children and youth with limited English proficiency, that are aligned with standards-based State and local school reform efforts and coordinated with other relevant programs and services; (2) provide high-quality professional development; and (3) require annual assessment of student progress in learning English. Section 703(3) of the bill would also amend current language on allowable activities to emphasize effective instructional practice and the use of technology in the classroom.

Section 703(4) of the bill would authorize the Secretary to give priority to applicants that enroll fewer than 10,000 students and that have limited or no experience in serving limited English proficient students.

Section 704. Comprehensive School Grants. Section 704 of the bill would amend section 7114 of the ESEA that authorizes five-year Comprehensive School Grants for school-wide instructional programs. Section 704(1) of the bill would revise the purpose of the program. The purpose would be to implement school-wide education programs, in coordination with Title I of the ESEA, for children and youth with limited English proficiency to assist such children and youth to learn English and achieve to challenging State content and performance standards, and to improve, reform, and upgrade relevant programs and operations in schools with significant concentrations of such students or that serve significant numbers of such students.

Section 704(2) of the bill would amend section 7114(b)(2) of the ESEA to replace the termination provisions with a clearer system of accountability requiring the Secretary, before making a continuation award for the fourth year of a program under this section, to determine if the program is making continuous and substantial progress in assisting children and youth with limited English proficiency to learn English and achieve to challenging State content and performance standards. The Secretary would base such determination on the indicators established and data and information collected under the annual evaluations under section 7118 (as redesignated) and such other data and information as the Secretary may

require. If the Secretary determines that a recipient requesting a fourth-year continuation award under this section is not making continuous and substantial progress, the recipient would be required to promptly develop and submit to the Secretary a program improvement plan for its program. The Secretary would be required to approve a program improvement plan only if he or she determines that it held reasonable promise of enabling students with limited English proficiency participating in the program to learn English and achieve to challenging State content and performance standards. If the Secretary determines that the recipient is not making substantial progress in implementing the program improvement plan, the Secretary would be required to deny a continuation award.

Section 704(3) of the bill would establish required activities. The required activities would, among other things, include the annual assessment of student progress in learning English. Section 704(3) of the bill would also amend current language on allowable activities to, among other things, emphasize effective instructional practice and the use of technology in the classroom.

Section 704(4) of the bill would limit the period during which grant funds may be used for planning to 90 days and limit the number of schools that may be included in the grant to two. These changes would ensure more effective use of Federal assistance.

Section 705. Systemwide Improvement Grants. Section 705 of the bill would amend section 7115 (Systemwide Improvement Grants) of the ESEA that authorizes five-year grants for projects within an entire school district. Section 705(1) of the bill would amend section 7115(a) of the ESEA to make editorial and conforming changes to that subsection.

Section 705(2) of the bill would amend section 7115(b)(2) of the ESEA to replace the termination provisions with a clearer system of accountability requiring the Secretary, before making a continuation award for the fourth year of a program under this section, to determine if the program is making continuous and substantial progress in assisting children and youth with limited English proficiency to learn English and achieve to challenging State content and performance standards. The Secretary would base such determination on the indicators

established and data and information collected under the annual evaluations under section 7118 (as redesignated), and such other data and information as the Secretary may require. If the Secretary determines that a recipient requesting a fourth-year continuation award under this section is not making continuous and substantial progress, the recipient would be required to promptly develop and submit to the Secretary a program improvement plan for its program. The Secretary would be required to approve a program improvement plan only if he or she determines that it held reasonable promise of enabling students with limited English proficiency participating in the program to learn English and achieve to challenging State content and performance standards. If the Secretary determines that the recipient is not making substantial progress in implementing the program improvement plan, the Secretary would be required to deny a continuation award.

Section 705(3) of the bill would establish required activities, including building school district capacity to continue to operate similar instructional programs once Federal funding is no longer available, aligning programs for limited English proficient students with school, district, and State reform efforts and coordinating with other relevant programs (such as Title I), and annually assessing student progress in learning English. The required activities would help ensure that projects effectively promote educational reform for limited English proficient students. Section 705(3) of the bill would also amend current language on allowable activities to, among other things, emphasize effective instructional practice, developing student proficiency in two languages, and the use of technology in the classroom.

Section 706. Applications for Awards under Subpart 1. Section 706 of the bill would amend section 7116 of the ESEA (Applications) to make changes designed to increase program accountability.

Section 706(1) of the bill would amend section 7116(b) of the ESEA (State Review and Comments) to clarify that SEAs must not only review Subpart 1 applications, but also transmit that review in writing to the Department.

Section 706(2) of the bill would amend section 7116(f) of the ESEA (Required Documentation) to require documentation that the leadership of each participating

school had been involved in the development and planning of the program in the school.

Section 706(3) of the bill would amend section 7116(g) of the ESEA (Contents) to reorganize paragraph (A) and to add to the list of data to be included in the application, data on: (1) current achievement data of the limited English proficient students to be served by the program (and in comparison to their English proficient peers) in reading or language arts (in English and in the native language if applicable) and in math; (2) reclassification rates for limited English proficient students in the district; (3) the previous schooling experiences of participating students; and (4) the professional development needs of the instructional personnel who will provide services for limited English proficient students, including the need for certified teachers; and (5) how the grant would supplement the basic services provided to limited English proficient students. Many school districts already collect such data and its collection would help ensure that data submitted with the application could be used to establish a baseline against which instructional progress could be measured.

Section 706(3) of the bill would also make editorial changes to section 7116(g)(1)(B) of the ESEA and require, in section 7116(g)(1)(E) of the ESEA, an assurance that the applicant will employ teachers in the proposed program who individually, or in combination, are proficient in the native language of the majority of students they teach, if instruction in the program is also in the native language.

Section 706(4) of the bill would amend section 7116(i) of the ESEA (Priorities and Special Rules) to add two new priorities for applicants that experience a dramatic increase in the number of limited English proficient students enrolled and demonstrate that they have a proven record of success in helping children and youth with limited English proficiency learn English and achieve to high academic standards and make editorial revisions.

Section 707. Evaluations under Subpart 1. Section 707(1) of the bill would amend current section 7123(a) of the ESEA (Evaluation) to require that grantees conduct an annual, rather than biennial, evaluation. This change would enhance the Department's ability to hold projects accountable for teaching English to limited English

proficient students and to determine the extent to which these students are achieving to State standards.

Section 707(2) of the bill would revise the list of evaluation components, in section 7123(c) of the ESEA, to require a recipient to: (1) use the data provided in the application as baseline data against which to report academic achievement and gains in English proficiency for students in the program; (2) report on the validity and reliability of all instruments used to measure student progress; and (3) enable results to be disaggregated by such relevant factors as a student's grade, gender, and language group, and whether the student has a disability. Evaluations would be required to include: (1) data on the project's progress in achieving its objectives; (2) data showing the extent to which all students served by the program are achieving to the State's student performance standards; (3) program implementation indicators that address each of the program's objectives and components, including the extent to which professional development activities have resulted in improved classroom practices and improved student achievement; (4) a description of how the activities funded under the grant are coordinated and integrated with the overall school program and other Federal, State, or local programs serving limited English proficient children and youth; and (5) such other information as the Secretary may require. This revision is necessary to ensure that grantees submit data needed to make a determination on whether the project should be continued at the end of the third year or at the end of the fourth year, and also provide the Department with data needed to assess grantee progress towards meeting goals established for the Bilingual Education program under the Government Performance and Results Act (GPRA).

Section 707(3) of the bill would add a new subsection (d) (Performance Measures) that would require the Secretary to establish performance indicators to determine if programs under sections 7113 and 7114 (as redesignated) are making continuous and substantial progress, and allow the Secretary to establish such indicators to determine if programs under section 7112 (as redesignated) are making continuous and substantial progress, toward assisting children and youth with limited English proficiency to learn English and achieve to challenging State content and performance standards.

Section 708. Research. Section 708 of the bill would amend current section 7132 of the ESEA (Research) to support the use of the research authority to gather data needed to assess the Department's progress in meeting goals established for the Bilingual Education program under GPRA.

Section 708(1) of the bill would amend sections 7132(a) (Administration) and (b) (Requirements) of the ESEA to eliminate the requirement that research be conducted through the Office of Educational Research and Improvement in collaboration with the Office of Bilingual Education and Minority Languages Affairs and also to provide a list of allowable research activities (including data collection needed for compliance with GPRA and identifying technology-based approaches that show effectiveness in helping limited English proficient students reach challenging State standards).

Section 708(3) of the bill would make conforming changes to sections 7132(c)(1) and (2) of the ESEA and eliminate the authorization for grantees under Subparts 1 and 2 to submit research applications at the same time as their applications under Subparts 1 and 2. The current provision unnecessarily complicates the conduct of these grant competitions. Section 708(4) of the bill would eliminate section 7132(e) (Data Collection) since data collection is an activity authorized in subsection (a).

Section 709. Academic Excellence Awards. Section 709 of the bill would replace current section 7133 of the ESEA (Academic Excellence) that authorizes grants, contracts, and cooperative agreements to promote the adoption of promising instructional and professional development programs, with a State discretionary grant program. Under the new program, the Secretary would be authorized to make grants to SEAs to assist them in recognizing LEAs and other public and non-profit entities whose programs have demonstrated significant progress in assisting limited English proficient students to learn English and to meet the same challenging State content standards expected of all children and youth, within three years. The expanded State role proposed in these amendments is designed to encourage and reward exceptional programs and help disseminate information on effective instructional practices for serving limited English proficient students.

Section 710. State Grant Program. Section 710 of the bill would amend subsection (c) (Uses of Funds) of section 7134 (State Grant Program) of the ESEA to require States to use funds under the section to: (1) assist LEAs with program design, capacity building, assessment of student performance, program evaluation, and development of data collection and accountability systems for limited English proficient students that are aligned with State reform efforts; and (2) collect data on limited English proficient populations in the State and the educational programs and services available to such populations. This amendment is designed to improve the quality of data collected by LEAs relating to services for limited English proficient students.

Section 711. National Clearinghouse on the Education of Children and Youth with Limited English Proficiency. Section 711 would amend section 7135 of the ESEA (National Clearinghouse for Bilingual Education) to rename the Clearinghouse the "National Clearinghouse for the Education of Children and Youth with Limited English Proficiency", and to eliminate ambiguous and burdensome requirements that the Clearinghouse be administered as an adjunct to the Educational Resources Information Center Clearinghouse system, develop a data base management and monitoring system, and develop, maintain, and disseminate a listing of bilingual education professionals.

Section 712. Instructional Materials Development. Section 712 of the bill would amend section 7136 of the ESEA (Instructional Materials) to expand the current authorization for grants to develop, publish, and disseminate instructional materials. The current authorization is limited to Native American, Native Hawaiian, Native Pacific Islanders, and other languages of outlying areas. The amendment would add other low-incidence languages in the United States for which instructional materials are not readily available. The kinds of materials that may be developed would also be expanded to include materials on State content standards and assessments for dissemination to parents of limited English proficient students. The proposed amendment recognizes that instructional materials may be needed in languages other than those listed in the current statute and that materials may be needed to prepare parents to become more involved in the education of their children.



Section 712 of the bill would also require the Secretary to give priority to applications for developing instructional materials in languages indigenous to the United States or to the outlying territories and for developing and evaluating instructional materials that reflect challenging State and local content standards, in collaboration with activities assisted under Subpart 1 and section 7124.

Section 713. Purpose of Subpart 3. Section 713 of the bill would amend section 7141 (Purpose) of Subpart 3 (Professional Development) of Part A of the title to eliminate a reference to dissemination of information. This activity is not directly related to professional development.

Section 714. Training for all Teachers Program. Section 714 of the bill would amend section 7142 of the ESEA (Training for all Teachers Program) to limit grants to ongoing professional development. This change would provide greater focus to the activity since the current statute covers both inservice and preservice professional development. The Secretary would be authorized to award grants to LEAs or to one or more LEAs in consortium with one or more institutions of higher education, SEAs, or nonprofit organizations. This change would help ensure that the professional development supported by the grant directly addresses the staffing needs of one or more LEAs.

Section 7142 of the ESEA would be further amended to reduce the grant period from 5 to 3 years, thus allowing the program to assist a greater number of communities. Also, funded professional development activities would be required to be of high-quality and long-term in nature, thus no longer could they be simply a few weekend seminars. The list of allowable activities would be expanded to, among other things, include induction programs, clarifying that grantees may use grants to cover the costs of coaching by teachers experienced in serving limited English proficient students for teachers who are preparing to serve these students, and support for teacher use of education technologies. The proposed amendments reflect current research findings on effective professional development practices.

Section 715. Bilingual Education Teachers and Personnel Grants. Section 715 of the bill would amend

section 7143 of the ESEA (Bilingual Education Teachers and Personnel Grants) to limit grants to institutions of higher education for preservice professional development. This change would provide greater focus to the activity since the current statute covers both inservice and preservice professional development.

Also, section 715(3) of the bill would add a new subsection (d) to section requiring that funds be used to put in place a course of study that prepares teachers to serve limited English proficient students, integrate course content relating to meeting the needs of limited English proficient students into all programs for prospective teachers, assign tenured faculty to train teachers to serve limited English proficient students, incorporate State content and performance standards into the institution's coursework, and expand clinical experiences for participants. The new subsection would also authorize grantees to use funds for such activities as supporting partnerships with LEAs, restructuring higher education course content, assisting other institutions of higher education to improve the quality of relevant professional development programs and expanding recruitment efforts for students who will participate in relevant professional development programs.

The proposed amendments recognize that all prospective teachers should have a basic understanding of effective methods for serving limited English proficient students. Because of the rapid growth in this population, all teachers can expect to have limited English proficient students in their classrooms at some point in their teaching career. These amendments also recognize the importance of creating a closer link between schools of education that produce new teachers and the schools that hire them.

Section 716. Bilingual Education Career Ladder Program. Section 716 of the bill would amend section 7144 of the ESEA (Bilingual Education Career Ladder Program) to authorize grants to a consortia of one or more institutions of higher education and one or more SEAs or LEAs to develop and implement bilingual education career ladder programs. A bilingual education career ladder program would be a program designed to provide high-quality, pre-baccalaureate coursework and teacher training to educational personnel who do not have a baccalaureate degree and that would lead

to timely receipt of a baccalaureate degree and certification or licensure of program participants as bilingual education teachers or other educational personnel who serve limited English proficient students. Recipients of grants would be required to coordinate with programs under title II of the Higher Education Act of 1965, and other relevant programs, for the recruitment and retention of bilingual students in postsecondary programs to train them to become bilingual educators, and make use of all existing sources of student financial aid before using grant funds to pay tuition and stipends for participating students.

Also, section 716(4) of the bill would amend section 7144(d) of the ESEA (Special Considerations) to eliminate the current special considerations and require the Secretary, instead, to give special consideration to applications that provide training in English as a second language, including developing proficiency in the instructional use of English and, as appropriate, a second language in classroom contexts.

Section 717. Graduate Fellowships in Bilingual Education Program. Section 717 of the bill would amend section 7145(a) of the ESEA (Authorization) in the Graduate Fellowships in Bilingual Education Program, to eliminate the authorization for fellowships at the post-doctoral level and the requirement that the Secretary make a specific number of fellowship awards in any given year. Masters and doctoral level fellows are more likely to provide a direct benefit to classroom instruction than fellows at the post-doctoral level.

Section 718. Applications for Awards under Subpart 3. Section 718 of the bill would amend section 7146 of the ESEA (Application) to clarify that the State educational agency must review and submit written comments on all applications for professional development grants, with the exception of those for fellowships, to the Secretary.

Section 719. Evaluations under Subpart 3. Section 719 of the bill would amend section 7149 of the ESEA (Program Evaluations) to require an annual evaluation and to clarify evaluation requirements. The purpose of these proposed amendments is to increase project accountability and ensure that the Department receives data from grantees

that is required to address performance goals established under the GPRA.

Section 720. Transition. Section 720 of the bill would amend section 7161 of the ESEA (Transition) to provide that a recipient of a grant under subpart 1 of Part A of this title that is in its third or fourth year of the grant on the day preceding the date of enactment of the Educational Excellence for All Children Act of 1999 shall be eligible to receive continuation funding under the terms and conditions of the original grant.

#### EMERGENCY IMMIGRANT EDUCATION PROGRAM

Section 721. Findings of the Emergency Immigrant Education Program. Section 721 of the bill would amend section 7301 (Findings and Purpose) of Part C (Emergency Immigrant Education Program) of Title VII of the ESEA to add an additional finding to better justify the program.

Section 722. State Administrative Costs. Section 722 of the bill would amend section 7302 of the ESEA (State Administrative Costs) to authorize States to use up to 2 percent of their grant for administrative costs if they distribute funds to LEAs within the State on a competitive basis. The current provision caps State administrative costs at 1.5 percent, which is insufficient to cover the costs of holding a State discretionary grant competition.

Section 723. Competitive State Grants to Local Educational Agencies. Section 723 of the bill would amend section 7304(e)(1) of the ESEA to eliminate the \$50 million appropriations trigger on, and the 20 percent cap for, allowing States each year to reserve funds from their program allotments and award grants, on a competitive basis, to LEAs with the State. This change reflects current budget policy and practice of allowing State recipients the opportunity to allow LEAs to compete for funds.

Section 724. Authorization of Appropriations for Part C. Section 724 of the bill you amend section 7309 of the ESEA (Authorizations of Appropriations) to authorize the appropriation of such sums as may be necessary for each of fiscal years 2001 through 2005 to carry out Part C of Title VII.

## GENERAL PROVISIONS

Section 725. Definitions. Section 725 of the bill would amend section 7501 (Definitions; Regulations) of Part E (General Provisions) of Title VII of the ESEA to add a definition of "reclassification rate," a term used in the proposed amendments to the Applications and Evaluations sections of Subpart 1 of Part A of Title VII of the ESEA. The term would mean the annual percentage of limited English proficient students who have met the State criteria for no longer being considered limited English proficient. Also, the current definition of "Special Alternative Instructional Program", would be eliminated.

Section 726. Regulations, Parental Notification, and Use of Paraprofessionals. Section 726 of the bill would amend section 7502 (Regulations and Notification) of Part E to add requirements for projects funded under subpart 1 of Part A of the title relating to parental notification and the use of instructional staff who are not certified in the field in which they teach. Section 726(1) of the bill would amend the section heading to read: "REGULATIONS, PARENTAL NOTIFICATION, AND USE OF PARAPROFESSIONALS".

Section 726(2) of the bill would amend section 7502(b) (Parental Notification) of the ESEA by making conforming amendments in paragraphs (1)(A) and (C) of the subsection and amending paragraph (2)(A) of the subsection to change the paragraph heading to "Option to Withdraw" and to require a recipient of funds under Subpart 1 of Part A to provide a written notice to parents of children who will participate in the programs under that subpart, in a form and language understandable to the parents, that informs them that they may withdraw their child from the program at any time.

Section 726(3) of the bill would add a new subsection (c) to require that, on the date of enactment of the Educational Excellence for All Children Act of 1999, all new staff hired to provide academic instruction in programs supported under Part A, Subpart 1, will be in accordance with the requirements of section 1119(c) of the ESEA, relating to the employment of paraprofessionals. These amendments are designed to lead to an improvement of the professional skills of instructional staff providing services to limited English proficient students.

REPEALS, REDESIGNATIONS, AND CONFORMING AMENDMENTS

Section 727. Terminology. Section 727 of the bill would amend subparts 1 and 2 of Part A and section 7501(6) of the ESEA to conform references to bilingual education and special alternative instruction programs to instructional programs for children and youth with limited English proficiency.

Section 728. Repeals. Section 730 of the bill would repeal current sections 7112, 7117, 7119, 7120, 7121, 7147 and Part B of Title VII of the ESEA.

Section 7112 would no longer be needed since the authorized activity would be consolidated with the activity authorized by Section 7113.

Sections 7117 (Intensified Instruction), 7119 (Subgrants), 7120 (Priority on Funding), and 7121 (Coordination) of the ESEA would be repealed since these sections repeat language appearing elsewhere in the statute or cover situations that are unlikely to occur.

Section 7147 (Program Requirements) of the ESEA would be repealed because it requires that all professional development grants assist educational personnel in meeting State and local certification requirements. This requirement is not relevant to all of the authorized professional development activities.

Part B of Title VII of the ESEA would be moved to new Part I of Title X of the ESEA.

Section 729. Redesignations and Conforming Amendments. Section 731 of the bill would provide for the redesignation of various sections of the ESEA and for conforming references to those sections and to other sections of the ESEA that have been changed.

## TITLE VIII - IMPACT AID

Title VIII of the bill would amend Title VIII of the ESEA, which authorizes the Impact Aid program.

Section 801, purpose [ESEA, §8001]. Section 801 of the bill would amend section 8001 of the ESEA to provide that the purpose of the Impact Aid program is to provide assistance to certain LEAs that are financially burdened as a result of activities of the Federal Government carried out in their jurisdictions, in order to help those LEAs provide educational services to their children, including federally connected children, so that they can meet challenging State standards. This will provide a succinct statement of the program's purpose, as is typical of other programs, in place of the statement in the current statute, which is overly long and which refers to certain categories of eligibility that other provisions of the bill would repeal.

Section 802, payments relating to Federal acquisition of real property [ESEA, §8002]. Section 802 of the bill would amend section 8002 of the ESEA, which authorizes the Secretary to partially compensate certain LEAs for revenue lost due to the presence of non-taxable Federal property, such as a military base or a national park, in their jurisdictions. The amendments made by section 8002 would better target funds on the LEAs most burdened by the presence of Federal property, so that appropriations for section 8002, which are not warranted under current law, may be justified in the future.

Section 802(a)(1) of the bill would delete unneeded language in section 8002(a) of the ESEA that refers to the fiscal years for which payments under section 8002 are authorized. That issue is fully covered by the authorization of appropriations in section 8014 of the ESEA.

Section 802(a)(2) would delete an alternative eligibility criterion (current section 8002(a)(1)(C)(ii)), which was enacted to benefit a single LEA, and would add a requirement that the Federal property claimed as the basis of eligibility have a current aggregate assessed value (as determined under section 8002(b)(3)) that is at least 10 percent of the total assessed value of all real property in the LEA. (The current statutory requirement that Federal property constituted 10 percent of the total assessed value when the Federal Government acquired it would be retained.) The new provision will ensure that payments under section 8002 are made only to LEAs in which the presence of Federal property continues to have a significant effect on the local tax base.

Section 802(b) would repeal subsections (d) through (g) and (i) through (k) of section 8002. Each of these provisions was enacted for the benefit of a single LEA (or a limited number of LEAs) and describes a situation in which the burden, if any, from Federal property is not sufficient to warrant compensation from Federal taxpayers. The presence of these provisions reduces the amount of funds available to LEAs that legitimately request funds under this authority.

Section 802(c) would replace the soon-to-be obsolete "hold harmless" language in section 8002(h) of the ESEA with language providing for a three-year phase-out of payments to LEAs that received section 8002 payments for FY 1999, but that would no longer be eligible because of the new requirement, discussed above, that Federal property constitute at least ten percent of the current assessed value of all real property in the LEA. This phase-out will provide a fair and reasonable period for these LEAs to adjust to the loss of their eligibility, while making more funds available to those LEAs whose local tax bases continue to be affected by the presence of Federal property.

Section 802(d) would make minor conforming amendments to section 8002(b)(1).

Section 803, payments for eligible federally connected children [ESEA, §8003]. Section 803(a)(1) of the bill would amend the list of categories of children who may be counted for purposes of basic support payments under section 8003(a), by deleting the various categories of so-called "(b)" children, whose attendance at LEA schools imposes a much lower burden that does not warrant Federal compensation. As amended, these payments would be made on behalf of approximately 300,000 "(a)" students throughout the Nation, i.e.: (1) children of Federal employees who both live and work on Federal property; (2) children of military personnel (and other members of the uniformed services) living on Federal property; (3) children living on Indian lands; and (4) children of foreign military officers living on Federal property.

Section 803(a)(2) would conform the statement of weighted student units in section 8003(a)(2) to reflect the elimination of "(b)" students from eligibility.

Section 803(a)(3) would delete section 8003(a)(3) and (4), each of which relates to categories of children whose eligibility would be ended under paragraph (1).



Section 803(b)(1)(B) would delete the requirement that an LEA have at least 400 eligible students (or that those students constitute at least three percent of its average daily attendance) in order to receive a payment. Thus, any LEA with "(a)" children would qualify for a basic support payment.

Section 803(b)(1)(D) would amend section 8003(b)(1)(C) (which would be redesignated as subparagraph (B)) to delete two of the four options for determining an LEA's local contribution rate (LCR), which is used to compute its maximum payment, and to add a third method to the remaining two. These changes would make payments more closely reflect the actual local cost of educating students because each of the three options, unlike the two options that would be deleted, would include a measure of the amount or proportion of funds that are provided at the local level.

Section 803(b)(1)(E) would add a new subparagraph (C) to section 8003(b)(1) to provide that, generally, local contribution rates would be determined using data from the third preceding fiscal year. This is the most recent fiscal year for which satisfactory data on average per-pupil expenditures are usually available.

Section 803(b)(2)(B) would amend section 8003(b)(2)(B), which describes how the Secretary computes each LEA's "learning opportunity threshold" (LOT), a factor used in determining actual payment amounts when sufficient funds are not available, as is the norm, to pay the maximum statutory amounts. Under current law, an LEA's LOT is a percentage, which may not exceed 100, computed by adding the percentage of its students who are federally connected and the percentage that its maximum payment is of its total current expenditures. Under the amendments, an LEA's LOT would be 50 percent plus one-half of the percentage of its students who are federally connected. The proposed LOT would consistently favor LEAs with high concentrations of federally connected students, which face a disproportionately high burden as a result of Federal activities, unlike the current statute, which allows an LEA to reach a LOT of 100 percent even though the federally connected students constitute considerably less than 100 percent of its total student body. The revised LOT would also remove the current incentive for LEAs to reduce their local tax effort in order to earn a higher LOT.

Section 803(b)(2)(B)(i) would delete section 8003(b)(2)(B)(ii), which would no longer be needed in light of the changes to the LOT calculation described above. This section would also delete section 8003(b)(2)(B)(iii), which inappropriately benefits a single LEA by providing a different

method of calculating its LOT that is not available to any other LEA.

Section 803(b)(2)(C) would amend section 8003(b)(2)(C) to clarify that payments are proportionately increased from the amounts determined under the LOT provisions (but not to exceed the statutory maximums) when available funds are sufficient to make payments above the LOT-based amounts.

Section 803(b)(3) would delete section 8003(b)(3), which provides an unwarranted benefit to a particular State in which there is only one LEA by requiring the Secretary to treat each of the administrative districts of that LEA as if they were individual LEAs. As with other LEAs (many of which have more students than the State in question and that also have internal administrative districts), this LEA's eligibility for a payment, and the amount of any payment, should be determined with regard to the entire LEA, not its administrative units.

Section 803(c) would make a technical amendment to section 8003(c) of the ESEA, which generally requires the use of data from the immediately preceding fiscal year in making determinations under section 8003, to reflect the addition of section 8003(b)(1)(C), which provides for the use of data from the third preceding fiscal year in determining LEA local contribution rates.

Section 803(d) would amend section 8003(d) of the ESEA, which authorizes additional payments to LEAs on behalf of children with disabilities, to conform to the deletion of "(b)" children from eligibility for basic support payments, and to reflect the fact that some of these children may be eligible for early intervention services, rather than a free appropriate public education, under the Individuals with Disabilities Education Act.

Section 803(e) would delete the "hold-harmless" provisions relating to basic support payments in section 8003(e) of the ESEA. By guaranteeing that certain LEAs continue to receive a high percentage of the amounts they received in prior years, without regard to current circumstances, these provisions inappropriately divert a substantial amount of funds from LEAs that have a greater need, based on the statutory criteria.

Section 803(f) of the bill would amend section 8003(f) of the ESEA, which authorizes additional payments to LEAs that are heavily impacted by the presence of federally connected children in their schools. In general, the amendments to this provision are designed to ensure that eligibility for these additional

payments is restricted to those relatively few LEAs for whom it is warranted, and that the amounts of those payments accurately reflect the financial burden caused by a large Federal presence in those LEAs.

Under section 8003(f)(2), an LEA would have to meet each of three criteria to qualify for a payment. First, federally connected children (i.e., "(a)" children) would have to constitute at least 40 percent of the LEA's enrollment and the LEA would have to have a tax rate for general-fund purposes that is at least 100 percent of the average tax rate of comparable LEAs in the State. Any LEA whose boundaries are the same as those of a military installation would also qualify. Second, the LEA would have to be exercising due diligence to obtain financial assistance from the State and from other sources. Third, the State would have to make State aid available to the LEA on at least as favorable a basis as it does to other LEAs.

Section 8003(f)(3) would replace the highly complicated provisions of current law relating to the computation of payment amounts for heavily impacted LEAs, including its multiple formulas, with a single formula that, for each eligible LEA, would factor in per-pupil expenditures, the number of its federally connected children, the amount available to it from other sources for current expenditures, and the amount of basic support payments it receives under section 8003(b) and the amount of supplemental payments for children with disabilities it receives under section 8003(d).

Section 8003(f)(4) would direct the Secretary, in determining eligibility and payment amounts for heavily impacted LEAs, to use data from the second preceding fiscal year, if those data are provided by the affected LEA (or the SEA) within 60 days of being requested by the Secretary to do so. If any of those data are not provided by that time, the Secretary would use data from the most recent fiscal year for which satisfactory data are available. This should provide ample time for LEAs (and States, as may be necessary for certain data) to provide that information so that the Secretary can make payments to LEAs, for whom these funds constitute a substantial portion of their budgets, on a timely basis.

Section 803(g) of the bill would delete section 8003(g) of the ESEA, which authorizes additional payments to LEAs with high concentrations of children with severe disabilities. (These payments are separate from the payments for children with disabilities under section 8003(d), which the bill would

continue to authorize.) This complicated authority has never been funded.

Section 803(h) would amend section 8003(h) of the ESEA to prohibit an LEA from receiving a payment under section 8003 on behalf of federally connected children if Federal funds (other than Impact Aid funds) provide a substantial portion of their educational program. This provision, which would codify the Department's regulations (see 34 CFR 222.30(2)(ii)), recognizes that the responsibility for the costs of a child's basic education rests with an LEA and that, if the Federal Government is already paying a substantial portion of those costs through some other program, it should not provide additional funds on behalf of that child through the Impact Aid program.

Section 803(i) of the bill would delete the requirement, in section 8003(i) of the ESEA, that LEAs maintain their fiscal effort for education from year to year as a condition of receiving a payment under either section 8002 or section 8003. While appropriate in other Federal education programs that are meant to provide funds for supplemental services, or to benefit children with particular needs, a maintenance-of-effort requirement is not appropriate for the Impact Aid program, which is intended to help LEAs meet the local costs of providing a free public education to federally connected children.

Section 804, policies and procedures relating to children residing on Indian lands [ESEA, §8004]. Section 804(1) of the bill would change the heading of section 8004 of the ESEA to "Indian Community Participation", to reflect amendments the bill would make to this section.

Section 804(2) would retain the current requirements of section 8004(a) of the ESEA under which an LEA that claims children residing on Indian lands in its application for Impact Aid funds must ensure that the parents of Indian children and Indian tribes are afforded an opportunity to present their views and make recommendations on the unique educational needs of those children and how those children may realize the benefits of the LEA's educational programs and activities. Section 804(2) would also add language providing that an LEA that receives an Indian Education Program grant under Subpart 1 of Part A of Title IX shall meet the requirements described in the previous sentence through activities planned and carried out by the Indian parent committee established under the Indian Education program, and could choose to form such a committee for that purpose if it is not participating in the Title IX program. An LEA could meet its obligations under section 8004(a) by complying with the parental involvement provisions of Title I

and must comply with those provisions for Indian children who it serves under Title I. Finally, an LEA could use any of its section 8003 funds (except for the supplemental funds provided on behalf of children with disabilities) for activities designed to increase tribal and parental involvement in the education of Indian children.

Section 804(3) would streamline the language in section 8004(b), relating to LEA retention of records to demonstrate its compliance with section 8004(a), without changing the substance of that provision.

Section 804(4) would delete subsection (c) of section 8004, which automatically waives the substantive requirement of subsection (a) and the record-keeping requirement of subsection (b) with respect to the children of any Indian tribe that provides the LEA a written statement that it is satisfied with the educational services the LEA is providing those children. The proposed amendments relating to community involvement are sufficiently important that all affected LEAs should comply with them and keep records to document their compliance. Removing this waiver provision would also be consistent with the prohibition on waiving any statutory or regulatory requirements relating to parental participation and involvement that applies to the Secretary's general authority to issue waivers across the entire range of ESEA programs. See §14401(c)(6) of the ESEA.

Section 805, applications for payments under sections 8002 and 8003 [ESEA, §8005]. Section 805 of the bill would amend section 8005 of the ESEA, relating to applications for payments under sections 8002 and 8003, by: (1) conforming a reference to the amended section 8004 in subsection (b)(2); (2) deleting a reference in subsection (d)(2) to section 8003(e), to reflect the proposed repeal of that "hold-harmless" provision; and (3) deleting subsection (d)(4), which provides an unwarranted benefit to a single State.

Section 806, payments for sudden and substantial increases in attendance of military dependents [ESEA, §8006]. Section 806 of the bill would repeal section 8006 of the ESEA, which authorizes payments to LEAs with sudden and substantial increases in attendance of military dependents. This authority has never been used and is not needed.

Section 807, construction [ESEA, §8007]. Section 807 of the bill would amend, in its entirety, section 8007 of the ESEA, which authorizes grants to certain categories of LEAs to support the construction or renovation of schools. As amended, section 8007(a) would authorize assistance only to an LEA that receives

a basic support payment under section 8003 and in which children residing on Indian lands make up at least half of the average daily attendance (one of the current eligible categories). This limitation on eligibility would target limited construction funds on LEAs with substantial school-construction needs and severely limited ability to meet those needs.

Subsection (b) of section 8007 would require an interested LEA to submit an application to the Secretary, including an assessment of its school-construction needs.

Subsection (c) would provide that available funds would be allocated to qualifying LEAs in proportion to their respective numbers of children residing on Indian lands.

Subsection (d) would set the maximum Federal portion of the cost of an assisted project at 50 percent, and give an LEA three years after its proposal is approved to demonstrate that it can provide its share of the project's cost.

Subsection (e) would clarify that an LEA could use a grant under this section for the minimum initial equipment necessary for the operation of the new or renovated school, as well as for construction.

Section 808, facilities [ESEA, §8008]. Section 808 would make a conforming amendment to section 8008 of the ESEA, relating to certain school buildings that are owned by the Department but used by LEAs to serve dependents of military personnel, to reflect the revised authorization of appropriations in section 8014.

Section 809, State consideration of payments in providing State aid [ESEA, §8009]. Section 809 of the bill would amend section 8009 of the ESEA, which generally prohibits a State from taking an LEA's Impact Aid payments into account in determining the LEA's eligibility for State aid (or the amount of that aid) unless the Secretary certifies that the State has in effect a school-finance-equalization plan that meets certain criteria.

Section 809(2) would add, to section 8009(b)(1)'s statement of preconditions for State consideration of Impact Aid payments, a requirement that the average per-pupil expenditure (APPE) in the State be at least 80 percent of the APPE in the 50 States and the District of Columbia. This will help ensure that LEAs in States with comparatively low expenditures for education receive adequate funds before the State reduces State aid on account of Impact Aid payments.

Section 809 would also make technical and conforming amendments to section 8009.

Section 810, Federal administration [ESEA, §8010]. Section 810 of the bill would repeal subsection (c) of section 8010 of the ESEA. Subsection (c)(1) sets out a special rule that does not apply after fiscal year 1995. Subsections (c)(2) and (3) provide an unwarranted special benefit to a single LEA.

Section 811, administrative hearings and judicial review [ESEA, §8011]. Section 811 of the bill makes a technical amendment to section 8011(a) to streamline that provision.

Section 812, forgiveness of overpayments [ESEA, §8012]. Section 812 of the bill makes a technical amendment to section 8012 to streamline that provision.

Section 813, definitions [ESEA, §8013]. Section 813(1) of the bill would conform the definition of "current expenditures" in section 8013(4) of the ESEA to conform to the proposed repeal of current Title VI and to a corresponding amendment to a similar definition of the term in current section 14101(11).

Section 813(2) would amend the definition of "Federal property" (an important basis of eligibility for Impact Aid payments) in section 8013(5) to delete references to certain property that would not normally be regarded as Federal property; these references were enacted for the special benefit of a small number of LEAs. This property does not merit payment under the Impact Aid program.

Section 813(3) through (7) would make technical and conforming amendments to other definitions in section 8013, and delete the definitions of "low-rent housing" and "revenue derived from local sources", which are, respectively, no longer needed and an unwarranted special-interest provision.

Section 814, authorization of appropriations [ESEA, §8014]. Section 814 of the bill would amend section 8014 of the ESEA to authorize the appropriation of funds to carry out the various Impact Aid authorities through fiscal year 2005. New subsection (b) of section 8014 would provide that funds appropriated for school construction under section 8007 and for facilities maintenance under section 8008 would be available to the Secretary until expended. However, if appropriations acts, which normally contain provisions governing the applicability of the funds they appropriate, provide a different rule than the one in proposed section 8014(b), the appropriations acts would govern.

## TITLE IX - INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

## PART A - INDIAN EDUCATION

Part A of Title IX of the bill would make various amendments to Part A of Title IX of the ESEA, which authorizes a program of formula grants to LEAs, as well as certain demonstration programs and related activities, to increase educational achievement of American Indian and Alaska Native students.

Section 901, findings and purpose [ESEA, §§9101 and 9102]. Section 901 of the bill would amend the statements of findings and purpose in sections 9101 and 9102 of the ESEA by changing references to the "special educational and culturally related academic needs" of American Indian and Alaska Native students to refer instead to their "unique educational and culturally related academic needs."

Section 902, grants to local educational agencies [ESEA, §9112]. Section 902 of the bill would amend section 9112 of the ESEA, which authorizes formula grants to certain LEAs educating Indian children. Current section 9112(b) provides that when an eligible LEA does not establish the Indian parent committee required by the statute, an Indian tribe that represents at least half of the LEA's Indian students may apply for the LEA's grant and is to be treated by the Secretary as if it were an LEA. The amendment would codify the Department's interpretation that, in that situation, the tribe is not subject to the statutory requirements relating to the parent committee, maintenance of effort, or submission of its grant application to the State educational agency for review. These requirements would be inappropriate to apply to an Indian tribe, as they are, under section 9113(d), for schools operated or supported by the Bureau of Indian Affairs (BIA).

Section 903, amount of grants [ESEA, §9113]. Section 903(1) of the bill would make a technical amendment to section 9113(b)(2) of the ESEA, which allows consortia of eligible LEAs to apply for grants.

Section 903(2) would revise section 9113(d), relating to grants to schools operated or supported by the BIA, to clarify that those schools must submit an application to the Secretary and that they are generally to be treated as LEAs for the purpose of the formula grant program, except that they are not subject to the statutory requirements relating to parent committees, maintenance of effort, or submission of grant applications to the SEA for review. These requirements would be



inappropriate to apply to these schools, as they would be for Indian tribes that receive grants (in place of an eligible LEA) under section 9112(b).

Section 904, applications [ESEA, §9114]. Section 904(1) of the bill would amend section 9114(b)(2)(A) of the ESEA, relating to the consistency of an LEA's comprehensive program to meet the needs of its Indian children with certain other plans, to remove a reference to the Goals 2000: Educate America Act (which would be consolidated into the new Title II of the ESEA) and to require that the LEA's plan be consistent with State and local plans under other provisions of the ESEA, not just plans under Title I.

Section 904(2) would amend section 9114(c) of the ESEA to require that the local assessment of the educational needs of its Indian students be comprehensive. This should help ensure that these assessments provide useful guidance to LEAs and parent committees in planning and carrying out projects.

Section 904(3)(A) would amend ambiguous language in section 9114(c)(4)(B) of the ESEA to clarify that a majority of each participating LEA's parent committee must be parents of Indian children.

Section 904(3)(B) would modify the standard for an LEA's use of funds under this program to support a schoolwide program under Title I of the ESEA, as is permitted by section 9115(c). Under the amendment, the parent committee would have to determine that using program funds in that manner would enhance, rather than simply not diminish, the availability of culturally related activities for American Indian and Alaskan Native students.

Section 905, authorized services and activities [ESEA, §9115]. Section 905(1) of the bill would make a conforming amendment to section 9115(b)(5) of the ESEA to reflect the re-naming of the Perkins Act by P.L. 105-332.

Section 905(4) would add four activities to the examples of authorized activities in section 9115(b). These additions would encourage LEAs to address the needs of American Indian and Alaskan Native students in the areas of curriculum development, creating and implementing standards, improving student achievement, and gifted and talented education.

Section 906, student eligibility forms [ESEA, §9116]. Section 906(1) of the bill would make technical amendments to section 9116(f) of the ESEA.

Section 906(2) would amend section 9116(g) to permit tribal schools operating under grants or contracts from the BIA to use either their child counts that are certified by the BIA for purposes of receiving funds from the Bureau or to use a count of children for whom the school has eligibility forms (commonly referred to as "506 forms") that meet the requirements of section 9116. This choice would allow these schools to avoid the burden of two separate child counts.

Section 906(3) of the bill would add a new subsection (h) to section 9116 of the ESEA to allow each LEA to select either a particular date or period (up to 31 days) to count the number of children it will claim for purposes of receiving a grant.

Section 907, payments [ESEA, §9117]. Section 907 of the bill would delete obsolete language from section 9117 of the ESEA, relating to payment of grants to LEAs.

Section 908, State educational agency review [ESEA, §9118]. Section 908 of the bill would rewrite section 9118 of the ESEA, relating to the submission of applications to the Secretary and the review of those applications by SEAs, in its entirety. As revised, section 9118 would not contain current subsection (a), which requires LEAs to submit applications to the Secretary, since that duplicates the requirement in section 9114(a) of the ESEA, where it logically belongs. The revised section would also improve the clarity of the requirement that an LEA submit its application to the SEA for its possible review.

Section 909, improvement of educational opportunities for Indian children [ESEA, §9121]. Section 909 of the bill would amend section 9121 of the ESEA, which authorizes support for a variety of projects, selected on a competitive basis, to develop, test, and demonstrate the effectiveness of services and programs to improve educational opportunities for Indian children. In particular, the bill would amend section 9121(d)(2), relating to project applications, to: (1) clarify that certain application requirements do not apply in the case of applicants for dissemination grants under subsection (d)(1)(D); and (2) require applications for planning, pilot, and demonstration projects to include information demonstrating that the program is either a research-based program or that it is a research-based program that has been modified to be culturally appropriate for the students who will be served, as well as a description of how the applicant will incorporate the proposed services into the ongoing school program once the grant period is over.

Section 910, professional development [ESEA, §9122].

Section 910 of the bill would amend section 9122 of the ESEA, which authorizes training of Indian individuals in professions in which they can serve Indian people. Section 910(1) of the bill would repeal section 9122(e)(2) of the Act, which affords a preference to projects that train Indian individuals. This provision, which was carried over from a related program authorized before the 1994 amendments, has no practical effect, since the only projects that have been eligible since 1994 are those that train Indians.

Section 910(2) would amend section 9122(h)(1), which requires individuals who receive training under section 9122 to perform related work that benefits Indian people or repay the assistance they received, so that it would continue to apply to preservice training, but would not apply to in-service training. Individuals receiving in-service training are already serving Indian people, and that training is relatively inexpensive to the taxpayers, is generally of short duration, and frequently does not involve an established per-person cost of participating, such as the substantial tuition and fees that are charged by colleges for preservice degree courses and programs.

Section 910(3) of the bill would add to section 9122 a new authority for grants to consortia to provide in-service training to teachers in LEAs with substantial numbers of Indian children in their schools, so that these teachers can better meet the needs of Indian children in their classrooms. An eligible consortium would consist of a tribal college and an institution of higher education that awards a degree in education, or either or both of those entities along with one or more tribal schools, tribal educational agencies, or LEAs serving Indian children. This new authority will help ensure that classroom teachers are aware of, and responsive to, the unique needs of the Indian children they teach.

Section 911, repeal of authorities [ESEA, §§9123, 9124, 9125, and 9131]. Section 911 of the bill would repeal various sections of Part A of Title IX of the ESEA that have not been recently funded and for which the Administration is not requesting funds for fiscal year 2000. The goals of these provisions (fellowships for Indian students, gifted and talented education, tribal administrative planning and development, and adult education) are more effectively addressed through other programs. Because Subpart 3 of Part A would be repealed, section 911 would also redesignate the remaining subparts.

Section 912, Federal administration [ESEA, §§9152 and 9153]. Section 912 of the bill would make technical amendments

to sections 9152 and 9153 of the ESEA, to reflect the proposed repeal of Subpart 3 and the redesignation of the remaining subparts.

Section 913, authorization of appropriations [ESEA, §9162].  
Section 913 of the bill would amend section 9162 of the ESEA to authorize appropriations for the Indian education program under Part A of Title IX of the ESEA through fiscal year 2005.

## Part B - NATIVE HAWAIIAN EDUCATION ACT

Sec. 921, Native Hawaiian Education. Section 901 of the bill would amend Part B of title IX of the ESEA in order to replace a series of categorical programs serving Native Hawaiian children and adults with a single, more flexible authority to accomplish those purposes. In addition to technical and conforming changes, section 901 of the bill would repeal sections 9204 through 9210 of the ESEA. In place of the repealed sections, section 901 of the bill would insert a new section 9204 of the ESEA that would permit all of the types of activities currently carried out under the program to continue. However, it would give the Department more flexibility in operating the program in a manner that meets the educational needs of Native Hawaiian children and adults.

Proposed new section 9204("Program Authorized") of the ESEA would authorize the new Native Hawaiian Education program. Proposed new section 9204(a) would authorize the Secretary to award grants or enter into contracts with, Native Hawaiian educational organizations, Native Hawaiian community-based organizations, public and private non-profit organizations, agencies, or institutions that have experience in developing Native Hawaiian programs of instruction in the Native Hawaiian language, and consortia of these organizations, agencies, or institutions to carry out Native Hawaiian Education programs.

Permissible Native Hawaiian Education programs under Part B of Title IX of the ESEA would include: (1) the operation of one or more councils to coordinate the provision of educational and related services and programs available to Native Hawaiians; (2) the operation of family-based education centers; (3) activities to enable Native Hawaiians to enter and complete programs of postsecondary education; (4) activities that address the special needs of gifted and talented Native Hawaiian students; (5) activities to meet the special needs of Native Hawaiian students with disabilities; (6) the development of academic and vocational curricula to address the needs of Native Hawaiian children and adults, including curriculum materials in the Hawaiian language and mathematics and science curricula that incorporate Native Hawaiian tradition and culture; (7) the operation of community-based learning centers that address the needs of Native Hawaiian families and communities through the coordination of public and private programs and services; and (8) other activities, consistent with the purposes of this part, to meet the educational needs of Native Hawaiian children and adults.

Proposed new section 9204(b) of the ESEA would authorize the appropriation of such sums as may be necessary for each of the fiscal years 2001 through 2005 to carry out Part B of Title IX of the ESEA.

## PART C - ALASKA NATIVE EDUCATION

Sec. 931, Alaska Native Education. Section 902 of the bill would amend Part C of title IX of the ESEA in order to replace a series of categorical programs serving Alaska Natives with a single, more flexible authorization to accomplish those purposes. In addition to technical and conforming changes, section 902 of the bill would repeal sections 9304 through 9306 of the ESEA. In place of the repealed sections, section 902 of the bill would insert a new section 9304 of the ESEA that would permit all of the types of activities currently carried out under the program to continue. However, it would give the Department more flexibility in operating the program in a manner that meets the educational needs of Alaska Native children and adults.

Proposed new section 9304 ("Program Authorized") of the ESEA would authorize the new Alaska Native Education program. Proposed new section 9304(a) would authorize the Secretary to make grants to, or enter into contracts with, Alaska Native organizations, educational entities with experience in developing or operating Alaska Native programs or programs of instruction conducted in Alaska Native languages, and to consortia of these organizations and entities to carry out programs that meet the purposes of this part.

The activities that would be carried out under this section include: (1) the development and implementation of plans, methods, and strategies to improve the education of Alaska Natives; (2) development of curricula and educational programs to address the educational needs of Alaska Native students; (3) professional development activities for educators; (4) the development and operation of home instruction programs for Alaska Native preschool children; (5) the development and operation of student enrichment programs in science and mathematics; (6) research and data-collection activities to determine the educational status and needs of Alaska Native children and adults; and (7) other activities, consistent with the purposes of this part, to meet the educational needs of Alaska Native children and adults.

Proposed new section 9304(b) of the ESEA would authorize the appropriation of such sums as may be necessary for each of the fiscal years 2001 through 2005 to carry out Part C of Title IX of the ESEA.

## TITLE X - PROGRAMS OF NATIONAL SIGNIFICANCE

Section 1001. Fund for the Improvement of Education.

Section 1001 of the bill would amend Part A of Title X of the ESEA, which authorizes funds to support nationally significant programs and projects to improve the quality of elementary and secondary education, to assist students to meet challenging State content standards and challenging State performance standards, and to contribute to the achievement of America's Education Goals.

Section 1001(1)(A) of the bill would amend section 10101(a) of the ESEA to emphasize that the Fund for the Improvement of Education (FIE) is a program focused on improving elementary and secondary education.

Section 1001(1)(B) of the bill would amend section 10101(b) of the ESEA to strengthen the program by focusing the authorized use of funds more narrowly. Authorized activities would include: (1) development, evaluation, and other activities designed to improve the quality of elementary and secondary education; (2) the development, implementation, and evaluation of programs designed to foster student community service, encourage responsible citizenship; and improve academic learning; (3) the identification and recognition of exemplary schools and programs, such as Blue Ribbon Schools; (4) activities to study and implement strategies for creating smaller learning communities; (5) programs under section 10102 and section 10103; (6) activities to promote family involvement in education; and (7) other programs that meet the purposes of this section.

Section 1001(1)(C) of the bill would amend section 10101(c) of the ESEA to require an applicant for an award to establish clear goals and objectives for its project and describe the activities it will carry out in order to meet these goals and objectives. It would also require recipients of funds to report to the Secretary such information as may be required, including evidence of its progress towards meeting the goals and objectives of its project, in order to determine the project's effectiveness. This change would emphasize the Department's desire to ensure that the effectiveness of all funded projects can be fully assessed. This language is also aligned with the performance indicators in the FIE plan under GPRA.



This section of the bill would also allow the Secretary to require recipients of awards under this part to provide matching funds from sources other than Federal funds, and to limit competitions to particular types of entities, such as State or local educational agencies.

Section 1001(1)(D) of the bill would amend section 10101(d) of the ESEA to authorize such sums as may be necessary to carry out this part through fiscal year 2005.

Section 1001(1)(E) of the bill would redesignate section 10101(d) of the ESEA as section 10101(e) and add a new requirement that each recipient of a grant under this section to submit a comprehensive evaluation on the effectiveness of its program in achieving its goals and objectives, including the impact of the program on students, teachers, administrators, and parents, to the Secretary, by the mid-point of the program, and no later than one year after completion of the program.

Section 1001(2) of the bill would repeal section 10102 of the ESEA.

Section 1001(3) of the bill would make substantial changes to section 10103 of the ESEA, relating to Character Education. It would provide for more funding flexibility by removing the limit of 10 character education grants per year and maximum award of \$1 million to SEAs, and instead authorize the Secretary to make up to 5-year grants to SEAs, LEAs, or consortia of educational agencies for the design and implementation of character education programs. These programs would be required to be linked to the applicant's overall reform efforts, performance standards, and activities to improve school climate. Allowing LEAs and consortia of educational agencies to apply would increase flexibility to fund innovative programs in school districts where the State is not interested in making an application.

Section 1001(3) of the bill would also streamline the application requirements under current law. The application would include: (1) a description of any partnership and other collaborative effort between the applicant and other educational agencies; (2) a description of the program's goals and objectives; (3) a description of activities to be carried out by the applicant; (4) a

description of how the programs will be linked to broader educational reforms being instituted by the applicant and applicable State and local standards for student performance; (5) a description of how the applicant will evaluate its progress in meeting its goals and objectives; and (6) such other information as the Secretary may require.

Finally, section 1001(3) of the bill would require the Secretary to make awards that serve different areas of the Nation, including urban, suburban, and rural areas.

Section 1001(4) of the bill would redesignate section 10103 of the ESEA, as amended by section 1001(3), as section 10102, and add a proposed new section 10103 of the ESEA. Specifically, proposed new section 10103 ("State and Local Character Education Program") of the ESEA would authorize a new program, under which the Secretary could make awards to SEAs, LEAs, institutions of higher education (IHEs), tribal organizations, and other public or private agencies to carry out research, development, dissemination, technical assistance, and evaluation activities that support character education programs under new section 10102 of the ESEA.

Proposed new section 10103(b) of the ESEA would authorize funds under this section to be used to: (1) conduct research and development activities; (2) provide technical assistance to the agencies receiving awards under the program, particularly on matters of program evaluation; (3) conduct a national evaluation of the character education program; and (4) compile and disseminate information on model character education programs, character education materials and curricula, research findings in the area of character education, and any other information that would be useful to character education program participants, and to other educators and administrators, nationwide.

Section 1001(5) of the bill would repeal sections 10104, 10105, 10106, and 10107 of the ESEA.

Section 1002. Gifted and Talented Children. Section 1002 of the bill would reauthorize and make minor improvements to Part B of Title X of the ESEA, which provides financial assistance to State and local educational agencies, institutions of higher education, and

other public and private agencies to build a nationwide capability in elementary and secondary schools to meet the special educational needs of gifted and talented students.

Section 1002(1) would make a technical change to the program's short title.

Section 1002(2) of the bill would amend section 10204(c) of the ESEA to require the National Center for Research and Development in the Education of Gifted and Talented Children to focus the dissemination of the results of its activities to schools with high percentages of economically disadvantaged students. This modification would help to overcome the Center's current lack of targeting on low-income schools and school districts.

Section 1002(3) of the bill would amend section 10206(b) of the ESEA to require the Secretary to use a peer-review process in reviewing applications under this part, and ensure that the information on the activities and results of programs and projects funded under this part is disseminated to appropriate State and local agencies and other appropriate organizations.

Section 1002(4) of the bill would amend section 10207 of the ESEA to authorize such sums as may be necessary to carry out the Gifted and Talented Children program through fiscal year 2005.

Section 1003. International Education Exchange.

Section 1003 of the bill would: (1) move the International Education Exchange program from Title VI of the Goals 2000: Educate America Act (P.L. 103-227) to Part C of Title X of the ESEA; (2) authorize the appropriation of such sums as may be necessary to carry out this program through fiscal year 2005; and (3) add the Republic of Ireland, Northern Ireland, and any other emerging democracy in a developing country to the definition of "eligible country."

Section 1004. Arts in Education. Section 1004 of the bill would reauthorize and streamline Part D of Title X of the ESEA, which provides financial assistance to support education reform by strengthening arts education as an integral part of the elementary and secondary school curriculum.

Section 1004(1) of the bill would strike out the heading and designation of Subpart 1 of Part D of Title X of the ESEA.

Section 1004(2)(A) of the bill would amend section 10401(d) of the ESEA by adding a new authorized activity, model arts and cultural programs in the arts for at-risk children and youth, particularly programs that use arts and culture to promote students' academic progress, to the list of authorized activities of the Arts in Education program.

Section 1004(2)(B) of the bill would amend section 10401(f) of the ESEA to authorize the appropriation of such sums as may be necessary to carry out this part through fiscal year 2005.

Section 1004(3) of the bill would repeal Subpart 2 of Part D of Title X of the ESEA. This subpart has never been funded, and the addition of the authorized activity in section 10401(d) of the ESEA, noted above, would provide a more flexible authorization for projects serving at-risk children and youth.

Section 1005. Inexpensive Book Distribution Program. Section 1005 of the bill would reauthorize without change Part E of Title X of the ESEA through fiscal year 2005. This program supports Reading is Fundamental, under which inexpensive books are distributed to students to motivate them to read.

Section 1006. Civic Education. Section 1006 of the bill would reauthorize and streamline Part F of Title X of the ESEA, which authorizes a program to educate students about the history and principles of the Constitution of the United States, including the Bill of Rights, and to foster civic competence and responsibility.

Section 1006 of the bill would repeal the unfunded instruction in Civics, Government, and the Law program under section 10602 of the ESEA, authorize the appropriation of such sums as may be necessary to carry out this part through fiscal year 2005, and make conforming changes.

Section 1007. Allen J. Ellender Program. Section 1007 of the bill would repeal Part G of Title X of the ESEA.

Section 1008. 21<sup>st</sup> Century Community Learning Centers. Section 1008 of the bill would reauthorize and improve Part I of Title X of the ESEA, which authorizes grants to rural and inner-city public schools to plan, implement, or expand projects that benefit the educational, health, social service, cultural, and recreational needs of a rural or inner-city community.

Section 1008(1) of the bill would amend section 10902 of the ESEA to update the findings.

Section 1008(2)(A) of the bill would amend section 10903(a) of the ESEA by adding language to current law to clarify that the Secretary may award grants to LEAs and community based organizations (CBOs) (with up to 10% of the funds appropriated to carry out this part for any fiscal year) on behalf of public elementary or secondary schools in inner-cities, rural areas, and small cities. In both cases, awards would be limited to schools or CBOs that serve communities with a substantial need for expanded learning opportunities due to: their high proportion of low-achieving students; lack of resources to establish or expand community learning centers; or other needs consistent with the purposes of this part.

Section 1008(2)(B) of the bill would retain the current requirement in section 10903(b) for equitable distribution among the States and urban and rural areas of the United States, but would delete the provision requiring equitable distribution among urban and rural areas of a State.

Section 1008(2)(C) of the bill would amend section 10903(c) of the ESEA to change the duration of grants awarded under this part from 3-years to 5-years.

Section 1008(3)(A) of the bill would amend section 10904 of the ESEA to change the eligible applicant for a grant under this part from a school to an LEA (which would apply on behalf of one or more schools) or a community-based organization. This provision of the bill would also add a new requirement that the applicant provide information that it will provide at least 50 percent of the

cost of the project from other sources, which may include other Federal funds and may be provided in cash or in kind, fairly evaluated. The applicant would also be required to provide an assurance that in each year of the project, it will expend, from non-Federal sources, at least as much for the services under this part as it expended for the preceding year and information demonstrating how the applicant will continue the project after completion of the grant.

Paragraph (3)(B) of section 1008 of the bill would amend section 10904(b) of the ESEA to require the Secretary to give priority, in all competitions, to applications that offer a broad selection of services that address the needs of the community, and applications that offer significant expanded learning opportunities for children and youth in the community. This provision of the bill would also add a new requirement to section 10904 of the ESEA that an application submitted by a CBO must contain evidence that affected LEAs concur with the project.

Section 1008(4) of the bill would amend section 10905 of the ESEA to require that applicants provide expanded learning opportunities and eliminate the requirement that applicants include at least four of the activities listed in this section. Instead, applicants must provide educational activities and may provide a range of other services to the community.

Section 1008(5) of the bill would amend section 10906 of the ESEA to clarify the definition of "community learning center" as an entity that provides expanded learning opportunities, and may also provide services that address health, social service, cultural, and recreational needs of the community. It would also add a special rule to require a community learning center operated by a local educational agency (but not a CBO) to be located within a public elementary or secondary school building.

Section 1008(6) of the bill would amend section 10907 of the ESEA to authorize the appropriation of such sums as may be necessary to carry out this part through fiscal year 2005.

Section 1008(7) of the bill would add a proposed new section 10908 ("Continuation Awards") to the ESEA that

would allow the Secretary to use funds appropriated under this part to make continuation awards for projects that were funded with fiscal year 1999 and 2000 funds, under the terms and conditions that applied to the original awards. This provision would have the effect of allowing the Department to provide continuous funding for the last year of 3-year grants made in fiscal year 1998 under the provisions of current law.

Section 1008(8) of the bill would redesignate Part I of Title X of the ESEA as Part G of that title and make conforming changes.

Section 1009. Urban and Rural Education Assistance.

Section 1009 of the bill would repeal Part J of Title X of the ESEA.

Section 1010. High School Reform.

Section 1010 of the bill would add a new Part H, High School Reform, to Title X of the ESEA.

Proposed new section 10801 ("Purposes") of the ESEA would state the congressional findings that support this new program. Subsection (b) would provide that the purposes of Part H are to: (1) support the planning and implementation of educational reforms in high schools, particularly in urban and rural high schools that educate concentrations of students from low-income families; (2) support the further development of educational reforms, designed specifically for high schools, that help students meet challenging State standards, and that increase connections between students and adults and provide safe learning environments; (3) create positive incentives for serious change in high schools, by offering rewards to participating schools that achieve significant improvements in student achievement; (4) increase the national knowledge base on effective high school reforms by identifying the most effective approaches and disseminating information on those approaches so that they can be adopted nationally; and (5) support the implementation of reforms in at least 5,000 American high schools by the year 2007.

Proposed new section 10802 ("Grants to Local Educational Agencies") of the ESEA would authorize the Secretary to make competitive grants to LEAs to carry out the program's purposes in their high schools. Subsection (b) would establish a maximum grant period of three years

for each grant. Subsection (c) would provide that a particular high school could not be assisted by more than one grant. An LEA could thus serve one or more of its high schools with one grant and one or more different high schools with a subsequent grant.

Proposed new section 10803 ("Applications") of the ESEA would require an LEA that desires a grant to submit an application and describe the information that must be included.

Proposed new section 10804 ("Selection of Grantees") of the ESEA would establish the procedures and criteria the Secretary would use in selecting grantees.

Proposed new section 10805 ("Principles and Components of Educational Reforms") of the ESEA would describe the outcomes that participating high schools are expected to achieve, and would identify the components of the educational reforms that would have to be carried out in those schools in order to attain those outcomes.

Proposed new section 10806 ("Private Schools") of the ESEA would provide for the equitable participation of personnel from private schools in any professional development carried out with Part H funds. A grantee that uses Part H funds to develop curricular materials would also be required to make information about those materials available to private schools at their request.

Proposed new section 10807 ("Additional Activities") of the ESEA would direct the Secretary to reserve funds from each year's appropriation for Part H to carry out certain activities relating to the program's purpose, including testing the effect of offering financial rewards to teachers and administrators in high schools if their students demonstrate significant gains in educational outcomes.

Proposed new section 10808 ("Definition") of the ESEA would define the term "high school" as used in Part H.

Finally, proposed new section 10809 ("Authorization of Appropriations") of the ESEA would authorize the appropriation of such sums as may be necessary for fiscal years 2001 through 2005 to carry out Part H.



Section 1011. Elementary School Foreign Language Assistance Program. Section 1011 of the bill would revise and move the "Foreign Language Assistance Program", currently in Part B of Title VII of the ESEA, to Title X of the ESEA, as new Part I. Proposed new Part I would seek to expand, improve the quality of, and enhance foreign language programs at the elementary school level by supporting State efforts to encourage and support such programs, local implementation of innovative programs that meet local needs, and identification and dissemination of information on best practices in elementary school foreign language education.

Proposed new section 10901 of the ESEA ("Findings; Purpose") would set forth the findings and purpose of the part.

Proposed new section 10902 of the ESEA ("Elementary School Foreign Language Assistance Program") would authorize the Elementary School Foreign Language Assistance Program. Proposed new section 10902(a) of the ESEA would authorize the Secretary, from funds appropriated under subsection (g) for any fiscal year, to make grants to SEAs and to LEAs for the Federal share of the cost of the activities set forth in subsection (b). Each grant under paragraph (1) would be awarded for a period of three years.

Under proposed new section 10902(a)(3), an SEA could receive a grant under the section if it: (1) has established, or is establishing, State standards for foreign language instruction; or (2) requires the public elementary schools of the State to provide foreign language instruction.

Under proposed new section 10902(a)(4), an LEA could receive a grant under the section if the program in its application: (1) shows promise of being continued beyond the grant period; (2) would demonstrate approaches that can be disseminated to, and duplicated by, other LEAs; (3) would include performance measurements and assessment systems that measure students' proficiency in a foreign language; and (4) would use curriculum that is aligned with State standards, if the State has such standards.

Proposed new section 10902(b)(1) would require that grants to SEAs under this section be used to support programs that promote the implementation of high-quality

foreign language programs in the elementary schools of the State, which may include: (1) developing foreign language standards and assessments that are aligned with those standards; (2) supporting the efforts of institutions of higher education within the State to develop programs to prepare the elementary school foreign language teachers needed in schools within the State and to recruit candidates to prepare for, and assume, such teaching positions; (3) developing new certification requirements for elementary school foreign language teachers, including requirements that allow for alternative routes to certification; (4) providing technical assistance to LEAs in the State in developing, implementing, or improving elementary school foreign language programs, including assistance to ensure effective coordination with, and transition for students between, elementary, middle, and secondary schools; (5) disseminating information on promising or effective practices in elementary school foreign language instruction, and supporting educator networks that help improve that instruction; (6) stimulating the development and dissemination of information on instructional programs that use educational technologies and technology applications (including such technologies and applications as multimedia software, web-based resources, digital television, and virtual reality and wireless technologies) to deliver instruction or professional development, or to assess students' foreign language proficiency; and (7) collecting data on and evaluating the elementary school foreign language programs in the State and the activities carried out with the grant.

Proposed new section 10902(b)(2) would require that grants to LEAs under this section be used for activities to develop and implement high-quality, standards-based elementary school foreign language programs, which may include: (1) curriculum development and implementation; (2) professional development for teachers and other staff; (3) partnerships with institutions of higher education to provide for the preparation of the teachers needed to implement programs under this section; (4) efforts to coordinate elementary school foreign language instruction with secondary-level foreign language instruction, and to provide students with a smooth transition from elementary to secondary programs; (5) implementation of instructional approaches that make use of advanced educational technologies; and (6) collection of data on, and evaluation of, the activities carried out under the grant, including

assessment, at regular intervals, of participating students' proficiency in the foreign language studied. Proposed new section 10902(b)(3) would allow efforts under the fourth LEA activity described above to include support for the expansion of secondary school instruction, so long as that instruction is part of an articulated elementary-through-secondary school foreign language program that is designed to result in student fluency in a foreign language.

Proposed new section 10902(c)(1) would require any SEA or LEA desiring to receive a grant under this section to submit an application to the Secretary at such time, in such form, and containing such information and assurances, as the Secretary may require. Each application would be required to include a description of: (1) the goals that the applicant will attempt to accomplish through the project; (2) the activities to be carried out through the project; and (3) how the applicant will determine the extent to which the project meets its goals.

Proposed new section 10902(d) would authorize the Secretary, in awarding grants under this section, to establish one or more priorities consistent with the purpose of this part, including priorities for projects carried out by LEAs that include immersion programs in which instruction is in the foreign language for a major portion of the day or that promote the sequential study of a foreign language for students, beginning in elementary schools.

Proposed new section 10902(e) would require an SEA or LEA that receives a grant under this section to submit to the Secretary an annual report that provides information on the project's progress in reaching its goals. An LEA that receives a grant under this section would be required to include in its report information on students' gains in comprehending, speaking, reading and writing a foreign language, and compare such educational outcomes to the State's foreign language standards, if such State standards exist.

Proposed new section 10902(f) would require that the Federal share of a program under this section for each fiscal year be not more than 50 percent. The Secretary would be authorized to waive the requirement of cost sharing for any LEA that the Secretary determines does not

have adequate resources to pay the non-Federal share of the cost of the activities assisted under this section.

Proposed new section 10902(g)(1) would authorize appropriations of such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years for the purpose of carrying out this section. Proposed new section 10902(g)(2) would, for any fiscal year, authorize the Secretary to reserve up to five percent of the amount appropriated to: (1) conduct independent evaluations of the activities assisted under this section; (2) provide technical assistance to recipients of awards under this section; and (3) disseminate findings and methodologies from evaluations required by, or funded under, this section and other information obtained from such programs.

Section 1012. National Writing Project. Section 1012 of the bill would reauthorize and improve Part K of Title X of the ESEA, which authorizes a grant to the National Writing Project for the improvement of the quality of student writing and learning, and the teaching of writing as a learning process.

Section 1012 of the bill would: (1) amend section 10991 of the ESEA to update the findings; (2) amend section 10992 of the ESEA to authorize the Secretary to conduct an independent evaluation of the National Writing Project program; (3) authorize the appropriation of such sums as may be necessary to carry out this program through fiscal year 2005; and (4) make conforming changes.

TITLE XI - GENERAL PROVISIONS, DEFINITIONS, AND  
ACCOUNTABILITY

Title XI of the bill would amend Title XIV of the ESEA containing general provisions relating to that Act.

Section 1101. Definitions. Section 1101 of the bill would amend various provisions of Part A of Title XIV of the ESEA to: (1) amend the definition of the term "covered program;" (2) add a new definition for the term "family literacy services;" and (3) make a number of cross-reference changes from provisions and parts in Title XIV of the ESEA to provisions and parts in Title XI of the ESEA to reflect the redesignation of Title XIV as Title XI by section 1109 of the bill. As amended, covered programs would be: Part A of Title I; Part C of Title I; Part A of Title II; Subpart 1 of Part D of Title III; Part A of Title IV (other than section 4115), the Comprehensive School Reform Demonstration Program, and Title VI of the ESEA. The term "family literacy services" would mean services provided to eligible participants on a voluntary basis that are of sufficient intensity, both in hours and duration, to make sustainable changes in a family, and that integrate interactive literacy activities between parents and their children, training for parents on how to be the primary teachers for their children and full partners in the education of their children, parent literacy training leading to self-sufficiency, and an age-appropriate education to prepare children for success in school and life experiences.

Section 1102. Administrative Funds. Section 1102 of the bill would amend various provisions of Part B of Title XIV of the ESEA to: (1) revise the list of programs that are subject to the authority to consolidate State administrative funds; (2) expand the list of additional uses for consolidated administrative funds; (3) clarify that local consolidated administrative funds may be used at the school district and school level; and (4) clarify the circumstances under which an LEA may transfer a portion of its funds under one covered program to another covered program.

Paragraph (1)(A) of section 1102 of the bill would revise the list of programs in section 14201(a)(2) of the ESEA whose administrative funds may be consolidated to

include programs under Title I, Part A of Title II, Subpart 1 of Part D of Title III, and Part A of Title IV (other than section 4115) of the ESEA, the Comprehensive School Reform Demonstration Program, Title VI of the ESEA (Class Size Reduction), the Carl D. Perkins Vocational and Technical Education Act of 1998, and such other programs as the Secretary may designate.

Paragraph (1)(B) of section 1102 of the bill would amend section 14201(b)(2) of the ESEA to revise the list of additional uses for the consolidated administrative funds to include: (1) State level activities designed to carry out Title XI (the redesignated general provisions title) including Part B (accountability); (2) coordination of included programs with other Federal and non-Federal programs; (3) the establishment and operation of peer-review mechanisms under the ESEA; (4) collaborative activities with other State educational agencies to improve administration under the Act; (5) the dissemination of information regarding model programs and practices; (6) technical assistance under the included programs; (7) training personnel engaged in audit and other monitoring activities; and (8) implementation of the Cooperative Audit Resolution and Oversight Initiative. (Items (1), (4), (7), and (8) provide new authority.)

Paragraph (1)(C) of section 1102 of the bill would eliminate an outdated cross-reference to the Goals 2000: Educate America Act.

In addition to making conforming changes, section 1102(2) of the bill would make a clarifying change to section 14203 of the ESEA (Consolidation of Funds for Local Administration) to make clear that an LEA may use local consolidated funds at the school district and school levels for uses comparable to those described above for consolidated State administrative funds.

Paragraph (3) of section 1102 of the bill would repeal section 14204 of the ESEA (Administrative Funds Studies). Paragraph (4) of section 1102 of the bill would make conforming amendments.

Paragraph (5) of section 1102 of the bill would make conforming amendments, and would also amend section 14206(a) of the ESEA to authorize an LEA that determines for any fiscal year that funds under one covered program

(other than Part A of Title I) would be more effective in helping all its students achieve the State's challenging standards if used under another covered program, to use such funds (not to exceed five percent of the LEA's total allotment under that program) to carry out programs or activities under the other covered program. The LEA would be required to obtain the approval of its SEA for this use.

Section 1103. Coordination of Programs. Section 1103 of the bill would amend provisions of Part C of Title XIV of the ESEA relating to consolidated State plans and consolidated local plans and add a new section on consolidated State reporting.

Section 1103(1) of the bill would make an editorial change to the heading for the Part. Section 1103(2) of the bill would substantially revise section 14302 of the ESEA (Optional Consolidated State Plans), which provides authority for an SEA to submit a consolidated State plan instead of separate State plans for the programs covered by that section.

Proposed new section 14302(a)(1) of the ESEA would direct the Secretary to establish procedures and criteria under which a State educational agency may submit a consolidated State plan meeting the requirements of proposed new section 14302. An SEA would be authorized to submit a consolidated State plan for any or all of the covered programs in which the State participates and the additional programs described in proposed new section 14302(a)(2) of the ESEA. These additional programs include: (1) the Even Start program under Part B of Title I; (2) the Neglected or Delinquent program under Part D of Title I; (3) programs under Title Part A of Title II of the Carl D. Perkins Vocational and Technical Education Act of 1998; and (4) such other programs as the Secretary may designate.

Proposed new section 14302(a)(3) of the ESEA would provide for the State development and submission of a consolidated State plan. Under proposed new section 14302(a)(3)(A), an SEA desiring to receive a grant under two or more programs to which the section applies would be authorized to submit a consolidated State plan. Under proposed new section 14302(a)(3)(B) of the ESEA, that agency would not be required to submit a separate State plan for the programs included in the consolidated State

plan. Proposed new section 14302(a)(3)(C) of the ESEA would provide that the SEA must comply with all legal requirements applicable to the programs included in the consolidated State plan as if it had submitted separate State plans.

Proposed new section 14302(a)(4) would specify that an SEA desiring to receive funds under a program subject to section 14302 of the ESEA for fiscal year 2001 and the succeeding four fiscal years must submit a new consolidated State plan meeting the requirements of that section.

Proposed new section 14302(b) of the ESEA would provide for the content of a consolidated State plan. Proposed section 14302(b)(1) would direct the Secretary to collaborate with SEAs and other named parties in establishing criteria and procedures. Through this collaborative process, the Secretary would establish for each program the descriptions and information that must be included in the plan. Proposed new section 14302(b)(1) of the ESEA would further direct the Secretary to ensure that a consolidated State plan contains, for each program included in the plan, the descriptions and information needed to ensure proper and effective administration of that program in accordance with its purposes. This provision is designed to strengthen the consolidated plan as an instrument of effective administration of each program included.

Proposed new section 14302(b)(2) of the ESEA would require an SEA to describe in its plan how funds under the included programs will be integrated to best serve the needs of the students and teachers intended to benefit and how such funds will be coordinated with other covered programs not included in the plan and related programs.

Proposed new section 14302(c) of the ESEA would require an SEA to include in its consolidated State plan any information required by the Secretary under proposed new section 11912 of the ESEA regarding performance indicators, benchmarks and targets and any other indicators or measures that the State determines are appropriate for evaluating its performance.

Proposed new section 14302(d) would require an SEA to include in its consolidated State plan a description of the strategies it will use under proposed new sections



11503(a)(4) and (5) (relating to State monitoring and data integrity).

Proposed new section 14302(e) of the ESEA would establish procedures for peer review and Secretarial approval. The Secretary would be required to establish a peer review process to assist in the review of consolidated State plans and provide recommendations for revision. To the extent practicable, the Secretary would be directed by proposed new section 14302(e)(1) to appoint individuals who: (1) are knowledgeable about the programs and target populations; (2) are representative of SEAs, LEAs, and teachers and parents of students served under the programs, and (3) have expertise on educational standards, assessment, and accountability.

Proposed new section 14302(e)(2) of the ESEA would direct the Secretary to approve a plan if it meets the requirements of the section and would authorize the Secretary to accompany such approval with one or more conditions. Under proposed new section 14302(e)(3) of the ESEA, if the Secretary determines that the plan does not meet those requirements, the Secretary would be required to notify the State of that determination and the reasons for it. Proposed new section 14302(e)(4) of the ESEA would require the Secretary, before disapproving a plan, to offer the State an opportunity to revise the plan, provide technical assistance, and provide a hearing.

Proposed new section 14302(f) of the ESEA would provide for revision and amendment of a consolidated State plan.

Section 1103(3) of the bill would amend section 14303(a) of the ESEA to provide for uniform State assurances regarding monitoring and data integrity. Paragraph (3)(B) of section 1103 of the bill would insert a new paragraph (4) in section 14303(a) of the ESEA, requiring the State to assure that it will monitor performance by LEAs to ensure compliance with the requirements of the ESEA and, in so doing, will: (1) maintain proper documentation of monitoring activities; (2) provide technical assistance when appropriate and undertake enforcement activities when needed; and (3) systematically analyze the results of audits and other monitoring activities to identify trends in funding and develop strategies to correct problems.

Paragraph (3)(B) of section 1103 of the bill would further amend section 14303(a) of the ESEA by adding a new paragraph (5) requiring the State to assure that the data the State uses to measure its performance (and that of its LEAs) under the ESEA are complete, reliable, and accurate, or, if not, the State will take such steps as are necessary to make those data complete, reliable and accurate.

Section 1103(4) of the bill would repeal section 14304 of the ESEA (Additional Coordination). Section 1103(5) of the bill would amend section 14305 of the ESEA ("Consolidated Local Plans"). Proposed new sections 14305(a) through (d) of the ESEA would clarify and modify current law. Under proposed section 14305(a), any LEA receiving funds under more than one covered program may submit plans to the SEA under such programs on a consolidated basis. Proposed new section 14305(b) of the ESEA would authorize an SEA that has an approved consolidated State plan to require its LEAs that receive funds under more than one program included in the consolidated State plan to submit consolidated local plans for such programs.

Proposed new section 14305(c) of the ESEA would require an SEA to collaborate with LEAs in the State in establishing criteria and procedures for the submission of the consolidated local plans. For each program under the ESEA that may be included in a local consolidated plan, proposed new section 14305(d) of the ESEA would authorize the Secretary to designate the descriptions and information that must be included in a local consolidated plan to ensure that each program is administered in a proper and effective manner in accordance with its purposes.

Section 1103(6) of the bill would make conforming amendments to section 14306 of the ESEA (General Assurances), and section 1103(7) of the bill would repeal section 14307 of the ESEA (Relationship of State and Local Plans to Plans under the Goals 2000: Educate America Act).

Section 1103(8) of the bill would amend Part C of Title XIV of the ESEA by adding a new section 14307 ("Consolidated Reporting") authorizing the Secretary to establish procedures and criteria under which an SEA must submit a consolidated State annual performance report. Proposed new section 14307 of the ESEA would require that

the report include information about programs included in the report, including the State's performance under those programs, and other matters, as the Secretary determines. Submission of a consolidated performance report would take the place of individual performance reports for the programs subject to it.

Section 1104. Waivers. Section 1104 of the bill would amend section 14401 of the ESEA (Waivers).

Section 1104(1) of the bill would amend section 14401(a) of the ESEA to add the Carl D. Perkins Vocational and Technical Education Act of 1998 and Subtitle B of Title VII of the Stewart B. McKinney Homeless Assistance Act as programs to which section 14401 applies. Section 1104(2) of the bill would amend section 14401(b)(1) of the ESEA to require that an SEA, LEA, or Indian tribe that desires a waiver submit an application to the Secretary containing such information as the Secretary may reasonably require. Each such application would be required to: (1) indicate each Federal program affected and the statutory or regulatory requirements requested to be waived; (2) describe the purpose and expected results of the waiver; (3) describe, for each school year, specific, measurable goals for the SEA and for each LEA, Indian tribe, or school that would be affected; and (4) explain why the waiver would assist in reaching these goals. Section 1104(3) of the bill would make conforming amendments to section 14401(c) of the ESEA, relating to restrictions on the waiver authority, and would add health and safety to the list of requirements that may not be waived. Section 1104(4) of the bill would make conforming changes to section 14401(e)(4) of the ESEA, relating to reports to Congress.

Section 1105. Uniform provisions. Section 1105 of the bill would amend various provisions of Part E of Title XIV of the ESEA relating to uniform provisions concerning maintenance of effort and participation by private school children and teachers.

Section 1105(1) of the bill would amend section 14501(a) of the ESEA, relating to maintenance of effort, to make that section inapplicable to Part C of Title I of that Act.

Section 1105(2) of the bill would also amend section 14503(a)(1) of the ESEA, relating to the provision of equitable services to students in private schools, by adding language to clarify that those services should address the needs of those students.

Section 1105(2) of the bill would amend section 14503(b) to make it apply to programs under: Part C of Title I; Part E of Title I; Subpart 2 of Part A of Title II; Title III, Part A of Title IV-A (other than section 4115), and Part A of Title VII of the ESEA.

Section 1105(2) of the bill would also amend section 14503(c)(1) of the ESEA, with respect to the issues to be covered by consultation between designated public educational agencies and appropriate private school officials. Section 1105(2) of the bill would add two issues to be covered by such consultation: (1) to the extent applicable, the amount of funds received by the agency that are attributable to private school children; and (2) how and when the agency will make decisions about the delivery of services to these children.

Section 1105(2) of the bill would also amend section 14503(c)(2) of the ESEA to clarify the timing of such consultation. Under proposed new section 14503(c)(2) of the ESEA, such consultation would be required to include meetings of agency and private school officials, to occur before the LEA makes any decision that affects the opportunities of eligible private school children or their teachers to participate in programs under the ESEA, and to continue throughout the implementation and assessment of activities under section 14503 of the ESEA.

Paragraphs (3) and (4) of section 1105 of the bill would amend sections 14504 and 14506 of the ESEA to make conforming amendments to cross-references. Paragraph (5) of section 1105 of the bill would repeal sections 14513 and 14514 of the ESEA.

Section 1106. Gun Possession. Section 1106 of the bill would repeal Part F of Title XIV of the ESEA, the "Gun-Free Schools Act". These provisions, in modified form, would be included in proposed new Title IV of the ESEA.

Section 1107. Evaluation and Indicators. Section 1107 of the bill would amend Part G of Title XIV to revise section 14701 of the ESEA (Evaluation) and to add a new section 14702 of the ESEA ("Performance Measures"), authorizing the Secretary to establish performance indicators for each program under the ESEA and Title VII-B of the Stewart B. McKinney Homeless Assistance Act.

Section 1107(1) of the bill would amend the heading of Part G to read: "EVALUATION AND INDICATORS." Section 1107(2) of the bill would add to section 14701(a)(1) of the ESEA new subparagraphs that would authorize the Secretary, with the funds reserved under the section, to: (1) conduct evaluations to carry out the purposes of the Government and Performance Results Act of 1993, and (2) work in partnership with the States to develop information relating to program performance that can be used to help achieve continuous improvement at the State, school district, and school level. Proposed new section 14701(b) of the ESEA would direct the Secretary to use reserved funds to conduct independent studies of programs under the ESEA and the effectiveness of those programs in achieving their purposes, to determine whether the programs are achieving the standards set forth in the subsection. Proposed new section 14701(c) of the ESEA would direct the Secretary to establish an independent panel to review these studies, to advise the Secretary on their progress, and to comment, if it so chooses, on the final report under proposed new section 14701(d).

Proposed new section 14701(d) would direct the Secretary to submit an interim report on the evaluations within three years of enactment of the Educational Excellence for All Children Act of 1999 and a final report within four years to the Committee on Education and the Workforce of the House of Representatives and to the Committee on Health, Education, Labor and Pensions of the Senate. Proposed new section 14701(e) of the ESEA would authorize the Secretary to provide technical assistance to recipients under the ESEA to strengthen the collection and assessment of information relating to program performance and quality assurance at State and local levels. This proposed new subsection would require that the technical assistance be designed to promote the development, use and reporting of data on valid, reliable, timely, and consistent performance indicators, within and across

programs, with the goal of helping recipients make continuous program improvement.

Section 1107(3) would add proposed new section 14702 ("Performance Measures") to the ESEA. Proposed new section 14702(a) of the ESEA would authorize the Secretary to establish performance indicators, benchmarks, and targets for each program under the Act and Subtitle B of Title VII-B of the McKinney Homeless Assistance Act, to assist in measuring program performance. It would further require that the indicators, benchmarks, and targets be consistent with the Government Performance and Results Act of 1993, strategic plans adopted by the Secretary under that Act, and section 11501 of the ESEA.

Proposed new section 14702(b) of the ESEA would direct the Secretary to collaborate with SEAs, LEAs and other recipients under the ESEA in establishing performance indicators, benchmarks, and targets. Proposed new section 14702(c) of the ESEA would authorize the Secretary to require an applicant for funds under the ESEA or the McKinney Act to (1) include in its plan or application information relating to how it will use the indicators, benchmarks and targets to improve its program performance and (2) report data relating to such performance indicators, benchmarks and targets to the Secretary.

Section 1108. Coordinated Services. Section 1108 of the bill would transfer Title XI of the ESEA, relating to coordinated services, to Part I of Title XI and would make conforming and other amendments to Title XI of current law.

Section 1108(b)(1) of the bill would revise section 11903 of the new Part I, as redesignated, (current section 11004 of the ESEA, relating to project development and implementation). Proposed new section 11903(a) would require each eligible entity desiring to use funds under section 11405(b) of the ESEA (for coordinated services) to submit an application to the appropriate SEA. Proposed new section 11903(b) of the ESEA would require an eligible entity that wishes to conduct a coordinated services project to maintain on file: (1) the results of its assessment of economic, social, and health barriers to educational achievement experienced by children and families in the community and of the services available to meet those needs; (2) a description of the entities operating coordinated services projects; (3) a description

of its coordinated services project and other information related to the project; and (4) an annual budget that indicates the sources and amounts of funds under the Act that will be used for the project, consistent with section 11405(b) and the purposes for which the funds will be used.

Proposed new section 11903(b) of the ESEA would also require such an eligible entity to evaluate annually the success of the project; train teachers and appropriate personnel; and ensure that the coordinated services project addresses the health and welfare needs of migratory families. Proposed new section 11903(c) of the ESEA would provide that an SEA need not require eligible entities to submit an application under subsection (a) in order to permit them to carry out coordinated services projects under section 11903 of the ESEA.

Section 1108(b)(2) of the bill would make conforming amendments to section 11904 of the ESEA, as redesignated. Section 1108(b)(3) of the bill would amend section 11905 of the ESEA, as redesignated (current section 11004 of the ESEA), to make clear that the authority under that section is placed in the SEA, rather than the Secretary, and to make other conforming changes.

Section 1109. Redesignations. Section 1109 of the bill would redesignate Title XIV of the ESEA as Title XI of the ESEA and would make conforming amendments to its parts and sections.

Sec. 1110. (ED-Flex Partnerships). Section 1110 of the bill would make minor revisions to the recently enacted Education Flexibility Partnership Act of 1999 (P.L. 106-25) and redesignate it as Part G of Title XI of the revised ESEA.

Paragraphs (1), (2), (3), and (4) of section 1110(a) would make minor changes to the short title, findings, and definitions of the Education Flexibility Partnership Act of 1999 to reflect its incorporation into the ESEA.

Paragraph (5) of section 1110(a) would, in addition to making minor editorial revisions, make State eligibility for ED-Flex status turn, in part, on whether the State has an approved accountability plan under proposed new section 11208 of the ESEA and is making satisfactory progress, as determined by the Secretary, in implementing its policies

under proposed new sections 11204 (Student Progress and Promotion Policy) and 11205 (Ensuring Teacher Quality) of the ESEA. (A State would also have to be in compliance with various Title I accountability requirements and waive State statutory and regulatory requirements.) Paragraph (5) of section 1110(a) of the bill would also revise the conditions under which the Secretary may grant an extension of ED-Flex authority, beyond five years, to provide, in part, that the Secretary may grant such an extension only if he or she determines that the State has made significant statewide gains in student achievement and is closing the achievement gap between low- and high-performing students.

In addition, paragraph (5) of section 1110(a) of the bill would revise the list of Federal education programs that are subject to ED-Flex authority to reflect the amendments that would be made to the ESEA by the bill and to include Subtitle B of Title VII of the Stewart B. McKinney Homeless Assistance Act. Paragraph (5) would also clarify that, while States may grant waivers with respect to the minimum percentage of children from low-income families needed to permit a schoolwide program under section 1114 of the ESEA, in doing so they may not go below 40 percent. Finally, paragraph (5) would add a transition provision that makes clear that waivers granted under applicable ED-Flex authority prior to the effective date of proposed new Part G of Title XI of the ESEA would remain in effect in accordance with the terms and conditions that applied when those waivers were granted, and that waivers granted on or after the effective date of Part G would be subject to the provisions of Part G.

Paragraphs (6) and (7) of section 1110(a) of the bill would make editorial revisions and repeal, as no longer needed, certain amendatory provisions to other Acts (but without un-doing the substantive changes to those other Acts made by those amendatory provisions). Finally, section 1110(b) of the bill would make appropriate redesignations and add a part heading.

Section 1111. Accountability. Section 1111 of the bill would amend Title XI of the Act by adding a new Part B, Improving Education Through Accountability.



Proposed new section 11201 ("Short Title") of the ESEA would establish the short title of this part as the "Education Accountability Act of 1999."

Proposed new section 11202 ("Purpose") of the ESEA would set out the statement of purpose for the new part. Under proposed new section 11202, the purpose of the part would be to improve academic achievement for all children, assist in meeting America's Education Goals under section 2 of the ESEA, promote the incorporation of challenging State academic content and student performance standards into classroom practice, enhance accountability of State and local officials for student progress, and improve the effectiveness of programs under the ESEA and the educational opportunities of the students that they serve.

Proposed new section 11203 ("Turning Around Failing Schools") of the ESEA would require a State that receives assistance under the ESEA to develop and implement a statewide system for holding its LEAs and schools accountable for student performance, including a procedure for identifying LEAs and schools in need of improvement; intervening in those agencies and schools to improve teaching and learning; and implementing corrective actions, if those interventions are not effective.

Proposed new section 11204 ("Student Progress and Promotion Policy") of the ESEA would require any State that receives assistance under the ESEA to have in effect, at the time it submits its accountability plan, a State policy that is designed to ensure that students progress through school on a timely basis, having mastered the challenging material needed for them to reach high standards of performance and is designed to end the practices of social promotion and retention. Proposed new subsection (a)(2) would also define the terms "social promotion" and "retention."

Proposed new section 11204(b) would outline specific requirements for the State's policy under subsection (a). Under proposed new section 11204(b), a State policy must: (1) require its LEAs to implement continuing, intensive and comprehensive educational interventions as may be necessary to ensure that all students can meet the challenging academic performance standards required under section 1111(b)(A) of the ESEA, and require all students to meet those challenging standards before being promoted at three

key transition points (one of which must be graduation from secondary school), as determined by the State, consistent with section 1111(b)(2)(D); (2) require the SEA to determine, through the collection of appropriate data, whether LEAs and schools are ending the practices of social promotion and retention; (3) require its LEAs to provide to all students educational opportunities in classrooms with qualified teachers who use proven instructional practices that are aligned to the State's challenging standards and who are supported by high-quality professional development; and (4) require its LEAs to use effective, research-based prevention and early prevention strategies to identify and support students who need additional help to meet those promotion standards.

Proposed new subsection (b) would also require the State policy to provide, with respect to students who have not demonstrated mastery of challenging State academic standards on a timely basis, for continuing, intensive, and age-appropriate interventions, including, but not limited to, extended instruction and learning time, such as after-school and summer programs that are designed to help students master such material; for other specific interventions, with appropriate instructional strategies, to enable students with limited English proficiency and students with disabilities to master such material; for the identification of the knowledge and skills in particular subject areas that students have not mastered, in order to facilitate remediation in those areas; for the development, by schools, of plans to provide individualized attention to students who have not mastered such material; for full communication between the school and parents, including a description and analysis of the students' performance, how it will be improved, and how parents will be involved in the process; and, in cases in which significant numbers of students have failed to master such material, for a State review of whether corrective action with respect to the school or LEA is needed.

Finally, proposed new subsection (b) of section 11204 of the ESEA would require the State policy to require its LEAs to disseminate widely their policies under this subsection in language and in a format that is concise and that parents can understand and ensure that any assessments used by a State, LEA, or school for the purpose of implementing a policy under this subsection are aligned with the State's challenging academic content and student

performance standards and provide coherent information about student progress towards attainment of such standards; include multiple measures, including teacher evaluations, no one of which may be assigned determinative weight in making adverse decisions about individual students; offer multiple opportunities for students to demonstrate that they meet the standards; are valid and reliable for the purposes for which they are used, and fairly and accurately measure what students have been taught; provide reasonable adaptations and accommodations for students with disabilities and students with limited English proficiency; provide that students with limited English proficiency are assessed, to the greatest extent practicable, in the language and form most likely to yield accurate and reliable information about what those students know and can do; and provide that Spanish-speaking students with limited English proficiency are assessed using tests written in Spanish, if Spanish-language assessments are more likely than English-language tests to yield accurate and reliable information on what those students know and can do.

Proposed new section 11204(c) of the ESEA would establish what a State must include in its accountability plan under proposed new section 11208 of the ESEA with respect to its promotion policy. A State would be required to include in its accountability plan a detailed description of its policy under proposed new subsection (b). Additionally, a State would be required to include in its plan the strategies and steps (including timelines and performance indicators) it will take to ensure that its policy is fully implemented no later than four years from the date of the approval of its plan. Finally, a State would also be required to address in its plan the steps that it will take to ensure that the policy will be disseminated to all LEAs and schools in the State and to the general public.

Proposed new section 11205 ("Ensuring Teacher Quality") of the ESEA would establish provisions to ensure teacher quality. Specifically, proposed new section 11205(a) would provide that a State that receives funds under the ESEA must have in effect, at the time it submits its accountability plan, a policy designed to ensure that there are qualified teachers in every classroom in the State, and that meets the requirements of proposed new sections 11205(b) and (c).

Proposed new section 11205(b) of the ESEA would establish requirements for the contents of the State's policy on teacher quality. Under proposed new section 11205(b), a policy to ensure teacher quality must include the strategies that the State will carry out to ensure that, within four years from the date of approval of its accountability plan, certain goals are met. Proposed new section 11205(b)(1) would require that a State include strategies to ensure that not less than 95% of the teachers in public schools in the State are either certified, have a baccalaureate degree and are enrolled in a program, such as an alternative certification program, leading to full certification in their field within three years, or have full certification in another State and are establishing certification where they are teaching. Proposed new section 11205(b)(2) would require the State to include strategies to ensure that not less than 95% of the teachers in public secondary schools in the State have academic training or demonstrated competence in the subject area in which they teach. A State would also have to include strategies to ensure that there is no disproportionate concentration in particular school districts of teachers who are not described in paragraphs (1) and (2) of proposed new section 11205(b). Additionally, a State would be required to include in its teacher quality policy strategies to ensure that its certification process for new teachers includes an assessment of content knowledge and teaching skills aligned with State standards.

Proposed new section 11205(c) of the ESEA would require a State to include in its accountability plan the performance indicators by which it would annually measure progress in two areas. Under proposed new section 11205(c)(1)(A), a State would be required to include the benchmarks by which it will measure its progress in decreasing the percentage of teachers in the State teaching without full licenses or credentials. Proposed new section 11205(c)(1)(B) would require a State to include the benchmarks by which it will measure its progress in increasing the percentage of secondary school classes in core academic subject areas taught by teachers who either have a postsecondary-level academic major or minor in the subject area they teach or a related field, or otherwise demonstrate a high level of competence through rigorous tests in their academic subject.

Finally, proposed new section 11205(c)(2) of the ESEA would require a State to assure in its accountability plan that in carrying out its teacher quality policy, it would not decrease the rigor or quality of its teacher certification standards.

Subsection (a) of proposed new section 11206 ("Sound Discipline Policy") of the ESEA would require a State that receives assistance under the ESEA; to have in effect, at the time it submits its accountability plan, a policy that would require its LEAs and schools to have in place and implement sound and equitable discipline policies, to ensure a safe, and orderly, and drug-free learning environment in every school. A State would also be required under section 11206(c) to include in its accountability plan an assurance that it has in effect a policy that meets the requirements of this section.

Under proposed new section 11206(b) of the ESEA, the required disciplinary policy would require LEAs and schools to implement disciplinary policies that focus on prevention and are coordinated with prevention strategies and programs under Title IV of the ESEA. Additionally, LEA and school policies would have to: apply to all students; be enforced consistently and equitably; be clear and understandable; be developed with the participation of school staff, students, and parents; be broadly disseminated; ensure that due process is provided; be consistent with applicable Federal, State and local laws; ensure that teachers are adequately trained to manage their classrooms effectively; and, in case of students suspended or expelled from school, provide for appropriate supervision, counseling, and educational services that will help those students continue to meet the State's challenging standards.

Subsection (a) of proposed new section 11207 ("Education Report Cards") of the ESEA would require a State that receives assistance under the ESEA, to have in effect, at the time it submits its accountability plan, a policy that requires the development and dissemination of annual report cards regarding the status of education and educational progress in the State and in its LEAs and schools. Under proposed new section 11207(a), report cards would have to be concise and disseminated in a format and manner that parents could understand, and focus on educational results.

Proposed new section 11207(b) of the ESEA would establish the information that, at a minimum, the State must include in its annual State-level report card. Under proposed new section 11207(b)(1), a State would be required to include information regarding student performance on statewide assessments, set forth on an aggregated basis, in both reading (or language arts) and mathematics, as well as any other subject area for which the State requires assessments. A State would also be required under proposed new section 11207(b)(1) to include in its report card information regarding attendance and graduation rates in the State's public schools, as well as the average class size in each of the State's school districts. A State would also be required to include information with respect to school safety, including the incidence of school violence and drug and alcohol abuse and the number of instances in which a student has possessed a firearm at school, subject to the Gun-Free Schools Act. Finally, a State would be required under proposed new section 11207(b)(1) to include in its report card information regarding the professional qualifications of teachers in the State, including the number of teachers teaching with emergency credentials and the number of teachers teaching outside their field of expertise.

Proposed new section 11207(b)(2) of the ESEA would require that student achievement data in the State's report card contain statistically sound, disaggregated results with respect to the following categories: gender; racial and ethnic group; migrant status; students with disabilities, as compared to students who are not disabled; economically disadvantaged students, as compared to students who are not economically disadvantaged; and students with limited English proficiency, as compared to students who are proficient in English. Under proposed new section 11207(b)(2), a State could also include in its report card any other information it determines appropriate to reflect school quality and student achievement. This could include information on: longitudinal achievement scores from the National Assessment of Educational Progress or State assessments; parent involvement, as determined by such measures as the extent of parental participation in school parental involvement activities; participation in extended learning time programs, such as after-school and summer programs; and the performance of students in meeting physical education goals.

Under proposed new section 11207(c) of the ESEA, a State would be required to ensure that each LEA and each school in the State includes in its annual report, at a minimum, the information required by proposed new sections 11207(b) (1) and (2). Additionally, a State would be required under proposed new section 11207(c) to ensure that LEAs include in their annual report cards the number of their low-performing schools, such as schools identified as in need of improvement under section 1116(c) (1) of the ESEA, and information that shows how students in their schools performed on statewide assessments compared to students in the rest of the State (including such comparisons over time, if the information is available), and schools include in their annual report cards whether they have been identified as a low-performing school and information that shows how their students performed on statewide assessments compared to students in the rest of the LEA and the State (including such comparisons over time, if the information is available). LEAs and schools could also include in their annual report cards the information described in proposed new section 11207(b) (3) and other appropriate information.

Proposed new section 11207(d) of the ESEA would establish requirements for the dissemination and accessibility of report cards. Under proposed new section 11207(d), State-level report cards would be required to be posted on the Internet, disseminated to all schools and LEAs in the State, and made broadly available to the public. LEA report cards would have to be disseminated to all their schools and to all parents of students attending these schools, and made broadly available to the public. School report cards would have to be disseminated to all parents of students attending that school and made broadly available to the public.

Under proposed new section 11207(e) of the ESEA, a State would be required to include in its accountability plan an assurance that it has in effect an education report card policy that meets the requirements of proposed new section 11207.

Proposed new section 11208 ("Education Accountability Plans") of the ESEA would establish the requirements for a State's education accountability plan. In general, each State that received assistance under ESEA, on or after July 1, 2000, would be required to have on file with the

Secretary, an approved accountability plan that meets the requirements of this section.

Proposed new section 11208(b) would establish the specific contents of a State accountability plan. A State would be required to include a description of the State's system under proposed new section 11203; a description of the steps the State will take to ensure that all LEAs have the capacity needed to ensure compliance with this part; the assurances required by proposed new sections 11204(c), 11205(c), 11206(6), and 11207(e); information indicating that the Governor and the SEA concur with the plan; and any other information that the Secretary may reasonably require to ensure the proper and effective administration of this part.

Proposed new section 11208(c) of the ESEA would require a State to report annually to the Secretary, in such form and containing such information as the Secretary may require, on its progress in carrying out the requirements of this Part, and would be required to include this report in the consolidated State performance report required under proposed new section 11506 of the ESEA. Additionally, in reporting on its progress in implementing its student progress and social promotion policy under proposed new section 11204 of the ESEA, a State would be required to assess the effect of its policy, and its implementation, on improving academic achievement for all children, and otherwise carrying out the purpose specified in proposed new section 11202 of the ESEA.

Proposed new section 11208(d) of the ESEA would require a State that submits a consolidated State plan under section 11502 to include in that plan its accountability plan under this section. If a State does not submit a consolidated State plan, a State must submit a separate accountability plan.

Under proposed new section 11208(e) of the ESEA, the Secretary would approve an accountability plan under this section if the Secretary determined that it substantially complied with the requirements of this part. Additionally, the Secretary would have the authority to accompany the approval of a plan with conditions consistent with the purpose of this part. In reviewing accountability plans under this part, proposed new section 11208(e) of the ESEA would require that the Secretary use the peer review



procedures under section 11502(e) of the ESEA. Finally, under proposed new section 11208(e) of the ESEA, if a State does not submit a consolidated State plan under section 11502 of the ESEA, the Secretary would, in considering that State's separate accountability plan under this section, use procedures comparable to those in section 11502(e).

Proposed new section 11209 ("Authority of Secretary to Ensure Accountability") of the ESEA would establish the Secretary's authority to ensure accountability. If the Secretary determines that a State has failed substantially to carry out a requirement of this part or its approved accountability plan, or that its performance has failed substantially to meet a performance indicator in its accountability plan, proposed new section 11209(a) of the ESEA would authorize the Secretary to take one or more of the following steps to ensure prompt compliance: (1) providing, or arranging for, technical assistance to the State educational agency; (2) requiring a corrective action plan; (3) suspending or terminating authority to grant waivers under applicable ED-Flex authority; (4) suspending or terminating eligibility to participate in competitive programs under the ESEA; (5) withholding, in whole or in part, State administrative funds under the ESEA; (6) withholding, in whole or in part, program funds under the ESEA; (7) imposing one or more conditions upon the Secretary's approval of a State plan or application under the ESEA; (8) taking other actions under Part D of the General Education Priorities Act; and (9) taking other appropriate steps, including referral to the Department of Justice for enforcement.

Proposed new section 11209(b) of the ESEA would require the Secretary to take one or more additional steps under proposed new section 11209(a) of the ESEA to bring the State into compliance if he determines that previous steps under that provision have failed to correct the State's non-compliance.

Proposed new section 11210 ("Recognition and Rewards") of the ESEA would require the Secretary to recognize and reward States that the Secretary determines have demonstrated significant, statewide achievement gains in core subjects, as measured by the National Assessment of Educational Progress for three consecutive years, are closing the achievement gap between low- and high-performing students, and have in place strategies for

continuous improvement in reducing the practices of social promotion and retention. Such recognition and rewards would take into account all the circumstances, including the size of the State's gains in statewide achievement.

Proposed new section 11210(b) of the ESEA would require the Secretary to establish, through regulation, a system for recognizing and rewarding States described under proposed new section 11210(a) of the ESEA. Rewards could include conferring a priority in competitive programs under the ESEA, increased flexibility in administering programs under the ESEA (consistent with maintaining accountability), and supplementary grants or administrative funds to carry out the purposes of the ESEA. Proposed new section 11210(c) of the ESEA would authorize, for fiscal year 2001 and each of the four succeeding fiscal years, the appropriation of whatever sums are necessary to provide such supplementary funds.

Proposed new section 11211 ("Best Practices Model") of the ESEA would require the Secretary, in implementing this part, to disseminate information regarding best practices, models, and other forms of technical assistance, after consulting with State and LEAs and other agencies, institutions, and organizations with experience or information relevant to the purposes of this part.

Finally, proposed new section 11212 ("Construction") of the ESEA would provide that nothing in this Part may be construed as affecting home schooling, or the application of the civil rights laws or the Individuals with Disabilities

Section 1112. America's Education Goals Panel.

Section 1112 of the bill would move the authority for the National Education Goals Panel from Title II of the Goals 2000: Educate America Act to a new Part C of Title XI of the ESEA, and rename the panel the "America's Education Goals Panel." This conforms to the renaming of the National Education Goals as "America's Education Goals" and their placement in proposed new section 2 of the ESEA, as added by section 2(b) of the bill.

The statutory authority for the Goals Panel would be largely unchanged from current law, apart from some minor stylistic changes, updates, clarifications, and the elimination of current provisions relating to voluntary

National content standards, voluntary National student performance standards and the work of the Panel's Resource and Technical Planning Groups on School Readiness.

The current authority for the National Education Goals Panel, Title II of the Goals 2000: Educate America Act, would be repealed by section 1201 of the bill.

Section 1113. Repeal. Section 1112 of the bill would repeal Title XII of the ESEA.

## TITLE XII - AMENDMENTS TO OTHER LAWS; REPEALS

## PART A - AMENDMENTS TO OTHER LAWS

Section 1201. Amendments to the Stewart B. McKinney Homeless Assistance Act. Section 1201 of the bill would set forth amendments to the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11421 et seq.; hereinafter referred to in this section as the "Act"). Among other things, these amendments would improve the McKinney program by: (1) helping ensure that students are not segregated based on their status as homeless; (2) enhancing coordination at the State and local levels; (3) facilitating parental involvement; (4) clarifying that subgrants to LEAs are to be awarded competitively on the basis of the quality of the program and the need for the assistance; and (5) enhancing data collection and dissemination at the national level. The program would also be reauthorized for five years.

Section 1201(a) of the bill would amend section 721(3) of the Act (Statement of Policy), by changing the current statement to make it clear that homelessness alone is not sufficient reason to separate students from the mainstream school environment. This language, which is reflected in amendments that follow, makes a strong statement against segregating homeless children on the basis of their homelessness. This responds to some local actions being taken around the country to create separate, generally inferior, schools for homeless children. Homeless advocacy groups and State coordinators have strongly encouraged this action.

Section 1201(b) of the bill would amend section 722 of the Act (Grants for State and Local Activities for the Education of Homeless Children and Youth). Section 1201(b)(1) of the bill would amend sections 722(c)(2) and (3) of the Act, reserving funds for the territories and defining the term "State," to remove Palau from those provisions. Palau does not participate in the program since its Compact of Free Association was ratified. Section 1201(b)(2) of the bill would amend section 722(e) of the Act (State and Local Grants), to add a new paragraph (3) that would prohibit a State receiving funds under this subtitle from segregating a homeless child or youth, either in a separate school or in a separate program within a school, based on that child or youth's status as homeless,

except as is necessary for short periods of time because of health and safety emergencies or to provide temporary, special supplementary services to meet the unique needs of homeless children and youth.

Section 1201(b)(3) of the bill would amend section 722(f) of the Act (Functions of the State Coordinator). Section 1201(b)(3)(A) of the bill would amend section 722(f)(1) of the Act to eliminate the requirement that the coordinator estimate the number of homeless children and youth in the State and the number of homeless children and youth served by the program. Section 1201(b)(3)(B) of the bill would amend section 722(f)(4) of the Act to eliminate the requirement that the Coordinator report on certain specific information and replace it with a more general requirement that the Coordinator collect and transmit to the Secretary such information as the Secretary deems necessary to assess the educational needs of homeless children and youth within the State. Section 1201(b)(3)(C) of the bill would amend section 722(f)(6) of the Act to make editorial changes and require the Coordinator to collaborate, as well as to coordinate, with certain currently listed entities, as well as with LEA liaisons and community organizations and groups representing homeless children and youth and their families.

Section 1201(b)(4) of the bill would amend section 722(g) of the Act (State Plan). Paragraph (4)(A) of the bill would amend section 722(g)(1)(H) of the Act to require States to provide assurances in their plans that SEAs and LEAs adopt policies and practices to ensure that homeless children and youth are not segregated or stigmatized and that LEAs in which homeless children and youth reside or attend school will: (1) post public notice of the educational rights of such children and youth in places where such children and youth receive services under this Act; and (2) designate an appropriate staff person, who may also be a coordinator for other Federal programs, as a liaison for homeless children and youth. Section 1201(b)(4)(B) of the bill would amend section 722(g)(3)(B) of the Act to require LEAs, in determining the best interest of the homeless child or youth, to the extent feasible, to keep a homeless child or youth in his or her school of origin, except when doing so is contrary to the wishes of his or her parent or guardian, and to provide a written explanation to the homeless child's or youth's parent or guardian when the child or youth is sent to a

school other than the school of origin or a school requested by the parent or guardian.

Section 1201(b)(4)(C) of the bill would amend section 722(g)(6) of the Act to consolidate the coordination requirements currently in paragraphs (6) and (9) and require that the mandated coordination be designed to: (1) ensure that homeless children and youth have access to available education and related support services, and (2) raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homeless children and youth. Section 1201(b)(4)(D) of the bill would amend section 722(g)(7) of the Act to require each LEA liaison, designated pursuant to section 722(g)(1)(H)(ii)(II) of the Act, to ensure that: (1) homeless children and youth enroll, and have a full and equal opportunity to succeed, in schools of that agency; (2) homeless families, children, and youth receive educational services for which such families, children, and youth are eligible; and (3) the parents or guardians of homeless children and youth are informed of the education and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children. Section 722(g)(7) of the Act would be further amended by adding a new subparagraph (C) requiring LEA liaisons, as a part of their duties, to coordinate and collaborate with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youth. Section 1201(b)(4)(E) of the bill would eliminate section 722(g)(9) of the Act, which would be combined with section 722(g)(6) of the Act.

Section 1201(c) of the bill would amend section 723 of the Act (Local Educational Agency Grants for the Education of Homeless Children and Youth). Section 1201(c)(1) of the bill would amend section 723(a) of the Act to: (1) make certain editorial changes; (2) clarify that where services under the section are provided on school grounds, schools may use funds under this Act to provide the same services to other children and youth who are determined by the LEA to be at risk of failing in, or dropping out of, schools; and (3) prohibit schools from providing services, including those to at-risk children and youth, in settings within a school that segregate homeless children and youth from other children and youth, except as is necessary for short

periods of time because of health and safety emergencies or to provide temporary, special supplementary services to meet the unique needs of homeless children and youth.

Section 1201(c)(2) of the bill would amend section 723(b) of the Act to require local applications for State subgrants to contain an assessment of the educational and related needs of homeless children and youth in their district (which may be undertaken as a part of needs assessments for other disadvantaged groups). Section 1201(c)(3) of the bill would amend section 723(c)(1) of the Act to clarify that State subgrants are to be awarded competitively on the basis of the need of such agencies for assistance under this subtitle and the quality of the application submitted. Section 1201(c)(3) of the bill would also add a new paragraph (3) to section 723(c) of the Act, requiring a SEA, in determining the quality of a local application for a subgrant, to consider: (1) the applicant's needs assessment and the likelihood that the program presented in the application will meet those needs; (2) the types, intensity, and coordination of the services to be provided under the program; (3) the involvement of parents or guardians; (4) the extent to which homeless children and youth will be integrated within the regular education program; (5) the quality of the applicant's evaluation plan for the program; (6) the extent to which services provided under this subtitle will be coordinated with other available services; and (7) such other measures as the SEA deems indicative of a high-quality program.

Section 1201(d) of the bill would amend section 724 of the Act (Secretarial Responsibilities). Section 1201(d) of the bill would replace current subsection (f) (Reports), with a new subsection (f) ("Information"), and a new subsection (g) ("Report"). Proposed new section 724(f) of the Act would require the Secretary, from funds appropriated under section 726 of the Act, and either directly or through grants, contracts, or cooperative agreements, to periodically collect and disseminate data and information on the number and location of homeless children and youth, the education and related services such children and youth receive, the extent to which such needs are being met, and such other data and information as the Secretary deems necessary and relevant to carry out this subtitle. The Secretary would also be required to coordinate such collection and dissemination with the other agencies and entities that receive assistance and

administer programs under this subtitle. Proposed new section 724(g) of the Act would require the Secretary, not later than four years after the date of the enactment of the bill, to prepare and submit to the President and appropriate committees of the House of Representatives and the Senate a report on the status of education of homeless youth and children.

Section 1201(e) of the bill would amend section 726 of the Act to authorize the appropriation of such sums as may be necessary for each of the fiscal years 2001 through 2005 to carry out the subtitle.

Section 1202. Amendments to Other Laws. Section 1202 of the bill would make conforming amendments to other statutes that reflect the changes to the ESEA that are proposed in this bill.

Section 1202(a) of the bill would eliminate an outdated cross-reference in section 116(a)(5) of the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2326(a)(5)).

Section 1202(b) of the bill would update a cross-reference in section 317(b)(1) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)(10)).

Section 1202(3) of the bill would amend the Pro-Children Act of 1994 (20 U.S.C. 6081 et seq.) to eliminate references to kindergarten, elementary, and secondary education services from the prohibition against smoking contained in that Act. Proposed new Title IV of the ESEA, as amended by Title IV of the bill, contains a comparable prohibition against smoking in facilities used for education services, and the education references in the Pro-Children Act are no longer necessary.



## PART B - REPEALS

Section 1211. Repeals. Section 1211 of the bill would repeal Title XIII of the ESEA, several parts and titles of the Goals 2000: Educate America Act (P.L. 103-227), and Title III of the Education for Economic Security Act (20 U.S.C 3901 et seq.). These provisions have either accomplished their purpose, authorize activities that are more appropriately carried out with State and local resources, or have been incorporated into the ESEA as amended by the bill.

Title XIII, Support and Assistance Programs to Improve Education, of the ESEA would be repealed. Proposed new Part D of Title II of the ESEA contains the new ESEA technical assistance and information dissemination programs.

In the Goals 2000 statute, Title I, National Education Goals; Title II, National Education Reform Leadership, Standards, and Assessments; Title III, State and Local Education Systemic Improvement; Title IV, Parental Assistance; Title VII, Safe Schools; and Title VIII, Minority-focused Civics Education, would be repealed. Part B, Gun-free Schools, of Title X of the Goals 2000 statute would also be repealed.

Next, the Educational Research, Development, Dissemination, and Improvement Act of 1994 (Title IX of P.L. 103-227) would be amended by repealing Part F, Star Schools; Part G, Office of Comprehensive School Health Education; Part H, Field Readers; and Part I, Amendments to the Carl D. Perkins Vocational and Applied Technology Act.

Title III, Partnerships in Education for Mathematics, Science, and Engineering, of the Education for Economic Security Act would also be repealed by section 1211 of the bill.

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