

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

2 **SEC. 151. PROGRAM PURPOSE.**

3 Section 1301 (20 U.S.C. 6391) is amended to read
4 as follows:

5 **“SEC. 1301. PROGRAM PURPOSE.**

6 “It is the purpose of this part to assist States in pro-
7 viding high-quality, comprehensive, and coordinated edu-
8 cation programs (including instructional and supportive
9 services, as appropriate) that address the special edu-
10 cational needs of migratory children that result from such
11 children’s migratory lifestyle, in order to—

12 “(1) help such children succeed in school and
13 meet the same challenging State academic content
14 standards and student academic achievement stand-
15 ards that all children are expected to meet;

16 “(2) help such children overcome educational
17 disruption, cultural and language barriers, social iso-
18 lation, various health-related problems, and other
19 factors that inhibit the ability of such children to
20 succeed in school; and

21 “(3) prepare such children to make a successful
22 transition to postsecondary education or employ-
23 ment.”.

1 **SEC. 152. STATE ALLOCATIONS.**

2 Section 1303 (20 U.S.C. 6393) is amended—

3 (1) by striking subsection (a) and inserting the
4 following:

5 “(a) STATE ALLOCATIONS.—

6 “(1) IN GENERAL.—From the amounts made
7 available for this part for a fiscal year and subject
8 to paragraph (2), each State (other than the Com-
9 monwealth of Puerto Rico) shall be entitled to re-
10 ceive an amount equal to the product of—

11 “(A) the number of identified migratory
12 children, aged 3 through 21, residing in the
13 State, in accordance with subsection (e); and

14 “(B) 40 percent of the average per-pupil
15 expenditure in the State, except that the
16 amount determined under this subparagraph
17 may not be less than 32 percent, nor more than
18 48 percent, of the average per-pupil expenditure
19 in the United States.

20 “(2) HOLD HARMLESS.—Notwithstanding para-
21 graph (1), for each of the fiscal years 2008 through
22 2010, each State shall be allotted the greater of—

23 “(A) the amount determined under para-
24 graph (1) for such State for the fiscal year; or

1 “(B) an amount equal to 90 percent of the
2 amount the State received under this part for
3 the previous fiscal year.”;

4 (2) in subsection (b)(2), by striking “less than”
5 and all that follows through the period at the end
6 and inserting “less than 85 percent.”;

7 (3) in subsection (c)(2), by adding at the end
8 the following:

9 “(C) The Secretary—

10 “(i) shall—

11 “(I) develop and implement a proce-
12 dure for monitoring the accuracy of the in-
13 formation described in subparagraph (A);
14 and

15 “(II) issue, through regulations or
16 guidance, criteria for a system of State
17 quality control for the accuracy of State
18 counts of eligible migratory children; and

19 “(ii) may not reduce the amount of a State
20 allocation on the basis of unintentional errors in
21 such counts for States implementing such a sys-
22 tem if the discrepancy between the initial State
23 count and any subsequent revisions is not more
24 than 5 percent.”; and

1 (4) by striking subsection (e) and inserting the
2 following:

3 “(e) **ELIGIBLE CHILDREN.**—In order to best serve
4 migratory children under this part and determine the esti-
5 mated number of migratory children residing in each State
6 for purposes of this section, the Secretary shall—

7 “(1) use the most recent information that most
8 accurately reflects the actual number of migratory
9 children;

10 “(2) develop and implement a procedure for
11 monitoring the accuracy of such information if such
12 a procedure does not create significant barriers to
13 migrant families who are eligible for services under
14 this part;

15 “(3) update and implement the procedure to
16 more accurately reflect the cost factors for different
17 types of summer and intersession program designs;

18 “(4) adjust the full-time equivalent number of
19 migratory children who reside in each State to take
20 into account—

21 “(A) the special needs of those children
22 participating in special programs provided
23 under this part that operate during the summer
24 and intersession periods; and

1 “(B) the additional costs of operating such
2 programs; and

3 “(5) conduct an analysis of the options for ad-
4 justing the formula so as to better direct services to
5 migratory children.”.

6 **SEC. 153. STATE APPLICATIONS; SERVICES.**

7 Section 1304 (20 U.S.C. 6394) is amended—

8 (1) in subsection (b)—

9 (A) in paragraph (1)—

10 (i) in the matter preceding subpara-
11 graph (A), by inserting “and out of school
12 migratory children” after “preschool mi-
13 gratory children”; and

14 (ii) in subparagraph (B), by striking
15 “migrant” and inserting “migratory”;

16 (B) by redesignating paragraphs (3)
17 through (7) as paragraphs (4) through (8), re-
18 spectively; and

19 (C) by inserting after paragraph (2) the
20 following:

21 “(3) a description of how the State will meet
22 the requirements of section 1308 for the timely, elec-
23 tronic transfer of student records and how the State
24 will use such records transfer to meet the special
25 educational needs of migratory students;”;

1 (2) in subsection (c)—

2 (A) in paragraph (4), by inserting “and
3 out of school migratory children” after “chil-
4 dren”;

5 (B) in paragraph (5), by adding “and”
6 after the semicolon;

7 (C) in paragraph (6)(E), by striking “;
8 and” and inserting a period; and

9 (D) by striking paragraph (7); and

10 (3) in subsection (d), by striking “interrupted
11 during the regular school year” and inserting “inter-
12 rupted due to a move within the previous 12
13 months”.

14 **SEC. 154. SECRETARIAL APPROVAL; PEER REVIEW.**

15 Section 1305(b) (20 U.S.C. 6395(b)) is amended by
16 striking “may” and inserting “shall, to the extent prac-
17 ticable,”.

18 **SEC. 155. COMPREHENSIVE NEEDS ASSESSMENT AND SERV-
19 ICE-DELIVERY PLAN; AUTHORIZED ACTIVI-
20 TIES.**

21 Section 1306 (20 U.S.C. 6396) is amended—

22 (1) in subsection (a)(1), in the matter pre-
23 ceding subparagraph (A), by inserting “, consistent
24 with the purpose of this part,” after “migratory chil-
25 dren”; and

1 (2) in subsection (b)—

2 (A) in paragraph (2)—

3 (i) by striking “UNADDRESSED” and
4 inserting “UNMET”;

5 (ii) by inserting “unmet” after “to ad-
6 dress the”;

7 (iii) by striking “addressed” and in-
8 serting “met”; and

9 (iv) by striking “addresses” and in-
10 serting “has met”; and

11 (B) in paragraph (4), by striking “edu-
12 cational” and inserting “academic”.

13 **SEC. 156. COORDINATION OF MIGRANT EDUCATION ACTIVI-**
14 **TIES.**

15 Section 1308 (20 U.S.C. 6398) is amended—

16 (1) in subsection (b)—

17 (A) by striking paragraph (1) and insert-
18 ing the following:

19 “(1) ASSISTANCE.—In order to determine the
20 number of migratory children in each State, the Sec-
21 retary shall assist each State in maintaining an ef-
22 fective system for the electronic transfer of student
23 records.”;

24 (B) in paragraph (2), by striking subpara-
25 graph (B) and inserting the following:

1 “(B) CONSULTATION.—The Secretary
2 shall maintain on-going consultation with the
3 States, local educational agencies, and other mi-
4 gratory student service providers on the effec-
5 tiveness of the system of electronic records
6 transfer and on-going improvement to such sys-
7 tem.”; and

8 (C) in paragraph (4)—

9 (i) in subparagraph (A)—

10 (I) by striking “2003” and in-
11 sserting “2009, and every 2 years
12 thereafter”; and

13 (II) by striking “the Workforce”
14 and inserting “Labor”; and

15 (ii) in subparagraph (B)—

16 (I) in clause (ii), by striking “the
17 development and linkage of” and in-
18 sserting “maintaining”; and

19 (II) in clause (iii), by striking
20 “measures that may be taken to en-
21 sure” and inserting “improving”;

22 (2) in subsection (c), by striking “\$10,000,000”
23 and inserting “\$12,500,000”;

1 (3) in subsection (d), by striking “whose edu-
2 cation is interrupted” and inserting “described in
3 section 1304(d)”; and

4 (4) by striking subsection (e) and inserting the
5 following:

6 “(e) IMPROVEMENTS AND COORDINATION.—From
7 any funds remaining under subsection (c) after carrying
8 out the requirements under subsections (b) and (d), the
9 Secretary, in consultation with the States, may make
10 grants to, or enter into contracts with, State educational
11 agencies, local educational agencies, institutions of higher
12 education, and other public and private nonprofit entities
13 to improve the interstate and intrastate coordination
14 among such agencies’ and entities’ programs, including
15 the establishment or improvement of programs for credit
16 accrual and exchange, available to migratory students con-
17 sistent with this section.”.

18 **SEC. 157. DEFINITIONS; IMPROVEMENTS AND COORDINA-**
19 **TION; EVALUATION AND STUDY; STATE AS-**
20 **SISTANCE IN DETERMINING NUMBER OF MI-**
21 **GRATORY CHILDREN.**

22 Part C of title I (20 U.S.C. 6391 et seq.) is amend-
23 ed—

24 (1) by redesignating section 1309 as section
25 1311; and

1 (2) by inserting after section 1308 the fol-
2 lowing:

3 **“SEC. 1309. EVALUATION AND STUDY.**

4 “(a) PROGRAM EVALUATION.—

5 “(1) IN GENERAL.—From funds appropriated
6 to carry out this part for fiscal years 2008 through
7 2013, the Secretary may reserve a total of not more
8 than \$5,000,000 to carry out a national evaluation
9 of the program under this part, including an exam-
10 ination of the success of State efforts to identify and
11 meet the unique educational needs of migratory chil-
12 dren.

13 “(2) CARRY OUT EVALUATION.—The Secretary
14 shall carry out the evaluation through the Institute
15 for Education Sciences.

16 “(b) STUDY.—The Secretary shall conduct a pilot
17 study, funded as a part of the 2009 National Assessment
18 of Educational Progress, on the feasibility of using such
19 assessment for assessing and reporting on the academic
20 achievement of migratory children in grades four and
21 eight in reading and mathematics.

22 **“SEC. 1310. STATE ASSISTANCE IN DETERMINING NUMBER**
23 **OF MIGRATORY CHILDREN.**

24 “Each State that desires to receive assistance under
25 this part shall assist the Secretary in determining the

1 number of migratory children in such State under para-
2 graphs (1)(A) and (2)(B)(i) of section 1303(a), through
3 such procedures as the Secretary may require except that
4 the Secretary may not require additional information that
5 is not directly related to determining the migratory status
6 of the child or the administration of this part.”.

7 **SEC. 158. DEFINITIONS.**

8 Section 1311 (as redesignated by section 157(1)) is
9 amended—

10 (1) by redesignating paragraphs (1) and (2) as
11 paragraphs (3) and (4), respectively;

12 (2) by inserting before paragraph (3) (as redesi-
13 gnated by paragraph (1)) the following:

14 “(1) **FOOD PROCESSOR.**—The term ‘food proc-
15 essor’ means a position working with a raw agricul-
16 tural, dairy, or fishing product and transforming the
17 product into a more refined product up to the point
18 of an initial commercial sale.

19 “(2) **INITIAL COMMERCIAL SALE.**—The term
20 ‘initial commercial sale’ means the point of sale of
21 an agricultural, dairy, or fishing product—

22 “(A) for refining to the next-stage proc-
23 essor;

24 “(B) to the wholesaler;

25 “(C) to the retailer; or

1 “(D) directly to the consumer.”; and
2 (3) in paragraph (4) (as redesignated by para-
3 graph (1)), by striking “The term” and all that fol-
4 lows through “fishing work” and inserting “The
5 term ‘migratory child’ means a child who is, or
6 whose parent or spouse is, a migratory agricultural
7 worker, who, in order to obtain or who is currently
8 engaged in temporary or seasonal employment in ag-
9 ricultural or fishing work (including a migratory
10 dairy worker, food processor, or a migratory fisher)
11 in the preceding 36 months”.

12 **SEC. 159. TECHNICAL CORRECTION.**

13 Section 1114(b)(1)(A) (20 U.S.C. 6314(b)(1)(A)) is
14 amended by striking “1309(2)” and inserting “1311”.

15 **PART D—[TO BE SUPPLIED]**

16 **PART E—[TO BE SUPPLIED]**

17 **PART G—ADVANCED PLACEMENT PROGRAMS**

18 **SEC. 181. PURPOSES.**

19 Section 1702 (20 U.S.C. 6532) is amended—

20 (1) in paragraph (1)—

21 (A) by striking “State and local,” and in-
22 sserting “statewide, local, and private sector”;

23 (B) by inserting “and student academic
24 achievement” after “standards”;

1 (C) by striking “and thus further in-
2 crease” and inserting “by increasing”;

3 (D) by inserting “and pre-advanced place-
4 ment programs” after “advanced placement
5 programs” each place it appears; and

6 (E) by inserting “, particularly in schools
7 with a high concentration of low-income stu-
8 dents, and to increase the number of teachers
9 who are qualified to teach advanced placement
10 courses in such schools” before the semicolon;

11 (2) in paragraph (2), by inserting “academic”
12 before “achievements”;

13 (3) in paragraph (3), by striking “which bene-
14 fits may include” and all that follows through the
15 end of the paragraph, and inserting “which benefits
16 include the achievement of better grades in sec-
17 ondary school and in college and the acquisition of
18 skills and knowledge important to success in the
19 21st century workforce and postsecondary edu-
20 cation”;

21 (4) in paragraph (4), by inserting “, including
22 by encouraging State educational agencies and local
23 educational agencies to provide additional compensa-
24 tion for teachers who are qualified to teach, and
25 teach, advanced placement courses in schools with a

1 high concentration of low-income students” before
2 the semicolon;

3 (5) by striking paragraph (5);

4 (6) in paragraph (6), by inserting “, by increas-
5 ing the number of such students who take and pass
6 such courses, to demonstrate that larger and more
7 diverse groups of students can participate and suc-
8 ceed in advanced placement programs” before the
9 semicolon;

10 (7) in paragraph (9), by striking “individuals
11 that” and inserting “individuals who”; and

12 (8) by redesignating paragraphs (6) through
13 (9) as paragraphs (5) through (8), respectively.

14 **SEC. 182. FUNDING DISTRIBUTION ROLE; NATIONAL AC-**
15 **TIVITIES.**

16 Section 1703 (20 U.S.C. 6533) is amended—

17 (1) in the section heading, by inserting “; **NA-**
18 **TIONAL ACTIVITIES**” after “**RULE**”;

19 (2) by striking “From amounts” and inserting
20 the following:

21 “(a) **FUNDING DISTRIBUTION.—**From amounts”;

22 and

23 (3) by adding at the end the following:

24 “(b) **NATIONAL ACTIVITIES.—**The Secretary may re-
25 serve not more than 2 percent of the amount appropriated

1 for this part for a fiscal year under section 1002(g) for
2 research, evaluation, and technical assistance under this
3 part.”.

4 **SEC. 183. ADVANCED PLACEMENT TEST FEE PROGRAM.**

5 Section 1704 (20 U.S.C. 6534) is amended—

6 (1) in the matter preceding paragraph (1) of
7 subsection (a)—

8 (A) by striking “reimburse low-income in-
9 dividuals to cover” and inserting “pay”; and

10 (B) by striking “, if the low-income indi-
11 viduals” and inserting “for low-income individ-
12 uals, if the low-income individuals”;

13 (2) in subsection (d)(3), by striking “required
14 under chapter 1 of subpart 2 of part A of title IV
15 of the Higher Education Act of 1965” and inserting
16 “that the student is a low-income individual”; and

17 (3) in subsection (f)(1)(D), by striking “socio-
18 economic status” and inserting “status as a low-in-
19 come individual”.

20 **SEC. 184. ADVANCED PLACEMENT INCENTIVE PROGRAM.**

21 Section 1705 (20 U.S.C. 6535) is amended to read
22 as follows:

23 **“SEC. 1705. ADVANCED PLACEMENT INCENTIVE PROGRAM**
24 **GRANTS.**

25 “(a) GRANTS AUTHORIZED.—

1 “(1) IN GENERAL.—The Secretary is authorized
2 to award grants to eligible entities to carry out ad-
3 vanced placement incentive programs described in
4 this section.

5 “(2) DURATION AND PAYMENTS.—

6 “(A) DURATION.—The Secretary shall
7 award a grant under this section for a period
8 of not more than 3 years.

9 “(B) PAYMENTS.—The Secretary shall
10 make grant payments under this section on an
11 annual basis.

12 “(3) DEFINITION OF ELIGIBLE ENTITY.—In
13 this section, the term ‘eligible entity’ means a State
14 educational agency, a local educational agency, or a
15 national nonprofit educational entity with expertise
16 in advanced placement programs that applies for as-
17 sistance under this section in partnership with a
18 State educational agency or local educational agency.

19 “(b) GRANT APPLICATION.—

20 “(1) IN GENERAL.—Each eligible entity desir-
21 ing a grant under this section shall submit an appli-
22 cation to the Secretary at such time, in such man-
23 ner, and containing such information as the Sec-
24 retary may reasonably require.

1 “(2) CONTENTS.—The application shall, at a
2 minimum, include a description of—

3 “(A) the goals and objectives for the ad-
4 vanced placement incentive program, includ-
5 ing—

6 “(i) increasing the number of teachers
7 serving schools with a high concentration
8 of low-income students who are qualified to
9 teach and are teaching advanced placement
10 courses;

11 “(ii) increasing the number of ad-
12 vanced placement courses that are avail-
13 able to students attending schools with a
14 high concentration of low-income students;
15 and

16 “(iii) increasing the number of stu-
17 dents attending schools with a high con-
18 centration of low-income students, who en-
19 roll in and pass—

20 “(I) advanced placement courses;
21 and

22 “(II) pre-advanced placement
23 courses (where provided in accordance
24 with subparagraph (B));

1 “(B) how the eligible entity will ensure
2 that students have access to courses, including
3 pre-advanced placement courses, that will pre-
4 pare the students to enroll and succeed in ad-
5 vanced placement courses;

6 “(C) how the eligible entity will provide
7 professional development for teachers served
8 under this section;

9 “(D) how the eligible entity will ensure
10 that teachers serving schools with a high con-
11 centration of low-income students are qualified
12 to teach and are teaching advanced placement
13 courses;

14 “(E) if applicable, how the eligible entity
15 will provide for the involvement of business and
16 community organizations and other entities, in-
17 cluding institutions of higher education, in the
18 activities to be assisted under this section; and

19 “(F) how the eligible entity will use funds
20 received under this section, including how the
21 eligible entity will evaluate the success of its ad-
22 vanced placement incentive program.

23 “(c) PRIORITY FOR AND DISTRIBUTION OF
24 GRANTS.—

1 “(1) PRIORITY.—In awarding grants under this
2 section, the Secretary shall give priority to an eligi-
3 ble entity that submits an application under sub-
4 section (b) that—

5 “(A) demonstrates a pervasive need for ac-
6 cess to an advanced placement incentive pro-
7 gram;

8 “(B) demonstrates an intent to carry out
9 activities that target schools with a high con-
10 centration of low-income individuals;

11 “(C) assures the availability of matching
12 funds from State, local, or other non-Federal
13 sources to pay for the cost of activities to be as-
14 sisted; and

15 “(D)(i) provides for the involvement of
16 business and community organizations in the
17 activities to be assisted under this section;

18 “(ii) demonstrates that the activities to be
19 assisted are part of a statewide strategy for in-
20 creasing the availability of advanced placement
21 courses, and pre-advanced placement courses,
22 for low-income individuals; or

23 “(iii) demonstrates an intent to carry out
24 activities to increase the availability of, and

1 participation in, online advanced placement
2 courses.

3 “(2) EQUITABLE DISTRIBUTION.—The Sec-
4 retary shall, to the extent practicable—

5 “(A) ensure an equitable geographic dis-
6 tribution of grants under this section among
7 the States; and

8 “(B) promote an increase in participation
9 in advanced placement courses and advanced
10 placement tests in all States.

11 “(d) AUTHORIZED ACTIVITIES.—

12 “(1) IN GENERAL.—Subject to paragraph (3),
13 an eligible entity shall use grant funds made avail-
14 able under this section to carry out an advanced
15 placement incentive program, to increase—

16 “(A) the number of teachers serving
17 schools with a high concentration of low-income
18 students who are qualified to teach and are
19 teaching advanced placement courses, particu-
20 larly such courses in mathematics, science,
21 English or critical foreign languages;

22 “(B) the number of students who have the
23 rigorous academic preparation and skills needed
24 in advanced placement programs, including in-

1 creasing the number through the development
2 of pre-advanced placement programs; and

3 “(C) the number of students attending
4 schools with a high concentration of low-income
5 students who enroll in, and pass the examina-
6 tions for, such advanced placement courses.

7 “(2) PERMISSIBLE ACTIVITIES.—The activities
8 described in paragraph (1) may include—

9 “(A) teacher training;

10 “(B) coordination and articulation between
11 grade levels to prepare students for academic
12 achievement in advanced placement courses;

13 “(C) providing books and supplies;

14 “(D) activities to increase the availability
15 of, and participation in, online advanced place-
16 ment courses;

17 “(E) providing additional compensation or
18 bonuses to teachers serving schools with a high
19 concentration of low-income students, who—

20 “(i) become qualified to teach, and
21 teach, advanced placement courses; or

22 “(ii) increase the number of low-in-
23 come students who take advanced place-
24 ment tests with the goal of successfully
25 passing such tests; or

1 “(F) any other activity directly related to
2 expanding access to and participation in ad-
3 vanced placement incentive programs, particu-
4 larly for low-income individuals.

5 “(3) STATE EDUCATIONAL AGENCY.—In the
6 case of an eligible entity that is a State educational
7 agency, the eligible entity may use grant funds made
8 available under this section to award subgrants to a
9 local educational agency or a national nonprofit edu-
10 cational entity with expertise in advanced placement
11 programs that applies for assistance under this sec-
12 tion in partnership with a local educational agency
13 to enable such eligible entity to carry out the activi-
14 ties described in paragraph (1) or (2).

15 “(e) CONTRACTS.—An eligible entity that receives a
16 grant to provide online advanced placement courses under
17 this section may enter into a contract with a nonprofit
18 or for-profit organization to provide the online advanced
19 placement courses, including contracting for necessary
20 support services.

21 “(f) DATA COLLECTION AND REPORTING.—

22 “(1) DATA COLLECTION.—Each eligible entity
23 that receives a grant under this section shall, with
24 respect to each advanced placement subject, annu-
25 ally report to the Secretary on—

1 “(A) the number of students served by the
2 entity who have taken an advanced placement
3 course in that subject, and the percentage of
4 such students who are attending schools with a
5 high concentration of low-income students;

6 “(B) the number of advanced placement
7 tests taken by students served by the entity in
8 that subject, and the percentage of such tests
9 taken by students who are attending schools
10 with a high concentration of low-income stu-
11 dents;

12 “(C) for each scoring level on advanced
13 placement tests in that subject, the number of
14 students served by the entity scoring at that
15 level, and the percentage of such students who
16 are attending schools with a high concentration
17 of low-income students;

18 “(D) demographic information regarding
19 students served by such entity who have taken
20 an advanced placement course, and demo-
21 graphic information regarding students served
22 by such entity who have taken an advanced
23 placement test, in that subject, disaggregated
24 by race, ethnicity, sex, English language learner
25 status, and socioeconomic status; and

1 “(E)(i) the number of teachers served
2 through the grant who are qualified to teach
3 advanced placement courses;

4 “(ii) the number of teachers served
5 through the grant who become qualified to
6 teach advanced placement courses as a result of
7 being served through the grant;

8 “(iii) the percentage of teachers described
9 in clause (i), and of teachers described in clause
10 (ii), who teach such courses; and

11 “(iv) the percentage of teachers described
12 in clause (i), and of teachers described in clause
13 (ii), who teach such courses in schools with a
14 high concentration of low-income students.

15 “(2) REPORT.—The Secretary shall annually
16 compile the information received from each eligible
17 entity under paragraph (1) and report to the appro-
18 priate committees of Congress regarding the infor-
19 mation.

20 “(g) MATCHING REQUIREMENTS.—

21 “(1) IN GENERAL.—Subject to paragraph (2),
22 each eligible entity that receives a grant under this
23 section shall provide, toward the cost of the activities
24 assisted under the grant, from non-Federal sources,

1 an amount equal to 200 percent of the amount of
2 the grant.

3 “(2) WAIVER.—The Secretary may waive all or
4 part of the matching requirement described in para-
5 graph (1) for any fiscal year for an eligible entity
6 that is a high-need local educational agency (as de-
7 fined in section 2102) if the Secretary determines
8 that applying the matching requirement to such eli-
9 gible entity would result in serious hardship or an
10 inability to carry out the authorized activities de-
11 scribed in subsection (d).”.

12 **SEC. 185. DEFINITIONS.**

13 Section 1707 (20 U.S.C. 6537) is amended—

14 (1) by redesignating paragraphs (1), (2), and
15 (3), as paragraphs (3), (4), and (5), respectively;

16 (2) by inserting before paragraph (3) (as redesi-
17 gnated by paragraph (1)) the following:

18 [“(1) **ADVANCED PLACEMENT COURSE.**—The
19 term ‘advanced placement course’ means—]

20 [“(A) a course of college-level instruction
21 provided to middle or secondary school stu-
22 dents, terminating in an examination adminis-
23 tered by the College Board or the International
24 Baccalaureate Organization, or another similar
25 examination approved by the Secretary; or]

1 【“(B) another highly rigorous evidence-
2 based postsecondary preparatory program ter-
3 minating in an examination administered by an-
4 other nationally recognized educational organi-
5 zation that has a demonstrated record of effec-
6 tiveness in assessing secondary school students,
7 or another similar examination approved by the
8 Secretary.】

9 “(2) ADVANCED PLACEMENT PROGRAM.—The
10 term ‘advanced placement program’ means a pro-
11 gram of 1 or more advanced placement courses.”;
12 and

13 (3) in paragraph (5) (as redesignated by para-
14 graph (1))—

15 (A) by striking “this Act, data” and in-
16 serting “this Act, on the basis of data”; and

17 (B) by striking “Lunch Act, data” and all
18 that follows and inserting “Lunch Act, or
19 through an alternate method that extrapolates
20 from either of those 2 types of data.”.

21 **PART H—HIGH SCHOOL GRADUATION**

22 **SEC. 191. SECONDARY SCHOOL GRADUATION RATE.**

23 Part H of title I (20 U.S.C. 6551 et seq.) is amended
24 to read as follows:

1 **“PART H—HIGH SCHOOL GRADUATION**

2 **“SEC. 1801. DEFINITIONS.**

3 “In this part:

4 “(1) **ADVANCED PLACEMENT COURSE.**—The
5 term ‘advanced placement course’ has the meaning
6 given the term in section **[1707(2)]**.

7 “(2) **AT-RISK OR STRUGGLING STUDENT.**—The
8 term ‘at-risk or struggling student’—

9 “(A) means a high school-aged student
10 who is not making sufficient progress toward
11 graduating from secondary school with a reg-
12 ular diploma in the standard number of years;
13 and

14 “(B) may include a student who—

15 “(i) has been retained in grade level;

16 “(ii) is under-credited;

17 “(iii) is a late entrant English lan-
18 guage learner; or

19 “(iv) is a child with a disability and
20 meets the requirements of subparagraph
21 (A).

22 “(3) **COLLEGE GOING RATE.**—The term ‘col-
23 lege-going rate’ means the percentage of high school
24 graduates who enroll at an institution of higher edu-
25 cation in the school year immediately following grad-
26 uation from high school.

1 “(4) DUAL CREDIT COURSE.—The term ‘dual
2 credit course’ means a college course that—

3 “(A) may be taken at a high school or at
4 an institution of higher education;

5 “(B) is taught by college faculty; and

6 “(C) the successful completion of which re-
7 sults in high school academic credit as well as
8 postsecondary academic credit.

9 **【“(5) GRADUATION RATE.—The term ‘gradua-
10 tion rate’ has the meaning given the term in section
11 1111(e)(3)(F).】**

12 **【“(6) HIGH SCHOOL.—The term ‘high school’
13 means a nonprofit institutional day or residential
14 school, including a public charter high school, that
15 provides high school education, as determined under
16 State law.】**

17 **【“(7) MIDDLE SCHOOL.—The term ‘middle
18 school’ means a nonprofit institutional day or resi-
19 dential school, including a public charter middle
20 school, that provides middle school education, as de-
21 termined under State law.】**

22 “(8) STATE.—The term ‘State’ means each of
23 the several States of the United States, the District
24 of Columbia, and the Commonwealth of Puerto Rico.

1 “(9) UNDER-CREDITED.—The term ‘under-
2 credited’ when used with respect to a high school
3 student, means a high school student who lacks the
4 necessary credits or courses, as determined by the
5 relevant local educational agency and State edu-
6 cational agency, to graduate from high school with
7 a regular diploma in the standard number of years.

8 **“Subpart 1—High School Improvement Grants**

9 **“SEC. 1810. SHORT TITLE.**

10 “‘This subpart may be cited as the ‘Graduation Prom-
11 ise Act of 2007’.

12 **“SEC. 1811. PURPOSES.**

13 “‘The purposes of this subpart are—

14 “(1) to improve high school student academic
15 achievement and graduation rates;

16 “(2) to deliver support and technical assistance
17 to high schools needing whole school reform or high
18 schools needing replacement;

19 “(3) to create models of excellence for academi-
20 cally rigorous high schools, including early college
21 high schools and career academies, in order to pre-
22 pare all students for college and work;

23 “(4) to raise college-going rates;

24 “(5) to reduce college remediation rates;

1 “(6) to ensure a seamless transition between
2 high school and college;

3 “(7) to improve teaching and curricula to make
4 high school more rigorous and relevant;

5 “(8) to improve instruction and access to sup-
6 ports for high school students, particularly for strug-
7 gling high school students;

8 “(9) to improve communication between par-
9 ents, students, and schools; and

10 “(10) to help identify students at risk of drop-
11 ping out of high school.

12 **“SEC. 1812. HIGH SCHOOL IMPROVEMENT GRANTS.**

13 “(a) GRANTS AUTHORIZED.—

14 “(1) GRANTS TO ELIGIBLE ENTITIES.—

15 “(A) IN GENERAL.—From funds appro-
16 priated under **【section 1002(h)】**, the Secretary
17 is authorized to award grants to eligible entities
18 to enable the eligible entities—

19 “(i) to carry out the authorized activi-
20 ties described in subsection (f); and

21 “(ii) to award subgrants, on a com-
22 petitive basis, to local educational agencies
23 to enable the local educational agency to
24 carry out the authorized activities de-
25 scribed in section 1813.

1 “(B) ALLOTMENT.—The Secretary shall
2 allot the amount made available under this sub-
3 part for a fiscal year among the States in pro-
4 portion to the number of children, aged 5 to 17,
5 who are from families with incomes below the
6 poverty line and reside in a State, for the most
7 recent fiscal year for which satisfactory data
8 are available, as compared to the number of
9 such children who reside in all such States for
10 such year.

11 “(C) MINIMUM ALLOTMENT.—The amount
12 of any State’s allotment under subparagraph
13 (B) for any fiscal year may not be less than
14 one-half of 1 percent of the amount made avail-
15 able under this subpart for such year.

16 “(D) REALLOTMENT.—If any State does
17 not apply for an allotment under subparagraph
18 (B) for any fiscal year, the Secretary shall
19 reallocate the amount of the allotment under sub-
20 paragraph (B) to the remaining States in ac-
21 cordance with this subsection.

22 **【“(E) SPECIAL RULE.—】**

23 **【“(i) IN GENERAL.—For any fiscal**
24 **year for which funds appropriated under**
25 **【section 1002(h)】 are less than**

1 \$500,000,000, the Secretary is authorized
2 to award grants to eligible entities, on a
3 competitive basis, to enable such entities to
4 award subgrants on a competitive basis
5 and to carry out the activities authorized
6 under section 1813.】

7 【“(ii) CONTINUATION.—For any fis-
8 cal year for which funds appropriated
9 under 【section 1002(h)】 equal or exceed
10 \$500,000,000, if an eligible entity was pre-
11 viously awarded a grant under paragraph
12 (1), and the grant period has not ended,
13 the Secretary shall reserve funds in a suffi-
14 cient amount to make payments to the eli-
15 gible entity in accordance with the terms of
16 the grant.】

17 “(2) DURATION.—

18 “(A) GRANTS.—The Secretary may award
19 grants to eligible entities under this subpart for
20 a period of not more than 6 years.

21 “(B) SUBGRANTS.—An eligible entity may
22 award subgrants (other than a planning grant
23 under subsection (f)(4)) under this subpart for
24 a period of not more than 6 years.

1 “(3) MATCHING FUNDS.—An eligible entity
2 that receives a grant under this subpart shall pro-
3 vide, toward the cost of the activities assisted under
4 the grant, from non-Federal sources, an amount
5 equal to **【50 percent】** of the amount of the grant,
6 which may be provided in cash or in-kind.

7 “(4) SUPPLEMENT, NOT SUPPLANT.—Funds re-
8 ceived under this subpart shall be used to supple-
9 ment, and not supplant, funds that would otherwise
10 be used for activities under this subpart.

11 “(b) DEFINITION OF ELIGIBLE ENTITY.—In this
12 subpart the term ‘eligible entity’ means—

13 “(1) a State educational agency; or

14 “(2) a partnership consisting of a State edu-
15 cational agency and a national, regional, or state-
16 wide nonprofit organization with expertise and expe-
17 rience in working with local educational agencies and
18 with high schools to raise high school academic
19 achievement, high school graduation rates, and col-
20 lege-going rates.

21 “(c) APPROVAL AND SELECTION.—The Secretary
22 shall—

23 “(1) establish a peer review process to assist in
24 the review and make recommendations regarding the

1 approval or disapproval of applications under this
2 section; and

3 “(2) appoint individuals to participate in the
4 peer review process who are educators and experts
5 in educational standards, educational assessments,
6 educational accountability, high school improvement,
7 dropout prevention, and other educational needs of
8 high school students.

9 “(d) DISTRIBUTION.—An eligible entity that receives
10 a grant under this subpart—

11 “(1) shall reserve not more than 10 percent of
12 the grant funds to carry out the activities described
13 in subsection (f); and

14 “(2) shall use not less than 90 percent of the
15 grant funds to award subgrants, on a competitive
16 basis, to local educational agencies to enable the
17 local educational agencies to carry out the author-
18 ized activities described in section 1813.

19 “(e) SUBGRANTS TO LOCAL EDUCATIONAL AGEN-
20 CIES.—

21 “(1) IN GENERAL.—An eligible entity that re-
22 ceives a grant under this subpart shall award sub-
23 grants, on a competitive basis, to local educational
24 agencies, on the basis of—

1 “(A) the quality of the local educational
2 agency’s plan to improve high school graduation
3 rates and student academic achievement; and

4 “(B) the capacity of the local educational
5 agency to implement the plan as evidenced by
6 the capacity and needs assessment described in
7 section 1813(b)(7).

8 “(2) PEER REVIEW.—An eligible entity that re-
9 ceives a grant under this subpart shall—

10 “(A) establish a peer review process—

11 “(i) to assist in the review of applica-
12 tions for subgrants under this subpart; and

13 “(ii) to make recommendations re-
14 garding—

15 “(I) the approval or disapproval
16 of the applications; and

17 “(II) the amount of the subgrant
18 awards; and

19 “(B) appoint individuals to the peer review
20 process who are educators and experts in edu-
21 cational standards, educational assessments,
22 educational accountability, high school improve-
23 ment, dropout prevention, and other educational
24 needs of high school students.

1 “(3) SUFFICIENT SIZE AND SCOPE; SUBGRANT
2 AMOUNTS.—

3 “(A) SUFFICIENT SIZE AND SCOPE.—An
4 eligible entity shall limit the number of sub-
5 grants awarded under this subpart to ensure
6 each such subgrant is of sufficient size and
7 scope to carry out each of the activities required
8 under section 1813(c).

9 “(B) SUBGRANT AMOUNTS.—In awarding
10 a subgrant under this section, an eligible entity
11 shall award the subgrant in an amount that is
12 based on—

13 “(i) the number of high schools, and
14 the size of the student bodies of such high
15 schools, to be served under this subpart by
16 the local educational agency that need—

17 “(I) targeted interventions;

18 “(II) whole school reforms; and

19 “(III) reconstruction, which may
20 include activities described in [section
21 1116__];

22 “(ii) the types of reforms or interven-
23 tions proposed;

1 “(iii) the resources available to the
2 high schools to implement the reforms or
3 interventions proposed; and

4 “(iv) the resources available to the
5 local educational agency to implement the
6 reforms or interventions proposed.

7 “(4) PRIORITY.—An eligible entity shall give
8 priority to awarding subgrants to local educational
9 agencies—

10 “(A) proposing to serve high need high
11 schools designated under section 1813(a); and

12 “(B) have the highest percentages or num-
13 bers of children counted under section 1124(c).

14 “(5) OPPORTUNITY TO REVISE.—If the eligible
15 entity, in consultation with the peer review panel de-
16 scribed in paragraph (2), determines that a local
17 educational agency’s application does not meet the
18 requirements of this subpart, the eligible entity shall
19 immediately notify the local educational agency of
20 such determination and the reasons for such deter-
21 mination, and offer—

22 “(A) the local educational agency an op-
23 portunity to revise the application; and

24 “(B) technical assistance to the local edu-
25 cational agency to revise the application.

1 “(f) ELIGIBLE ENTITY USE OF FUNDS.—

2 “(1) IN GENERAL.—An eligible entity shall use
3 the grant funds made available under subsection
4 (d)(1) to establish a set of comprehensive school per-
5 formance indicators for high schools not making
6 adequate yearly progress as defined in section
7 1111(e)(3) to determine how to target resources and
8 technical assistance to high need high schools, to de-
9 termine the amount and type of support the high
10 schools need to improve, and to monitor progress,
11 using—

12 “(A) the indicators used to determine ade-
13 quate yearly progress as defined in section
14 1111(e)(3);

15 “(B) additional indicators of academic
16 learning, including—

17 “(i) student achievement on other as-
18 sessments that are administered statewide
19 and are valid, reliable and comparable
20 across the State; and

21 “(ii) the percent of students com-
22 pleting college preparatory curriculum or
23 passing courses in which the students may
24 earn postsecondary education credit for
25 courses taken while in high school, such as

1 a dual credit course or an advanced place-
2 ment course;

3 “(C) indicators of high school student en-
4 gagement and effort, including—

5 “(i) the percent of students who are
6 in attendance less than 90 percent of the
7 time; and

8 “(ii) the percent of student expulsions
9 and suspensions;

10 “(D) indicators of student advancement,
11 including—

12 “(i)(I) earned on-time promotion rates
13 from grade to grade, including the earned
14 on-time promotion rate from 9th to 10th
15 grade; **[or]**

16 “(II) the percent of students who have
17 on-time credit accumulation at the end of
18 each grade; **[and]**

19 “(ii) the percent of students failing a
20 core, credit-bearing, reading or language
21 arts, mathematics, or science course, or
22 failing 2 or more of any courses; and

23 “(E) indicators relating to teachers, in-
24 cluding—

1 “(i) measures of teacher attendance,
2 vacancies, and turnover; and

3 “(ii) the percent of core academic sub-
4 ject courses taught by highly qualified
5 teachers disaggregated by subject area and
6 level, particularly core academic subject
7 courses taught to students in the 9th
8 grade.

9 “(2) TECHNICAL ASSISTANCE FOR LOCAL EDU-
10 CATIONAL AGENCIES.—An eligible entity that re-
11 ceives a grant under this subpart—

12 “(A) shall use the grant funds reserved
13 under subsection (d)(1) for—

14 “(i) assisting local educational agen-
15 cies in designing a program to be assisted
16 under this subpart;

17 “(ii) assisting local educational agen-
18 cies in carrying out the activities described
19 in section 1813;

20 “(iii) implementing a program for
21 professional development, in coordination
22 with other federally funded programs for
23 professional development, for teachers and
24 administrators, in high schools that receive
25 funding under this subpart, that prepares

1 the teachers and administrators to imple-
2 ment the activities described in section
3 1813; and

4 “(iv) disseminating to local edu-
5 cational agencies across the State informa-
6 tion on best practices, learned from local
7 educational agencies assisted under this
8 subpart, for improving high schools and
9 raising high school graduation rates; and

10 “(B) may use funds reserved under sub-
11 section (d)(1) for—

12 “(i) assisting local educational agen-
13 cies in preparing the application required
14 under section 1814(b); and

15 “(ii) after meeting the technical as-
16 sistance needs of the local educational
17 agencies assisted under this subpart, pro-
18 viding technical assistance to local edu-
19 cational agencies that applied for, but did
20 not receive, a subgrant under this subpart.

21 “(3) STATE-LEVEL PLANNING AND ADMINIS-
22 TRATION.—An eligible entity that receives a grant
23 under this subpart may use not more than 5 percent
24 of the grant funds reserved under subsection (d)(1)
25 for planning and administration, including—

1 “(A) evaluating applications from local
2 educational agencies;

3 “(B) administering the distribution of sub-
4 grants to local educational agencies;

5 “(C) assessing and evaluating, on a reg-
6 ular basis, local educational agency activities
7 carried out under this subpart; or

8 “(D) annually providing the Secretary with
9 a report on the implementation of this section
10 as required under section 1815.

11 “(4) LOCAL EDUCATIONAL AGENCY PLANNING
12 GRANTS.—

13 “(A) IN GENERAL.—From amounts re-
14 served under subsection (d)(1), an eligible enti-
15 ty may award a planning grant to a local edu-
16 cational agency.

17 “(B) AMOUNT.—An eligible entity shall
18 award each planning grant under this para-
19 graph in an amount that is not more than
20 \$10,000.

21 “(C) DURATION AND USE OF PLANNING
22 GRANT FUNDS.—Each planning grant shall
23 be—

24 “(i) awarded for a period of 1 year;

25 “(ii) nonrenewable; and

1 “(iii) used to plan and apply for a
2 subgrant awarded under subsection (d)(2).

3 **“SEC. 1813. LOCAL EDUCATIONAL AGENCY ACTIVITIES.**

4 “(a) DESIGNATION.—For purposes of this subpart,
5 a local educational agency receiving assistance under
6 **【part A of this title or this subpart】** shall designate a
7 high school as a high need high school if—

8 “(1) the high school has a high percentage or
9 number of children counted under section 1124(e);
10 and

11 “(2)(A) the high school has a graduation rate
12 of 60 percent or less—

13 **【“(i) in the aggregate; or】**

14 **【“(ii) applicable to 2 or more of the fol-
15 lowing subgroups of high school students served
16 by the local educational agency:】**

17 **【“(I) economically disadvantaged stu-
18 dents; and】**

19 **【“(II) students from major racial or
20 ethnic groups;】**

21 “(B) the ratio of 12th graders enrolled in the
22 school to 9th graders 3 years earlier is less than 65
23 percent; or

1 “(C) less than 50 percent of students enrolled
2 in the school are proficient in reading or language
3 arts or mathematics.

4 “(b) REQUIREMENTS.—A local educational agency
5 receiving funds under this subpart—

6 “(1) shall first provide assistance under this
7 subpart to high need high schools, in an amount
8 that is sufficient to carry out the high school im-
9 provement plan described in paragraph (8), by tar-
10 geting the provision of assistance to high need high
11 schools that—

12 “(A) are among the high schools served by
13 the local educational agency with the lowest
14 graduation rates; and

15 “(B) have the highest percentages or num-
16 bers of children counted under section 1124;

17 “(2) shall determine whether high need high
18 schools need whole school reform or reconstitution
19 (which may include activities described in [section
20 1116__] based on the data from the school perform-
21 ance indicators described in section 1812(f)(1);

22 “(3) may, after meeting the requirements of
23 paragraph (1), provide targeted assistance to high
24 schools that are not designated as high need high
25 schools, but fail to make adequate yearly progress as

1 defined in section 1111(c)(3) for 2 or more years, or
2 work with middle schools served by the local edu-
3 cational agency that serve students who go on to at-
4 tend high schools assisted under this subpart, if
5 grant funds are sufficient;

6 “(4) shall implement a dropout prevention sys-
7 tem to quickly identify students at risk of dropping
8 out of high school, including systems that measure—

9 “(A) student absenteeism;

10 “(B) earned on-time promotion rates from
11 grade to grade;

12 “(C) the percent of students failing a core
13 credit-bearing mathematics, reading or lan-
14 guage arts, or science course, or failing 2 or
15 more of any course;

16 “(D) students entering 9th grade having
17 not achieved proficiency on the State’s 8th
18 grade student academic achievement standards
19 in mathematics, or reading or language arts, as
20 measured on the State’s academic assessments
21 under section 1111(b)(2); and

22 “(E) the percent of students who are re-
23 peating the 9th grade or who enter the 9th
24 grade having repeated an earlier grade;

1 “(5) shall publicly report schools designated as
2 high need high schools and the interventions the
3 local educational agency shall provide with respect to
4 the high need high schools;

5 “(6) shall convene a school improvement team
6 for each high school assisted under this subpart
7 which—

8 “(A) shall include—

9 “(i) the building principal;

10 “(ii) teachers within the school rep-
11 resenting different grade levels or dis-
12 ciplines;

13 “(iii) local educational agency staff;

14 “(iv) parents, including a wide rep-
15 resentation of parents of students at the
16 high need high school to be assisted;

17 “(v) community representatives, in-
18 cluding representatives of nonprofit organi-
19 zations serving young people, and the busi-
20 ness community; and

21 “(vi) pupil service personnel; and

22 “(B) may include—

23 “(i) technical assistance providers,
24 where appropriate; and

1 “(ii) eligible entity staff if requested
2 by the local educational agency;

3 “(7) shall work with school improvement teams
4 to assess the capacity and needs of each high school
5 to be assisted, as well as to identify the existing re-
6 sources available to the local educational agency and
7 the high school, which assessment shall include a de-
8 scription and analysis of—

9 “(A) the number, experience, training
10 level, qualifications, responsibilities, and sta-
11 bility of existing administrative, instructional,
12 and noninstructional staff;

13 “(B) a review of how Federal, State, and
14 local funds are allocated for instruction and op-
15 erations for staff salaries, instructional mate-
16 rial, professional development, and student sup-
17 port services, in order to determine which exist-
18 ing resources need to and can be reallocated to
19 support the needed school improvement; and

20 “(C) additional resources and staff nec-
21 essary to implement the high school improve-
22 ment plan described in paragraph (8);

23 “(8) shall work with high school improvement
24 teams to develop a high school improvement plan
25 that—

1 “(A) identifies annual benchmarks to
2 measure progress on school performance indica-
3 tors described in section 1812(f)(1);

4 “(B) defines the **research-based** aca-
5 demic and nonacademic interventions and re-
6 sources necessary to meet the benchmarks de-
7 scribed in subparagraph (A);

8 “(C) identifies the roles of the eligible enti-
9 ty, the local educational agency, the school, and
10 technical assistance providers, as appropriate,
11 in providing identified interventions and re-
12 sources necessary to meet the benchmarks de-
13 scribed in subparagraph (A); and

14 “(D) provides for the involvement of busi-
15 ness and community organizations and other
16 entities, including parents and, to the extent
17 practicable, institutions of higher education, in
18 the activities to be assisted under this subpart;
19 and

20 “(9) shall use the information provided in the
21 capacity and needs assessment described in para-
22 graph (7), in coordination with the school improve-
23 ment plan, to determine the level and direct the use
24 of—

1 “(A) the funds provided under this subpart
2 to the local educational agency for each high
3 school to be assisted under this subpart;

4 “(B) any additional funding to be provided
5 by the eligible entity, the local educational
6 agency, or other sources; and

7 “(C) technical assistance providers, where
8 appropriate.

9 “(c) LOCAL EDUCATIONAL AGENCY REQUIRED USES
10 OF FUNDS.—Each local educational agency that receives
11 a subgrant under this subpart shall use the subgrant
12 funds to implement, in accordance with subsection (b),
13 [research-based] reforms designed to address the com-
14 prehensive aspects of high school reform, such as academic
15 success, student engagement, student behavior, student ef-
16 fort, student attendance, and teacher and administrator
17 skill and collaboration, through the following activities:

18 “(1) Implementing programs that personalize
19 the school experience, increase student engagement,
20 student attendance, and student effort, and enable
21 high schools to provide the level and intensity of stu-
22 dent support needed, by creating constructs, such
23 as—

24 “(A) smaller schools or smaller units with-
25 in schools with the high schools’ own leadership,

1 such as 9th grade transition programs or acad-
2 emies, and upper grade programs or academies,
3 including career academies or thematic small-
4 learning communities;

5 “(B) early college high schools;

6 “(C) teams of teachers who work exclu-
7 sively with small groups of students; or

8 “(D) using extended periods, such as block
9 scheduling, to reduce the number of students
10 for whom teachers are responsible and the num-
11 ber of courses students are taking at any one
12 time.

13 “(2) Improving curriculum and instruction,
14 which curriculum and instruction—

15 “(A) shall include—

16 “(i) a school-wide college-preparatory
17 curriculum for students in a high school
18 served by the local educational agency
19 under this subpart that is, at a minimum,
20 aligned with a rigorous high school pro-
21 gram of study, and shall provide access to
22 courses in which the students may earn
23 postsecondary education credit for courses
24 taken while in high school, such as a dual

1 credit course or an advanced placement
2 course;

3 “(ii) accelerated academic catch-up
4 programs, for students who enter high
5 school not meeting proficient levels of aca-
6 demic achievement in mathematics, read-
7 ing or language arts, or science, that en-
8 able such students to meet the proficient
9 levels of academic achievement and remain
10 on track to graduate from high school on
11 time with a regular high school diploma;
12 and

13 “(iii) a comprehensive college guid-
14 ance program that—

15 “(I) will ensure that all students
16 in a high school served by the local
17 educational agency under this sub-
18 part, and the parents of the students,
19 are regularly notified throughout the
20 students’ time in high school, of high
21 school graduation requirements and
22 postsecondary education entrance re-
23 quirements; and

24 “(II) provides guidance and as-
25 sistance to students in applying to an

1 institution of higher education and in
2 applying for Federal financial aid as-
3 sistance and other State, local, and
4 private financial aid assistance and
5 scholarships; and

6 “(B) may include—

7 “(i) a system of student and class-
8 room progress monitoring, including the
9 adoption and use of diagnostic or forma-
10 tive assessments that—

11 “(I) measure student academic
12 progress in the core academic areas;
13 and

14 “(II) identify areas in which stu-
15 dents need additional academic assist-
16 ance and support; and

17 “(ii) a program that offers all stu-
18 dents in a high school served by the local
19 educational agency under this subpart, op-
20 portunities for work-based and experiential
21 learning experiences, such as job-shad-
22 owing, internships, or community service.

23 “(3) Increased teacher and principal effective-
24 ness through activities including—

1 “(A) professional development and institu-
2 tional leadership, coordinated with other feder-
3 ally funded programs for professional develop-
4 ment, that may include the use of diagnostic
5 and formative assessments to identify student
6 and teacher needs, to assess classroom practice,
7 and to improve classroom instruction; and

8 “(B) implementing a program that pro-
9 vides regular opportunities for teachers of core
10 academic subjects to collaborate, which may in-
11 clude—

12 “(i) meeting together in—

13 “(I) subject area groups; and

14 “(II) interdisciplinary groups;

15 “(ii) reviewing student achievement
16 data; and

17 “(iii) planning instruction.

18 “(4) Increased student supports, which—

19 “(A) shall include—

20 “(i) credit completion recovery pro-
21 grams; and

22 “(ii) a program of regular student
23 academic advisement; and

24 “(B) may include—

1 “(i) additional counselors or social
2 workers;

3 “(ii) strengthening the involvement of
4 parents in the academic life of students;

5 “(iii) integrated social services;

6 “(iv) offering before- and after-school
7 programs, summer programs, or expanded
8 learning opportunities; or

9 “(v) additional supports for students
10 with diverse learning needs, including chil-
11 dren with disabilities and English language
12 learners.

13 “(d) LOCAL EDUCATIONAL AGENCY ALLOWABLE
14 USE OF FUNDS.—Each local educational agency receiving
15 a subgrant under this subpart may use the subgrant funds
16 to carry out 1 or more of the following:

17 “(1) Offering extended learning opportunities,
18 in school and through after-school and summer pro-
19 grams.

20 “(2) Offering mentoring and tutoring.

21 “(3) Implementing a schoolwide literacy or
22 mathematics plan that may include hiring literacy or
23 mathematics coaches.

24 “(4) Developing principal learning networks
25 and supports.

1 “(5) Working with middle schools that are
2 served by the local educational agency and that serve
3 students who go on to attend high schools assisted
4 under this subpart—

5 “(A) to establish a dropout prevention sys-
6 tem consisting of factors used to identify stu-
7 dents who are struggling academically and—

8 “(i) have poor attendance records;

9 “(ii) have been suspended in or before
10 the middle grades; or

11 “(iii) are likely to struggle in high
12 school or not to graduate from high school;
13 and

14 “(B) provide supports to get the middle
15 school students back on track.

16 “(6) Creating contextual learning opportunities
17 aligned with college and career readiness, such as
18 through a high quality career and technical edu-
19 cation (as defined in section 3 of the Carl D. Per-
20 kins Career and Technical Education Act of 2006)
21 program.

22 “(e) ENSURING CONTINUOUS HIGH SCHOOL IM-
23 PROVEMENT.—

24 “(1) IN GENERAL.—Each local educational
25 agency receiving assistance under this subpart shall

1 ensure the continuous improvement of high schools
2 by evaluating the progress of high schools receiving
3 assistance under this subpart using the school per-
4 formance indicators described in section 1812(f)(1).

5 “(2) ON TRACK.—Each high school receiving
6 assistance under this subpart that is meeting the
7 high school’s annual benchmarks described in sub-
8 section (b)(8)(A) shall continue to implement [plan
9 activities described in subsection (b)(8)].

10 “(3) NOT ON TRACK.—For each high school re-
11 ceiving assistance under this subpart that is not
12 meeting the high schools’s annual benchmarks de-
13 scribed in subsection (b)(8)(A), the local educational
14 agency shall—

15 “(A) after 1 year, review the school’s plan
16 and develop and implement a new plan, as ap-
17 propriate;

18 “(B) after 2 years, redesignate the school
19 as—

20 “(i) a school in need of whole school
21 reform; or

22 “(ii) a school in need of reconstitution
23 (which may include activities described in
24 section 1116 __); and

1 “(C) develop and submit to the eligible en-
2 tity for review a new school plan, as appro-
3 priate.

4 **“SEC. 1814. APPLICATIONS.**

5 “(a) **ELIGIBLE ENTITY.**—Each eligible entity desir-
6 ing a grant under this subpart shall submit an application
7 to the Secretary at such time and in such manner as the
8 Secretary may require. Each application shall—

9 “(1) include a description of how subgrants
10 made by the eligible entity under this subpart will
11 meet the requirements described in section 1812(e);

12 “(2) include a description of the peer review
13 process the eligible entity shall use to evaluate appli-
14 cations from local educational agencies;

15 “(3) contain an assurance that the eligible enti-
16 ty, and any local educational agencies receiving a
17 subgrant from the eligible entity, will, if requested,
18 participate in the independent evaluation under sec-
19 tion 1816(1);

20 “(4) describe how the eligible entity will use the
21 grant funds received under this section;

22 “(5) describe how the eligible entity will assist
23 a local educational agency or high school with flexi-
24 ble budget and hiring authority where needed to im-

1 plement improvements in high need high schools,
2 subject to State law;

3 “(6) contain an assurance that the eligible enti-
4 ty will assist local educational agencies in obtaining
5 any necessary waivers with respect to school struc-
6 ture, schedule, and calendar from State educational
7 agency policies, rules, or regulations that may be re-
8 quired to carry out the requirements of this subpart,
9 subject to State law;

10 “(7) describe how the eligible entity will meet
11 the matching requirements of section 1812(a)(3);

12 “(8) describe how the eligible entity will assess
13 and evaluate, on a regular basis, local educational
14 agency activities carried out under this subpart; and

15 “(9) describe how the eligible entity will develop
16 the performance indicators described in section
17 1812(f)(1) to identify high need high schools.

18 “(b) LOCAL EDUCATIONAL AGENCY.—Each local
19 educational agency desiring a subgrant under this section
20 shall submit an application to the eligible entity at such
21 time and in such manner as the eligible entity may re-
22 quire. Each application shall include—

23 “(1) a description of how the local educational
24 agency will determine whether a high need high
25 school requires targeted intervention, whole school

1 reform, or reconstitution (which may include activi-
2 ties described in section 1116 __);

3 “(2) a description of each high school that will
4 receive funding from the local educational agency
5 under this subpart, including whether—

6 “(A) the high school has been identified as
7 a high need high school; and

8 “(B) targeted intervention, whole school
9 reform, or reconstitution (which may include
10 activities described in section 1116 __) is re-
11 quired;

12 “(3) high school graduation, academic achieve-
13 ment, demographic, and socioeconomic data as the
14 eligible entity may request;

15 “(4) an assurance that academic merit tests
16 will not be used to determine student enrollment in
17 each such high school;

18 “(5) a description of how the local educational
19 agency will personalize the high school experience,
20 increase student engagement, student attendance,
21 and student effort, and enable each such high school
22 to provide the level and intensity of student support
23 needed for all students at the high school to be suc-
24 cessful;

1 “(6) a description of how the local educational
2 agency will improve curriculum and instruction;

3 “(7) clearly delineated benchmarks, consistent
4 with section 1813(b)(8), for improved student aca-
5 demic achievement, high school graduation rates,
6 and college-going rates at each high school served;

7 “(8) a description of assessments that will be
8 used at each high school served, including assess-
9 ments for school accountability purposes and student
10 progress monitoring purposes;

11 “(9) a comprehensive plan for increasing teach-
12 er and principal effectiveness that will result in im-
13 proved student academic achievement, high school
14 graduation rates, and college-going rates;

15 “(10) a description of the student supports that
16 will be offered to students;

17 “(11) an assurance that the local educational
18 agency will provide flexible budget and hiring au-
19 thority where needed to implement improvements in
20 high need high schools, subject to State law;

21 “(12) an assurance that the local educational
22 agency will grant high schools any necessary waiv-
23 ers, with respect to the high school structure, sched-
24 ule, and calendar, from local educational agency
25 policies, rules, or regulations that may be required

1 to carry out the requirements of this subpart, sub-
2 ject to State law;

3 “(13) a plan that details how programs assisted
4 under this subpart will be sustained after the end of
5 subgrant funding under this subpart;

6 “(14) an assurance that, in the cases of dual
7 credit courses and early college high schools, there
8 are formal agreements between the local educational
9 agency and institutions of higher education that de-
10 tail shared responsibility for each such high school
11 and students at each such high school;

12 “(15) a description of high school staffing con-
13 siderations and how teachers will be assigned and
14 selected for each such high school;

15 “(16) an assurance that the local educational
16 agency will report to the eligible entity all data nec-
17 essary for the eligible entity’s report under section
18 1815;

19 “(17) an assurance that in developing the local
20 educational agency’s application under this section,
21 the local educational agency collaborated with ad-
22 ministrators, teachers, staff, and parents at each
23 school to be served under this section, as well as
24 with representatives of community nonprofit organi-
25 zations and businesses; and

1 “(18) a description of how the local educational
2 agency will provide for the involvement of parents,
3 community organizations, including institutions of
4 higher education, and business in the activities to be
5 assisted under this subpart, and of the resources
6 such entities will make available to assist in such ac-
7 tivities.

8 **“SEC. 1815. REPORTING AND ACCOUNTABILITY.**

9 “(a) COLLECTION OF DATA.—Each eligible entity re-
10 ceiving a grant under this subpart shall collect and report
11 annually to the Secretary such information on the results
12 of the activities assisted under the grant as the Secretary
13 may reasonably require, including information on—

14 “(1) the number and percentage of students in
15 the State who are assisted under this subpart and
16 graduate from high school on time with a regular
17 high school diploma;

18 “(2) the number and percentage of students, at
19 each grade level, in the State who are assisted under
20 this subpart and meet or exceed State reading or
21 language arts, mathematics, or science standards, as
22 measured by State academic assessments required
23 under section 1111(b)(2);

24 “(3) the number and percentage of students, at
25 each grade level, in the State who are assisted under

1 this subpart and are on track to graduate from high
2 school on time and with a regular high school di-
3 ploma;

4 “(4) the number and percentage of students in
5 the State who are assisted under this subpart and
6 participate in work-based and experiential learning
7 experiences, such as job shadowing, internships, and
8 community service, and information on the types of
9 experiences in which such students participated;

10 “(5) the number and percentage of students, in
11 grades 11 and 12, in the State who are assisted
12 under this subpart and enrolled in not less than 2
13 of the following:

14 “(A) a dual credit course; or

15 “(B) an advanced placement course;

16 “(6) the number and percentage of students in
17 the State who are assisted under this subpart and
18 receive a passing grade or higher for a dual credit
19 course, or an advanced placement course;

20 “(7) the number and percentage of students in
21 the State who are assisted under this subpart and
22 apply to an institution of higher education while still
23 in high school;

24 “(8) the number and percentage of students in
25 the State who are assisted under this subpart and

1 are accepted to an institution of higher education
2 while still in high school;

3 “(9) the number and percentage of students in
4 the State who are assisted under this subpart and
5 enroll in an institution of higher education in the
6 school year immediately following the students’ high
7 school graduation;

8 “(10) the number and percentage of students in
9 the State who are assisted under this subpart and
10 enrolled in remedial mathematics or English courses
11 during their freshman year at an institution of high-
12 er education, if such information is available to the
13 eligible entity;

14 “(11) the number and percentage of students,
15 in grade 10, in the State who are assisted under this
16 subpart and take the PSAT; and

17 “(12) the number and percentage of students,
18 in grades 11 and 12, in the State who are assisted
19 under this subpart and take the SAT or ACT, and
20 the students’ mean score on each such assessment.

21 “(b) REPORTING OF DATA.—Each eligible entity re-
22 ceiving a grant under this subpart shall report the infor-
23 mation required under subsection (a) disaggregated in the
24 same manner as information is disaggregated under sec-
25 tion 1111(h)(1)(C)(i).

1 “(c) REPORT TO CONGRESS.—Every 2 years, the
2 Secretary shall report to Congress and to the public—

3 “(1) a summary of the eligible entity reports re-
4 ceived under this section; and

5 “(2) on the use of funds by each eligible entity
6 under this subpart.

7 **“SEC. 1816. EVALUATION AND REPORT.**

8 “From the amount appropriated for any fiscal year
9 under [section 1002(h)], the Secretary may reserve not
10 more than [2.5 percent]—

11 “(1) to conduct an independent evaluation, by
12 grant or by contract, of the program carried out
13 under this subpart, which shall include an assess-
14 ment of the impact of the program on high school
15 graduation rates, college-going rates, and student
16 academic achievement; and

17 “(2) to prepare and submit a report on the re-
18 sults of the evaluation described in paragraph (1) to
19 the Committee on Health, Education, Labor, and
20 Pensions of the Senate, the Committee on Education
21 and Labor of the House of Representatives, and the
22 public.

1 **“Subpart 2—Secondary School Innovation Fund**

2 **“SEC. 1851. SHORT TITLE; PURPOSES.**

3 “(a) SHORT TITLE.—This subpart may be cited as
4 the Secondary School Innovation Fund Act.

5 “(b) PURPOSES.—The purposes of this subpart are—

6 “(1) to improve the achievement of at-risk or
7 struggling students in secondary school and prepare
8 such students for higher education and the work-
9 force;

10 “(2) to create evidence-based, replicable models
11 of innovation in secondary schools at the national,
12 State, and local level;

13 “(3) to build the capacity of State educational
14 agencies, local educational agencies, nonprofit orga-
15 nizations, and institutions of higher education to de-
16 velop and implement effective high school models for
17 at-risk or struggling students or school dropouts;
18 and

19 “(4) to support partnerships to create and in-
20 form innovation at the State and local level to im-
21 prove learning outcomes and transitions for sec-
22 ondary school students.

23 **“SEC. 1852. DEFINITIONS.**

24 “In this subpart:

25 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
26 tity’ means—

1 “(A) a partnership that includes—
2 “(i) not less than 1—
3 “(I) State educational agency; or
4 “(II) local educational agency
5 that is eligible for assistance under
6 part A; and
7 “(ii) not less than 1—
8 “(I) institution of higher edu-
9 cation;
10 “(II) nonprofit organization;
11 “(III) community-based organiza-
12 tion; or
13 “(IV) business; or
14 “(B) a local educational agency, a non-
15 profit organization, or an institution of higher
16 education that has a track record of serving at-
17 risk or struggling students or school dropouts
18 (or a partnership of such entities) and proposes
19 to use funds provided under this subpart for
20 the purpose described in section 1853(f)(9).
21 “(2) ELIGIBLE SCHOOL.—The term ‘eligible
22 school’ means a public secondary school served by a
23 local educational agency that is eligible for assist-
24 ance under part A.

1 **“SEC. 1853. SECONDARY SCHOOL INNOVATION FUND.**

2 “(a) PROGRAM AUTHORIZED.—The Secretary is au-
3 thorized to award grants, on a competitive basis, to eligible
4 entities to enable the eligible entities to pay the Federal
5 share of the costs of implementing innovative strategies
6 described in subsection (f) to improve the achievement of
7 at-risk or struggling students in eligible schools.

8 “(b) RESERVATION OF FUNDS.—The Secretary shall
9 reserve **【5 percent】** of the amounts appropriated under
10 this subpart for a fiscal year for the evaluation described
11 in subsection (h).

12 “(c) APPLICATION.—

13 “(1) IN GENERAL.—An eligible entity desiring a
14 grant under this subpart shall submit an application
15 to the Secretary at such time, in such manner, and
16 containing such information as the Secretary may
17 require.

18 “(2) CONTENTS.—The application described in
19 paragraph (1) shall include—

20 “(A) the eligible entity’s school design ele-
21 ments and principles that will be used in the ef-
22 fective school model, including—

23 “(i) the academic program;

24 “(ii) the instructional practices;

25 “(iii) the methods of assessment; and

1 work-based and experiential learning expe-
2 riences, such as job-shadowing, intern-
3 ships, or community service.

4 “(d) APPLICATION REVIEW AND AWARD BASIS.—

5 “(1) GRANT REVIEW AND APPROVAL.—The
6 Secretary shall—

7 “(A) establish a peer review process to as-
8 sist in the review of the grant applications
9 under this subpart and to make recommenda-
10 tions regarding the approval or disapproval of
11 the grant applications under this subpart; and

12 “(B) appoint to the peer review process—

13 “(i) individuals who are educators and
14 experts in—

15 “(I) secondary school reform;

16 “(II) accountability;

17 “(III) secondary school improve-
18 ment;

19 “(IV) innovative education mod-
20 els; and

21 “(V) other educational needs of
22 secondary school students; and

23 “(ii) not less than 1 parent or com-
24 munity representative; and

1 “(C) ensure that each grant award is of
2 sufficient size and scope to carry out the activi-
3 ties proposed in the grant application, including
4 the evaluation required under subsection (g)(3).

5 “(2) AWARD BASIS.—In awarding grants under
6 this subpart, the Secretary shall ensure, to the ex-
7 tent practicable—

8 “(A) diversity in the type of activities
9 funded under the grants;

10 “(B) an equitable geographic distribution
11 of the grants among areas of the United States,
12 including urban and rural areas; and

13 “(C) that the grants support activities—

14 “(i) that target different grade levels
15 of students at the secondary school level;
16 and

17 “(ii) in a variety of types of secondary
18 schools, including middle schools and high
19 schools.

20 “(e) MATCHING FUNDS.—

21 “(1) IN GENERAL.—Subject to paragraph (2),
22 each eligible entity that receives a grant under this
23 section shall provide, toward the cost of the activities
24 assisted under the grant, from non-Federal sources,

1 an amount equal to **[100 percent]** of the amount of
2 the grant.

3 “(2) WAIVER.—The Secretary may waive all or
4 part of the matching requirement described in para-
5 graph (1) for any fiscal year if the Secretary deter-
6 mines that applying the matching requirement to
7 such eligible entity would result in serious hardship
8 or an inability to carry out the authorized activities
9 described in subsection (f).

10 “(f) USE OF FUNDS.—An eligible entity receiving a
11 grant under this subpart, shall use grant, to carry out 1
12 or more of the following activities:

13 “(1) Creating multiple pathways that offer stu-
14 dents a range of educational options designed to
15 meet the students’ needs and interests and to lead
16 to a secondary school diploma consistent with readi-
17 ness for postsecondary education and the workforce,
18 which pathways may include—

19 “(A) alternative public schools that—

20 “(i) use innovative strategies such as
21 flexible hours;

22 “(ii) provide competency-based in-
23 struction and performance-based assess-
24 ment to improve educational outcomes for
25 various populations of overaged and under-

1 credited students or school dropouts, such
2 as—

3 “(I) students not making suffi-
4 cient progress to graduate with a reg-
5 ular secondary school diploma in the
6 standard number of years;

7 **【**“(II) students who need to work
8 to support themselves or their fami-
9 lies;**】**

10 **【**“(III) pregnant and parenting
11 teens; and**】**

12 “(IV) students returning from
13 the juvenile justice system;

14 “(B) career and technical education pro-
15 grams;

16 “(C) career academies;

17 “(D) early college and dual enrollment
18 learning opportunities; and

19 “(E) creating more personalized and en-
20 gaging learning environments for secondary
21 school students, such as—

22 “(i) establishing smaller learning com-
23 munities;

24 “(ii) creating student advisories and
25 developing peer engagement strategies in

1 which students lead guidance activities,
2 mentoring, or tutoring efforts;

3 “(iii) involving students and parents
4 in the development of plans for secondary
5 school success and graduation, and for
6 postsecondary transition;

7 “(iv) creating mechanisms for in-
8 creased student participation in school im-
9 provement efforts and in decisions affect-
10 ing the students’ own learning; and

11 “(v) creating new opportunities to bet-
12 ter utilize the grade 11 and grade 12 years
13 and creating better connectivity to postsec-
14 ondary education.

15 “(2) Creating expanded learning opportunities
16 consistent with **[_____]**.

17 “(3) Improving student transitions from middle
18 school to high school and ensuring successful entry
19 into high school, which may include—

20 “(A) establishing summer transition pro-
21 grams for secondary school students
22 transitioning from middle school to high school
23 to ensure the students’ connection to the stu-
24 dents’ new high school and to orient the stu-

1 dents to the study skills and social skills nec-
2 essary for success in the high school;

3 “(B) providing for the sharing of data be-
4 tween high schools and feeder middle schools;

5 “(C) establishing quick response and recov-
6 ery programs in high school for secondary
7 school students transitioning into the students’
8 first year of high school so that such students
9 do not become truant or fall behind in aca-
10 demics;

11 “(D) increasing the level of student sup-
12 ports, including academic and social-emotional
13 supports, especially for struggling students; and

14 “(E) aligning academic standards, cur-
15 ricula, and assessments between middle and
16 high schools.

17 “(4) Improving student transitions from sec-
18 ondary school to postsecondary education and the
19 workforce, which may include—

20 “(A) providing for the sharing of data be-
21 tween secondary schools and institutions of
22 higher education;

23 “(B) enabling dual enrollment and credit-
24 bearing learning opportunities;

1 “(C) establishing one or more early college
2 secondary schools that offer students a sec-
3 ondary school diploma and not more than 2
4 years of college credit within a 4- or 5-year pro-
5 gram;

6 “(D) providing enhanced higher education
7 and financial aid counseling; and

8 “(E) aligning the academic standards of
9 secondary school with the academic standards
10 of postsecondary education and the require-
11 ments and expectations of the workforce.

12 “(5) Increasing the autonomy and flexibility of
13 secondary schools, which may include—

14 “(A) establishing a process whereby exist-
15 ing schools can apply for flexibility in such
16 areas as scheduling, curricula, budgeting, and
17 governance; and

18 “(B) starting new small public secondary
19 schools that are guaranteed such autonomies.

20 “(6) Improving learning opportunities for sec-
21 ondary school students in rural schools, including
22 through the use of distance-learning opportunities
23 and other technology-based tools.

24 “(7) Redesigning a middle school—

1 “(A) to prevent student disengagement
2 and improve student academic achievement; and

3 “(B) to better respond to early warning
4 signs that students are at risk of dropping out
5 of school, such as poor attendance, poor behav-
6 ior, or course failure.

7 “(8) Improving teaching and increasing aca-
8 demic rigor at the secondary school level, which may
9 include—

10 “(A) improving the alignment of academic
11 standards with the requirements and expecta-
12 tions of postsecondary education and the work-
13 force;

14 “(B) implementing a highly rigorous, evi-
15 dence-based postsecondary preparatory program
16 terminating in an examination administered by
17 a nationally recognized educational organization
18 that has a demonstrated record of effectiveness
19 in assessing secondary school students;

20 “(C) improving the teaching and assess-
21 ment of 21st century skills, including through
22 the development of formative assessment mod-
23 els;

24 “(D) increasing community involvement,
25 including leveraging community-based services

1 and opportunities to provide every student, at
2 each school served by the eligible entity under
3 this subpart, with the academic and nonaca-
4 demic supports necessary for academic success;

5 “(E) increasing parental involvement, in-
6 cluding providing parents with the tools to navi-
7 gate, support, and influence their child’s aca-
8 demic career and choices through secondary
9 school graduation and into postsecondary edu-
10 cation and the workforce; and

11 “(F) addressing the learning needs of var-
12 ious student populations, including English lan-
13 guage learners, late entrant English language
14 learners, and students with disabilities.

15 “(9) Develop a new secondary school model de-
16 sign that is based on **[research-based]** organiza-
17 tional and instructional practices for improving stu-
18 dent academic achievement and outcomes for at-risk
19 or struggling students or school dropouts.

20 “(g) DATA COLLECTION AND EVALUATION.—

21 “(1) COLLECTION OF DATA.—Each eligible en-
22 tity receiving a grant under this subpart shall collect
23 and report annually to the Secretary such informa-
24 tion on the results of the activities assisted under

1 the grant as the Secretary may reasonably require,
2 including information on—

3 “(A) the number and percentage of stu-
4 dents who—

5 “(i) are served by the eligible entity;

6 “(ii) are assisted under this subpart;

7 and

8 “(iii) graduate from secondary school
9 with a regular secondary school diploma in
10 the standard number of years;

11 “(B) the number and percentage of stu-
12 dents, at each grade level, who are—

13 “(i) served by the eligible entity;

14 “(ii) assisted under this subpart; and

15 “(iii) on track to graduate from sec-
16 ondary school with a regular secondary
17 school diploma in the standard number of
18 years;

19 “(C) the number and percentage of stu-
20 dents, at each grade level, who—

21 “(i) are served by the eligible entity;

22 “(ii) are assisted under this subpart;

23 and

24 “(iii) meet or exceed State challenging
25 student academic achievement standards in

1 mathematics, reading or language arts, or
2 science, as measured by the State aca-
3 demic assessments under section
4 1111(b)(2);

5 “(D) information consistent with the addi-
6 tional indicators of improvement proposed by
7 the eligible entity in the grant application; and

8 “(E) other information the Secretary may
9 require as necessary for the evaluation de-
10 scribed in subsection (h).

11 “(2) REPORTING OF DATA.—Each eligible enti-
12 ty receiving a grant under this subpart shall
13 disaggregate the information required under para-
14 graph (1) in the same manner as information is
15 disaggregated under section 1111(h)(1)(C)(i).

16 “(3) EVALUATION.—

17 “(A) IN GENERAL.—Each eligible entity
18 receiving a grant under this subpart shall enter
19 into a contract with an outside evaluator to en-
20 able the evaluator to conduct—

21 “(i) an evaluation of the effectiveness
22 of the grant after the third year of imple-
23 mentation of the grant; and

1 “(ii) an evaluation of the effectiveness
2 of the grant after the final year of the
3 grant period.

4 “(B) DISTRIBUTION.—Upon completion of
5 an evaluation described in subparagraph (A),
6 the eligible entity shall submit a copy of the
7 evaluation to the Secretary in a timely manner.

8 “(h) EVALUATION; BEST PRACTICES.—

9 “(1) IN GENERAL.—From amounts reserved
10 under subsection (b), the Secretary shall—

11 “(A) enter into a contract with an inde-
12 pendent evaluator outside of the Department to
13 enable the evaluator to conduct—

14 “(i) a comprehensive evaluation, after
15 the third year that the Secretary awards
16 grants under this subpart, on the effective-
17 ness of all grants awarded under this sub-
18 part in improving student academic
19 achievement; and

20 “(ii) a final evaluation, after the
21 [sixth] year that the Secretary awards
22 grants under this subpart, on the effective-
23 ness of all grants awarded under this sub-
24 part in improving student academic
25 achievement.

1 “(B) disseminate best practices in improv-
2 ing the achievement of secondary school stu-
3 dents.

4 “(2) PEER REVIEW.—

5 “(A) IN GENERAL.—An evaluator receiving
6 a contract under this subsection shall—

7 “(i) establish a peer review process to
8 assist in the review and approval or dis-
9 approval of the evaluations conducted
10 under this subsection; and

11 “(ii) appoint individuals to the peer
12 review process who are educators and ex-
13 perts in—

14 “(I) research and evaluation; and

15 “(II) the areas of expertise de-
16 scribed in subclauses (I) through (V)
17 of subsection (d)(1)(B)(i).

18 “(B) RESTRICTIONS ON USE.—The Sec-
19 retary shall not distribute or use the results of
20 any evaluation described in paragraph (1)(A)
21 until the results are peer reviewed in accord-
22 ance with subparagraph (A).

23 “(i) CONTINUATION OF FUNDING.—An eligible entity
24 that receives a grant under this subpart shall only be eligi-
25 ble to receive a grant payment for a fourth or fifth year

1 of the grant if the Secretary determines, on the basis of
2 the evaluation of the grant under subsection (h)(1)(A)(i),
3 that the performance of the eligible entity under the grant
4 has been satisfactory.

5 “(j) **RULE OF CONSTRUCTION REGARDING DISCRIMI-**
6 **NATION.**—Nothing in this section shall be construed to
7 permit discrimination on the basis of race, color, religion,
8 sex, national origin, or disability in any program or activ-
9 ity funded under this subpart.

10 **["SEC. 1854. AUTHORIZATION OF APPROPRIATIONS.**

11 “There is authorized to be appropriated to carry out
12 this subpart \$500,000,000 for fiscal year 2008 and for
13 each of the succeeding 5 years.”.]

14 **PART I—STUDENT MATH SKILLS IMPROVEMENT**
15 **GRANTS**

16 **SEC. 195. REPEALS.**

17 The following sections of the America COMPETES
18 Act (Public Law 110–69) are repealed:

- 19 (1) Section 6131.
20 (2) Section 6201.
21 (3) Section 6202.
22 (4) Section 6203.
23 (5) Section 6204.

1 **SEC. 196. STUDENT MATH SKILLS IMPROVEMENT GRANTS.**

2 (a) AMENDMENTS.—Title I (20 U.S.C. 6301 et seq.)

3 is further amended—

4 (1) by redesignating part I as part J;

5 (2) by redesignating sections 1901 through

6 1908, as sections 1981 through 1988, respectively;

7 and

8 (3) by inserting after part H (as amended by

9 section 191) (20 U.S.C. 6557 et seq.) the following:

10 **“PART I—STUDENT MATH SKILLS IMPROVEMENT**
11 **GRANTS**

12 **“Subpart 1—Math Now**

13 **“SEC. 1921. MATH NOW FOR ELEMENTARY SCHOOL AND**
14 **MIDDLE SCHOOL STUDENTS PROGRAM.**

15 “(a) PURPOSE.—The purpose of this subpart is to
16 enable all students to reach or exceed grade-level academic
17 achievement standards and to prepare the students to en-
18 roll in and pass algebra courses by—

19 “(1) improving instruction in mathematics for
20 students in kindergarten through grade 9 through
21 the implementation of mathematics programs and
22 the support of comprehensive mathematics initiatives
23 that are [research-based and reflect a demonstrated
24 record of effectiveness]; and

1 “(2) providing targeted help to low-income stu-
2 dents who are struggling with mathematics and
3 whose achievement is significantly below grade level.

4 “(b) DEFINITION OF ELIGIBLE LOCAL EDU-
5 CATIONAL AGENCY.—In this section, the term ‘eligible
6 local educational agency’ means a high-need local edu-
7 cational agency serving 1 or more schools—

8 “(1) with significant numbers or percentages of
9 students whose mathematics skills are below grade
10 level;

11 “(2) that have not made adequate yearly
12 progress in mathematics under section 1111(c) for
13 the most recent 2 consecutive school years for which
14 data are available; and

15 “(3) in which students are receiving instruction
16 in mathematics from teachers who do not have
17 mathematical content knowledge or expertise in the
18 teaching of mathematics.

19 “(c) PROGRAM AUTHORIZED.—

20 “(1) IN GENERAL.—From the amounts appro-
21 priated under subsection (l) for any fiscal year, the
22 Secretary is authorized to award grants, on a com-
23 petitive basis, for a period of 5 years, to State edu-
24 cational agencies to enable the State educational
25 agencies to award grants to eligible local educational

1 agencies to carry out the activities described in sub-
2 section (e) for students in any of the grades kinder-
3 garten through grade 9.

4 “(2) PRIORITY.—In awarding grants under this
5 section, the Secretary shall give priority to applica-
6 tions for projects that will implement statewide
7 strategies for improving mathematics instruction
8 and raising the mathematics achievement of stu-
9 dents, particularly students in grades 4 through 8.

10 “(d) STATE USES OF FUNDS.—

11 “(1) IN GENERAL.—Each State educational
12 agency that receives a grant under this section for
13 a fiscal year—

14 “(A) shall expend not more than a total of
15 10 percent of the grant funds to carry out the
16 activities described in paragraphs (2) or (3) for
17 the fiscal year; and

18 “(B) shall use not less than 90 percent of
19 the grant funds to award grants, on a competi-
20 tive basis, to eligible local educational agencies
21 to enable the eligible local educational agencies
22 to carry out the activities described in sub-
23 section (e) for the fiscal year.

24 “(2) MANDATORY USES OF FUNDS.—A State
25 educational agency shall use the grant funds made

1 available under paragraph (1)(A) to carry out each
2 of the following activities:

3 “(A) PLANNING AND EVALUATION.—Plan-
4 ning and evaluation, including—

5 “(i) evaluating applications from eligi-
6 ble local educational agencies using peer
7 review teams described in subsection
8 (f)(1)(A)(iv); and

9 “(ii) assessing and evaluating, on a
10 regular basis, eligible local educational
11 agency activities assisted under this sec-
12 tion, with respect to whether the activities
13 have been effective in increasing the num-
14 ber of students—

15 “(I) making progress toward
16 meeting the proficient level for the ap-
17 propriate grade level mathematics
18 standard as measured by the State’s
19 annual academic assessment in math-
20 ematics, described in section
21 1111(b)(2); and

22 “(II) meeting or exceeding the
23 proficient level for the appropriate
24 grade level mathematics standard as
25 measured by the State’s annual aca-

1 demic assessment in mathematics, de-
2 scribed in section 1111(b)(2).

3 “(B) REPORTING.—Annually providing the
4 Secretary with a report on the implementation
5 of this section as described in subsection (j).

6 “(3) PERMISSIVE USES OF FUNDS; TECHNICAL
7 ASSISTANCE.—

8 “(A) IN GENERAL.—A State educational
9 agency may use the grant funds made available
10 under paragraph (1)(A) for 1 or more of the
11 following technical assistance activities that as-
12 sist an eligible local educational agency, upon
13 request by the eligible local educational agency,
14 in accomplishing the tasks required to design
15 and implement a project under this section, in-
16 cluding assistance in—

17 “(i) implementing mathematics pro-
18 grams or comprehensive mathematics ini-
19 tiatives that are **【**research-based and re-
20 flect a demonstrated record of effective-
21 ness**】**;

22 “(ii) evaluating and selecting diag-
23 nostic and classroom based instructional
24 mathematics assessments; and

1 “(iii) identifying eligible professional
2 development providers to conduct the pro-
3 fessional development activities described
4 in subsection (e)(1)(B).

5 “(B) GUIDANCE.—The technical assistance
6 described in subparagraph (A) shall be guided
7 by researchers with expertise in the pedagogy of
8 mathematics, mathematicians, and mathematics
9 educators from high-risk, high-achievement
10 schools and eligible local educational agencies.

11 “(e) LOCAL USES OF FUNDS.—

12 “(1) MANDATORY USES OF FUNDS.—Each eligi-
13 ble local educational agency receiving a grant under
14 this section shall use the grant funds to carry out
15 each of the following activities for students in any of
16 the grades kindergarten through grade 9:

17 “(A) To implement mathematics programs
18 or comprehensive mathematics initiatives—

19 “(i) for students in the grades of a
20 participating school as identified in the ap-
21 plication submitted under subsection
22 (f)(2)(B); and

23 “(ii) that are **【**research-based and re-
24 flect a demonstrated record of effective-
25 ness**】**.

1 “(B) To provide professional development
2 and instructional leadership activities for teach-
3 ers and, if appropriate, for administrators and
4 other school staff, on the implementation of
5 comprehensive mathematics initiatives de-
6 signed—

7 “(i) to improve the achievement of
8 students performing significantly below the
9 proficient level for the appropriate grade
10 level mathematics standard for the grade
11 in which the students are enrolled as meas-
12 ured by the State’s annual academic as-
13 sessment in mathematics, described in sec-
14 tion 1111(b)(2);

15 “(ii) to improve the mathematical con-
16 tent knowledge of the teachers, administra-
17 tors, and other school staff;

18 “(iii) to increase the use of effective
19 instructional practices; and

20 “(iv) to monitor student progress.

21 “(C) To conduct continuous progress mon-
22 itoring, which may include the adoption and use
23 of assessments that—

1 “(i) measure student progress and
2 identify areas in which students need help
3 in learning mathematics; and

4 “(ii) reflect mathematics content that
5 is consistent with State academic content
6 standards and State student academic
7 achievement standards in mathematics de-
8 scribed in section 1111(b).

9 “(2) PERMISSIVE USES OF FUNDS.—An eligible
10 local educational agency may use grant funds under
11 this section to—

12 “(A) adopt and use mathematics instruc-
13 tional materials and assessments;

14 “(B) implement classroom-based assess-
15 ments, including diagnostic or formative assess-
16 ments;

17 “(C) provide remedial coursework and
18 interventions for students, which may be pro-
19 vided before or after school;

20 “(D) provide small groups with individual-
21 ized instruction in mathematics;

22 “(E) conduct activities designed to improve
23 the content knowledge and expertise of teach-
24 ers, such as the use of a mathematics coach,

1 enrichment activities, and interdisciplinary
2 methods of mathematics instruction; and

3 “(F) collect and report performance data.

4 “(f) APPLICATIONS.—

5 “(1) STATE EDUCATIONAL AGENCY.—

6 “(A) IN GENERAL.—Each State edu-
7 cational agency desiring a grant under this sec-
8 tion shall submit an application to the Sec-
9 retary at such time and in such manner as the
10 Secretary may require. Each application shall
11 include—

12 “(i) an assurance that the core mathe-
13 matics instructional program, supplemental
14 instructional materials, and intervention
15 programs used by the eligible local edu-
16 cational agencies for the project, are [re-
17 search-based and reflect a demonstrated
18 record of effectiveness] and are aligned
19 with State academic content standards and
20 State student academic achievement stand-
21 ards in mathematics described in section
22 1111(b);

23 “(ii) an assurance that eligible local
24 educational agencies will meet the require-
25 ments described in paragraph (2);

1 “(iii) an assurance that local applica-
2 tions will be evaluated using a peer review
3 process;

4 “(iv) a description of the qualifica-
5 tions of the peer review teams, which shall
6 consist of—

7 “(I) researchers with expertise in
8 the pedagogy of mathematics;

9 “(II) mathematicians; and

10 “(III) mathematics educators
11 serving high-risk, high-achievement
12 schools and eligible local educational
13 agencies;

14 “(v) a description of how the State
15 educational agency will help local eligible
16 local educational agencies identify appro-
17 priate and effective materials, programs,
18 and assessments for students with disabil-
19 ities and students who are English lan-
20 guage learners; and

21 “(vi) an assurance that the State has
22 a process to safeguard against conflicts of
23 interest consistent with [section [] of
24 title IX] for individuals providing technical
25 assistance on behalf of the State edu-

1 cational agency or participating in the
2 State peer review process under this part.

3 “(B) PEER REVIEW.—Each application
4 submitted by a State educational agency under
5 subparagraph (A) shall be subject to the peer
6 review panel process described in [section
7 [_____] of title IX.]

8 “(2) ELIGIBLE LOCAL EDUCATIONAL AGEN-
9 CY.—Each eligible local educational agency desiring
10 a grant under this section shall submit an applica-
11 tion to the State educational agency at such time
12 and in such manner as the State educational agency
13 may require. Each application shall include—

14 “(A) an assurance that the eligible local
15 educational agency will provide assistance to 1
16 or more schools that are—

17 “(i) served by the eligible local edu-
18 cational agency; and

19 “(ii) described in subsection (b);

20 “(B) a description of the grades, and of
21 the schools, that will be served;

22 “(C) information, on an aggregate basis,
23 on each school to be served by the project, in-
24 cluding such demographic, socioeconomic, and

1 mathematics achievement data as the State
2 educational agency may request;

3 “(D) a description of the core mathematics
4 instructional program, supplemental instruc-
5 tional materials, and intervention programs or
6 strategies that will be used for the project, in-
7 cluding an assurance that the programs or
8 strategies are **【research-based and reflect a**
9 **demonstrated record of effectiveness】** and are
10 aligned with State academic content standards
11 and State student academic achievement stand-
12 ards;

13 “(E) a description of the activities that will
14 be carried out under the grant, including a de-
15 scription of the professional development that
16 will be provided to teachers, and, if appropriate,
17 administrators and other school staff, and a de-
18 scription of how the activities will support
19 achievement of the purpose of this section;

20 “(F) a description of how the local edu-
21 cational agency will develop or select and imple-
22 ment **【research-based】** mathematics programs,
23 including programs for students with disabil-
24 ities and students who are English language
25 learners;

1 “(G) an assurance that the eligible local
2 educational agency will report to the State edu-
3 cational agency all data on student academic
4 achievement that are necessary for the State
5 educational agency’s report under subsection
6 (j);

7 “(H) a description of the eligible entity’s
8 plans for evaluating the impact of professional
9 development and leadership activities in mathe-
10 matics on the content knowledge and expertise
11 of teachers, administrators, or other school
12 staff; and

13 “(I) any other information the State edu-
14 cational agency may reasonably require.

15 “(g) PROHIBITIONS.—The provisions of this [sec-
16 tion] shall be subject to the prohibitions described in [sec-
17 tion [_____] of title IX.]

18 “(h) MATCHING REQUIREMENTS.—

19 “(1) STATE EDUCATIONAL AGENCY.—A State
20 educational agency that receives a grant under this
21 section shall provide, from non-Federal sources, an
22 amount equal to 50 percent of the amount of the
23 grant, in cash or in kind, to carry out the activities
24 supported by the grant, of which not more than 20

1 percent of such 50 percent may be provided by local
2 educational agencies within the State.

3 “(2) WAIVER.—The Secretary may waive all of
4 or a portion of the matching requirement described
5 in paragraph (1) for any fiscal year, if the Secretary
6 determines that—

7 “(A) the application of the matching re-
8 quirement will result in serious hardship for the
9 State educational agency; or

10 “(B) providing a waiver best serves the
11 purpose of the program assisted under this sec-
12 tion.

13 “(i) SUPPLEMENT; NOT SUPPLANT.—A State shall
14 use funds received under this section only to supplement
15 the level of non-Federal funds that, in the absence of
16 funds under this section, would be expended for activities
17 authorized under this section, and not to supplant such
18 non-Federal funds.

19 “(j) PROGRAM PERFORMANCE AND ACCOUNT-
20 ABILITY.—

21 “(1) INFORMATION.—Each State educational
22 agency receiving a grant under this section shall col-
23 lect and report to the Secretary annually such infor-
24 mation on the results of the grant as the Secretary
25 may reasonably require, including information on—

1 “(A) mathematics achievement data that
2 show the progress of students participating in
3 projects under this section (including, to the ex-
4 tent practicable, comparable data from students
5 not participating in such projects), based pri-
6 marily on the results of State, school district
7 wide, or classroom-based, assessments, includ-
8 ing—

9 “(i) specific identification of those
10 schools and eligible local educational agen-
11 cies that report the largest gains in mathe-
12 matics achievement; and

13 “(ii) evidence on whether the State
14 educational agency and eligible local edu-
15 cational agencies within the State have—

16 “(I) significantly increased the
17 number of students achieving at or
18 above the proficient level for the ap-
19 propriate grade level on the State’s
20 mathematics standard as measured by
21 the State’s annual assessment in
22 mathematics, described in section
23 1111(b)(2);

24 “(II) significantly increased the
25 percentages of students described in

1 section 1111(c)(3)(E)(ii) who are
2 achieving at grade level or above in
3 mathematics;

4 “(III) significantly increased the
5 number of students making significant
6 progress toward meeting the pro-
7 ficient level for the appropriate grade
8 level mathematics standard as meas-
9 ured by the State’s annual assessment
10 in mathematics, described in section
11 1111(b)(2); and

12 “(IV) successfully implemented
13 this section;

14 “(B) the percentage of students in the
15 schools served by the eligible local educational
16 agency who enroll in and who pass algebra
17 courses; and

18 “(C) the progress made in increasing the
19 quality and accessibility of professional develop-
20 ment and leadership activities in mathematics,
21 especially activities resulting in greater content
22 knowledge and expertise of teachers, adminis-
23 trators, and other school staff.

24 “(2) REPORTING AND DISAGGREGATION.—The
25 information required under paragraph (1) shall be—

1 “(A) reported in a manner that allows for
2 a comparison of aggregated score differentials
3 of student academic achievement before (to the
4 extent feasible) and after implementation of the
5 project assisted under this section; and

6 “(B) disaggregated in the same manner as
7 information is disaggregated under section
8 1111(h)(1)(C)(i).

9 “(3) PRIVACY PROTECTION.—Data in the re-
10 port shall be reported in a manner that protects the
11 privacy of individuals.

12 “(k) EVALUATION AND TECHNICAL ASSISTANCE.—

13 “(1) EVALUATION.—

14 “(A) IN GENERAL.—The Secretary shall
15 conduct an annual independent evaluation, by
16 grant or by contract, of the program assisted
17 under this section, which shall include an as-
18 sessment of the impact of the program on stu-
19 dent academic achievement and teacher per-
20 formance, and may use funds available to carry
21 out this section to conduct the evaluation.

22 “(B) REPORT.—The Secretary shall annu-
23 ally submit, to the Committee on Education
24 and Labor and the Committee on Appropria-
25 tions of the House of Representatives, and to

1 the Committee on Health, Education, Labor,
2 and Pensions and the Committee on Appropria-
3 tions of the Senate, a report on the results of
4 the evaluation.

5 “(C) LIMITATIONS.—The evaluation de-
6 scribed in this subsection shall be subject to the
7 limitations described in [section [_____]] of
8 title IX .]

9 “(2) TECHNICAL ASSISTANCE.—

10 “(A) IN GENERAL.—The Secretary may
11 use funds made available under paragraph (3)
12 to provide technical assistance to prospective
13 applicants and to eligible local educational
14 agencies receiving a grant under this section.

15 “(B) CONFLICTS OF INTEREST.—If the
16 Secretary carries out subparagraph (A) through
17 a contract, the Secretary, in consultation with
18 the Office of the General Counsel of the De-
19 partment, shall ensure that such contract be
20 carried out consistent with [section [_____]]
21 of title IX .]

22 “(3) RESERVATION OF FUNDS.—The Secretary
23 may reserve not more than 2.5 percent of funds ap-
24 propriated under subsection (1) for a fiscal year to
25 carry out this subsection.

1 “(1) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 **[\$95,000,000]** for fiscal year 2008, and such sums as
4 may be necessary for each of the 5 succeeding fiscal years.

5 **“Subpart 2—Math Skills**

6 **“SEC. 1925. MATH SKILLS FOR SECONDARY SCHOOL STU-**
7 **DENTS.**

8 “(a) PURPOSES.—The purposes of this section are—

9 “(1) to provide assistance to State educational
10 agencies and local educational agencies in imple-
11 menting effective **[research-based]** mathematics
12 programs for students in secondary schools, includ-
13 ing students with disabilities and students who are
14 English language learners;

15 “(2) to improve instruction in mathematics for
16 students in secondary school through the implemen-
17 tation of mathematics programs and the support of
18 comprehensive mathematics initiatives that are
19 based on the best available evidence of effectiveness;

20 “(3) to provide targeted help to low-income stu-
21 dents who are struggling with mathematics and
22 whose achievement is significantly below grade level;
23 and

24 “(4) to provide in-service training for mathe-
25 matics coaches who can assist secondary school

1 teachers to utilize **[research-based]** mathematics in-
2 struction to develop and improve students’ mathe-
3 matical abilities and knowledge, and assist teachers
4 in assessing and improving student academic
5 achievement.

6 “(b) DEFINITIONS.—In this section:

7 “(1) ELIGIBLE LOCAL EDUCATIONAL AGEN-
8 CY.—The term ‘eligible local educational agency’ has
9 the meaning given the term in section 1921(b).

10 “(2) MATHEMATICS COACH.—The term ‘mathe-
11 matics coach’ means a certified or licensed teacher,
12 with a demonstrated effectiveness in teaching mathe-
13 matics to students with specialized needs in mathe-
14 matics and improving student academic achievement
15 in mathematics, a command of mathematical content
16 knowledge, and the ability to work with classroom
17 teachers to improve the teachers’ instructional tech-
18 niques to support mathematics improvement, who
19 works on site at a school—

20 “(A) to train teachers to better assess stu-
21 dent learning in mathematics;

22 “(B) to train teachers to assess students’
23 mathematics skills and identify students who
24 need remediation; and

1 “(C) to provide or assess remedial mathe-
2 matics instruction, including for—

3 “(i) students in after-school and sum-
4 mer school programs;

5 “(ii) students requiring additional in-
6 struction;

7 “(iii) students with disabilities; and

8 “(iv) students who are English lan-
9 guage learners.

10 “(c) PROGRAM AUTHORIZED.—

11 “(1) IN GENERAL.—From funds appropriated
12 under subsection (n) for a fiscal year, the Secretary
13 shall establish a program, in accordance with the re-
14 quirements of this section, that will provide grants
15 on a competitive basis to State educational agencies
16 to award grants and subgrants to eligible local edu-
17 cational agencies for the purpose of establishing
18 mathematics programs to improve the overall mathe-
19 matics performance of secondary school students in
20 the State.

21 “(2) LENGTH OF GRANT.—A grant to a State
22 educational agency under this section shall be
23 awarded for a period of 5 years.

1 “(d) RESERVATION OF FUNDS BY THE SEC-
2 RETARY.—From amounts appropriated under subsection
3 (n) for a fiscal year, the Secretary may reserve—

4 “(1) not more than 3 percent of such amounts
5 to fund national activities in support of the pro-
6 grams assisted under this section, such as research
7 and dissemination of best practices, except that the
8 Secretary may not use the reserved funds to award
9 grants directly to local educational agencies; and

10 “(2) not more than $\frac{1}{2}$ of 1 percent of such
11 amounts for the [Bureau of Indian Education of the
12 Department of the Interior] to carry out the serv-
13 ices and activities described in subsection (j)(3) for
14 Indian children.

15 “(e) STATE GRANTS.—

16 “(1) COMPETITIVE GRANTS TO STATE EDU-
17 CATIONAL AGENCIES.—From amounts appropriated
18 under subsection (n) and not reserved under sub-
19 section (d), the Secretary shall award grants, on a
20 competitive basis, to State educational agencies to
21 enable the State educational agencies to provide sub-
22 grants to eligible local educational agencies to estab-
23 lish mathematics programs for the purpose of im-
24 proving overall mathematics performance among stu-
25 dents in secondary school in the State.

1 “(2) MINIMUM GRANT.—The Secretary shall
2 ensure that a minimum grant made to any State
3 educational agency under this section shall be not
4 less than \$500,000.

5 “(f) APPLICATIONS.—In order to receive a grant
6 under this section, a State educational agency shall submit
7 an application to the Secretary at such time, in such man-
8 ner, and accompanied by such information as the Sec-
9 retary may require. Each such application shall meet the
10 following conditions:

11 “(1) The State educational agency’s application
12 shall include assurances that such application and
13 any technical assistance provided by the State will
14 be guided by a peer review team, which shall consist
15 of—

16 “(A) researchers with expertise in the ped-
17 agogy of mathematics;

18 “(B) mathematicians; and

19 “(C) mathematics educators serving high-
20 risk, high-achievement schools and eligible local
21 educational agencies.

22 “(2) The State educational agency shall include
23 an assurance that the State has a process to safe-
24 guard against conflicts of interest consistent with
25 【section 【_____】 of title IX】 for individuals pro-

1 viding technical assistance on behalf of the State
2 educational agency or participating in the State peer
3 review process under this part.

4 “(3) The State educational agency will partici-
5 pate, if requested, in any evaluation of the State
6 educational agency’s program under this section.

7 “(4) The State educational agency’s application
8 shall include a program plan that contains a descrip-
9 tion of the following:

10 “(A) How the State educational agency
11 will assist eligible local educational agencies in
12 implementing subgrants, including providing
13 ongoing professional development for mathe-
14 matics coaches, teachers, paraprofessionals, and
15 administrators.

16 “(B) How the State educational agency
17 will help eligible local educational agencies iden-
18 tify high-quality screening, diagnostic, and
19 classroom-based instructional mathematics as-
20 sessments.

21 “(C) How the State educational agency
22 will help eligible local educational agencies iden-
23 tify high-quality [research on effective mathe-
24 matics instruction] mathematics materials and
25 programs.

1 “(D) How the State educational agency
2 will help eligible local educational agencies iden-
3 tify appropriate and effective materials, pro-
4 grams, and assessments for students with dis-
5 abilities and students who are English language
6 learners.

7 “(E) How the State educational agency
8 will ensure that professional development fund-
9 ed under this section—

10 “(i) is based on **【research on effective**
11 **mathematics instruction】**;

12 “(ii) will effectively improve instruc-
13 tional practices for mathematics for sec-
14 ondary school students;

15 “(iii) will improve student academic
16 achievement in mathematics; and

17 “(iv) is coordinated with professional
18 development activities funded through
19 other programs, including section 2113.

20 “(F) How funded activities will help teach-
21 ers and other instructional staff to implement
22 **【research on effective mathematics instruction】**
23 components of mathematics instruction and im-
24 prove student academic achievement.

1 “(G) The subgrant process the State edu-
2 cational agency will use to ensure that eligible
3 local educational agencies receiving subgrants
4 implement programs and practices based on
5 【research on effective mathematics instruc-
6 tion】.

7 “(H) How the State educational agency
8 will build on and promote coordination among
9 mathematics programs in the State to increase
10 overall effectiveness in improving mathematics
11 instruction and student academic achievement,
12 including for students with disabilities and stu-
13 dents who are English language learners.

14 “(I) How the State educational agency will
15 regularly assess and evaluate the effectiveness
16 of the eligible local educational agency activities
17 funded under this section.

18 “(g) STATE USE OF FUNDS.—Each State edu-
19 cational agency receiving a grant under this section
20 shall—

21 “(1) establish a peer review team comprised of
22 researchers with expertise in the pedagogy of mathe-
23 matics, mathematicians, and mathematics educators
24 from high-risk, high-achievement schools, to provide
25 guidance to eligible local educational agencies in se-

1 lecting or developing and implementing appropriate,
2 **【research-based】** mathematics programs for sec-
3 ondary school students;

4 “(2) use 80 percent of the grant funds received
5 under this section for a fiscal year to fund high-
6 quality applications for subgrants to eligible local
7 educational agencies having applications approved
8 under subsection (j); and

9 “(3) use 20 percent of the grant funds received
10 under this section—

11 “(A) to carry out State-level activities de-
12 scribed in the application submitted under sub-
13 section (f);

14 “(B) to provide—

15 “(i) technical assistance to eligible
16 local educational agencies; and

17 “(ii) high-quality professional develop-
18 ment to teachers and mathematics coaches
19 in the State;

20 “(C) to oversee and evaluate subgrant
21 services and activities undertaken by the eligible
22 local educational agencies as described in sub-
23 section (j)(3); and

24 “(D) for administrative costs, of which not
25 more than 5 percent of the grant funds may be

1 used for planning, administration, and report-
2 ing.

3 “(h) PROHIBITIONS.—The provisions of this subpart
4 【Note: do you mean section?】 shall be subject to the pro-
5 hibitions described in 【section 【_____】 of title IX.】

6 “(i) SUPPLEMENT; NOT SUPPLANT.—A State shall
7 use funds received under this section only to supplement
8 the level of non-Federal funds that, in the absence of
9 funds under this section, would be expended for activities
10 authorized under this section, and not to supplant such
11 non-Federal funds.

12 “(j) SUBGRANTS TO ELIGIBLE LOCAL EDUCATIONAL
13 AGENCIES.—

14 “(1) APPLICATION.—

15 “(A) IN GENERAL.—Each eligible local
16 educational agency desiring a subgrant under
17 this subsection shall submit an application to
18 the State educational agency in the form and
19 according to the schedule established by the
20 State educational agency.

21 “(B) CONTENTS.—In addition to any in-
22 formation required by the State educational
23 agency, each application under subparagraph
24 (A) shall demonstrate how the eligible local edu-

1 educational agency will carry out the following re-
2 quired activities:

3 “(i) Development or selection and im-
4 plementation of **【research-based】** mathe-
5 matics assessments.

6 “(ii) Development or selection and im-
7 plementation of **【research-based】** mathe-
8 matics programs, including programs for
9 students with disabilities and students who
10 are English language learners.

11 “(iii) Selection of instructional mate-
12 rials based on **【research on effective math-
13 ematics instruction】**.

14 “(iv) High-quality professional devel-
15 opment for mathematics coaches and
16 teachers based on **【research on effective
17 mathematics instruction】**.

18 “(v) Evaluation and assessment strat-
19 egies.

20 “(vi) Reporting.

21 “(vii) Providing access to **【research-
22 based】** mathematics materials.

23 “(C) CONSORTIA.—Consistent with State
24 law, an eligible local educational agency may
25 apply to the State educational agency for a

1 subgrant as a member of a consortium of local
2 educational agencies if each member of the con-
3 sortium is an eligible local educational agency.

4 “(2) AWARD BASIS.—

5 “(A) PRIORITY.—A State educational
6 agency awarding subgrants under this sub-
7 section shall give priority to eligible local edu-
8 cational agencies that—

9 “(i) are among the local educational
10 agencies in the State with the lowest grad-
11 uation rates, as described in section
12 1111(c)(3)(F);

13 “(ii) have the highest number or per-
14 centage of students who are counted under
15 section 1124(c); and

16 “(iii) have the highest number or per-
17 centage of students not meeting the pro-
18 ficient level for the appropriate grade level
19 mathematics standard for the grade in
20 which the students are enrolled as meas-
21 ured by the State’s annual academic as-
22 sessment in mathematics, described in sec-
23 tion 1111(b)(2).

24 “(B) AMOUNT OF GRANTS.—Subgrants
25 under this subsection shall be of sufficient size

1 and scope to enable eligible local educational
2 agencies to fully implement activities assisted
3 under this subsection.

4 “(3) LOCAL USE OF FUNDS.—Each eligible
5 local educational agency receiving a subgrant under
6 this subsection shall use the subgrant funds to carry
7 out, at the secondary school level, the following serv-
8 ices and activities:

9 “(A) Hiring mathematics coaches and pro-
10 viding professional development for mathe-
11 matics coaches—

12 “(i) at a level to provide effective
13 coaching to classroom teachers;

14 “(ii) to work with classroom teachers
15 to better assess student academic achieve-
16 ment in mathematics;

17 “(iii) to work with classroom teachers
18 to identify students with mathematics
19 problems and, where appropriate, refer
20 students to available programs for remedi-
21 ation and additional services;

22 “(iv) to work with classroom teachers
23 to diagnose and remediate mathematics
24 difficulties of the lowest-performing stu-
25 dents, so that those teachers can provide

1 intensive, **[research-based]** instruction, in-
2 cluding during after-school and summer
3 sessions, geared toward ensuring that
4 those students can access and be successful
5 in rigorous academic coursework; and

6 “(v) to collect and organize student
7 achievement data on mathematics and
8 communicate that data to school adminis-
9 trators to inform school reform efforts.

10 “(B) Reviewing, analyzing, developing,
11 and, where possible, adapting curricula to make
12 sure mathematics skills are taught within other
13 core academic subjects.

14 “(C) Providing professional development in
15 mathematics instruction for teachers, and, as
16 necessary, administrators and paraprofes-
17 sionals, to improve student academic achieve-
18 ment in mathematics in secondary school, in-
19 cluding professional development that addresses
20 both remedial and higher level mathematical
21 skills for students in the applicable curriculum.

22 “(D) Procuring and implementing pro-
23 grams and instructional materials based on
24 **[mathematics research]**, including software
25 and other education technology related to math-

1 ematics instruction with demonstrated effective-
2 ness in improving mathematics instruction and
3 student academic achievement.

4 “(E) Building on and promoting coordina-
5 tion among mathematics programs in the eligi-
6 ble local educational agency to increase overall
7 effectiveness in—

8 “(i) improving mathematics instruc-
9 tion; and

10 “(ii) increasing student academic
11 achievement, including for students with
12 disabilities and students who are English
13 language learners.

14 “(F) Evaluating the effectiveness of the in-
15 structional strategies, teacher professional de-
16 velopment programs, and other interventions
17 that are implemented under the subgrant.

18 “(G) Measuring improvement in student
19 academic achievement, including through
20 progress monitoring or other assessments.

21 “(4) SUPPLEMENT; NOT SUPPLANT.—A local
22 educational agency shall use funds received under
23 this subsection only to supplement the level of non-
24 Federal funds that, in the absence of funds under
25 this subsection, would be expended for activities au-

1 thorized under this subsection, and not to supplant
2 such non-Federal funds.

3 “(5) EVALUATIONS.—Each eligible local edu-
4 cational agency receiving a grant under this sub-
5 section shall participate, as requested by the State
6 educational agency or the Secretary, in reviews and
7 evaluations of the programs of the eligible local edu-
8 cational agency and the effectiveness of such pro-
9 grams, and shall provide such reports as are re-
10 quested by the State educational agency and the
11 Secretary.

12 “(k) MATCHING REQUIREMENTS.—

13 “(1) STATE EDUCATIONAL AGENCY REQUIRE-
14 MENTS.—A State educational agency that receives a
15 grant under this section shall provide, from non-
16 Federal sources, an amount equal to 50 percent of
17 the amount of the grant, in cash or in-kind, to carry
18 out the activities supported by the grant, of which
19 not more than 20 percent of such 50 percent may
20 be provided by local educational agencies within the
21 State.

22 “(2) WAIVER.—The Secretary may waive all or
23 a portion of the matching requirements described in
24 paragraph (1) for any fiscal year, if the Secretary
25 determines that—

1 “(A) the application of the matching re-
2 quirement will result in serious hardship for the
3 State educational agency; or

4 “(B) providing a waiver best serves the
5 purpose of the program assisted under this sec-
6 tion.

7 “(1) EVALUATION AND TECHNICAL ASSISTANCE.—

8 “(1) EVALUATION.—

9 “(A) IN GENERAL.—The Secretary shall
10 conduct an annual independent evaluation, by
11 grant or by contract, of the program assisted
12 under this section, which shall include an as-
13 sessment of the impact of the program on stu-
14 dent academic achievement and teacher per-
15 formance, and may use funds available to carry
16 out this section to conduct the evaluation.

17 “(B) REPORT.—The Secretary shall annu-
18 ally submit to the Committee on Education and
19 Labor and the Committee on Appropriations of
20 the House of Representatives, and to the Com-
21 mittee on Health, Education, Labor, and Pen-
22 sions and the Committee on Appropriations of
23 the Senate, a report on the results of the eval-
24 uation.

1 “(C) LIMITATIONS.—The evaluation de-
2 scribed in this paragraph shall be subject to the
3 limitations described in [section [_____]] of
4 title IX .]”

5 “(2) TECHNICAL ASSISTANCE.—

6 “(A) IN GENERAL.—The Secretary may
7 use funds made available under paragraph (3)
8 to provide technical assistance to prospective
9 applicants and to State educational agencies
10 and eligible local educational agencies receiving
11 grants or subgrants under this section.

12 “(B) CONFLICTS OF INTEREST.—If the
13 Secretary carries out subparagraph (A) through
14 a contract, the Secretary, in consultation with
15 the Office of the General Counsel of the De-
16 partment, shall ensure that such contract be
17 carried out consistent with [section [_____]]
18 of title IX .]”

19 “(3) RESERVATION OF FUNDS.—The Secretary
20 may reserve not more than 2.5 percent of funds ap-
21 propriated under subsection (n) for a fiscal year to
22 carry out this subsection.

23 “(m) PROGRAM PERFORMANCE AND ACCOUNT-
24 ABILITY.—

1 in mathematics under section
2 1111(b)(2);

3 “(II) significantly increased the
4 percentages of students described in
5 section 1111(e)(3)(E)(ii) who are
6 achieving proficiency or advanced lev-
7 els on such State academic achieve-
8 ment standards in mathematics as
9 measured by the State annual assess-
10 ment in mathematics, described in
11 section 1111(b)(2);

12 “(III) significantly increased the
13 number of students making significant
14 progress toward meeting such State
15 academic achievement standards in
16 mathematics; and

17 “(IV) successfully implemented
18 this section;

19 “(B) the percentage of students in the
20 schools served by the eligible local educational
21 agency who enroll in advanced mathematics
22 courses as defined by the State in each of
23 grades 9 through 12 and the percentage of such
24 students who pass such courses; and

1 “(C) the progress made in increasing the
2 quality and accessibility of professional develop-
3 ment and leadership activities in mathematics,
4 especially activities resulting in greater content
5 knowledge and expertise of teachers, adminis-
6 trators, and other school staff.

7 “(2) REPORTING AND DISAGGREGATION.—The
8 information required under paragraph (1) shall be—

9 “(A) reported in a manner that allows for
10 a comparison of aggregated score differentials
11 of student academic achievement before (to the
12 extent feasible) and after implementation of the
13 project assisted under this section; and

14 “(B) disaggregated in the same manner as
15 information is disaggregated under section
16 1111(h)(1)(C)(i).

17 “(n) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this section
19 **【\$95,000,000】** for fiscal year 2008 and each of the 5 suc-
20 ceeding fiscal years.”.

21 (b) CONFORMING AMENDMENTS.—

22 **【(1) STATE PLAN.—Section 1111(e)(11) (20**
23 U.S.C. 6311(e)(11)) is amended by striking
24 “1903(b)” and inserting “1983(b)”.】

1 (2) AGREEMENTS.—Section 1902(a) (20 U.S.C.
2 6572(a)) is amended by striking “1901” and insert-
3 ing “1981”.