

MONTH DAY, 2000

SPEAKER NAME  
TITLE  
ADDRESS  
ADDRESS

Dear NAME:

On behalf of the President, I am writing to invite you to speak at the White House Strategy Session on Educational Excellence for Hispanic Americans, to be held Thursday, June 15, 2000, from 9:00 a.m. to 6:00 p.m. The strategy session will seek to identify the key strategies needed to achieve the following major educational objectives for Hispanic Americans:

- Increasing Access to Quality Early Childhood Education
- Eliminating the Achievement Gap
- Ensuring that Hispanic Students Achieve English Proficiency
- Increasing the Rate of High School Completion
- Increasing the College Completion Rate

The opening session of the strategy meeting will take place in the Presidential Hall of the Old Executive Office Building. The opening session will be followed by five breakout sessions on the topics articulated above. Following a lunch, the afternoon session will be held in the East Room of the White House with an audience comprised of educators, elected officials, business leaders, researchers, and policymakers. At that session, President Clinton will provide brief remarks and lead a roundtable strategy discussion.

We would like you to participate on a panel as part of the breakout session on "Increasing the Rate of High School Completion." In addition to any general comments you would like to make on this topic from your perspective as a school principal, please discuss your dropout prevention/high school completion efforts through the Morton East Attendance Initiative. You should plan 5-7 minutes for your remarks.

It would be helpful if you could provide some biographical information and an outline of your remarks (bullet points will suffice) so that we can ensure that there is not duplication among speakers, given the need to cover a lot of material in a short time. You may submit this information via email (preferred) to me at <John\_B.\_Buxton@opd.eop.gov> or by fax to (202) 456-5581.

Please note that invitations have already been issued for the session so we will be unable to allow speakers to bring additional guests. We very much appreciate your willingness to speak at the conference. Please call me with any questions at 202 456 5567. We look forward to seeing you June 15th.

Sincerely,

JB Buxton  
Domestic Policy Council

# White House Strategy Session on Educational Excellence for Hispanic Students

The White House

June 15, 2000

## Draft Agenda

- |                     |   |
|---------------------|---|
| 9:00 am – 9:30 am   | <b>Registration</b>   |
| 9:30 am – 10:30 am  | <b>Welcome and Plenary Session</b>  |
| 10:45 am – 12:45 pm | <b>Break-out Sessions:</b> <ul style="list-style-type: none"><li>• <b>Increasing Access to Quality Early Childhood Education</b></li><li>• <b>Ensuring that Hispanic Students Achieve English Proficiency</b></li><li>• <b>Eliminating the Achievement Gap</b></li><li>• <b>Increasing the Rate of High School Completion</b></li><li>• <b>Increasing the College Completion Rate</b></li></ul> |
| 1:00 pm – 2:00 pm   | <b>Buffet Lunch</b>   |
| 2:00 pm – 2:30 pm   | <b>Move to East Room</b>  |
| 2:30 pm – 4:30 pm   | <b>White House Strategy Session – Working with the Public, Private and Non-Profit Sectors to Meet our National Goals</b>  |
| 4:30 pm – 6:00 pm   | <b>Commissioner's Reception</b>   |

Note: Times are tentative and subject to change.

**National Goals for Educational Excellence for Hispanic Americans**

- GOAL #1: Ensure that Hispanic American children have access to high quality early childhood education and development programs and enter school prepared to succeed by increasing the Hispanic participation rate to the national participation rate in high quality programs by 2010.
- GOAL #2: Respecting the importance of multilingualism, age-specific learning needs, different research-based instructional approaches, and the variety of developmental levels at which limited English proficient (LEP) children enter school, by 2010 all states and school districts will provide appropriate language instruction to ensure that all students graduate from high school having demonstrated proficiency in English.
- GOAL #3: Provide a high quality education with appropriate resources and support to ensure equal opportunity for all students in order to eliminate the achievement gap between Hispanic students and other students on appropriate state assessments and other indicators by 2010.
- GOAL #4: Increase the high school completion rate for Hispanic students to 90 percent by 2010.
- GOAL #5: Double the percentage of Hispanic Americans who earn Associate's and Bachelor's degrees by 2010.

## **Background on the June 15 White House Strategy Session on Educational Excellence for Hispanic Students**

Improving educational opportunities and outcomes for all Americans has been a cornerstone of the Clinton-Gore Administration. The Administration's initiatives have helped to provide students with the educational opportunities they need to reach high standards, enhance the quality of teaching, make college more affordable for all Americans, and offer lifetime education and training opportunities to those in need. Despite these gains, the reality remains that significant gaps exist in educational access and achievement between Hispanic students and their peers. The strategy session will highlight the importance of boosting Hispanic education achievement for our country's democracy and economic success.

In August 1999, the First Lady hosted the White House Convening on Latino Youth which sought to draw attention to the needs of the Latino community and emphasizing the importance of ensuring that every child meets his or her full potential. Over 200 community leaders, foundation and private sector representatives joined federal agency personnel to discuss pathways to achievement for Latino youth, including the networks of support that promote such achievement, and the risk factors that impede that progress.

As part of the Administration's continued commitment to educational excellence for all Americans, the President will host a White House Strategy Session on Educational Excellence for Hispanic Students on June 15, 2000. The session will address the growing concerns of many parents, teachers, researchers, and advocates across the country about the educational opportunities and achievement of Hispanic students. Unfortunately, today significant gaps remain in the achievement of Hispanic students compared to other students. These gaps manifest themselves in participation rates in pre-school and higher education, on academic assessment results, and through high school and college completion rates that are substantially lower than the national average.

To rally the nation to address these challenges, the President will announce five national goals focused on the following areas:

- Increasing Access to Quality Early Childhood Education
- Ensuring that Hispanic Students Achieve English Proficiency
- Eliminating the Achievement Gap
- Increasing the Rate of High School Completion
- Increasing the College Completion Rate

Participants in the June 15 meeting will attend breakout sessions and a roundtable discussion with the President focused on articulating and developing the critical strategies necessary to achieve the national goals. In developing this strategy session, the White House has worked with stakeholders from the policymaking, business, and nonprofit communities to help formulate the goals and structure of the session, as well as to secure concrete commitments for future investments to address the educational needs of Hispanic students. By bringing together representatives from the public, private, and nonprofit sectors, we hope to stimulate discussion, action, and ongoing partnerships to involve all areas of American society in this effort.

**WHITE HOUSE STRATEGY SESSION ON  
EDUCATIONAL EXCELLENCE FOR HISPANIC STUDENTS**

Program Draft 6/13/2000 7:30 a.m.

2:25 pm ( ) escorts participants to head table.

2:30 pm **THE PRESIDENT** is announced into room. **THE PRESIDENT** proceeds to table and takes seat.

Option: **THE PRESIDENT** is introduced into room with **Secretary Riley** and **Guillermo Linares**, Chair, The White House Commission on Educational Excellence for Hispanic Americans.

2:33 pm **THE PRESIDENT** makes remarks. Following remarks, **THE PRESIDENT** explains that **Secretary Riley, Governor Glendening, Congressman Hinajosa, Senator Bingaman and Guillermo Linares** will offer brief remarks before the discussion.

**Note: Order of speakers is not finalized.**

2:43pm **Governor Paris Glendening** makes remarks.

2:47pm **Congressman Ruben Hinajosa** makes remarks.

2:51pm **Senator Jeff Bingaman** makes remarks.

2:55pm **Secretary Riley (TBD)** makes remarks.

2:59pm **Guillermo Linares** makes remarks.

3:03pm The Press is escorted out of East Room.

**Report Out**

3:05pm **THE PRESIDENT** introduces the other participants at the table, and explains that he is going to ask some of the folks at the table to give him an informal report the morning's breakout sessions. **THE PRESIDENT** makes brief remarks on Goal 1 (early childhood education) and poses a question to **Flo Abel**, Executive Director of the Family Resource Agency of Northern Georgia.

*Question: "Flo, I know that in Georgia you have been experiencing rapid growth in the Hispanic population. What have you learned there that we as a country should be doing to ensure access and encourage participation of Hispanic families in early childhood programs?"*

**THE PRESIDENT** makes brief remarks on Goal 2 (English language proficiency), acknowledging political tensions around this issue, and making a

**Panelists**  
**White House Strategy Session:**  
**Improving Hispanic Student Achievement**  
**June 13, 2000**

***Goal 1-Early Childhood (OEOB Room 100)***

**Chairperson:** Congressman Hinojosa

***Panelists:***

***Rebeca Barrera CONFIRMED***

President

National Latino Children's Institute

1412 West 6<sup>th</sup> Street

Austin, Texas 78703

Phone – 512-472-9971

Fax – 512-472-5845

National Latino Children's Institute is an organization that serves as the voice for Latino children. Rebeca Barrera's professional work began as a high school teacher in the Edgewood Independent School District and has since worked for the Intercultural Development Research Association, as Director for the AMANECER Project, was an instructor in the Child Development Department of San Antonio College, owned and managed child care centers for ten years and was Executive Director of the Corporate Fund for Children for seven years. Barrera is the first Latina to serve on the Board of Directors of Scholastic, Inc., and was the recipient of the 1997 Matt Garcia Award for Community Service presented by the Mexican American Legal Defense Fund.

***Linda Espinosa, Ph.D CONFIRMED***

University of Missouri – Columbia

6396 South Sabine

Columbia, Missouri 65203

Dr. Espinosa specializes in studies related to the learning and development of young children from diverse background. She also is a member of the National Research Council's committee that is conducting the Study of Early Childhood Pedagogy.

Phone – 573-882-6805

***Flo Abel CONFIRMED***

Family Resource Agency of Northern Georgia

1217 Lafayette Road

Rossville, Georgia 30741

Phone – 706-861-0105

This program is located in an area of Georgia where there is a large carpet making industry.

While at one time there were hardly any Hispanics in the area, starting in 1995, there was an influx of Central American Hispanic families immigrating to the area. In the last year alone, the Hispanic population has risen from 40% to 50-60%. The Family Resources Head Start program took note of the changing demographics and worked to proactively hire bilingual teachers, staff and other coordinators, and to provide more home visits for families that were not immediately comfortable with coming to the center.

***Ed Leo NOT CONFIRMED***

Principal

Sanchez Elementary School

73 San Marcus Street  
Austin, Texas 78702  
Phone – 512-414-4423  
Fax – 512-472-9493

Mr. Leo runs an early childhood language and literacy class for 4-year-olds in his public school. The program is funded by the Dana Foundation and staffed by AmeriCorps volunteers and mothers who live in the neighborhood. He believes that this program is one way to stop the achievement gap before it begins.

***Carole Fiore CONFIRMED***

Florida's Born to Read Program  
Tallahassee, FL  
805-487-2651 – work phone  
970-262-7587 – vacation phone this week  
email: [cfiore@earthlink.net](mailto:cfiore@earthlink.net)

***Goal 2 – Language (OEOB Room 180)***

**Chairperson:** Menendez **NOT CONFIRMED**

**Panelists:**

***Migdania Vega CONFIRMED***

Recommended by: Department of ED  
1950 Southeast 13<sup>th</sup> Avenue  
Miami, Florida 33145  
Phone – 305-854-0515  
Fax – 305-285-9632  
Principal  
Coral Way Elementary Bilingual School, Miami (the ground-breaking and successful dual immersion school); she's also on the National Assessment Governing Board which provides guidance on NAEP--so she knows a few things about testing and the inclusion of LEP students.

***Ken Noonan CONFIRMED***

Superintendent  
Oceanside Unified School District  
2111 Mission Avenue  
Oceanside, California 92054-2395  
Phone – 760-757-2560  
Fax – 760-433-8620

***Margarita Calderon CONFIRMED***

Recommended by: Department of Education  
Dr. Margarita Calderon  
CRESPAR  
11437 Gene Sarazen  
El Paso, TX 79936  
Phone - (915) 595-5971  
Fax - (915) 595-6747

***Dr. Alba Ortiz CONFIRMED***

Director  
Office of Bilingual Education  
College of Education EDB 306  
University of Texas – Austin 78712  
Phone – 512-471-6244

***Goal 3 - Achievement Gap (VP Ceremonial)***

**Chairperson:** Congressman Romero-Barcelo **CONFIRMED**

**Panelists:**

***Dan Domenech CONFIRMED***

Recommended by: DPC  
Superintendent Fairfax County School  
10700 Page Avenue  
Fairfax, Virginia 22030  
Phone – 703-246-2631  
Fax – 703-691-2876

Dr. Daniel A. Domenech currently serves on the U.S. Department of Education National Assessment Governing Board, The Advisory Board to the Department of Defense Schools, and on the Board of Directors of the Fairfax County Chamber of Commerce. Dr. Domenech has been active professionally and was elected president of the American Association of School Administrators and is past president of the New York State Council of School Superintendents.

***Aida Hurtado CONFIRMED***

Recommended by: Department of ED  
Department of Psychology, UC Santa Cruz  
Aida served as research director of the UC-wide Latino Eligibility Study.

***Paul Ruiz CONFIRMED***

Principal, Education Trust  
1725 K Street N.W., Suite 200  
Washington, D.C. 20006  
Phone: 202-293-1217  
Fax: 202-293-2605

***David Hernandez CONFIRMED***

Teacher  
Linda Vista School (CA)  
2930 Gay Avenue  
San Jose, California 95127  
Phone: 408-928-6800  
Fax: 408-229-2223

***Goal 4 - High School Completion (OEOB Room 472)***

**Chairperson:** Secretary Louis Caldera **CONFIRMED**

**Panelists:**

***John Quinones CONFIRMED***

ABC Inc.  
77 West 66<sup>th</sup> Street  
New York, New York 10023  
Phone: 973-733-5880  
Fax: 973-733-5887

***Patricia Gandara CONFIRMED***

Recommended by: LULAC  
Division of Education  
University of California, Davis  
One Shields Avenue  
Davis, CA 95616  
Phone – 530-752-8262  
Fax – 530-752-5411

Patricia Gandara is a professor in the UC system who edited a recent pub from the College Board, *Priming the Pump: Strategies for Increasing the Achievement of Underrepresented Minority Undergraduates*. She is president of the Sociology of Education Association and program chair for Division G, the Social Context of Education for the American Educational Research Association. She is the director of the Education Policy Center of the Linguistic Minority Research Institute (LMRI). She teaches in the areas of psychological and sociocultural studies. Specific courses include Educational Testing and Evaluation, Education and Social Policy, and Educational Research.

***Leonard Skyrock CONFIRMED***

Teacher – 10<sup>th</sup> – 12<sup>th</sup> grades  
Frontier High School  
9401 South Painter Avenue  
Whittier, California 90605  
Phone: 562-698-8121 ext. 1201  
Fax: 562-945-7451

Governing Board Member since 1995 for Norwalk La Mirada Unified School District which determines education policy for 22,500 students, and a former middle school teacher.

***Manuel Isquierdo CONFIRMED***

Recommended by: DPC  
Principal  
J. Sterling Morton East High School  
2017 North Elizabeth Drive  
Arlington Heights, Illinois 60004  
Phone – 708-222-5750

***Goal 5 - Higher Education (OEOP Room 476)***

**Chairperson:** Gene Sperling ***CONFIRMED***

**Panelists:**

***Juliet Garcia CONFIRMED***

Recommended by: WHI  
University of Texas-Brownsville

80 Fort Brown  
Brownsville, Texas 78520  
Phone – 956-544-8201  
Fax – 956-548-0020

President of University of Texas at Brownsville (Hispanic Serving Institution) and  
Chair of the WHI Commission Higher Education Committee.

Dr. Juliet V. Garcia, chair of the Advisory Committee on Student Financial Assistance, was appointed by the Secretary of Education to serve a three-year term that expires in September 2002. Dr. Garcia has 25 years of teaching and administrative experience in higher education. Since 1992, Dr. Garcia has been the president of the University of Texas at Brownsville in partnership with Texas Southmost College. Prior to her current position, she served as dean of arts and sciences. She is a board member of the White House Initiative on Educational Excellence for Hispanic Americans, the Ford Foundation's Campus Diversity Initiative, and the Carnegie Foundation for the Advancement of Teaching. Dr. Garcia received her B.A. and M.A. degrees in Speech/English from the University of Houston, and her Ph.D. in communications and linguistics from the University of Texas at Austin.

*Gustavo Roig*

Associate Dean of Engineering for Outreach, Florida International University; GEAR UP director  
305-348-3700  
305-348-6188 fax  
GEAR UP Initiative (partnership between middle schools and colleges)  
Outreach in minority communities on science and math education

*Laura Rendon*

562-985-5392  
562-985-7692 fax  
lrendon@csulb.edu  
Professor, University of California-Long Beach  
Best practices for retention and completion

**DRAFT-DRAFT-DRAFT-DRAFT**

**WHITE HOUSE STRATEGY SESSION:  
IMPROVING HISPANIC STUDENTS ACHIEVEMENT**

June 15, 2000

**Roundtable Participants**

1. President Clinton
2. Secretary Riley
3. Gov. Glendening
4. Guillermo Linares
5. Congressman Hinojosa
6. Senator Bingaman
7. AFT Teacher (Tom Gammon)
8. NEA Teacher (Lily Eskelsen)
9. Principal (Migdania Vega)
10. Superintendent (Anthony Amato)
11. Chief State School Officer (David Driscoll)
12. HEC Representative (Delia Pompa)
13. Higher Education Representative (Juliet Garcia)
14. Early Childhood Education Representative (Flo Abel)
15. Business Representative (John Kernan, Founder and CEO Lightspan)
16. Other HEC/Student/Stakeholder

**Other Possibilities**

Raul Izaguirre\* or Cecilia Munoz (NCLR)  
Discovery Espanol CEO  
Rob Reiner\* (Producer, founder of I Am Your Child Foundation)

\*Have not confirmed attendance

**Meet and Greet**

Secretary Riley  
Gov. Glendening  
Guillermo Linares  
Congressman Hinojosa  
Senator Bingaman  
Lt. Gov. Cruz Bustamante  
Mayor Beverly O'Neill

**WHITE HOUSE STRATEGY SESSION ON  
EDUCATIONAL EXCELLENCE FOR HISPANIC STUDENTS**  
Program Draft 6/13/2000 7:30 a.m.

2:25 pm ( ) escorts participants to head table.

2:30 pm **THE PRESIDENT** is announced into room. **THE PRESIDENT** proceeds to table and takes seat.

Option: **THE PRESIDENT** is introduced into room with **Secretary Riley** and **Guillermo Linares**, Chair, The White House Commission on Educational Excellence for Hispanic Americans.

2:33 pm **THE PRESIDENT** makes remarks. Following remarks, **THE PRESIDENT** explains that **Secretary Riley**, **Governor Glendening**, **Congressman Hinajosa**, **Senator Bingaman** and **Guillermo Linares** will offer brief remarks before the discussion.

Note: Order of speakers is not finalized.

2:43pm **Governor Paris Glendening** makes remarks.

2:47pm **Congressman Ruben Hinajosa** makes remarks.

2:51pm **Senator Jeff Bingaman** makes remarks.

2:55pm **Secretary Riley (TBD)** makes remarks.

2:59pm **Guillermo Linares** makes remarks.

3:03pm The Press is escorted out of East Room.

Report Out

3:05pm **THE PRESIDENT** introduces the other participants at the table, and explains that he is going to ask some of the folks at the table to give him an informal report the morning's breakout sessions. **THE PRESIDENT** makes brief remarks on Goal 1 (early childhood education) and poses a question to **Flo Abel**, Executive Director of the Family Resource Agency of Northern Georgia.

*Question: "Flo, I know that in Georgia you have been experiencing rapid growth in the Hispanic population. What have you learned there that we as a country should be doing to ensure access and encourage participation of Hispanic families in early childhood programs?"*

**THE PRESIDENT** makes brief remarks on Goal 2 (English language proficiency), acknowledging political tensions around this issue, and making a

*Janna Lynch - 202/624-1934  
Carmel Marchi - 224-5521  
Carla Buckner - 226-8012  
Ryan Gold - 401-1354  
Sarita Brown*

strong statement about the importance of having a goal on English language proficiency. **THE PRESIDENT** then poses a question to Migdania Vega, principal of Coral Way Bilingual Elementary School:

*“Migdania, as I understand it, \_\_\_\_% of your students enroll with limited English proficiency, yet your school has some of the highest academic achievement in the county, including your English language reading scores. What role do you think English language acquisition has in academic success and what do we need to do to ensure students leave our public schools proficient in English?”*

**THE PRESIDENT** makes remarks on Goal 3 (closing the achievement gap), including a strong comment on the importance of standards, accountability, state assessments and investment in what works. **THE PRESIDENT** then poses question to school district Superintendent (Hartford or Seattle):

*“Hartford has been making some great strides in improving the educational achievement of all students. Your district (statistics on student achievement). What are the key strategies that are working in Hartford that schools and districts across the country should be using to leverage this kind of improvement?”*

**THE PRESIDENT** makes remarks on Goal 4 (high school completion rate), then directs question to David Driscoll, Massachusetts Chief State School Officer or Tom Gammon, teacher, Miami Springs High School:

*“When people talk about the high school completion rate for Hispanics, they most often focus on the disproportionately high dropout rate of Hispanic immigrant students or the financial support many Hispanic families need from their children’s work. But people who pay attention to this issue say there are many other important factors. What else should schools and communities be doing to ensure more Hispanic students complete high school?”*

**THE PRESIDENT** makes remarks on Goal 5 (college completion rate), then poses question to Juliet Garcia, President, UT-Brownsville.

*“Today we are setting a goal to double the college completion rate for Hispanics over the next decade, but we know it took twenty years to double the rate to where it is today. What are we going to have to do to reach such an ambitious goal?”*

3:30pm

**THE PRESIDENT** comments on some of the crosscutting themes from the responses (parental involvement, resource allocation, expectations) and opens the discussion with a question...

4:20pm

**THE PRESIDENT** provides closing remarks and asks participants to move to the State Dining room for a reception.

4:30pm

Program concludes.

**WHITE HOUSE STRATEGY SESSION ON  
EDUCATIONAL EXCELLENCE FOR HISPANIC STUDENTS**  
Program Draft 6/10/2000 12:42 PM

2:25pm ( ) escorts 15 participants to head table.

2:30pm **THE PRESIDENT** is announced into room. **THE PRESIDENT** proceeds to table and takes seat.

Option: The President is introduced into room with Secretary Riley, Governor Glendening, Congressman Hinajosa, Senator Bingaman and Guillermo Linares, Chair, The White House Commission on Educational Excellence for Hispanic Americans.

2:33pm **THE PRESIDENT** speaks and explains that Secretary Riley, Governor Glendening, Congressman Hinajosa, Senator Bingaman and Guillermo Linares will offer brief remarks before the discussion.

**Note: Order of speakers is not finalized.**

2:43pm **Governor Paris Glendening** makes remarks. Governor Paris Glendening introduces Congressman Hinajosa.

2:47pm **Congressman Ruben Hinajosa** makes remarks. Congressman Hinajosa introduces Senator Bingaman.

2:51pm **Senator Jeff Bingaman** makes remarks. Senator Bingaman introduces Secretary Riley (TBD).

2:55pm **Secretary Riley (TBD)** makes remarks. Secretary Riley introduces Guillermo Linares.

2:59pm **Guillermo Linares** makes remarks.

3:03pm The Press is escorted out of East Room.

**GOAL # 1**

3:05pm **THE PRESIDENT** introduces the other participants at the table, makes brief remarks on Goal One (early childhood education) and then poses a question to Flo Abel, Executive Director of the Family Resource Agency of Northern Georgia.

*Question: "Flo, I know that in Georgia you have been experiencing rapid growth in the Hispanic population. What have you learned there that we as a country should be doing to ensure access and encourage participation of Hispanic families in early childhood programs?"*

Others who could be called upon for this issue:

Migdania Vega, Principal, Coral Way Bilingual Elementary School  
*"Migdania, Do you find that children who have participated in early childhood education programs have an advantage when they start school?"*

Delia Pompa, Co-Chair, Hispanic Education Council and Executive Director,  
National Association of Bilingual Educators  
*"Delia, how can we get more information to parents to help them get their children off to a healthy start?"*

3:18pm

**Guillermo Linares** makes summary points from discussion on Goal 1.  
Guillermo outlines Goal #2.

GOAL #2

3:20pm

**THE PRESIDENT** makes remarks on Goal 2 (English language proficiency), acknowledging political tensions around this issue, and making a strong statement about the importance of having a goal on English language proficiency.

**THE PRESIDENT** then poses a question to Migdania Vega, principal of Coral Way Bilingual Elementary School:

*"Migdania, as I understand it, \_\_\_% of your students enroll with limited English proficiency, yet your school has some of the highest academic achievement in the county, including your English language reading scores. What role do you think English language acquisition has in academic success and what do we need to do to ensure students leave our public schools proficient in English?"*

Others who could be called upon for this issue:

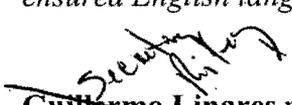
Delia Pompa, Co-Chair, Hispanic Education Council and Executive Director,  
NABE

*"Delia, how can we help educators who are not bilingual to effectively teach limited English proficient students?"*

Congressman Hinajosa  
"TBD"

David Hernandez, teacher, California  
*"David, how do we ensure that even students who enter U.S. schools with limited English proficiency as late as high school are taught to high standards and ensured English language skills?"*

3:33pm

  
**Guillermo Linares** makes summary points from discussion on Goal 2.  
Guillermo outlines Goal 3.

### GOAL # 3

3:35pm

**THE PRESIDENT** makes remarks on Goal 3 (closing the achievement gap), including a strong comment on the importance of standards, accountability, state assessments and investment in what works.

**THE PRESIDENT** then poses question to school district Superintendent (Hartford or Seattle):

*"Hartford has been making some great strides in improving the educational achievement of all students. Your district (statistics on student achievement). What are the key strategies that are working in Hartford that schools and districts across the country should be using to leverage this kind of improvement?"*

Others who could be called upon for this issue:

Tom Gammon, teacher, Miami Springs High School

*"Tom, what can we do to get the best teachers to teach in schools with the students facing the biggest challenges?"*

Governor Glendenning

*"Governor Glendenning, what role do resource allocation and other state decisions play in closing the achievement gap?"*

John Kernan

*"John, what compelled you to take on this issue in such an innovative way, and how can we get other private sector leaders involved?"*

3:48pm

**Guillermo Linares** makes summary points from discussion on Goal 3. Guillermo outlines Goal 4.

### GOAL # 4

3:50pm

**THE PRESIDENT** makes remarks on Goal 4 (high school completion rate), then directs question to David Driscoll, Chief State School Officer

*"When people talk about the high school completion rate for Hispanics, they most often focus on the disproportionately high dropout rate of Hispanic immigrant students or the financial support many Hispanic families need from their children's work. But people who pay attention to this issue say there are many other important factors. What else should schools and communities be doing to ensure more Hispanic students complete high school?"*

Others who could be called upon for this issue:

Tom Gammon, teacher, Miami Springs High School

*"Tom, what impact do teachers have when it comes to keeping kids in school?"*

Juliet Garcia, President, UT-Brownsville

*"Juliet, how do expectations and challenging coursework effect high school completion rates?"*

Sen. Bingaman

*"TBD"*

4:03pm

**Guillermo Linares** makes summary points from discussion on Goal 4. Guillermo outlines Goal 5.

### **GOAL # 5**

4:05pm

**THE PRESIDENT** makes remarks on Goal 5 (college completion rate), then poses question to Juliet Garcia, President, UT-Brownsville:

*"Today we are setting a goal to double the college completion rate for Hispanics over the next decade, but we know it took twenty years to double the rate to where it is today. Juliet, what are we going to have to do to reach such an ambitious goal?"*

Others who could be called upon for this issue:

Governor Glendenning

*"Governor you have experienced first-hand the extraordinary value of higher education. Yet the role of the government in providing higher education is much less clear than it is in providing public K-12 schools. How can government help to increase the college completion rate?"*

Delia Pompa

*"Delia, what challenges do we need to overcome to raise the college completion rate among Hispanic Americans and reach our goal?"*

David Hernandez, teacher

*"David, how can we help our teachers better prepare students for the challenges of higher education?"*

4:18pm

**Guillermo Linares** makes summary points from discussion on Goal 5 and turn program over to **THE PRESIDENT**.

4:20pm

**THE PRESIDENT** provides closing remarks and asks participants to move to the State Dinning room for a reception.

4:30pm

Program concludes.

the parents of a child who participates in the assessment required by section 6311(b)(3) of this title;

(5) the plan will be developed with the involvement of the community to be served and individuals who will carry out the plan, including teachers, principals, and other staff, parents, and if the plan relates to a secondary school, students from the school;

(6) the plan will be made available to parents and the public;

(7) the program will not include schools that do not receive funds under this part;

(8) the program will not use funds under this part to pay for transportation costs;

(9) both the sending and receiving schools agree to the student transfer; and

(10) such local educational agency will comply with the other requirements of this part.

(Pub.L. 89-10, Title I, § 1115A, as added Pub.L. 103-382, Title I, § 101, Oct. 20, 1994, 108 Stat. 3542.)

#### HISTORICAL AND STATUTORY NOTES

**Revision Notes and Legislative Reports**  
1994 Acts. House Report No. 103-425 and House Conference Report No. 103-761, see 1994 U.S. Code Cong. and Adm. News, p. 2807.

#### Effective Dates

1994 Acts. Section effective July 1, 1995, except that provisions that apply to

programs under subchapter VIII of this chapter, and to programs that are conducted on a competitive basis, effective with respect to appropriations for use under such programs for fiscal year 1995 and for subsequent fiscal years, see section 3(a)(1)(A) of Pub.L. 103-382, set out as a note under section 6301 of this title.

#### LIBRARY REFERENCES

##### American Digest System

United States ⇨82(2).

##### Encyclopedias

United States, see C.J.S. § 122.

#### WESTLAW ELECTRONIC RESEARCH

United States cases: 393k[add key number].

See WESTLAW guide following the Explanation pages of this volume.

### § 6317. Assessment and local educational agency and school improvement

#### (a) Local review

Each local educational agency receiving funds under this part shall—

(1) use the State assessments described in the State plan;

(2) use any additional measures or indicators described in the local educational agency's plan to review annually the progress of each school served under this part to determine whether the school is meeting, or making adequate progress as defined in section 6311(b)(2)(A)(i) of this title toward enabling its students to meet the State's student performance standards described in the State plan;

(3) publicize and disseminate to teachers and other staff, parents, students, and the community, the results of the annual review under paragraph (2) of all schools served under this part in individual school performance profiles that include statistically sound disaggregated results as required by section 6311(b)(3)(I) of this title; and

(4) provide the results of the local annual review to schools so that the schools can continually refine the program of instruction to help all children served under this part in those schools meet the State's student performance standards.

#### (b) Designation of distinguished schools

Each State educational agency and local educational agency receiving funds under this part shall designate distinguished schools in accordance with section 6318 of this title.

#### (c) School improvement

##### (1) In general

A local educational agency shall identify for school improvement any school served under this part that—

(A) has been in program improvement under section 1020 of the Elementary and Secondary Education Act of 1965 (as such section was in effect on the day preceding October 20, 1994), for at least two consecutive school years prior to such day;

(B) has not made adequate progress as defined in the State's plan under section 6311(b)(2)(A)(i) of this title for two consecutive school years, except that—

(i) this subparagraph shall not apply to a school if almost every student in such school is meeting the State's advanced level of performance; or

(ii) in the case of a targeted assistance school, such school may be reviewed on the progress of only those students that have been or are served under this part; or

(C) has failed to meet the criteria established by the State through the State's transitional procedure under section 6311(b)(7)(B) of this title for two consecutive years.

**(2) Requirement**

(A) Each school identified under paragraph (1) shall—

(i) in consultation with parents, the local educational agency, and the school support team, develop or revise a school plan in ways that have the greatest likelihood of improving the performance of participating children in meeting the State's student performance standards; and

(ii) submit the plan or revised plan to the local educational agency for approval.

(B) Before identifying a school for school improvement under paragraph (1), the local educational agency shall provide the school with an opportunity to review the school-level data, including assessment data, on which such identification is based. If the school believes that such identification for school improvement is in error for statistical or other substantive reasons, such school may provide evidence to the local educational agency to support such belief.

(C) During the first year immediately following such identification, the school shall implement such school's plan or revised plan.

**(3) Professional development**

(A) Each school identified under paragraph (1) shall, as part of the school plan under paragraph (2), improve the skills of its staff by providing effective professional development activities. A school shall demonstrate such school's compliance with this paragraph by—

(i) devoting to such activities, over two consecutive years, an amount equivalent to at least 10 percent of the funds received by the school under this part during one fiscal year; or

(ii) otherwise demonstrating that such school is effectively carrying out professional development activities.

(B) A school may use funds from any source to meet the requirements of this subsection.

(C) Decisions about how to use the funds made available under this part which the school makes available for professional development shall be made by teachers, principals, and other school staff in that school.

**(4) Technical assistance**

(A) For each school identified under paragraph (1), the local educational agency shall provide technical or other assistance as the school develops and implements such school's plan or re-

vised plan, such as a joint plan between the local educational agency and school that addresses specific elements of student performance problems and that specifies school and local educational agency responsibilities under the plan, and waivers or modifications of requirements of local educational agency policy or regulation that impede the ability of the school to educate students.

(B) Such technical assistance may be provided directly by the local educational agency, through mechanisms authorized under section 6318 of this title, or with the local educational agency's approval, by an institution of higher education, a private non-profit organization, an educational service agency, a comprehensive regional assistance center under part A of subchapter XIII of this chapter, or other entities with experience in helping schools improve achievement.

**(5) Corrective action**

(A) Except as provided in subparagraph (C), after providing technical assistance pursuant to paragraph (4) and taking other remediation measures, the local educational agency may take corrective action at any time against a school that has been identified under paragraph (1), but, during the third year following identification under paragraph (1), shall take such action against any school that still fails to make adequate progress.

(B)(i) Corrective actions are those, consistent with State and local law, determined and made public and disseminated by the local educational agency, which may include—

(I) withholding funds;

(II) interagency collaborative agreements between the school and other public agencies to provide health, counseling, and other social services needed to remove barriers to learning;

(III) revoking authority for a school to operate a school-wide program;

(IV) decreasing decisionmaking authority at the school level;

(V) making alternative governance arrangements such as the creation of a public charter school;

(VI) reconstituting the school staff; and

(VII) authorizing students to transfer, including transportation costs, to other public schools served by the local educational agency.

(ii) Notwithstanding clause (i), corrective actions taken pursuant to this part shall not include the actions described in sub-

clause (I), (III), (IV), (VI), or (VII) of clause (i) until the State has developed assessments that meet the requirements of subparagraph (C) of section 6311(b)(3) of this title.

(C) Prior to implementing any corrective action, the local educational agency may refrain from such corrective action for one additional year to the extent that the failure to make progress can be attributed to extenuating circumstances as determined by the local educational agency.

(D) A school that is no longer operating its schoolwide program due to a corrective action may not resume operation of such a program until the local educational agency determines that the school has adequately reformed its schoolwide program plan to enable the school to make adequate progress toward meeting the State's challenging student performance standards.

#### (6) State educational agency responsibilities

The State educational agency shall—

(A) make technical assistance under section 6318 of this title available to the schools farthest from meeting the State's challenging student performance standards, if requested by the school or local educational agency; and

(B) if such agency determines that a local educational agency failed to carry out the local educational agency's responsibilities under paragraphs (4) and (5), take such corrective actions as the State educational agency deems appropriate and which are in compliance with State law.

#### (7) Special rule

Schools that, for at least two of the three years following identification under paragraph (1), make adequate progress toward meeting the State's proficient and advanced levels of performance shall no longer need to be identified for school improvement.

#### (d) State review and local educational agency improvement

##### (1) In general

A State educational agency shall—

(A) annually review the progress of each local educational agency receiving funds under this part to determine whether schools receiving assistance under this part are making adequate progress as defined in section 6311(b)(2)(A)(ii) of this title toward meeting the State's student performance standards; and

(B) publicize and disseminate to local educational agencies, teachers and other staff, parents, students, and the community the results of the State review, including statistically sound disaggregated results, as required by section 6311(b)(3)(I) of this title.

##### (2) Rewards

In the case of a local educational agency that for three consecutive years has met or exceeded the State's definition of adequate progress as defined in section 6311(b)(2)(A)(ii) of this title, the State may make institutional and individual rewards of the kinds described for individual schools in paragraph (2) of section 6318(c) of this title.

##### (3) Identification

(A) A State educational agency shall identify for improvement any local educational agency that—

(i) for two consecutive years, is not making adequate progress as defined in section 6311(b)(2)(A)(ii) of this title in schools served under this part toward meeting the State's student performance standards, except that schools served by the local educational agency that are operating targeted assistance programs may be reviewed on the basis of the progress of only those students served under this part; or

(ii) has failed to meet the criteria established by the State through such State's transitional procedure under section 6311(b)(7)(B) of this title for two consecutive years.

(B) Before identifying a local educational agency for improvement under paragraph (1), the State educational agency shall provide the local educational agency with an opportunity to review the school-level data, including assessment data, on which such identification is based. If the local educational agency believes that such identification for improvement is in error due to statistical or other substantive reasons, such local educational agency may provide evidence to the State educational agency to support such belief.

##### (4) Local educational agency revisions

(A) Each local educational agency identified under paragraph (3) shall, in consultation with schools, parents, and educational experts, revise its local educational agency plan under section 6312 of this title in ways that have the greatest likelihood of improving the performance of schools served by the local educational agency under this part in meeting the State's student performance standards.

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

**(5) State educational agency responsibility**

(A) For each local educational agency identified under paragraph (3), the State educational agency shall—

(i) provide technical or other assistance, if requested, as authorized under section 6318 of this title, to better enable the local educational agency to—

(I) develop and implement the local educational agency's revised plan; and

(II) work with schools needing improvement; and

(ii) make available to the local educational agencies farthest from meeting the State's standards, if requested, assistance under section 6318 of this title.

(B) Technical or other assistance may be provided by the State educational agency directly, or by an institution of higher education, a private nonprofit organization, an educational service agency or other local consortium, a technical assistance center, or other entities with experience in assisting local educational agencies improve achievement, and may include—

(i) interagency collaborative agreements between the local educational agency and other public agencies to provide health, pupil services, and other social services needed to remove barriers to learning; and

(ii) waivers or modification of requirements of State law or regulation (in States in which such waivers are permitted) that impede the ability of a local educational agency to educate students.

**(6) Corrective action**

(A) Except as provided in subparagraph (C), after providing technical assistance pursuant to paragraph (5) and taking other remediation measures, the State educational agency may take corrective action at any time against a local educational agency that has been identified under paragraph (3), but, during the fourth year following identification under paragraph (3), shall take such action against any local educational agency that still fails to make adequate progress.

(B)(i) Corrective actions are those actions, consistent with State law, determined and made public and disseminated by the State educational agency, which may include—

(I) the withholding of funds;

(II) reconstitution of school district personnel;

(III) removal of particular schools from the jurisdiction of the local educational agency and establishment of alternative arrangements for public governance and supervision of such schools;

(IV) appointment by the State educational agency of a receiver or trustee to administer the affairs of the local educational agency in place of the superintendent and school board;

(V) the abolition or restructuring of the local educational agency;

(VI) the authorizing of students to transfer from a school operated by one local educational agency to a school operated by another local educational agency; and

(VII) a joint plan between the State and the local educational agency that addresses specific elements of student performance problems and that specifies State and local responsibilities under the plan.

(ii) Notwithstanding clause (i), corrective actions taken pursuant to this part shall not include the actions described in subclauses (I), (II), and (III) of clause (i) until the State has developed assessments that meet the requirements of paragraph (3)(C) of section 6311(b) of this title.

(C) Prior to implementing any corrective action, the State educational agency shall provide due process and a hearing (if State law provides for such due process and a hearing) to any local educational agency identified under paragraph (3) and may refrain from such corrective action for one year after the four-year period described in subparagraph (A) to the extent that the failure to make progress can be attributed to such extenuating circumstances as determined by the State educational agency.

**(7) Special rule**

Local educational agencies that for at least two of the three years following identification under paragraph (3) make adequate progress toward meeting the State's standards no longer need to be identified for local educational agency improvement.

**(e) Construction**

Nothing in this section shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collec-

tive bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.

(Pub.L. 89-10, Title I, § 1116, as added Pub.L. 103-382, Title I, § 101, Oct. 20, 1994, 108 Stat. 3542, and amended Pub.L. 104-134, Title I, § 101(d)[Title VII, § 703(b)(2)], Apr. 26, 1996, 110 Stat. 1321-255; renumbered Title I Pub.L. 104-140, § 1(a), May 2, 1996, 110 Stat. 1327.)

#### HISTORICAL AND STATUTORY NOTES

##### Revision Notes and Legislative Reports

1994 Acts. House Report No. 103-425 and House Conference Report No. 103-761, see 1994 U.S. Code Cong. and Adm. News, p. 2807.

##### Amendments

1996 Amendments. Subsec. (c)(2)(A)(i). Pub.L. 104-134, § 101(d)[Title VII, § 703(b)(2)(A)(i)], struck out ", which may include reviewing the schools' plan in the context of the opportunity-to-learn standards or strategies developed by such State under the Goals 2000: Educate America Act" following "standards".

Subsec. (c)(5)(B)(i)(VI). Pub.L. 104-134, § 101(d)[Title VII, § 703(b)(2)(A)(ii)(I)], inserted "and" following "staff:".

Subsec. (c)(5)(B)(i)(VII). Pub.L. 104-134, § 101(d)[Title VII, § 703(b)(2)(A)(ii)(II)], substituted "agency." for "agency; and".

Subsec. (c)(5)(B)(i)(VIII). Pub.L. 104-134, § 101(d)[Title VII, § 703(b)(2)(A)(ii)(III)], struck out subcl. (VIII), which read as follows:

"(VIII) implementing opportunity-to-learn standards or strategies developed by such State under the Goals 2000: Educate America Act."

Subsec. (d)(4)(B). Pub.L. 104-134, § 101(d)[Title VII, § 703(b)(2)(B)(i)],

struck out ", and may include reviewing the local educational agency's plan in the context of the opportunity-to-learn standards or strategies developed by such State under the Goals 2000: Educate America Act" following "achievement".

Subsec. (d)(6)(B)(i)(IV). Pub.L. 104-134, § 101(d)[Title VII, § 703(b)(2)(B)(ii)], redesignated former subcl. (V) as (IV) and struck out former subcl. (IV), which read as follows:

"(IV) implementation of the opportunity-to-learn standards or strategies developed by such State under the Goals 2000: Educate America Act."

Subsec. (d)(6)(B)(i)(V) to (VIII). Pub.L. 104-134, § 101(d)[Title VII, § 703(b)(2)(B)(ii)(II)], redesignated former subcls. (V) through (VIII) as (IV) through (VII), respectively.

##### Effective Dates

1994 Acts. Section effective July 1, 1995, except that provisions that apply to programs under subchapter VIII of this chapter, and to programs that are conducted on a competitive basis, effective with respect to appropriations for use under such programs for fiscal year 1995 and for subsequent fiscal years, see section 3(a)(1)(A) of Pub.L. 103-382, set out as a note under section 6301 of this title.

#### LIBRARY REFERENCES

##### American Digest System

United States ⇨82(2).

##### Encyclopedias

United States, see C.J.S. § 122.

#### WESTLAW ELECTRONIC RESEARCH

United States cases: 393k[add key number].

See WESTLAW guide following the Explanation pages of this volume.

## § 6318. State assistance for school support and improvement

### (a) System for support

#### (1) State support

Each State educational agency shall establish a statewide system of intensive and sustained support and improvement for schools receiving funds under this part, including schoolwide programs and schools in need of program improvement, in order to increase the opportunity for all students in such schools to meet the State's content standards and student performance standards.

#### (2) Meeting requirements

Funds reserved under section 6303(a) of this title or appropriated under section 6302(f) of this title shall be used to meet the requirements of this section. In addition to such funds a State educational agency may use State administrative funds reserved under section 6513(c) of this title to meet such requirements.

### (b) Regional centers

Such a statewide system shall work with and receive support and assistance from the comprehensive regional technical assistance centers under part A of subchapter XIII of this chapter and the educational regional laboratories under section 6041(h) of this title.

### (c) Provisions

The system shall include at a minimum, the following:

#### (1) School support teams

(A) Each State educational agency, in consultation with local educational agencies and schools, shall establish a system of school support teams to provide information and assistance to schoolwide programs and to assist such programs in providing an opportunity to all students to meet the State's student performance standards.

(B) If funds are sufficient, school support teams shall provide information and assistance to—

#### (i) schools—

(I) in which the number of students in poverty is equal to or greater than 75 percent of the total number of students enrolled in such school; and

(II) identified as in need of improvement under section 6317(c)(1) of this title; and

ments of this section and that is coordinated with other programs under this chapter, the Goals 2000: Educate America Act [20 U.S.C.A. § 5801 et seq.], and other Acts, as appropriate, consistent with section 8856 of this title.

**(2) Consolidation plan**

A State plan submitted under paragraph (1) may be submitted as part of a consolidation plan under section 8852 of this title.

**(b) Standards and assessments**

**(1) Challenging standards**

**(A)** Each State plan shall demonstrate that the State has developed or adopted challenging content standards and challenging student performance standards that will be used by the State, its local educational agencies, and its schools to carry out this part, except that a State shall not be required to submit such standards to the Secretary.

**(B)** If a State has State content standards or State student performance standards developed under title III of the Goals 2000: Educate America Act [20 U.S.C.A. § 5881 et seq.] and an aligned set of assessments for all students developed under such title, or, if not developed under such title, adopted under another process, the State shall use such standards and assessments, modified, if necessary, to conform with the requirements of subparagraphs (A) and (D) of this paragraph, and paragraphs (2) and (3).

**(C)** If a State has not adopted State content standards and State student performance standards for all students, the State plan shall include a strategy and schedule for developing State content standards and State student performance standards for elementary and secondary school children served under this part in subjects as determined by the State, but including at least mathematics and reading or language arts by the end of the one-year period described in paragraph (6), which standards shall include the same knowledge, skills, and levels of performance expected of all children.

**(D)** Standards under this paragraph shall include—

(i) challenging content standards in academic subjects that—

**(I)** specify what children are expected to know and be able to do;

**(II)** contain coherent and rigorous content; and

**(III)** encourage the teaching of advanced skills;

(ii) challenging student performance standards that—

**(I)** are aligned with the State's content standards;

**(II)** describe two levels of high performance, proficient and advanced, that determine how well children are mastering the material in the State content standards; and

**(III)** describe a third level of performance, partially proficient, to provide complete information about the progress of the lower performing children toward achieving to the proficient and advanced levels of performance.

**(E)** For the subjects in which students will be served under this part, but for which a State is not required by subparagraphs (A), (B), and (C) to develop, and has not otherwise developed such standards, the State plan shall describe a strategy for ensuring that such students are taught the same knowledge and skills and held to the same expectations as are all children.

**(2) Yearly progress**

**(A)** Each State plan shall demonstrate, based on assessments described under paragraph (3), what constitutes adequate yearly progress of—

(i) any school served under this part toward enabling children to meet the State's student performance standards; and

(ii) any local educational agency that received funds under this part toward enabling children in schools receiving assistance under this part to meet the State's student performance standards.

**(B)** Adequate yearly progress shall be defined in a manner—

(i) that is consistent with guidelines established by the Secretary that result in continuous and substantial yearly improvement of each local educational agency and school sufficient to achieve the goal of all children served under this part meeting the State's proficient and advanced levels of performance, particularly economically disadvantaged and limited English proficient children; and

(ii) that links progress primarily to performance on the assessments carried out under this section while permitting progress to be established in part through the use of other measures.

**(3) Assessments**

Each State plan shall demonstrate that the State has developed or adopted a set of high-quality, yearly student assessments,

*Current Law*

*618*

*619*

including assessments in at least mathematics and reading or language arts, that will be used as the primary means of determining the yearly performance of each local educational agency and school served under this part in enabling all children served under this part to meet the State's student performance standards. Such assessments shall—

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

(B) be aligned with the State's challenging content and student performance standards and provide coherent information about student attainment of such standards;

(C) be used for purposes for which such assessments are valid and reliable, and be consistent with relevant, nationally recognized professional and technical standards for such assessments;

(D) measure the proficiency of students in the academic subjects in which a State has adopted challenging content and student performance standards and be administered at some time during—

(i) grades 3 through 5;

(ii) grades 6 through 9; and

(iii) grades 10 through 12;

(E) involve multiple up-to-date measures of student performance, including measures that assess higher order thinking skills and understanding;

(F) provide for—

(i) the participation in such assessments of all students;

(ii) the reasonable adaptations and accommodations for students with diverse learning needs, necessary to measure the achievement of such students relative to State content standards; and

(iii) the inclusion of limited English proficient students who shall be assessed, to the extent practicable, in the language and form most likely to yield accurate and reliable information on what such students know and can do, to determine such students' mastery of skills in subjects other than English;

(G) include students who have attended schools in a local educational agency for a full academic year but have not attended a single school for a full academic year, however the performance of students who have attended more than

one school in the local educational agency in any academic year shall be used only in determining the progress of the local educational agency;

(H) provide individual student interpretive and descriptive reports, which shall include scores, or other information on the attainment of student performance standards; and

(I) enable results to be disaggregated within each State, local educational agency, and school by gender, by each major racial and ethnic group, by English proficiency status, by migrant status, by students with disabilities as compared to nondisabled students, and by economically disadvantaged students as compared to students who are not economically disadvantaged.

#### (4) Special rule

Assessment measures that do not meet the requirements of paragraph (3)(C) may be included as one of the multiple measures, if a State includes in the State plan information regarding the State's efforts to validate such measures.

#### (5) Language assessments

Each State plan shall identify the languages other than English that are present in the participating student population and indicate the languages for which yearly student assessments are not available and are needed. The State shall make every effort to develop such assessments and may request assistance from the Secretary if linguistically accessible assessment measures are needed. Upon request, the Secretary shall assist with the identification of appropriate assessment measures in the needed languages through the Office of Bilingual Education and Minority Languages Affairs.

#### (6) Standard and assessment development

(A) A State that does not have challenging State content standards and challenging State student performance standards, in at least mathematics and reading or language arts, shall develop such standards within one year of receiving funds under this part after the first fiscal year for which such State receives such funds after October 20, 1994.

(B) A State that does not have assessments that meet the requirements of paragraph (3) in at least mathematics and reading or language arts shall develop and test such assessments within four years (one year of which shall be used for field testing such assessment), of receiving funds under this part after the first fiscal year for which such State receives such funds after

**COMPARISON OF CURRENT LAW, ADMINISTRATION, AND HOUSE-PASSED ESEA REAUTHORIZATION BILLS (H.R. 2 AND H.R. 1995)**

**TITLE I – HELPING DISADVANTAGED CHILDREN MEET HIGH STANDARDS**

Current Law	Administration	House
<p><u>Overall Purpose</u></p> <p>To help low-achieving children in high-poverty schools meet challenging State standards that all children are expected to meet.</p>	<p>Unchanged. Makes minor revisions to update supporting statements (needs, lessons learned, and means for achieving the purpose) with findings from recent research and evaluations.</p>	<p>To ensure that all children have a fair and equal opportunity to obtain a high-quality education.</p>
<b>Title I, Part A</b>		
<p><u>State Plan</u></p> <p>Requires comprehensive State plans, subject to peer review and approval by the Secretary, demonstrating that the State has developed or adopted State standards and assessments in at least reading or language arts and mathematics.</p>	<p>Also requires States to describe how they will develop and implement statewide accountability systems, based on State standards and assessments, that meet specified criteria.</p> <p>Plan to be coordinated with IDEA and the Perkins Act.</p>	<p>Requires development or adoption of science standards by school year 2005-2006. Requires Secretary to withhold administrative funds from States that do not have in place challenging State content and student performance standards.</p> <p>Same as Administration bill.</p>
<p><u>State Assessments</u></p> <p>Requires that, by 2001, all SEAs have final State assessment systems in place to measure the performance of students in Title I schools against State standards.</p> <p>Specifies that State assessments be designed to assess students' performance in mastering complex skills and challenging subject matter and be administered in at least reading and mathematics at some time during grades 3-5, 6-9, and 10-12.</p>	<p>Clarifies that assessments must be used starting with school year 2000-2001.</p> <p>No change.</p>	<p>Same as Administration, but adds requirement for science assessments by school year 2005-2006.</p> <p>No change.</p>

Current Law	Administration	House
<p>Requires SEAs to assess limited English proficient (LEP) children, to the extent practicable, in the language and form most likely to yield accurate and reliable information on what these students know and can do.</p>	<p>Adds requirements that: (1) in content areas other than English, Spanish-speaking LEP children be assessed with tests written in Spanish (if the tests are likely to produce more accurate results than English-language tests), and (2) all students who have attended U.S. schools (except in Puerto Rico) for three or more consecutive years be assessed in reading or language arts using tests written in English.</p>	<p>Adds requirement for assessment of students who have been in U.S. schools (except for Puerto Rico) for three or more consecutive years using tests written in English, with LEA discretion to use tests in language other than English for one additional year.</p>
<p><u>State Accountability</u></p> <p>Holds LEAs and schools accountable for making "adequate yearly progress" toward enabling participating students to meet the State's proficient and advanced performance standards in at least reading and math.</p>	<p>Holds LEAs and schools accountable for continuous and substantial gains in overall student performance and in the performance of the lowest-achieving students in at least reading and math.</p> <p>Accommodates a single accountability system that includes Title I by allowing States that have shown substantial overall achievement gains and a reduction in the achievement gap between high-performing and low-performing students to use their own procedures for identifying and intervening in low-performing LEAs and schools.</p>	<p>Strengthens adequate yearly progress requirements to include numerical goals for improving overall student performance and for narrowing achievement gaps between groups of students. Requires that adequate yearly progress be defined to ensure that each group of students meets or exceeds the proficient level within 10 years of enactment. States that fail to implement a system for measuring adequate yearly progress would lose administrative funding.</p> <p>No comparable provision.</p>
<p><u>Accountability/Report Cards</u></p> <p>Requires LEAs and States, respectively, to publicize and disseminate individual school profiles and results from the State review of the progress of each LEA toward meeting the State's adequate yearly progress targets. Assessment results must be disaggregated by gender, ethnicity, race, LEP and migrant status, poverty, and disability.</p>	<p>Requires (under proposed Title XI) State-level, LEA-level, and school-level report cards that include Title I and non-Title I schools. State-level report cards must include aggregate student performance in reading/language arts and math, attendance and graduation rates, average class-size for each school district in the State, information on school safety, information on the professional</p>	<p>States must prepare and disseminate annual report cards for all Title I schools no later than the beginning of the 2001-2002 school year. If States do not provide report cards, they must report the same information through "other public means." State report cards must include disaggregated student performance on statewide assessments for at least reading and mathematics (science</p>

Current Law	Administration	House
	<p>qualifications of teachers in the State, and disaggregated student achievement data.</p> <p>LEA and school report cards must also include information on the number of low-performing schools, and information that shows how students in the LEA or school performed on statewide assessments compared to students in the rest of the State or LEA.</p>	<p>must be added by 2005-2006), retention in grade, completion of AP courses, 4-year graduation rates, the professional qualifications of teachers and paraprofessionals and the ratio of paraprofessionals to teachers in the classroom.</p> <p>LEA report cards must also include the number and percentage of schools identified for school improvement and a comparison of student performance in the LEA vs. in the State as a whole.</p> <p>School report cards must say whether the school has been identified for school improvement and compare student performance with that of students in the LEA and the State as a whole.</p> <p>LEAs also would be required to provide to parents, upon request, information regarding the professional qualifications of their classroom teachers and paraprofessionals.</p>
<p><u>State Support for Improvement</u></p> <p>Requires State mechanisms to, at a minimum, identify "distinguished" educators and schools, and create a statewide system of "school support teams."</p>	<p>Requires a State support system for LEAs and schools that may include, for example, school support teams, distinguished educators, and a peer-review process to improve school improvement plans.</p>	<p>Same as Administration bill, except no peer-review of school improvement plans.</p>
<p><u>State Reservation for School Improvement</u></p> <p>Requires SEAs to reserve at least \$200,000 (and permits them to reserve up to ½ of one percent) of combined allocations for Title I LEA grants, State Migrant, and State Neglected and Delinquent grants for school improvement purposes.</p>	<p>Requires SEAs to reserve 2.5 percent of their Title I LEA Grant funds for accountability and school improvement activities. The amount would rise to 3.5 percent in fiscal year 2003. Requires SEAs to allocate at least 70 percent of the reserved funds to LEAs.</p>	<p>Authorizes reservation of .5%, but limits it to Title I LEA Grants only; no required minimum.</p>

Current Law	Administration	House
<p><u>Priorities for State Assistance</u></p> <p>Gives priority for assistance from school support teams to schoolwide programs; then, if funds are sufficient, to schools identified for improvement and with at least 75% poverty.</p>	<p>Gives first priority to LEAs subject to corrective action and schools for which an LEA failed to carry out its responsibilities relating to technical assistance and corrective action, and second priority to LEAs identified for improvement.</p>	<p>Same as Administration bill.</p>
<p><u>Local plans</u></p> <p>Requires comprehensive LEA plans tied to State standards and assessments and defines plan requirements.</p>	<p>Adds requirement that LEAs describe actions to assist low-performing schools and how the agency will promote the use of extended learning time.</p> <p>Adds requirement for description of assessments used to determine literacy levels of first-graders, including administration to students in the language most likely to yield valid results.</p> <p>Requires coordination of plans with IDEA and Perkins.</p> <p>Adds requirement that SEAs peer review all LEA plans as part of the State approval process.</p>	<p>Same as Administration bill.</p> <p>Similar to Administration bill, except no requirement to test students in language most likely to yield valid results.</p> <p>Requires coordination with IDEA, Perkins, and Head Start.</p> <p>Not included.</p>
<p><u>Local Plans/LEP Provisions</u></p> <p>No comparable provision.</p>	<p>Requires schools to annually assess the progress of LEP students in learning English and use that information to modify instruction; first grade literacy diagnostic assessment to be in the language most likely to yield valid results.</p> <p>No comparable provision.</p>	<p>Not included.</p> <p>LEAs must document effort to obtain informed parental consent before placing a LEP child in an English language instruction program that is tailored for LEP children or includes the use of native language</p>

Current Law	Administration	House
<p><u>LEA and School Improvement</u></p> <p>Establishes a several-stage process for LEA and school improvement, requiring that: (1) LEAs identify schools not making adequate progress for two consecutive years; (2) identified schools revise Title I plans in the year after being identified; (3) LEAs help identified schools improve; and (4) ultimately, LEAs take corrective actions against schools that repeatedly fail.</p> <p>No comparable provision.</p>	<p>Requires schools, within 3 months of identification for improvement, to develop or revise plans that include research-based strategies and specific goals and objectives.</p> <p>Requires LEAs to peer review school improvement plans.</p>	<p>instruction. Parents of LEP children participating in an English language instruction program may choose the method of instruction, if more than one is offered, and may remove their children from the program upon request.</p> <p>Mostly the same as Administration bill; adds new requirement for parental notification when LEAs or schools are identified for improvement, and for students enrolled in such schools to have the option of transferring to another public school.</p> <p>No provision for peer review of school improvement plans.</p>
<p>Corrective action is required during the third year following identification for improvement and may include such measures as curtailing a school's decision-making authority, or transferring staff or students to other schools. SEAs hold LEAs accountable using a similar process</p>	<p>Corrective action is required immediately after the third year following identification for improvement and must include at least one of the measures specified in the bill, such as implementing a new curriculum or redesigning or restructuring a school. Permits 1-year delay of corrective action if there has been a 1-year gain in student achievement and LEA expects school to meet targets in the following year.</p>	<p>Requires corrective action, which must include at least one of the measures specified in the bill, at the end of the second year following identification for school improvement. Requires parental notification when LEAs or schools are subject to corrective action. Permits delay of corrective action for 1 additional year "due to exceptional or uncontrollable circumstances."</p>
<p><u>Limitation on LEA Administrative Costs</u></p>		<p>LEAs may not use more than 4 percent of their Part A funds for administrative expenses. The Secretary, in consultation with State and local officials and school finance experts, is required to develop and issue regulations defining administrative costs under Title I.</p>

Current Law

Administration

House

Current Law	Administration	House
<p><u>Title I Instructional Staff</u></p> <p>Requires Title I schools to provide instruction using highly-qualified staff.</p> <p>Allows aides employed with Title I funds to provide classroom instruction under the direct supervision of a teacher. Requires that instructional aides be under the direct supervision of a teacher and have (or will obtain within two years of employment) a secondary school diploma or recognized equivalent, unless an aide has proficiency in a language other than English that is needed to enhance the participation of eligible children.</p>	<p>Adds requirement that all new teachers paid with Title I funds be certified in the field in which they will teach, or have a bachelor's degree and be enrolled in a program to obtain certification within 3 years.</p> <p>Phases out the use of aides for classroom instruction: (1) raises minimum qualifications for paraprofessionals who, by July 1, 2002, must have completed at least 2 years of college to perform one-on-one tutoring, assist with classroom management, or provide assistance in a computer laboratory; and (2) specifies that a paraprofessional with a secondary school diploma who has not completed at least 2 years of college may perform only non-instructional duties, such as improving parental involvement, providing support in a library or media center, or acting as a translator.</p>	<p>Requires all new teachers to be "fully qualified," and all teachers to be fully qualified by December 31, 2003. "Fully qualified" is defined as State certification or licensure. In addition, elementary school teachers must hold a bachelor's degree and demonstrate knowledge and teaching skills in the elementary school curriculum. Middle and secondary school teachers must hold a bachelor's degree and have majored in the subject areas in which they provide instruction or have passed a rigorous State or local test in those subject areas.</p> <p>All paraprofessionals hired one year or more after enactment of bill must have completed two years of college, have an associate's degree, or have met "a rigorous standard of quality" beyond a high school diploma. Existing paraprofessionals must meet same standards within 3 years after enactment. Translators or aides working only on parental involvement activities are exempt from these requirements.</p> <p>Expands definition of paraprofessional duties to include "instructional services," which must be provided only under direct supervision of fully qualified teacher.</p>
<p><u>Professional Development</u></p> <p>Requires schools to provide ongoing professional development for school staff working with disadvantaged students.</p>	<p>No change.</p>	<p>No substantive change.</p>

Current Law	Administration	House
<p>Requires a school identified for school improvement to devote an amount, from any source, equivalent to at least 10 percent of one year's Part A allocation to professional development activities conducted during two consecutive years, or otherwise demonstrate that it is effectively carrying out professional development activities.</p>	<p>Requires that all participating LEAs use at least 5 percent of annual Title I Part A allocations for professional development (10 percent for fiscal year 2003 and thereafter), whether or not the LEA (or any of its schools) is identified for improvement.</p>	<p>No requirement for specific set-aside of Part A allocations for professional development.</p>
<p><u>Schools eligible for Title I funds.</u></p> <p>A public school with a percentage of students from low-income families as high or higher than the districtwide average, or at least 35 percent, is eligible for Title I funds.</p>	<p>Clarifies that LEAs may extend eligibility for one additional year to ineligible schools that received funds in the previous fiscal year.</p>	<p>Same as Administration bill.</p>
<p><u>Ranking and Serving Schools</u></p> <p>If funds are insufficient to provide services in all eligible schools, an LEA with 1,000 or more students must rank and serve all schools (including middle and high schools) with poverty rates above 75 percent before serving other schools. Below the 75 percent poverty cut-off, LEAs may rank all eligible schools by poverty rate, or separately rank schools within grade span, and must then serve them in rank order. Also, an LEA must allocate a minimum amount per poor child unless all schools served have poverty rates of 35 percent or higher.</p>	<p>Clarifies that an LEA may allocate a greater per-child amount to higher-poverty schools than to lower-poverty schools.</p>	<p>Raises enrollment required for exemption from rank-order rules from 1,000 to 1,500.</p> <p>Permits LEAs to serve elementary schools above 75 percent poverty before middle and high schools above 75 percent.</p>
<p><u>Children eligible for Title I services</u></p> <p>Each public school receiving Title I funds establishes its own educational criteria for selecting and serving students who are failing, or at risk of failing, to meet State academic standards.</p>	<p>Requires services for homeless children who do not attend Title I schools.</p>	<p>Same as Administration bill.</p>

Current Law	Administration	House
<p><u>Services to Private School Children</u></p> <p>Requires LEAs to provide Title I services to eligible private school children residing in participating public-school attendance areas; the level of services is determined by the amount of funds generated by poor private-school children.</p>	<p>Adds language clarifying and expanding the level of consultation required between the LEA and private school officials.</p>	<p>Similar to Administration bill, but adds requirement for written confirmation to SEA of LEA consultation with private school officials. Also adds to issues for consultation "consideration and analysis of the views of private school officials on the provision of contract services through potential third-party providers."</p>
<p><u>School Choice</u></p> <p>LEAs may use Part A funds to support programs which permit parents of Title I children to select the public school their children attend. Only Title I schools may participate in such programs, and funds may not be used to pay transportation costs.</p>	<p>No change.</p>	<p>Extends parents' choice of schools to "charter schools and any other public school" except those identified for improvement or subject to corrective action. Permits use of Part A funds to pay transportation costs.</p> <p>Adds new Public Safety and Family School Choice program that permits victims of in-school crimes or students attending schools designated as "unsafe" by the State to attend another public or charter school selected by their parents.</p>
<p><u>Schoolwide programs</u></p> <p>Permits schools with at least 50 percent poverty to operate schoolwide programs that combine Federal, State, and local funds to improve the overall instructional program for all children in a school.</p> <p>Specifies 8 components of schoolwide programs that focus on: needs assessment, reform strategies, instruction by highly qualified staff, professional development, parent involvement, transition from preschool, teachers' involvement in assessments, and activities to help students having difficulty mastering challenging standards.</p>	<p>No change.</p> <p>Restructures schoolwide components to focus on 3: (1) comprehensive needs assessment; (2) a coherent research-based design, based on the needs assessment, to improve teaching and learning throughout the school; and (3) regular review of the school's progress in implementing its program and achieving its goals for student achievement.</p> <p>Requires LEA peer review of schoolwide plans.</p>	<p>Lowers threshold for schoolwide programs to 40 percent.</p> <p>No substantive change.</p> <p>No peer review required.</p>

Current Law	Administration	House
<p><u>Targeted Assistance Schools</u></p> <p>Title I schools that are ineligible for or choose not to operate schoolwide programs must carry out targeted assistance programs, which focus services on students identified as failing or most at risk of failing to meet State standards. These schools increase the amount and quality of student learning for identified students by: helping them master the same challenging curriculum as other students; and giving primary consideration to instructional arrangements, such as after-school, weekend, and summer programs, that allow participating children to receive all the classroom instruction other children receive, in addition to Title I services.</p>	<p>No substantive change.</p>	<p>No substantive change.</p>
<p><u>Federal formula allocations</u></p> <p>Requires that amounts appropriated for Title I LEA Grants in excess of the fiscal year 1995 appropriation for Title I Basic and Concentration Grants be allocated as Targeted Grants.</p> <p>Limits Puerto Rico's allocations by capping its average per-pupil expenditure at 32 percent of the lowest average per-pupil expenditure of any of the 50 States.</p>	<p>Requires that Targeted Grants receive the greater of:</p> <p>(1) 20 percent of the Title I LEA Grant appropriation; or</p> <p>(2) the amount exceeding the fiscal year 1995 appropriation for Basic and Concentration Grants.</p> <p>Phases in changes to ensure that Puerto Rico receives Title I allocations on the same basis as the 50 States and D.C. by fiscal year 2005.</p>	<p>Limits Targeted Grants to 50 percent of Part A appropriations in excess of the 1999 level. Adds 85 percent hold-harmless provision for Concentration Grants and permits ineligible LEAs to receive Concentration Grants at hold-harmless level for up to four years.</p> <p>Limits phase-in of equal treatment for Puerto Rico by precluding any resulting reduction of funding to any other State or DC.</p>
<p><u>Capital Expenses</u></p> <p>Authorizes capital expenses to help meet LEA administrative costs necessary to provide alternative delivery systems for religious-school students, in compliance with the Supreme Court's 1985 <u>Aguilar v. Felton</u> decision (which was overturned in 1997).</p>	<p>Repeals the authority.</p>	<p>Repeals authority effective September 30, 2002.</p>

Current Law	Administration	House
<p><u>Evaluation</u></p> <p>Authorizes a separate appropriation for Title I evaluation.</p> <p>Requires a National Assessment of Title I programs and a longitudinal National Evaluation of Title I.</p>	<p>Deletes separate authorization; permits the Secretary to reserve not more than .3 percent from the total amount appropriated for Title I for evaluations; partnership activities with States to develop management information systems; applied research, technical assistance, dissemination, and recognition activities; and updates of Census data used for Title I allocations.</p> <p>No substantive change.</p>	<p>No change.</p>
<p><u>Program Indicators</u></p> <p>No comparable provision.</p>	<p>Requires States to report annual progress of LEAs and schools in meeting specified performance indicators for student performance, school improvement, teacher qualifications, and parental involvement.</p>	<p>Not included.</p>
<p><u>Comparability of Resources</u></p> <p>Requires that LEAs provide, from State and local funds, services in Title I schools that are at least comparable to those provided in non-Title I schools. LEAs meet comparability requirements either by filing an assurance with the SEA that includes an LEA salary schedule, a policy to ensure equivalence among schools in teachers and other staff, and a policy to ensure equivalence in curriculum materials and instructional supplies; or by demonstrating comparability through other measures such as pupil/teacher ratios.</p>	<p>Changes the current tests of comparability by requiring an LEA to ensure comparable quality between Title I and non-Title I schools in terms of: pupil-teacher ratios and the qualifications of teachers; curriculum and other instructional materials and resources; and the condition and safety of school facilities, including access to technology.</p>	<p>No change.</p>

## Title I, Part B, Even Start

<p><u>Reservation of Funds</u></p> <p>Requires the Secretary to reserve 5 percent of the Even Start appropriation for programs for children of migratory workers, the outlying areas, Indian tribes and tribal organizations, and one project in a prison that houses women and their preschool-age children.</p> <p>Permits the Secretary to reserve not more than 3 percent for evaluation, technical assistance, program improvement, and replication activities.</p> <p>Requires the Secretary to award competitive grants to States, from \$10 million reserved from Reading Excellence Act funds, for "statewide family literacy initiatives."</p>	<p>Permits the use of set-aside funds for projects serving other populations, including families that are homeless, that have children with severe disabilities, or that include incarcerated mothers of young children. Deletes the requirement for the prison literacy project.</p> <p>Permits a reservation of 1 percent for technical assistance, program improvement, and replication activities. Deletes evaluation from the list of authorized activities. (Even Start evaluation would be supported through the reservation of not more than .3 percent for evaluation from the total amount appropriated for Title I.)</p> <p>Permits the Secretary to make grants by reserving funds from the Even Start appropriation.</p>	<p>The House has not yet taken up the Even Start reauthorization.</p>
<p><u>State Plan</u></p> <p>No comparable provision.</p>	<p>Requires a one-time State plan that includes (or describe progress toward) indicators of program quality, and how the State will use indicators to help projects implement program elements, conduct subgrant competitions, and coordinate resources to improve family literacy services.</p>	
<p><u>Program elements</u></p> <p>Lists required elements for each Even Start program with regard to identification, recruitment, and screening of families, instruction, staff training, program services, operation, and coordination.</p>	<p>Adds requirements that:</p> <ul style="list-style-type: none"> <li>▪ Within 4 years, all instruction be provided by teachers who have at least a bachelor's degree, and all new teachers hired also be certified in the field in which they are teaching or be enrolled in a program to obtain certification within two years.</li> </ul>	

Current Law	Administration	House
	<ul style="list-style-type: none"> <li>▪ Paraprofessionals who provide instructional support services must have completed, by July 1, 2002, at least two years of college and work under the direct supervision of a teacher. Paraprofessionals providing non-instructional services must have a secondary school diploma or its equivalent.</li> <li>▪ All programs utilize research-based instructional approaches, and provide at least some center-based services.</li> </ul>	
<p><u>Local applications to States</u></p> <p>Requires descriptions of program goals, activities and services, how the program will incorporate the program elements, population to be served, collaborative efforts with other entities, and methods used to ensure that programs will serve families most in need.</p>	<p>Adds requirements that applications also describe outcomes for children and families that: (1) are consistent with the program indicators and strategies; and (2) provide for rigorous and objective evaluation of progress toward the goals and the continuing use of evaluation data for program improvement.</p>	
<p><u>Grant renewal</u></p> <p>An eligible recipient may receive funds for not more than 8 years.</p>	<p>A State may provide funding for up to two additional years for up to two projects that are highly successful and that have the potential to serve as models for other projects. The Federal share is limited to 40 percent the first year and 30 percent the second year.</p>	
<p><u>State program quality indicators</u></p> <p>Requires States to develop indicators to measure the progress of adult and child participants; specifies requirements for indicators.</p>	<p>Adds requirement that indicators be developed by September 30, 2000.</p> <p>Adds requirement that indicators specify intensity and duration of services necessary to achieve desired State outcomes.</p>	

Current Law	Administration	House
	<ul style="list-style-type: none"> <li>▪ Paraprofessionals who provide instructional support services must have completed, by July 1, 2002, at least two years of college and work under the direct supervision of a teacher. Paraprofessionals providing non-instructional services must have a secondary school diploma or its equivalent.</li> <li>▪ All programs utilize research-based instructional approaches, and provide at least some center-based services.</li> </ul>	
<p><u>Local applications to States</u></p> <p>Requires descriptions of program goals, activities and services, how the program will incorporate the program elements, population to be served, collaborative efforts with other entities, and methods used to ensure that programs will serve families most in need.</p>	<p>Adds requirements that applications also describe outcomes for children and families that: (1) are consistent with the program indicators and strategies; and (2) provide for rigorous and objective evaluation of progress toward the goals and the continuing use of evaluation data for program improvement.</p>	
<p><u>Grant renewal</u></p> <p>An eligible recipient may receive funds for not more than 8 years.</p>	<p>A State may provide funding for up to two additional years for up to two projects that are highly successful and that have the potential to serve as models for other projects. The Federal share is limited to 40 percent the first year and 30 percent the second year.</p>	
<p><u>State program quality indicators</u></p> <p>Requires States to develop indicators to measure the progress of adult and child participants; specifies requirements for indicators.</p>	<p>Adds requirement that indicators be developed by September 30, 2000.</p> <p>Adds requirement that indicators specify intensity and duration of services necessary to achieve desired State outcomes.</p>	

Current Law	Administration	House
<p><u>Research</u></p> <p>Requires the Secretary to carry out research into the components of successful family literacy services, and disseminate the results of the research through the National Institute for Literacy.</p>	<p>Deletes these requirements.</p>	

**Title I, Part C, Education of Migratory Children**

<p><u>Overall Purpose</u></p> <p>Provides assistance to State educational agencies to establish and improve programs of education for children of migratory farmworkers and fishers that enable them to meet the same high academic standards as other children.</p>	<p>Unchanged.</p>	<p>Unchanged.</p>
<p><u>State allocations</u></p> <p>Establishes a formula for allocating funds to States based on the estimated number of migratory children aged 3 – 21 who reside in the State full time and the full-time equivalent of the estimated number of migratory children who reside in the State part time.</p> <p>Limits Puerto Rico's allocations by capping its average per-pupil expenditure at 32 percent of the lowest average per pupil expenditure of any of the 50 states.</p>	<p>Bases the formula on State counts of the number of eligible children, aged 3 through 21, residing in the State in the previous year, plus the number of those children who received services under Part C in summer or intersession programs provided by the State.</p> <p>Establishes a minimum State allocation of the greater of \$200,000 or 80 percent of a State's prior-year allocation. Also, establishes a maximum allocation of 120 percent of a State's prior-year allocation.</p> <p>Phases in changes to eliminate the cap on Puerto Rico's allocation, thus ensuring that Puerto Rico receives Title I allocations on the same basis as the 50 states and D.C. by fiscal year 2005.</p>	<p>Maintains current law for fiscal year 2000. For fiscal year 2001 and succeeding fiscal years, uses the formula in the Administration's proposal for the allocation of all money above the amount for fiscal year 2000.</p> <p>Replaces the Administration's proposed minimum and maximum allocations with a hold harmless for fiscal year 2001 and succeeding fiscal years that entitles a State to receive at least the amount it received in fiscal year 2000.</p> <p>Phases in changes to raise the cap on Puerto Rico's allocations.</p>

Current Law	Administration	House
<p><u>State applications</u></p> <p>Requires States to submit applications for grants under the program, describes the children who are to be given priority for services, and authorizes the provision of services to certain categories of children who are no longer migratory.</p>	<p>Minor technical and conforming changes.</p>	<p>Essentially the same as the Administration's proposal; adds new requirement that applicants address how family literacy services will be offered to migratory parents without a high school diploma or who have a low level of literacy.</p>
<p><u>Coordination of migrant education activities</u></p> <p>Authorizes various activities to support the interstate and intrastate coordination of migrant education activities.</p> <p>Establishes maximum amount of \$6 million for migrant coordination activities.</p> <p>Requires Secretary to assist States in developing effective methods for the transfer of student records.</p>	<p>Makes for-profit entities eligible for awards.</p> <p>Increases the maximum amount that the Secretary may reserve each year to support coordination activities from \$6 million to \$10 million.</p> <p>Increases the maximum amount that may be reserved for "incentive grants" from \$1,500,000 to \$3,000,000 and specifies a \$250,000 maximum per grant.</p> <p>Other minor technical and conforming changes.</p> <p>Same as current law.</p>	<p>Maintains current law limiting eligibility to non-profit entities.</p> <p>Same as Administration's proposal.</p> <p>Same as Administration's proposal.</p> <p>Same.</p> <p>Adds requirement that an LEA receiving migrant funds provide records on migrant students to other LEAs at no cost.</p> <p>Requires the General Accounting Office to conduct a study on the feasibility of electronically transferring and maintaining migrant student records.</p>

## Title I, Part D, Neglected and Delinquent

<p><u>Overall Purpose</u></p> <p>To improve educational services to children in local and State institutions for neglected and delinquent children and youth so that they have the opportunity to meet challenging State standards that all children are expected to meet.</p>	<p>Unchanged except for the deletion of "local" (to conform to deletion of Subpart 2 below).</p>	<p>Maintains current law.</p>
<p><u>State Allocations</u></p> <p>Limits Puerto's allocations by capping its average per-pupil expenditure at 32 percent at the lowest average per pupil expenditure of any of the 50 states.</p>	<p>Phases in changes to eliminate the cap on Puerto Rico's allocation, thus ensuring that Puerto Rico receives Title I allocations on the same basis as the 50 states and DC by fiscal year 2005.</p>	<p>Phases in changes to raise the cap on Puerto Rico's allocations.</p>
<p><u>Payments for programs under Part D</u></p> <p>Requires States to retain funds generated throughout the State under Part A of Title I (Basic Grants) on the basis of youth residing in local correctional facilities or attending community day programs for delinquent children and youth, and to use those Part A funds for local programs under Subpart 2 of Part D.</p>	<p>Deletes this requirement and makes other conforming amendments.</p>	<p>Maintains current law.</p>
<p><u>Local agency programs (Subpart 2)</u></p> <p>Requires each State educational agency to use the funds it reserves (per the requirement noted above) to make grants to LEAs with high proportions of youth in local correctional facilities for drop-out prevention and intervention programs for neglected, delinquent, and other categories of at-risk youth.</p>	<p>Eliminates the Part D Subpart 2 program.</p>	<p>Retains the Part D Subpart 2 program.</p>

## Comprehensive School Reform Demonstrations

<p><u>Authorization</u></p> <p>Program created through the Department's FY 1998 appropriations act, which incorporates Section 1002(g)(2) and , by reference, Section 1502 (the Title I general demonstrations authority) and the Conference Report for the Department's FY 1998 appropriation bill.</p>	<p>Program would continue to operate under Title I, Part E (Demonstrations). No separate authorizing language included for CSRD.</p>	<p>Authorizes the program under Title I of ESEA (new Part G).</p>
<p><u>Purpose/Definitions</u></p> <p>To provide financial incentives for schools that need to substantially improve student achievement, particularly Title I schools, to implement comprehensive school reform programs that are based on reliable research and effective practices and include an emphasis on basic academics and parent involvement.</p>		<p>Similar except requires that reforms be based on scientifically-based research, which is defined in the bill.</p>
<p><u>Distribution of Funds</u></p> <p>Reserves not more than 1% for the BIA and the Outlying Areas, and not more than 1% for national evaluation.</p> <p><u>Federal to State</u></p> <p>Provides funds to States through 2 formulas, with funds appropriated under Title I based on each States' prior-year Title I Basic Grants, and funds appropriated under the Fund for the Improvement of Education (FIE) based on the most recent census count of aged 5-17 children or another source.</p>		<p>Same.</p> <p>Bases formula allocations to States on prior-year Title I Basic Grants. No authority for FIE allocations.</p>

Current Law	Administration	House
<p><u>State to Local</u></p> <p>Provides competitive grants to LEAs. SEAs may reserve up to 5% for evaluation, technical assistance, and administration of grants. Establishes a \$50,000 per school grant minimum, renewable for two additional years.</p>		<p>Same.</p>
<p><u>State Application</u></p> <p>Describes SEA process and criteria for selecting competitive grants, SEA plans to ensure that school reform programs are based on rigorous research and meet nine specified criteria, and SEA strategies for disseminating information, providing technical assistance, and evaluating reform implementation.</p>		<p>Similar.</p>
<p><u>Local Application</u></p> <p>Encourages LEAs to use the funds in schools identified for improvement or corrective action under Title I, Section 1116.</p>		<p>Requires SEAs to give priority to LEAs that would use funds in schools identified for improvement or corrective action under 1116(c).</p>
<p><u>Evaluation</u></p> <p>Requires national evaluation, with most evaluation activities occurring in the third year following school reform implementation.</p>		<p>Requires national evaluation after three years of school reform implementation, and an interim report outlining activities to evaluate first year implementation.</p>

**Reading Excellence**

<p><u>Authorization</u></p> <p>Title II, Part C, as added by FY 1999 appropriations act.</p>	<p>Transfer to Title I (new Part E).</p>	<p>ESEA Title II, Part B.</p>
--	--	-------------------------------

Current Law	Administration	House
<p><u>SEA Review and Approval of Local Applications</u></p> <p>No comparable provision.</p>	<p>Requires the State to describe, in its application, the process and criteria that the SEA will use to review and approve applications for Local Reading Improvement and Tutorial Assistance Subgrants, including a peer-review process that includes certain types of experts and, in the case of Tutorial Assistance Subgrants, experts on tutorial assistance.</p>	<p>Same as current law.</p>
<p><u>State Administration and Evaluation Funds</u></p> <p>Allows the SEA to use not more than 5 percent of funds for administrative costs (excluding Tutorial Assistance Subgrants), including not more than 2 percent for State evaluations and performance reports.</p> <p>Allows the SEA to use not more than 15 percent of funds to solicit applications for, award, and oversee the performance of Tutorial Assistance Subgrants. Requires each State to make at least one such subgrant.</p>	<p>Allows the SEA to use not more than 5 percent of funds for administrative costs, including not more than 2 percent for State evaluations and performance reports.</p> <p>Allows the SEA to use not more than 15 percent of funds for Tutorial Assistance Subgrants. (Continues requirement for at least one such subgrant.) These funds must be used only for the subgrant(s), not for the costs of administering them.</p>	<p>Same as current law.</p> <p>Same as current law.</p>
<p><u>Eligibility of LEAs to Receive Subgrants and Uses of Funds</u></p> <p>No comparable provisions.</p>	<p>Limits the eligibility of LEAs that wish to receive Local Reading Improvement and Tutorial Assistance Subgrants to those that have at least one school that serves children in grades 1 through 3.</p>	<p>Same as current law.</p>

1 (6) by striking out "the Elementary and  
2 Secondary Education Act of 1965" each place it appears and  
3 inserting "this Act"; and

4 (7) by repealing sections 5 and 6.

5 (b) REDESIGNATIONS. Title XI of the ESEA is further  
6 amended-

7 (1) by redesignating the Education Flexibility  
8 Partnership Act, as amended by subsection (a), as part G of  
9 title XI; and

10 (2) by redesignating sections 1, 2, 3, and 4 as  
11 sections 11701, 11702, 11703, and 11704, respectively.

12

13 ACCOUNTABILITY

14 SEC. 1111. Title XI of the ESEA, as redesignated by  
15 section 1109, is further amended by inserting a new part B  
16 to read as follows:

17 "PART B - IMPROVING EDUCATION THROUGH ACCOUNTABILITY

18

19 "SHORT TITLE

20 "SEC. 11201. This part may be cited as the "Education  
21 Accountability Act of 1999".

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

"PURPOSE

"SEC. 11202. It is the purpose of this part to improve academic achievement for all children, assist in meeting America's Education Goals under section 3 of this Act, promote the incorporation of challenging State academic content and student performance standards into classroom practice, enhance the accountability of State and local officials for student progress , and improve the effectiveness of programs under this Act and the educational opportunities of the students that they serve.

"TURNING AROUND FAILING SCHOOLS

"SEC. 11203. Consistent with section 1111(b)(3)(B) of this Act, a State that receives assistance under this Act shall develop and implement a statewide system for holding its local educational agencies and schools accountable for student performance that includes-

- "(1) a procedure for identifying local educational agencies and schools in need of improvement;
- "(2) intervening in those agencies and schools to improve teaching and learning; and
- "(3) implementing corrective actions, if those interventions are not effective.

1 "STUDENT PROGRESS AND PROMOTION POLICY

2 "SEC. 11204. (a ) IN GENERAL. --(1) A State that  
3 receives assistance under this Act shall, at the time it  
4 submits its accountability plan under section 11208, have  
5 in effect a State policy that is designed to-

6 "(A) ensure that students progress through  
7 school on a timely basis, having mastered the challenging  
8 material needed for them to reach high standards of  
9 performance; and

10 "(B) end the practices of social promotion  
11 and retention.

12 "(2) As used in this part, the term-

13 "(A) 'social promotion' means the unsound  
14 educational practice of promoting students who have not  
15 demonstrated mastery of challenging State academic  
16 standards; and

17 "(B) 'retention' means the unsound  
18 educational practice of requiring students who have not  
19 demonstrated mastery of challenging State academic  
20 standards to remain in the same grade, without the specific  
21 educational interventions they need to master those  
22 standards.

23 "(b) POLICY. In order to ensure that students will  
24 progress through school and graduate having mastered the

1 challenging material needed for them to meet high standards  
2 of performance, a State policy under subsection (a) shall-

3 " (1) require-

4 " (A) its local educational agencies to  
5 implement continuing, intensive and comprehensive  
6 educational interventions as may be necessary to ensure  
7 that all students can meet the challenging academic  
8 performance standards required under section 1111(b) (1) (A)  
9 of this Act; and

10 " (B) all students to meet those  
11 challenging standards before being promoted at three key  
12 transition points (one of which shall be graduation from  
13 secondary school), as determined by the State, consistent  
14 with section 1111(b) (2) (D) of this Act;

15 " (2) require the State educational agency to  
16 determine, through the collection of appropriate data,  
17 whether local educational agencies and schools are ending  
18 the practices of social promotion and retention;

19 " (3) require its local educational agencies to  
20 provide to all students educational opportunities in  
21 classrooms with qualified teachers who use proven  
22 instructional practices that are aligned with the State's  
23 challenging standards and who are supported by high-quality  
24 professional development;

1                   " (4) require its local educational agencies to  
2 use effective, research-based prevention and early  
3 intervention strategies to identify and support students  
4 who need additional help to meet those promotion standards;

5                   " (5) provide, with respect to students who have  
6 not demonstrated mastery of challenging State academic  
7 standards on a timely basis--

8                   " (A) for continuing, intensive, and age-  
9 appropriate interventions, including extended instruction  
10 and learning time, such as after-school and summer programs  
11 that are designed to help students master such material;

12                   " (B) for other specific interventions, with  
13 appropriate instructional strategies, to enable students  
14 with limited English proficiency and students with  
15 disabilities to master such material;

16                   " (C) for the identification of the  
17 knowledge and skills in particular subject areas that  
18 students have not mastered, in order to facilitate  
19 remediation in those areas;

20                   " (D) for the development, by schools, of  
21 plans to provide individualized attention to students who  
22 have not mastered such material;

23                   " (E) for full communication between the  
24 school and parents, including a description and analysis of

1 the students' performance, how it will be improved, and how  
2 parents will be involved in the process; and

3                   "(F) in cases in which significant numbers  
4 of students have failed to master such material, for a  
5 State review of whether corrective action under section  
6 1116 of this Act with respect to the school or local  
7 educational agency is needed;

8                   "(6) require its local educational agencies to  
9 disseminate widely their policies under this subsection in  
10 language and in a format that is concise and that parents  
11 can understand; and

12                   "(7) ensure that any assessments used by a  
13 State, local educational agency, or school for the purpose  
14 of implementing a policy under this subsection—

15                   "(A) are aligned with the State's  
16 challenging content and performance standards and provide  
17 coherent information about student progress towards  
18 attainment of those standards;

19                   "(B) include multiple measures, including  
20 teacher evaluations, no one of which may be assigned  
21 determinative weight in making adverse decisions about  
22 individual students;

23                   "(C) offer multiple opportunities for  
24 students to demonstrate that they meet the standards;

1                   "(D) are valid and reliable for the  
2 purposes for which they are used and must fairly and  
3 accurately measure what students have been taught;

4                   "(E) provide reasonable adaptations and  
5 accommodations for students with disabilities and students  
6 with limited English proficiency;

7                   "(F) provide that students with limited  
8 English proficiency are assessed, to the greatest extent  
9 practicable, in the language and form most likely to yield  
10 accurate and reliable information about what those students  
11 know and can do; and

12                   "(G) provide that Spanish-speaking students  
13 with limited English proficiency are assessed using tests  
14 written in Spanish, if Spanish-language assessments are  
15 more likely than English-language tests to yield accurate  
16 and reliable information on what those students know and  
17 can do.

18                   "(c) PLAN CONTENT. A State shall include in its  
19 accountability plan under section 11208 a detailed  
20 description of-

21                   "(1) its policy under subsection (b), in  
22 accordance with paragraph (2);

23                   "(2) the strategies and steps (including



1                   "(A) have a baccalaureate degree and are  
2 enrolled in a program, such as an alternative certification  
3 program, leading to full certification in their field  
4 within three years; or

5                   "(B) have full certification in another  
6 State and are establishing certification where they are  
7 teaching;

8                   "(2) not less than 95 percent of the teachers in  
9 public secondary schools in the State have academic  
10 training or demonstrated competence in the subject area in  
11 which they teach;

12                   "(3) there is no disproportionate concentration  
13 in particular school districts of teachers who are not  
14 described in paragraphs (1) or (2); and

15                   "(4) its certification process for new teachers  
16 includes an assessment of content knowledge and teaching  
17 skills that is aligned with State standards.

18                   "(c) PLAN CONTENT. -(1) A State shall include in its  
19 accountability plan under section 11208 the performance  
20 indicators by which it will annually measure its progress  
21 in-

22                   "(A) decreasing the percentage of teachers  
23 in the State teaching without full licenses or credentials;  
24 and

1                   "(B) increasing the percentage of  
2 secondary school classes in core academic subject areas  
3 taught by teachers who-  
4                   "(i) have a postsecondary-level  
5 academic major or minor in the subject area they teach or a  
6 related field; or  
7                   "(ii) otherwise demonstrate a high  
8 level of competence through rigorous tests in their  
9 academic subject.

10                   "(2) In its accountability plan under  
11 section 11208, a State shall assure that, in carrying out  
12 this policy, it will not decrease the rigor or quality of  
13 its teacher certification standards.

14

15                   "SOUND DISCIPLINE POLICY

16                   "SEC. 11206. (a) IN GENERAL. A State that receives  
17 assistance under this Act shall, at the time it submits its  
18 accountability plan under section 11208, have in effect a  
19 policy that requires its local educational agencies and  
20 schools to have in place and implement sound and equitable  
21 discipline policies, in order to ensure a safe, orderly,  
22 and drug-free learning environment in every school.

23                   "(b) POLICY. A State discipline policy under this  
24 section shall require local educational agencies and

1 schools to have in place and implement disciplinary  
2 policies that—  
3           " (1) focus on prevention and are coordinated  
4 with prevention strategies and programs under title IV of  
5 this Act;  
6           " (2) apply to all students and are enforced  
7 consistently and equitably;  
8           " (3) are clear and understandable;  
9           " (4) are developed with the participation of  
10 school staff, students, and parents;  
11           " (5) are broadly disseminated;  
12           " (6) ensure that due process is provided;  
13           " (7) are consistent with applicable Federal,  
14 State and local laws, including the Individuals With  
15 Disabilities Education Act;  
16           " (8) ensure that teachers are adequately trained  
17 to manage their classrooms effectively; and  
18           " (9) in case of students who are suspended or  
19 expelled from school, provide for appropriate supervision,  
20 counseling, and educational services that will help those  
21 students continue to meet the State's challenging  
22 standards.  
23           " (c) PLAN CONTENT. A State shall include in its  
24 accountability plan under section 11208 an assurance that

1 it has in effect a policy that meets the requirements of  
2 this section.

3

4

"EDUCATION REPORT CARDS

5 "SEC. 11207. (a ) IN GENERAL. --(1) A State that  
6 receives assistance under this Act shall, at the time it  
7 submits its accountability plan under section 11208, have  
8 in effect a policy that requires the development and  
9 dissemination of annual report cards, regarding the status  
10 of education and educational progress in the State and in  
11 its local educational agencies and schools, that meet the  
12 requirements of this section.

13 "(2) Report cards under this section shall--

14 "(A) be concise;

15 "(B) be disseminated in a format and manner  
16 that parents can understand; and

17 "(C) focus on educational results.

18 "(b) CONTENT OF STATE-LEVEL REPORT CARD. --(1) The  
19 State shall, at a minimum, include in the annual State-  
20 level report card information regarding--

21 "(A) student performance on statewide  
22 assessments, set forth on an aggregated basis, in both  
23 reading (or language arts) and mathematics, as well as any

1 other subject area for which the State requires  
2 assessments;  
3                   "(B ) attendance and graduation rates in the  
4 public schools of the State;  
5                   "(C ) average class size in each of the  
6 school districts in the State;  
7                   "(D ) school safety, including the incidence  
8 of school violence and drug and alcohol abuse and the  
9 number of instances in which a student has possessed a  
10 firearm at school, subject to the Gun-Free Schools Act; and  
11                   "(E ) the professional qualifications of  
12 teachers in the State, including the number of teachers  
13 teaching with emergency credentials and the number of  
14 teachers teaching out of their field of expertise.  
15                   "(2) Student achievement data in the report card  
16 shall contain statistically sound, disaggregated results  
17 for the following categories:  
18                   "(A) Gender.  
19                   "(B) Racial and ethnic group.  
20                   "(C) Migrant status.  
21                   "(D) Students with disabilities, as  
22 compared to students who are not disabled.

1                   "(E) Economically disadvantaged students,  
2 as compared to students who are not economically  
3 disadvantaged.

4                   "(F) Students with limited English  
5 proficiency, as compared to students who are proficient in  
6 English.

7                   "(3) A State may include in such report cards  
8 any other information it determines appropriate to reflect  
9 school quality and student achievement, such as information  
10 on-

11                   "(A) longitudinal achievement scores from  
12 the National Assessment of Educational Progress or State  
13 assessments;

14                   "(B) parent involvement, as determined by  
15 such measures as the extent of parental participation in  
16 school parental involvement activities;

17                   "(C) participation in extended learning  
18 time programs, such as after-school and summer programs;  
19 and

20                   "(D ) the performance of students in meeting  
21 physical education goals.

22                   "(c) CONTENT OF LOCAL EDUCATIONAL AGENCY AND SCHOOL

23 REPORT CARDS. -(1) The State shall ensure that each local

1. educational agency and each school in the State includes in  
2 its annual report card, at a minimum-

3                   "(A) the information described in  
4 subsections (b) (1) and (b) (2); and

5                   "(B) (i) in the case of a local educational  
6 agency-

7                   "(I) the number of schools  
8 identified as low-performing schools, such as schools  
9 identified as in need of improvement under section  
10 1116(c) (1) of this Act; and

11                   "(II) information that shows how  
12 students in its schools performed on statewide assessments  
13 compared to students in the rest of the State (including  
14 such comparisons over time, if the information is  
15 available); or

16                   "(ii) in the case of a school-

17                   "(I) whether it has been  
18 identified as a low-performing school; and

19                   "(II) information that shows how  
20 its students performed on statewide assessments compared to  
21 students in the rest of the local educational agency and  
22 the State (including such comparisons over time, if the  
23 information is available).

1                   "(2) Local educational agencies and schools may  
2 include in their annual report cards the information  
3 described in subsection (b) (3) and any other appropriate  
4 information.

5                   "(d) DISSEMINATION AND ACCESSIBILITY OF REPORT

6 CARDS.-(1) State-level report cards under subsection (b)  
7 shall be posted on the Internet, disseminated to all  
8 schools and local educational agencies in the State, and  
9 made broadly available to the public.

10                   "(2) Local educational agency report cards under  
11 subsection (c) shall be disseminated to all schools in the  
12 school district and to all parents of students attending  
13 these schools, and made broadly available to the public,  
14 through such means as posting on the Internet.

15                   "(3) School report cards under subsection (c)  
16 shall be disseminated to all parents of students attending  
17 that school and be made broadly available to the public,  
18 through such means as posting on the Internet.

19                   "(e) PLAN CONTENT. A State shall include in its  
20 accountability plan under section 11208 an assurance that  
21 it has in effect a policy that meets the requirements of  
22 this section.

"EDUCATION ACCOUNTABILITY PLANS

1  
2 "SEC. 11208. (a ) IN GENERAL. Each State that  
3 receives assistance under this Act on or after July 1, 2000  
4 shall have on file with the Secretary an approved  
5 accountability plan that meets the requirements of this  
6 section.

7 "(b) CONTENT. An accountability plan under  
8 subsection (a) shall include—

9 "(1) a description of the State's system under  
10 section 11203;

11 "(2) a description of the steps the State will  
12 take to ensure that all local educational agencies have the  
13 capacity needed to ensure compliance with this part;

14 "(3) the information or assurances called for by  
15 sections 11204(c), 11205(c), 11206(c), and 11207(e);

16 "(4) information indicating that the Governor  
17 and the State educational agency concur with the plan; and

18 "(5) any other information that the Secretary  
19 may reasonably require to ensure the proper and effective  
20 administration of this part.

21 "(c) REPORTS.—(1) A State shall report annually to  
22 the Secretary, in such form and containing such information  
23 as the Secretary may require, on its progress in carrying  
24 out the requirements of this part, and shall include such

1 report in its consolidated State performance report under  
2 section 11506 .

3 " (2) In reporting on its progress in  
4 implementing its student progress and social promotion  
5 policy under section 11204, a State shall assess the effect  
6 of its policy, and its implementation, in improving  
7 academic achievement for all children and otherwise  
8 carrying out the purpose specified in section 11202.

9 " (d) RELATIONSHIP TO CONSOLIDATED PLAN. -(1) If a  
10 State submits a consolidated State plan under section  
11 11502, it shall include in that plan its accountability  
12 plan under this section.

13 " (2) If a State does not submit a consolidated  
14 State plan, it shall submit a separate accountability plan  
15 under this section to receive assistance under this Act.

16 " (e) APPROVAL. -(1) (A) The Secretary shall approve an  
17 accountability plan under this section if the Secretary  
18 determines that it complies substantially with the  
19 requirements of this part.

20 " (B) The Secretary may accompany the  
21 approval of a plan with conditions that are consistent with  
22 the purpose of this part.

1           " (2) In reviewing accountability plans under  
2 this part, the Secretary shall employ the peer-review  
3 procedures under section 11502(e).

4           " (3 ) If a State does not submit a consolidated  
5 State plan under section 11502, the Secretary shall, in  
6 considering that State's separate accountability plan under  
7 this section, employ such procedures, comparable to those  
8 set forth in section 11502(e), as the Secretary may  
9 determine.

10

11           "AUTHORITY OF SECRETARY TO ENSURE ACCOUNTABILITY

12           "SEC. 11209. (a ) REMEDIES FOR SUBSTANTIAL FAILURE.

13 If the Secretary determines that a State has failed  
14 substantially to carry out a requirement of this part or a  
15 provision in its approved accountability plan under section  
16 11208 , or that its performance has failed substantially to  
17 meet a performance indicator in such plan, the Secretary  
18 shall take, consistent with applicable due process  
19 procedures, one or more of the following steps to ensure  
20 that the purpose of this part is carried out promptly:

21           " (1) Providing, or arranging for the provision  
22 of, technical assistance to the State educational agency in  
23 question.

24           " (2 ) Requiring a plan for corrective action.

1           "(3) Suspending or terminating authority to  
2 grant waivers under applicable ED-Flex authority.

3           "(4) Suspending or terminating eligibility to  
4 participate in competitive programs under this Act.

5           "(5) Withholding, in whole or in part, State  
6 administrative funds available under this Act.

7           "(6) Withholding, in whole or in part, program  
8 funds available to such State under the Act.

9           "(7) Imposing one or more conditions upon the  
10 Secretary's approval of a State plan or application under  
11 this Act.

12           "(8) Taking other action authorized under part D  
13 of the General Education Provisions Act, such as a cease-  
14 and-desist order or compliance agreement.

15           "(9) Taking any other appropriate accountability  
16 step that is consistent with this Act, including referral  
17 to the Department of Justice for enforcement.

18           "(b) EFFECTIVE ENFORCEMENT. If remedial steps taken  
19 by the Secretary under subsection (a) fail to correct the  
20 State's non-compliance, the Secretary shall take one or  
21 more additional steps under subsection (a) to bring the  
22 State into compliance.

1 "RECOGNITION AND REWARDS

2 "SEC. 11210. (a ) IN GENERAL. If the Secretary  
3 determines that a State has demonstrated significant,  
4 statewide achievement gains in core subjects, as measured  
5 by the National Assessment of Educational Progress for  
6 three consecutive years, is closing the achievement gap  
7 between low- and high-performing students, and has in place  
8 strategies for continuous improvement, including  
9 improvement in reducing the practices of social promotion  
10 and retention, the Secretary shall, in light of all the  
11 circumstances, including the size of those gains, recognize  
12 and reward the State, as described under subsection (b).

13 "(b) REWARDS. The Secretary shall establish, through  
14 regulation, a system for recognizing and rewarding States  
15 described under subsection (a). Such rewards may include-

16 "(1) conferring priority in competitive programs  
17 under this Act;

18 "(2 ) increased flexibility in administering  
19 programs under this Act, consistent with maintaining  
20 accountability; and

21 "(3) supplementary grants or administrative  
22 funds to carry out the purposes of this Act.

23 "(c) AUTHORIZATION. There are authorized to be  
24 appropriated for fiscal year 2001 and each of the four

1 succeeding fiscal years, such sums as may be necessary to  
2 carry out subsection (b) (3).

3

4 "BEST PRACTICES AND MODELS

5 "SEC. 11211. In implementing this part, the Secretary  
6 shall, after consulting with State and local educational  
7 agencies and other agencies, institutions, and  
8 organizations with experience or information relevant to  
9 the purpose of this part, disseminate information about  
10 best practices, models, and other forms of technical  
11 assistance.

12

13 "CONSTRUCTION

14 "SEC. 11212. Nothing in this part shall be construed  
15 as affecting home schooling or the application of the civil  
16 rights laws or the Individuals with Disabilities Education  
17 Act. "

18

19 AMERICA'S EDUCATION GOALS PANEL

20 SEC. 1112. Title XI of the ESEA, as redesignated by  
21 section 1109, is further amended by adding a new part C to  
22 read as follows:

Current Law	Administration	House
		Eligible LEAs in States that choose not to participate in the program may apply directly to the Secretary. The Secretary may award competitively the amount of the nonparticipating State's allocation.
		<u>Uses of funds</u> Educational technology; professional development; technical assistance; teacher recruitment and retention; parental involvement activities; or academic enrichment programs.
		<u>Special rule</u> An LEA may not receive an award under the Small and Rural Schools and the Low-Income and Rural Schools program in the same fiscal year.

**TITLE XI – GENERAL PROVISIONS**

**Title XI, Part B, Improving Education through Accountability**

<u>Statewide Accountability System and Plan</u>  No comparable provision.	Requires each State that receives assistance under ESEA to: <ul style="list-style-type: none"> <li>• Develop and implement a statewide system for holding LEAs and schools accountable for student performance by: (1) identifying LEAs and schools in need of improvement; (2) intervening in those schools and LEAs to improve teaching and learning; and (3) implementing corrective actions if necessary.</li> </ul>	No action as of 10/99.
---	--	------------------------

Current Law	Administration	House
	<ul style="list-style-type: none"> <li>• Develop and submit to the Secretary an accountability plan that addresses the requirements for: (1) turning around failing schools; (2) student progress and promotion policy; (3) ensuring teacher quality; (4) having a sound discipline policy; and (5) producing State, LEA, and school report cards. In addition, the plan must have the concurrence of the Governor and SEA.</li> <li>• Report annually to the Secretary on State progress toward implementing the accountability plans. (Plans must be approved by the Secretary by July 1, 2000.)</li> </ul>	
<u>Social Promotion and Retention</u>	<p>Requires States to have a policy that is designed to ensure that students have progressed through school on a timely basis having met challenging standards and end the practices of social promotion and retention. The policy must include: providing educational interventions needed to ensure all students meet challenging academic standards; requiring students to demonstrate that they have met the standards at 3 key transition points, one of which must be graduation from secondary school; requiring LEAs to provide all students with qualified teachers who are supported by high-quality professional development; and providing students who have not met the standards with appropriate interventions to help them meet the standards. This policy must be fully implemented within 4 years.</p>	
<u>Qualified Teachers</u>	<p>Requires States to have a policy that is designed to ensure that there is a qualified teacher in every classroom by requiring that: (1) at least 95 percent of teachers within</p>	

Current Law	Administration	House
	<p>the State are certified or have a baccalaureate and are enrolled in a certification program; (2) at least 95 percent of the teachers in secondary schools within the State are teaching a subject in which they have an academic major or demonstrated competency; (3) unqualified teachers are not disproportionately concentrated in particular LEAs; and (4) the certification process for new teachers includes an assessment of content knowledge and teaching skills.</p>	
<p><u>Discipline</u></p>	<p>Requires States to have a policy that requires LEAs and schools to implement sound and equitable discipline policies to ensure a safe, orderly, and drug-free learning environment in every school.</p>	
<p><u>State Report Cards</u></p>	<p>Requires States to have a policy that requires an annual state-level report card containing data on: (1) student performance on statewide assessments in reading and mathematics, as well as any other subjects for which the State requires assessments; (2) attendance and graduation rates for public schools in the State; (3) average class size in each district in the State; (4) the incidence of school violence and drug and alcohol abuse, and the number of instances in which a student possessed a firearm at school; and (5) the professional qualifications of teachers in the State. A State may include other information that it deems appropriate to reflect school quality and student achievement. The State report card must provide statistically sound data, disaggregated for gender, race, ethnic group, migrant status, students with disabilities, economically disadvantaged students, and students with limited English proficiency. State report cards must be posted on the Internet, disseminated to all LEAs and schools in the State, and made available to the public.</p>	

Current Law	Administration	House
<u>Local Report Cards</u>	Requires States to have a policy that requires LEAs and schools to produce report cards containing the same information required of States. In addition, LEA report cards must include: (1) the number of low-performing schools; and (2) information on how students in the LEA performed on statewide assessments compared to other students in the State. School report cards must identify whether the school has been identified as low-performing and how its students have performed on statewide assessments compared to other students in the LEA. LEA report cards must be distributed to all schools served by the LEA and made widely available to the public; school report cards must be made available to all parents in the school and broadly available to the public.	
<u>Sanctions</u>	Provides sanctions the Secretary may impose on a State that fails to substantially carry out one of the accountability provisions or meet a performance indicator in its plan.	
<u>Rewards and Recognition</u>	Requires the Secretary to establish a system for recognizing and rewarding States determined to have demonstrated significant, statewide achievement gains in core subjects, as measured by NAEP for three consecutive years, have closed the gap between high- and low-performing students, and have in place strategies for continuous improvement. Authorizes appropriations for this purpose.	

Current Law

Administration

House

**Title XI, Part C, America's Education Goals**

<p>Authorizes the establishment of a panel to: (1) report annually to the President, Secretary, and Congress on progress toward achieving the National Education Goals; (2) review voluntary national content and student performance standards; (3) report on promising or effective actions being taken at the national, State, and local levels, and in the public and private sectors, to achieve the National Goals; and (4) help build a nationwide, bipartisan consensus for the reforms necessary to achieve the Goals.</p>	<p>Renames the Panel as the America's Education Goals Panel. Makes necessary updates and clarifications.</p>	<p>No action as of 10/99.</p>
---	--	-------------------------------

**TITLE XII – OTHER AMENDMENTS**

**Education For Homeless Children And Youth (McKinney Act)**

<p><u>(McKinney Act) Statement of Policy</u></p> <p>Focus is on ensuring that all homeless children and youth have equal access to the same free, appropriate public education available to other children.</p>	<p>Expands on the current purpose to ensure that homeless children are not segregated based on their status as homeless. Prohibits a State receiving funds under this subtitle from segregating a homeless child or youth, either in a separate school or in a separate program within a school, except for short periods of time because of health and safety emergencies or to provide short-term services to meet the unique needs of homeless children and youth.</p>	<p>Same as Administration policy, however allows States with existing segregated schools to continue to remain eligible to receive funds.</p>
<p><u>State Activities</u></p> <p>Requires States to estimate numbers of homeless children and youth in the State and the number of homeless children and youth served by the program.</p>	<p>Eases burden on States by requiring, in place of the State data collection, that the Secretary periodically collect and disseminate data and information on the number and location of homeless children and youth, the services they receive, and the extent to which such needs are being met.</p>	<p>Same as Administration proposal.</p>

Proposed Law - Title I

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

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

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

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

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

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

16

17

SCHOOL CHOICE

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

21

22 ASSESSMENT AND LOCAL EDUCATIONAL AGENCY AND SCHOOL IMPROVEMENT

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

Per our  
conversation  
Thanks!

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

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

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

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

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

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

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

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

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

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

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

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

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

4 " (2) OPPORTUNITY TO REVIEW AND PRESENT EVIDENCE. --(A)

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 " (B) As used in this paragraph, the term  
2 'corrective action' means action, consistent with State and  
3 local law, that--  
4 "(i) substantially and directly responds to  
5 the consistent academic failure that caused that agency to take  
6 that action and to any underlying staffing, curricular, or other  
7 problems in the school; and  
8 "(ii) is designed to substantially increase  
9 the likelihood that students in that school will meet  
10 challenging State standards.

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

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

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

25 "(iii) Closing the school.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15                                    "(B) work with schools needing improvement.

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

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

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

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

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

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

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

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

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

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

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

11                                   "(i) Withholding of funds.

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

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

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

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

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

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

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

11

12                   STATE ASSISTANCE FOR SCHOOL SUPPORT AND IMPROVEMENT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10

11 PARENTAL INVOLVEMENT

12 SEC. 118. Section 1118 of the ESEA is amended--

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

15 (2) in subsection (c)--

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

18 (B) in paragraph (4)(B)--

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

23 (ii) by striking out "section  
24 1111(b)(3)(H)" and inserting in lieu thereof "section  
25 1111(b)(2)(H)"; and



Lisa K. Nabors, M.Ed.  
Partner

703.847.3656

fax: 703.713.6054

lnabors@strategicperformance.net

www.strategicperformance.net

8000 Towers Crescent Drive, PMB 1350

Vienna, Virginia 22182