

**From:** John Bailey  
**Sent time:** Friday, October 14, 2011 4:32:11 AM  
**To:** Bennett, Tony; Robinson, Gerard; Pnoor@excelined.org; Barresi, Janet; Barresi, Janet Asst Becky Woodie; Barresi, Janet Comm Dir Damon Gardenhire; Barresi, Janet COS Jennifer Carter; Robinson, Gerard Scheduler Nyla Benjamin; Bennett, Tony Asst Debbie Downing; Bennett, Tony Asst Jennifer Outlaw; Bowen, Stephen; Bowen, Stephen; Bowen, Stephen Scheduler Sandra Moreau; Cerf, Chris; Cerf, Chris Asst Helene Leona; Cerf, Chris Dep Comm Sp Asst Mamie Doyle; Cerf, Chris Special Asst Andrew Smarick; ladner55@gmail.com; Huffman, Kevin; Huffman, Kevin COS Emily Barton; Pastorek, Paul; Pastorek, Paul Asst Christina Rose; Barresi asst Becky Woodie; Skandera, Hanna; Skandera, Hanna COS Cathie Carothers; Skandera, Hanna Policy Leighann Lenti; Skandera, Hanna Scheduler Bernadette Tennyson; Smith, Eric; Bennett, Tony COS Heather Neal; Skandera Scheduler Bernadette Tennyson  
**Cc:** Gist, Deborah; Robinson, Gerard Scheduler Nyla Benjamin; Bowen asst Georgette Valliere; Bennett asst Debbie Downing; Bennett Scheduler Jennifer Outlaw; David DeSchryver; Bowen Scheduler Sandra Moreau; Cerf asst Helene Leona; Gist asst Angela Teixeira; Huffman asst Janice Mann; Pastorek asst Christine Rose; Jessica.Tucker@LA.GOV; Gist, Deborah Scheduler Hayley Jamroz; Smith, Eric; Cari@excelined.org; Christy Hovanetz (christyh@excelined.org); dfinn@excelined.org; Erin@excelined.org; fonda@excelined.org; jaryn@excelined.org; Joanna@afloridapromise.org; mandy@excelined.org; MaryLaura@excelined.org; ladner55@gmail.com; Matthew Ladner (Matthew@Excelined.org); patricia@excelined.org; Marcie Brown; ladner55@gmail.com  
**Subject:** ESEA Summary for tomorrow's conversation  
**Attachments:** ROM117523.pdf Summary of Senate ESEA draft edit.docx 101111\_ESEA Chairman Mark Detailed Summary FINAL.PDF

---

Attached is a very rough summary of Sen. Harkin's ESEA bill.  
I've also attached the bill (840 pages) and Sen. Harkin's summary.

**Preliminary Summary of Senate ESEA Draft  
DRAFT - NOT FOR DISTRIBUTION**

**Oct. 13, 2011**

Title I .....	2	
Standards .....	2	
Assessments.....	3	
Accountability/School Performance .....	3	
Parent and Family Engagement .....	3	
Report Cards .....	4	
School Classification.....	4	
School Turnaround Strategies.....	6	
Blue Ribbon Schools.....	6	
Highly Qualified Teachers .....	6	
Comparability.....	6	
Pathways to College: Improving Secondary Schools and Accelerated Learning (Title I, Part B) .....	7	
Title II .....	8	
Teacher and Principal Grant Program.....	8	
Teacher Incentive Fund.....	8	
Additional Programs .....	9	
Improve our focus on Science, Technology, Engineering and Mathematics (STEM) Instruction and Support .....	9	9
Improve Literacy Instruction and Achievement.....	9	
Race to the Top.....	9	
Update and Refocus the Charter School Program .....	9	
Strengthen Voluntary Public School Choice.....	10	
Address the Unique Challenges of Rural Schools .....	10	
Increase Flexibility in the Use of Federal Funding Streams .....	10	

## Topline:

- ESEA reauthorization package introduced by Senator Harkin (D-ID). Sen. Enzi (R) continues to work with Sen. Harkin on several provisions and is expected to support the bill.
- Markup is scheduled for Oct. 18.
  - Unclear whether other Senate GOP lawmakers will vote for the proposal considering that Former U.S. education Secretary Sen. Lamar Alexander (R-Tenn.) and Sen. Johnny Isakson (R-Ga.), Richard Burr (R-N.C.), and Mark Kirk (R-Ill.) submitted different reauthorization bills.
- Main components
  - Formally authorizes the Race to Top, Investing in Innovation, and Promise Neighborhood programs, all top Obama administration initiatives that were part of the stimulus.
  - Requires states to set college- and career-readiness standards, either with other states or alone. States would need to track if students need to take remedial courses.
  - Requires states to develop new teacher evaluation systems.
  - States also would be required to identify the 5 percent of lowest-performing high schools, as well as elementary and middle schools. Schools identified in the bottom 5 percent would be subject to intensive interventions similar to the four options spelled out in the regulations for the School Improvement Grant program. Under the "restart" option, a school could choose to convert to a charter school (as under current law) or become a magnet school (that's a new option.). The bill also outlines other options.
- Some civil rights groups including, National Council of La Raza, the Education Trust, the National Center for Learning Disabilities, The Leadership Conference on Civil Rights, and the Center for American Progress Action Fund are concerned this may weaken subgroup accountability.
- Coalition concerned around the teacher provisions includes: California Business for Education Excellence, Center for American Progress Action Fund, Civic Builder, ConnCAN Connecticut Parents' Union, Democracy Prep Public Schools, Democrats for Education Reform, Education Equality Project, Education Reform Now, Education Trust, Educators 4 Excellence, Georgia Partnership for Excellence in Education, Hope Street Group, League of United Latin American Citizens, MinnCAN: The Minnesota Campaign for Achievement Now, National Council of La Raza, NewSchools Venture Fund, Rodel Foundation of Delaware, Rhode Island Mayoral Academies, RICAN: The Rhode Island Campaign for Achievement Now, State of Black Connecticut Alliance, Step Up for Students, StudentsFirst, Students for Education Reform, Teach Plus. 50CAN
- We still do not believe this law will get to the President's desk. There are still difference between the Republican bills and Harkin, but more importantly, this package is very different from what the House is considering. We expect this bill to begin the debate and serve as markers until reauthorization begins after the 2012 election.

## Title I

### Standards

The bill requires adoption of college and career ready (CCR) content standards in math and reading/English language arts by 12/31/2013 and CCR achievement standards by the 2015-2016 school year.

States must demonstrate that their CCR standards are aligned with:

- (1) academic coursework at public IHEs in the State so that a student doesn't need remediation;
- (2) State career and technical education standards; and
- (3) 'appropriate career skills.'

Achievement standards establish three levels of performance (basic, on-track, and advanced).

Required CCR standards in reading, mathematics, and science.

States can meet this requirement either individually or by participating in a consortium with other states. The legislation specifically mentions that states do not have to submit their standards to the Secretary for approval.

States can voluntarily decide to work with other states to develop standards and/or assessments.

**Alternative Academic Achievement Standards for Students with the Most Significant Cognitive Disabilities.** The bill maintains the ability of States to adopt these standards, and requires separate decisions on the applicability for individual students in each subject students are assessed. The bill maintains the 1% cap in a State’s accountability system or its system of school performance. This cap is designed to ensure that only a set percentage of students with disabilities may be assessed against these standards. The total number of students that may be assessed against these standards are the number that equals 1% of all students (not just students with disabilities) in the State in the grades assessed.

**English Language Proficiency Standards.** The bill maintains requirement for States to adopt such standards and requires them to be updated no later than one year after the adoption of CCR standards by the State (or by 12/31/2014 – whichever is sooner).

## Assessments

The bill requires adoption of assessments aligned with the CCR standards by the 2015-2016 school year. Assessments have to be given annually in grades 3 through 8 and at least once in grades 10-12.

Assessments can be administered once in the year or multiple assessments used throughout the year.

Assessments must involve multiple measures of student academic achievement, including measures that assess higher-order thinking skills and understanding.

For states that want to include growth in achievement in their accountability systems, assessments must be designed to measure individual academic growth, including whether students are making “adequate student growth.” Adequate student growth is defined as the amount of growth required for a below on-track student to be on-track within 3 years, or for a student who is on-track or advanced, not less than 1 year or academic growth.

Science is required to be assessed at least once in each of the following three grade spans – 3 through 5, 6 through 9, and 10 through 12. Assessments must be designed to produce student achievement data that can be used in teacher and principal evaluations.

Must be administered to 95% of all students and 95% of each subgroup.

## Accountability/School Performance

The bill requires States to adopt, by the beginning of the 2013-2014 school year, a single statewide accountability system. The system is required to:

- (1) annually measure and report on the achievement of all students in all public schools in reading and mathematics;
- (2) graduation rates in high school;
- (3) expect continuous improvement of all public schools, including subgroups of students; and
- (4) provide for “supports and interventions” for students in schools that are “low performing” or have “low performing” subgroups of students but are not identified as achievement gap schools or persistently low-achieving schools. What specifically these “supports and interventions” are is not statutorily defined.

There is no statutorily prescribed system of adequate yearly progress as under current law. States may choose to measure student growth, including “adequate student growth.”

States are required to identify 2 main categories of schools:

1. **achievement gap schools** and;
2. the **lowest-achieving schools**.

Out of the pool of lowest-achieving schools, a State must identify a subset of **persistently low-achieving schools**. At State option, a State may identify **blue ribbon schools**. The concept of supports and incentives is the only significant mention for schools which are not identified under one of these categories, leaving little emphasis on these schools under the bill unlike current law. There are no requirements to provide public school choice or supplemental educational services (SES) to any schools identified under any of these categories.

## Parent and Family Engagement

The bill requires States to adopt a parent and family engagement plan that focuses on improving student achievement; increasing parental skills to help children learn; improving child development; strengthening partnerships among school

personnel and parents; and improving parental participation in school improvement strategies. The plan must also contain description of the technical assistance and support the SEA will provide LEAs in carrying out the parent and family engagement. States must also describe how they will leverage resources from the business and philanthropic communities.

Any LEA receiving funds is required to provide to parents, if asked, information about a teacher's qualifications.

## Report Cards

The bill continues the requirement for school, school district and State report cards. Report cards must:

1. describe the states accountability system
2. Disaggregated student performance information related to the state standards;
3. Percentage of students who did not take the assessments;
4. The most recent three year trend in each subject area and grade level;
5. Comparison of the school's performance to the state average;
6. Percentage of students making "adequate student growth";
7. Number and percentage of students with the most sever cognitive disabilities;
8. Number and percentage of students who are ELL;
9. For high schools, the graduation rate (four year adjust cohort adjusted graduation rate AND the cumulative graduation rate);
10. By 2012-12, the rate of enrollment in institutions of higher education;
11. By the 2013-2014 school year, the rate of student remediation of high school graduates enrolled in IHEs;
12. State NAEP results.

Optional information includes:

1. Percentage of students passing examinations such as AP and IB;
2. Average class size, by grade;
3. Incidence of school violence, drug abuse, etc.
4. Indicators of school climate;
5. Student attendance;
6. School readiness of students in kindergarten.

Beginning on July 1, 2013, the Secretary of Education shall publish an annual national report card on the status of K12 schools.

## School Classification

**Achievement Gap Schools.** Achievement Gap Schools are the 5% of high schools and 5% of elementary and middle schools that have the largest achievement gaps among subgroups, or schools with the lowest performance of students in the subgroups. Subgroups are the same as in current law (major racial and ethnic groups; English proficiency status; disability; and economically disadvantaged). For these schools, school districts must develop and implement their own corrective action plans to improve the performance of low performing subgroups.

A school district with an achievement gap school that remains such a school for three consecutive years shall not be eligible for a priority, preference, or special consideration for any grant, subgrant, or other program funded under ESEA. This requirement to develop a corrective action plan is the only substantial requirement for achievement gap schools.

**Lowest-Achieving Schools.** Lowest-Achieving Schools are the lowest achieving 5% of public high schools and 5% of elementary and middle schools, based on:

1. student performance on State assessments in reading/English language arts and math and growth (if the State uses growth in its accountability system);
2. graduation rates for high schools; and
3. at State discretion, school wide gains and absolute student performance or growth on other statewide assessments.

Public high schools that have less than a 60% graduation rate are also identified as the lowest-achieving schools (with any high schools not falling into the bottom 5%, but having a less than 60% graduation rate being identified as a lowest-achieving school).

Under the bill, only the lowest-achieving schools that are further identified as **persistently low-achieving** schools are required to implement federally-defined school turnaround strategies. Persistently low-achieving schools are the lowest-achieving schools that meet (1) AND (2):

- (1) receive Title I funds; are public high schools with at least 50% poverty; OR are public high schools with less than a 60% graduation rate; AND
- (2) for the 2013-2014 school year, were low-achieving for the previous school year, and for the 2014-2015 school year and beyond, have been low-achieving for the 2 preceding consecutive school years.

In the 2014-2015 school year and beyond, lowest-achieving schools which have been identified as such for only one year do not have to undertake any interventions or other steps and do not have to undertake the school turnaround strategies until they identified as lowest-achieving schools for the 2 preceding consecutive school years.

Persistently low-achieving schools are identified as such for a 5 year period unless they are determined to have improved by the State (essentially the State determines a school is not in the bottom 5%).

If a State determines that all schools that would otherwise be considered to be in the lowest-achieving 5 percent of school are actually performing at a satisfactory level of performance based on the measures used by the State to identify persistently low-achieving schools, the State may apply to the Secretary to waive the requirements of this section.

School districts must conduct a needs analysis of persistently low-achieving schools and ensure such schools have the autonomy of staffing, time and budget to implement school improvement strategies, including the modification of policies or practices as necessary. Suggested areas include:

1. data collection and analysis;
2. recruiting and retaining staff;
3. teacher and principal evaluation;
4. professional development;
5. parent and family engagement;
6. coordination of services with early childhood education and care providers;
7. coordination of services to address students' social, emotional and health needs; and
8. monitoring the implementation of the selected school improvement strategy.

Issue	Achievement Gap Schools	Lowest Achieving Schools	Blue Ribbon Schools
<b>Identification</b>	In the State, the 5% of elementary and middle schools and 5% of high schools with the largest achievement gaps among subgroups or with the lowest performance of students in the subgroups.	In the State, the bottom 5% of elementary and middle schools and bottom 5% of high schools. Determination is based on (1) student performance on State assessments and growth (in states utilizing growth); (2) graduation rates for high schools; and (3) at State discretion, school wide gains and absolute student performance or growth on other statewide assessments.  Public high schools that have less than a 60% graduation rate are also identified as the lowest-achieving schools.	Top 5% of performing schools in the State
<b>States Required to Identify?</b>	Yes	Yes	No. Optional
<b>Interventions/Further Action</b>	School districts must develop and implement corrective action plans to improve the performance of low performing subgroups. A school district with achievement gap school that remains such for 3 consecutive years shall not be eligible for a priority, preference, or special consideration for any grant, subgrant, or other program funded under ESEA.	After identifying each 5% lowest-achieving and required high schools, school districts must determine which schools are “persistently low-achieving”. Persistently low-achieving schools are the lowest-achieving schools that receive Title I funds; are public high schools with at least 50% poverty; OR are public high schools with less than a 60% graduation rate AND for the 2013-2014 school year, were low-achieving for the previous school year, and for the 2014-2015 school year and beyond, have been such for 2 preceding consecutive school years.  In 2014-2015 and beyond the lowest achieving schools which are only identified as such for one year do not have to undertake interventions or school turnaround strategies.	States may provide Blue Ribbon Schools with increased autonomy over the school’s budget, staffing and time; may allow flexibility in the use of any funds provided to the school under the Act for any purpose allowed under the Act; and may reserve ½% of Title I funds to distribute awards to school districts which serve one or more blue ribbon schools.

## School Turnaround Strategies

School districts must select one of several federally-defined school improvement strategies for the schools identified as persistently low-achieving:

1. Transformation Strategy – Replacing the principal (if the principal has served for more than 2 years); requiring instructional staff and school leadership to reapply for their jobs; requiring hiring of instructional and leadership staff to be done by mutual consent; and ensure that other schools don't have to accept teachers who are displaced from such schools.
2. Strategic Staffing Strategy – Replacing the principal (if the principal has served for more than 2 years) with a principal with a demonstrated record of increasing student achievement; allow the principal to use a school turnaround team, which will consist of not more than 5 teachers in the case of an elementary school or not more than 20 teachers in the case of a secondary school; and provide incentives to the principal and teachers to participate.
3. Turnaround Strategy – Replacing the principal (if the principal has served for more than 2 years); and screen all teachers in the school and retain not more than 65 percent of them.
4. Whole School Reform Strategy – Implementing an evidence based strategy in partnership with a strategy developer who has had at least a 'moderate' level of evidence that their program will have a statistically significant effect on student outcomes.
5. Restart Strategy – Convert the school to a public charter school, magnet school, or innovative school, or close and reopen the school as a public charter school; and ensure the school serves the same grade levels as the original school and enrolls any former student of the original school.
6. School Closure Strategy – Close the school and enroll students in other public schools, including paying for transportation to the new school.

Rural schools are permitted to modify one element of each of these strategies. Schools which are identified for a second or more times as persistently low-achieving schools must implement the restart and school closure strategies in these subsequent re-identification periods.

The bill includes a separate school improvement program as under current law.

In the case of a State educational agency that has taken over a school or local educational agency, the State may use an amount of funds under this subsection similar to the amount that the school or local educational agency would receive, either directly or through an eligible entity designated by the SEA.

## Blue Ribbon Schools

States may (at their discretion) identify the top 5% of performing schools in the State as 'Blue Ribbon Schools' based on the percentage of achievement, school graduation, subgroup performance, and student growth. Under this authority, States may provide Blue Ribbon Schools with increased autonomy over the school's budget, staffing and time; allow such schools to have flexibility in the use of any funds provided to the school under the Act for any purpose allowed under the Act; and may reserve ½% of Title I funds to distribute awards to school districts which serve one or more blue ribbon schools.

## Highly Qualified Teachers

The bill maintains the requirement that all teachers teaching in a Title I program are highly qualified, except that a State which has all of its school districts implementing a teacher and principal evaluation system shall only have to ensure new teachers are highly qualified.

States have five years to develop a teacher and principal evaluation system. States will have to report to the Secretary:

1. Teachers who are not classified as highly qualified teachers.
2. Teachers who are inexperienced.
3. Teachers who have not completed a teacher preparation program.
4. Teachers who are not teaching in the subject or field for which the teacher is certified or licensed.

## Comparability

The bill adopts a new comparability requirement. The bill requires school districts which receive Title I funding to demonstrate to the State that their combined State and local per-pupil expenditures (which would include actual personnel and actual non personnel expenditures) in each Title I school are not less than the average such amount at non-Title I schools in the school district. Excluded from comparability calculations are the excess cost of educating English learners and children with disabilities; capital expenditures and other expenditures deemed appropriate by the Secretary.

## **Pathways to College: Improving Secondary Schools and Accelerated Learning (Title I, Part B)**

Awards competitive grants to partnerships of high-need school districts and nonprofit organizations to implement innovative and effective reforms both district-wide and in high schools with graduation rates below 75 percent and their feeder middle schools. Under this new program, districts will develop early-warning indicator systems to identify students at risk of dropping out and get them back on track for graduation, provide struggling students with credit recovery opportunities, and raise college and career awareness among students, their families and school staff. Targeted high schools will implement comprehensive, customized, and effective reform strategies, including Graduation Promise Academies, Career Academies and Early College High Schools. Their feeder middle schools will provide students with a personalized learning environment and additional supports and services, and offer teachers and principals with quality professional development to strengthen instruction.

The existing Advanced Placement program awards grants to States and eligible entities to reimburse students for advanced placement test fees and to expand access to, and success in, high quality Advanced Placement (AP) classes. The bill expands the program to include another highly successful college preparatory program, the International Baccalaureate (IB) program. This bill also makes other minor changes to improve program quality, including creating a priority for applications that are part of a state-wide or district-wide strategy to increase the availability of AP or IB courses in high-need schools.

## Title II

### Teacher and Principal Grant Program

The bill maintains the existing Title II, Part A Teacher and Principal Grant program.

The most significant addition to this program is the requirement that within 5 years of the passage of this reauthorization bill, school districts which receive Title II funding must develop and implement a teacher and principal evaluation system. Such system must:

1. define (and name) 4 categories of teacher and principal performance and be used in making decisions about professional development;
2. provide training for evaluators and be developed and implemented with teacher and principal involvement;
3. for teachers, be based in significant part on evidence of improved student achievement and include observations of classroom teaching and may include other measures if they are 'valid' predictors of student achievement;
4. for principals, be based in significant part on evidence of improved student achievement and student outcomes, on evidence of providing strong instructional leadership and support to teachers and staff; and on evidence of parent and family engagement.

Student achievement is defined as results on State assessments and other measures of student learning such as end of course assessments and other measures which are comparable across schools in a school district that are aligned with the State's standards. School districts are required to use the evaluation system to determine professional development. There is no requirement that the evaluation system be used for personnel decisions.

General overview: These formula funds pay for a range of activities from professional development to teacher recruitment to class size reduction. The bill will more drive evidence-based investments through Title II by supporting:

- Professional Development: Local school districts will receive subgrants from the state to conduct professional development activities that are evidence-based to improve student academic achievement and increase students' abilities to meet college and career ready standards. Funds may be used for induction and mentoring programs for teachers, and will provide for peer observations and feedback for junior teachers. Funds may also be used for professional development for early childhood educators.
- Recruitment, Preparation and Distribution of Great Teachers: Funds from Title II may be used to recruit, prepare, support, reward and retain excellent teachers and principals all schools. The funds can also be used to improve the distribution of highly rated teachers to ensure that low-income students receive their fair share of the best teachers.
- Class Size Reduction: Continues to allow Title II funds to be spent on reducing class sizes but focuses on the early grades. The bill will ensure that these funds are used for class size reduction in the early grades where research shows they are most impactful.
- Focus on Principals: One of the most significant omissions of No Child Left Behind was its failure to really address school leadership. The bill acknowledges the impact of principal leadership in schools and ensures that between 2% and 5% of Title II funds will be set-aside by each state for the improvement of principal performance and the distribution of highly rated principals.
- Teacher and Principal Evaluation Systems: States and school districts will have the flexibility to design teacher and principal evaluation systems based on broad parameters and with input from teachers and principals. States and local school districts that receive Title II-A funds will develop teacher evaluation systems based on multiple measures, including student achievement and observations of classroom instruction. Principal evaluations must also be based on evidence of strong instructional leadership and parent and family engagement with their school. The evaluation systems must be able to provide meaningful feedback to teachers and principals in a timely manner and provide data to inform decisions about professional development activities.

### Teacher Incentive Fund

The Teacher and Principal Incentive Fund will provide competitive grants to states, local educational agencies, and schools to (1) create and implement performance-based compensation systems, and (2) for the improvement of policies to help districts recruit, hire and retain great teachers. The Secretary must award at least 70 percent of the grant funds to entities that propose to implement a performance-based compensation system.

## Additional Programs

### Improve our focus on Science, Technology, Engineering and Mathematics (STEM) Instruction and Support

The new Improving Science, Technology, Engineering, and Math Instruction and Student Achievement program will improve student academic achievement in STEM by:

- Getting students engaged and excited about STEM subjects through high-quality instruction, opportunities to participate in STEM competitions, and exposure to STEM careers;
- Helping more students access high-quality STEM courses and learning opportunities;
- Improving the quality and effectiveness of classroom instruction by recruiting, training, and supporting excellent STEM teachers and providing robust tools and supports for students and teachers; and
- Closing student achievement gaps and preparing more students to be on track to college and career readiness and success in STEM subjects.

The new STEM program would award grants to states, which would be distributed by formula if the annual appropriation exceeds \$500 million (below this amount, grants are awarded to states competitively).

### Improve Literacy Instruction and Achievement

A new program that intends to provide for a strong federal investment in high-quality literacy instruction that will help states strengthen the literacy skills of all students from birth through high school by:

Authorizing funding to support local comprehensive literacy programs. Grants will be distributed to states by formula if the appropriation for this program exceeds \$500 million (below this amount, grants are awarded to states competitively). States will then competitively distribute funds to school districts and early childhood education providers.

- Supporting State Literacy Leadership Teams to develop comprehensive, statewide strategies for improving literacy.
- Providing high-quality, research-based professional development opportunities for educators, including job-embedded support from literacy coaches
- Supporting evidence-based practices to improve literacy and writing, including targeting students reading and writing below grade level.

### Race to the Top

The bill authorizes a new Race to the Top competitive grant program that will provide incentives for comprehensive reforms and innovative teaching and learning strategies that are designed to improve academic achievement for all students. Each year that funds are available, the Secretary will design a competition that advances one or more of the following critical education priorities:

- Increasing access to great teachers and school leaders;
- Implementing college- and career-ready academic standards and implementing strategies and supports that translate such standards into classroom practice;
- Improving school readiness by increasing access to high-quality early childhood care and education through an integrated system of programs and services;
- Turning around the lowest-performing schools;
- Creating successful conditions for the creation, expansion, and replication of high-performing public charter and autonomous schools that serve students from low-income families;
- Providing equitable resources to high-poverty schools; and
- Strengthening the availability and use of high-quality and timely data to improve instruction.

States, high-need school districts and consortia of either will be eligible to compete for funds, as determined by the Secretary, through a transparent process, on the basis of their record of innovation and reform, the quality of their plan, and evidence of collaboration, among other criteria. Priority will be granted to rural high-need school districts, and, for early childhood care and education competitions, to states that provide full-day kindergarten.

### Update and Refocus the Charter School Program

This bill, the program is updated to reflect lessons learned since the last reauthorization and to address the unmet demand for the expansion and replication of high-performing charter schools that effectively serve the academic needs of all students, as evidenced by growing waiting lists.

With a focus on improving the quality of the sector and investing in proven models of success, the charter school grants program will provide competitive grants to states, districts, authorizers and nonprofit charter management organizations to support the creation, expansion, and replication of high-performing charter schools. At least 65 percent of the charter school grant funding will be distributed to states. To ensure that limited Federal resources are targeted to charter schools with a commitment to, or a record of, strong academic results, the reauthorized program requires high goals of student academic achievement for all student subgroups and meaningful community outreach to parents and families. In addition, the redesigned program:

- Provides incentives for sound State policies that support the growth of high-performing charter schools, but also for effectively overseeing, monitoring and holding them accountable for results;
- Promotes strong authorizing policies that are transparent and effective in promoting high performance charter schools and closing down unsuccessful schools;
- Focuses the program on results by demanding academic achievement for all students and rewarding schools that close the achievement gap;
- Targets scarce federal funds to the most successful and promising charter school models through rigorous, high-quality competitions; and
- Prioritizes high-performing charter schools that serve low-income students;
- Ensures that charter schools recruit and address the needs of all students, including students with disabilities and English learners, through effective outreach, technical assistance, comprehensive planning, and specific performance goals.

### **Strengthen Voluntary Public School Choice**

The Voluntary Public School Choice program currently provides competitive grants to support the establishment or expansion of systems that offer parents choice among the public schools in the district or state. In this bill, the competitive program is continued with minor changes to improve quality, including expanding the application requirements and performance measures and reducing the grant period from five years to three years (renewable for another two if the Secretary finds that the grantee is achieving the program's objectives.)

Eligible grantees include high-need school districts applying in partnership with a state or another school district.

### **Address the Unique Challenges of Rural Schools**

The Rural Education Achievement Program (REAP) is designed to address the unique challenges of rural schools. The program provides supplemental funds and flexibility with uses of funds, recognizing that formula grant amounts are often too small to make a major impact in rural districts. REAP currently awards two types of formula grants: (1) the Small, Rural Schools Achievement (SRSA) Program which provides grants directly to eligible school districts, and (2) the Rural and Low Income Schools (RLIS) Program, which provides grants to states, which then award subgrants to school districts. All REAP districts will continue to receive increased flexibility in how they can spend formula funds. This bill will continue REAP, with several key changes.

### **Increase Flexibility in the Use of Federal Funding Streams**

Current law allows up to 50 percent of non-administrative funds for State-level activities under several programs in titles II, IV, and V to be transferred to other programs. This bill updates the program by allowing funds to be transferred among all the formula grant programs in the bill and increases this percentage to up to 100 percent. However, no funds may be transferred out of formula programs in titles I (education for the disadvantaged), III (English learners), VII (Native Hawaiian/Alaskan, Indian students), or VIII (Impact Aid).

Parallel changes are made to increase flexibility for local school districts with their formula grant funds. Current law is maintained in that each State or local educational agency that makes a transfer must modify its plan and report changes to the Secretary within 30 days.



*Elementary and Secondary Education Reauthorization Act: Summary of Programs*

**ENSURING COLLEGE AND CAREER READINESS FOR ALL STUDENTS**

***Move to College and Career Ready Academic Standards (Title I, Part A):***

Under No Child Left Behind, many states adopted low academic standards to avoid federal sanctions for underperformance. This bill establishes a definition for “college and career ready” based on the ability of a student to take coursework at a public college or university in the state without needing remedial classes. Each state will establish and adopt academic content standards in reading/language arts, mathematics and science that are aligned to college and career readiness. This will ensure that all states have a high bar in educating their children and preparing them for success in the global economy.

***Create Next Generation Academic Assessments (Title I, Part A):***

No Child Left Behind resulted in a focus on teaching to the test. This bill ensures that states adopt and implement valid and reliable assessments for measuring critical thinking and other higher order skills in the areas of reading/language arts, math, science, as well as any other content area for which they choose to establish standards.

***Give States the Flexibility to Design Their Accountability Systems (Title I Part A):***

To address the unintended “one-size-fits-all” punitive consequences of NCLB, the bill asks states to develop and implement accountability systems based on the academic achievement of all students in public schools, including accurate graduation rates in high schools. Each state-designed accountability system must identify chronically struggling schools that are in need of support and dramatic intervention, and must continue to focus on closing achievement gaps. In addition, states may use growth models to give credit to schools that improve student achievement. The bill maintains the critical reporting and disaggregation requirements of current law that shed light on how all students are performing, regardless of their backgrounds or unique needs.

***Focus on Turning Around Underperforming Schools and Closing Achievement Gaps (Title I, Part A):***

The bill focuses federal efforts where they are most needed: improving the lowest performing schools. Each state’s accountability and improvement system must identify schools that have the lowest performance or largest achievement gaps among subgroups of students (by race and ethnicity, English proficiency, disability status, and economic status). The state systems must also identify the bottom five percent of public elementary schools and secondary schools as “persistently low-performing schools” based on student achievement, and in the case of high schools, graduation rates. State education departments must alert families if their child’s school is in this bottom five percent. To address the challenges that persistently low-performing schools face, each local school district will undertake a school improvement process by implementing comprehensive improvement strategies for these schools that include a set of research-driven interventions for increasing student achievement. In the case of rural schools, additional flexibility is offered when implementing the improvement strategies to account for differences in local conditions, needs and resources. States must also ensure they turnaround “dropout factories” with graduation rates below 60 percent.

101111\_ESEA Cha

## *Elementary and Secondary Education Reauthorization Act: Summary of Programs*

### ***Reward Successful Schools (Title I, Part A):***

Under the Blue Ribbon Schools Program, the bill provides states the option of recognizing and rewarding schools with the highest student achievement and most growth in student achievement. States must define the criteria for recognizing schools based on the percentage of students who are on track to college and career readiness, graduation rates, and the performance of each subgroup of students. States may provide reward funds to Title I Blue Ribbon schools to improve student achievement and provide technical assistance to similar schools in the state. The bill also allows states to offer Blue Ribbon schools significant flexibility in the use of federal funds.

### ***Provide Students with the Most Significant Cognitive Disabilities Access to High-Quality Alternative Academic Standards and Assessments (Title I, Part A):***

The bill maintains the option for states to establish alternate academic standards in each of the content areas for up to 1% of students with the most significant cognitive disabilities, provided that the alternate standards are aligned with the state academic standards and promote inclusion through access to the general curriculum.

### ***Ensure that Every Child Has Access to Great Teachers (Title I, Part A):***

The bill builds on the current law “equitable distribution” provisions to ensure that students with the most need have access to great teachers by increasing transparency and requiring that school districts not cluster the lowest performing teachers in the schools with the most low-income and minority students.

### ***Pathways to College: Improving Secondary Schools and Accelerated Learning (Title I, Part B):***

In today’s increasingly global economy, it is more critical than ever for students to graduate from high school. Unfortunately, every year, more than 1 million students do not graduate from high school on time and more than 30 percent of students do not earn their high school diplomas. The new Improving Secondary Schools program would award competitive grants to partnerships of high-need school districts and nonprofit organizations to implement innovative and effective reforms both district-wide and in high schools with graduation rates below 75 percent and their feeder middle schools. Under this new program, districts will develop early-warning indicator systems to identify students at risk of dropping out and get them back on track for graduation, provide struggling students with credit recovery opportunities, and raise college and career awareness among students, their families and school staff. Targeted high schools will implement comprehensive, customized, and effective reform strategies, including Graduation Promise Academies, Career Academies and Early College High Schools. Their feeder middle schools will provide students with a personalized learning environment and additional supports and services, and offer teachers and principals with quality professional development to strengthen instruction.

Research shows that access to rigorous coursework is the strongest academic predictor of college success. The existing Advanced Placement program awards grants to States and eligible entities to reimburse students for advanced placement test fees and to expand access to, and success in, high quality Advanced Placement (AP) classes. The bill expands the program to include another highly successful college preparatory program, the International Baccalaureate (IB) program. This bill also makes other minor changes to improve program quality, including creating a priority for applications that are part of a state-wide or district-wide strategy to increase the availability of AP or IB courses in high-need schools.

## **SUPPORTING EXCELLENT TEACHERS AND PRINCIPALS**

### ***Offer Continuous Improvement and Support for Teachers and Principals (Title II, Part A):***

Title II, Part A of the Elementary and Secondary Education Act is designed to improve teacher and principal quality. These formula funds pay for a range of activities from professional development to teacher recruitment to class size reduction. The bill will more drive evidence-based investments through Title II by supporting:

- **Professional Development:** Local school districts will receive subgrants from the state to conduct professional development activities that are evidence-based to improve student academic achievement and increase students' abilities to meet college and career ready standards. Funds may be used for induction and mentoring programs for teachers, and will provide for peer observations and feedback for junior teachers. Funds may also be used for professional development for early childhood educators.
- **Recruitment, Preparation and Distribution of Great Teachers:** Funds from Title II may be used to recruit, prepare, support, reward and retain excellent teachers and principals all schools. The funds can also be used to improve the distribution of highly rated teachers to ensure that low-income students receive their fair share of the best teachers.
- **Class Size Reduction:** Continues to allow Title II funds to be spent on reducing class sizes but focuses on the early grades. The bill will ensure that these funds are used for class size reduction in the early grades where research shows they are most impactful.
- **Focus on Principals:** One of the most significant omissions of No Child Left Behind was its failure to really address school leadership. The bill acknowledges the impact of principal leadership in schools and ensures that between 2% and 5% of Title II funds will be set-aside by each state for the improvement of principal performance and the distribution of highly rated principals.
- **Teacher and Principal Evaluation Systems:** States and school districts will have the flexibility to design teacher and principal evaluation systems based on broad parameters and with input from teachers and principals. States and local school districts that receive Title II-A funds will develop teacher evaluation systems based on multiple measures, including student achievement and observations of classroom instruction. Principal evaluations must also be based on evidence of strong instructional leadership and parent and family engagement with their school. The evaluation systems must be able to provide meaningful feedback to teachers and principals in a timely manner and provide data to inform decisions about professional development activities.

### ***Recruit and Train Teachers in High-Need Subjects for High-Need Schools (Title II, Part B):***

The Teacher Pathways Program is designed to support the recruitment, selection, preparation, placement, retention, and support of teachers in high-need subjects or fields who will improve student academic achievement and student outcomes at high-needs schools. Eligible entities – including local and state educational agencies, in partnership with institutions of higher education or a nonprofit organization – may apply to assist them in preparing teachers in a high-need subject or field, which includes teachers of students with disabilities, English learners, mathematics, or science.

### ***Reward High-Achieving Teachers and Principals (Title II, Part C):***

The Teacher and Principal Incentive Fund will provide competitive grants to states, local educational agencies, and schools to (1) create and implement performance-based compensation systems, and (2) for the improvement of policies to help districts recruit, hire and retain great teachers. The Secretary must award at least 70 percent of the grant funds to entities that propose to implement a performance-based compensation system.

## **IMPROVING ACADEMIC ACHIEVEMENT OF ALL STUDENTS**

### ***Improve the Academic Achievement of English Learners and Immigrant Students (Title III):***

This bill better targets funds for English learners and immigrant students to support the use of evidence-based instructional programs and practices to support the acquisition of English and the ability for English learners to graduate college and career ready. It also:

- **Updates the formula used to allocate resources** to more accurately provide resources to the school and districts serving English learners;
- **Encourages schools and districts to continue to monitor the progress of English learners throughout their school careers**, recognizing the developmental nature of second language acquisition and allowing for better service delivery to students at all levels of English proficiency.

### ***Improve the Academic Achievement of Migrant Children (Title I, Part C):***

The Migrant Education Program attempts to address the unique needs of mobile migrant children who suffer, among other things, disrupted or interrupted education and who need special supplemental support. This bill strengthens the program by:

- **Ensuring that migrant children and youth are expected to meet the same college and career ready academic standards** that all children are expected to meet and requiring the collection of new performance data;
- **Updating the grant formula to more accurately provide funding based on actual counts of migrant students**, including students who receive services during the summer; and
- **Enhancing records transfer requirements** to minimize the effects of mobility.

### ***Improve the Academic Achievement of Neglected, Delinquent, or At-Risk Students (Title I, Part D):***

The Neglected & Delinquent Program is designed to improve educational services for children and youth in local and State institutions for neglected and delinquent youth. This bill strengthens the program by:

- **Ensuring that these students are expected to meet the same college and career ready academic standards** that all children are expected to meet and requiring the collection of new performance data;
- **Targeting funding to students who are truly “at-risk”** by changing the definition of “at-risk” to eliminate the inclusion of students based solely on academic issues; and
- **Requiring the development of a transition plan for students** entering certain facilities and consultation between facilities and local educational agencies upon release to ensure the students’ continued success.

### ***Improve the Academic Achievement of Indian, Native Hawaiian, and Alaska Native Students (Title VII):***

This bill reforms the program to better focus the use of funds on programs and activities that meet the unique cultural, language, and educational needs of Indian students to ensure that such students graduate college and career ready. Consistent with these goals, the bill:

- **Provides additional flexibility** to enable tribes and tribal educational agencies more authority over the education of Native students;
- **Includes a focus on high-quality early childhood education and care services and services and supports for at risk children and youth;**
- **Authorizes the use of funds to support the preservation, reclamation and restoration of Native languages.**

Current law authorizes a consolidated program of competitive grants to Native Hawaiian educational or community-based organizations, or other public or private nonprofit organizations with experience in operating

## *Elementary and Secondary Education Reauthorization Act: Summary of Programs*

Native Hawaiian programs. Changes to this program are designed to better focus the Native Hawaiian Education Council's efforts on addressing the education and workforce needs of Native Hawaiian students by:

- **Redesigning the composition of the Native Hawaiian Education Council and refocusing its purpose** to ensure proper coordination of educational and related services and programs available to Native Hawaiian students; and
- **Strengthening a focus on high quality early childhood education and care programs and services for young children** as well as services to support the educational needs of at-risk children and youth.

### *Improve the Academic Achievement of Homeless Students (Amendment):*

The McKinney-Vento Act's Education for Homeless Children and Youth (EHCY) program was created to remove the barriers to education caused by homelessness. In the 2008-2009 school year, 956,914 homeless children and youth were enrolled in public schools, a 41 percent increase over the past two years. This alarming trend shows no sign of abating. This bill improves the program by reinforcing and expanding key provisions, including school stability, enrollment, and support for academic achievement. Specifically, this bill:

- **Addresses credit-accrual problems, increases access to credit-recovery opportunities, and supports the provision of high-quality early care and education programs** and services to young homeless children;
- **Helps defray costs associated with transporting homeless students to the school of origin;**
- **Describes a clear and accessible dispute resolution process for parents;**
- **Ensures homeless students access the full range of academic support opportunities offered by schools;** and
- **Enhances school districts' ability to identify and serve homeless children and youth** by requiring professional development, training, resources and time for homeless liaisons so they can carry out the duties required by the Act.

1 0 1 1 1 - E S E A C h a

## **SUPPORTING SUCCESSFUL, WELL-ROUNDED STUDENTS**

### ***Improve our focus on Science, Technology, Engineering and Mathematics (STEM) Instruction and Support (Title IV, Part B):***

To ensure future competitiveness in the era of the innovation economy, America requires a workforce highly skilled in science, technology, engineering and mathematics (STEM). Yet, our education efforts in these critical areas lag behind those of other advanced nations. The new Improving Science, Technology, Engineering, and Math Instruction and Student Achievement program will improve student academic achievement in STEM by:

- **Getting students engaged and excited** about STEM subjects through high-quality instruction, opportunities to participate in STEM competitions, and exposure to STEM careers;
- **Helping more students access** high-quality STEM courses and learning opportunities;
- **Improving the quality and effectiveness of classroom instruction** by recruiting, training, and supporting excellent STEM teachers and providing robust tools and supports for students and teachers; and
- **Closing student achievement gaps and preparing more students** to be on track to college and career readiness and success in STEM subjects.

The new STEM program would award grants to states, which would be distributed by formula if the annual appropriation exceeds \$500 million (below this amount, grants are awarded to states competitively).

### ***Improve Literacy Instruction and Achievement (Title IV, Part A):***

A high-quality, literacy-rich environment is an important prerequisite for academic success. The new Improving Literacy Instruction and Student Achievement program responds to the clear need for literacy instruction and high quality support for students at all ages, development and grade levels. This legislation provides for a strong federal investment in high-quality literacy instruction that will help states strengthen the literacy skills of all students from birth through high school by:

- **Authorizing funding to support local comprehensive literacy programs.** Grants will be distributed to states by formula if the appropriation for this program exceeds \$500 million (below this amount, grants are awarded to states competitively). States will then competitively distribute funds to school districts and early childhood education providers.
- **Supporting State Literacy Leadership Teams** to develop comprehensive, statewide strategies for improving literacy.
- **Providing high-quality, research-based professional development opportunities** for educators, including job-embedded support from literacy coaches.
- **Supporting evidence-based practices to improve literacy and writing**, including targeting students reading and writing below grade level.

### ***Foster Student Success by Promoting Safe and Healthy Schools (Title IV, Part C):***

The Successful, Safe, and Healthy Students program will advance student achievement and positive child and youth development by promoting student health and wellness, preventing bullying, violence, and drug use, and fostering a positive school climate. States receiving grants must establish a statewide physical education requirement, and require all school districts to put in place anti-bullying policies.

- **To support positive conditions for learning**, states will receive funding to implement programs to promote student health, fitness, and mental health, and to prevent drug abuse and school violence.
- **To support data-driven prevention and foster student success**, the Successful, Safe, and Healthy Students program will authorize at least \$30 million for formula grants to help all states develop or

## *Elementary and Secondary Education Reauthorization Act: Summary of Programs*

enhance systems that will give local leaders the information they need to improve the conditions for learning in their schools and communities.

The Successful, Safe, and Healthy Students program replaces a number of programs in current law, many of which supported positive practices, but had a limited reach. The consolidated programs are: Safe and Drug Free Schools and Communities Act State grants, Elementary School Counseling, the Carol M. White Physical Education Program, Foundations for Learning, Mental Health Integration in Schools, and Alcohol Abuse Reduction.

### ***Support Innovative, Community-Based Programs that Support Children in America's Highest Poverty Neighborhoods (Title IV, Part E):***

The Promise Neighborhoods program will fund national competitive grants to create cradle-to-career “continuums of care” for children in low-income neighborhoods. Based on the Harlem Children’s Zone program that has successfully increased a neighborhood’s college success rate, the Promise Neighborhoods program will help community-based organizations and local institutions to coordinate in providing a wide range of services to children from birth through college entry.

The services must include elements that are essential to healthy development and, eventually, college and career readiness, including training for expectant parents, high-quality early care and education, and wrap around services for children throughout their school years. The proposal allows for grants that are either led by schools or by community-based organizations, but strong partnerships between these entities and with other organizations in the community are required. Grantees must monitor data on a range of indicators and share best practices.

### ***Support High Quality After School, Summer School and Expanded Learning Time Programs (Title IV, Part D):***

The 21<sup>st</sup> Century Community Learning Centers (CLCC) program currently funds before-school, after-school and summer-learning programs. In this bill, the program continues to support those important activities while also giving local communities flexibility to use 21<sup>st</sup> CLCC funds for additional programs to expand learning time by extending the school day, week or year. Despite the higher expectations our students and schools must meet to succeed given the ever-growing demands of a global economy, the time that is available for students and teachers in our schools has remained the same for over a century. Our school calendar – 6 hours per day, 180 days per year – was designed to serve an agrarian society and has remained unchanged since the early 20<sup>th</sup> century. As a result, American students spend about 30 percent less time in school than students in other leading nations, which hinders their ability to succeed and compete. In addition to high-quality afterschool and summer learning programs, local communities will now also be able to use 21<sup>st</sup> CLCC funds for programs that increase the total number of hours in a regular school schedule to serve students with the greatest academic needs or to comprehensively redesign and reconfigure a school’s schedule by adding at least 300 additional hours to provide expanded teaching and learning opportunities for all students. In addition to this new flexibility, the revised program promotes high-quality programs that are based on strong research evidence for improving student learning, serves low-income students, and includes strong partnerships between schools and qualified nonprofit organizations.

## PROMOTING INNOVATION

### ***Encourage Bold Reform through Race to the Top (Title V, Part A):***

The Race to the Top program has spurred states to adopt bold education policy changes for systemic change. To continue to support meaningful reform, the bill authorizes a new Race to the Top competitive grant program that will provide incentives for comprehensive reforms and innovative teaching and learning strategies that are designed to improve academic achievement for all students. Each year that funds are available, the Secretary will design a competition that advances one or more of the following critical education priorities:

- **Increasing access to great teachers** and school leaders;
- **Implementing college- and career-ready academic standards** and implementing strategies and supports that translate such standards into classroom practice;
- **Improving school readiness** by increasing access to high-quality early childhood care and education through an integrated system of programs and services;
- **Turning around the lowest-performing schools;**
- **Creating successful conditions for the creation, expansion, and replication of high-performing public charter** and autonomous schools that serve students from low-income families;
- **Providing equitable resources to high-poverty schools;** and
- **Strengthening the availability and use of high-quality and timely data** to improve instruction.

States, high-need school districts and consortia of either will be eligible to compete for funds, as determined by the Secretary, through a transparent process, on the basis of their record of innovation and reform, the quality of their plan, and evidence of collaboration, among other criteria. Priority will be granted to rural high-need school districts, and, for early childhood care and education competitions, to states that provide full-day kindergarten.

### ***Develop and Replicate Promising Education Programs Around the Country (Title V, Part B):***

The Investing in Innovation Program (i3) is designed to develop and replicate promising programs in education. Initially authorized under the American Recovery and Reinvestment Act, the program had nearly 1,700 applications and funded almost 50 projects in 2010. This bill will authorize i3 and provide competitive grants to applicants with a record of improving student achievement in order to expand the implementation of, and investment in, innovative practices with a demonstrated impact on improving student achievement, closing achievement gaps, increasing high school graduation rates, improving teacher and school leader effectiveness, or improving school readiness.

In order to meet the needs of rural districts, the bill includes a set-aside for projects that serve rural schools. The bill also targets more resources toward testing out new practices, strategies, or programs in order to spur more innovation.

### ***Enhance Magnet Schools Assistance Program (Title V, Part C):***

Magnet schools are an invaluable tool for fostering education reform and innovation by increasing diversity in and choice among public schools. This reauthorization maintains the program as a competitive grant program with more emphasis on funding whole-school magnet programs or models that have demonstrated success in improving student academic achievement and reducing minority group isolation.

### ***Update and Refocus the Charter School Program (Title V, Part D):***

The federal charter schools program has been instrumental in the development of innovative and successful public school models across the nation. In this bill, the program is updated to reflect lessons learned since the

## *Elementary and Secondary Education Reauthorization Act: Summary of Programs*

last reauthorization and to address the unmet demand for the expansion and replication of high-performing charter schools that effectively serve the academic needs of all students, as evidenced by growing waiting lists. With a focus on improving the quality of the sector and investing in proven models of success, the charter school grants program will provide competitive grants to states, districts, authorizers and nonprofit charter management organizations to support the creation, expansion, and replication of high-performing charter schools. At least 65 percent of the charter school grant funding will be distributed to states. To ensure that limited Federal resources are targeted to charter schools with a commitment to, or a record of, strong academic results, the reauthorized program requires high goals of student academic achievement for all student subgroups and meaningful community outreach to parents and families. In addition, the redesigned program:

- **Provides incentives for sound State policies that support the growth of high-performing charter schools**, but also for effectively overseeing, monitoring and holding them accountable for results;
- **Promotes strong authorizing policies that are transparent and effective** in promoting high-performance charter schools and closing down unsuccessful schools;
- **Focuses the program on results** by demanding academic achievement for all students and rewarding schools that close the achievement gap;
- **Targets scarce federal funds to the most successful and promising charter school models** through rigorous, high-quality competitions; and
- **Prioritizes high-performing charter schools that serve low-income students;**
- **Ensures that charter schools recruit and address the needs of all students**, including students with disabilities and English learners, through effective outreach, technical assistance, comprehensive planning, and specific performance goals.

### ***Strengthen Voluntary Public School Choice (Title V, Part E):***

The Voluntary Public School Choice program currently provides competitive grants to support the establishment or expansion of systems that offer parents choice among the public schools in the district or state. In this bill, the competitive program is continued with minor changes to improve quality, including expanding the application requirements and performance measures and reducing the grant period from five years to three years (renewable for another two if the Secretary finds that the grantee is achieving the program's objectives.) Eligible grantees include high-need school districts applying in partnership with a state or another school district.

## **PROVIDING FLEXIBILITY**

### ***Address the Unique Challenges of Rural Schools (Title VI, Part B):***

The Rural Education Achievement Program (REAP) is designed to address the unique challenges of rural schools. The program provides supplemental funds and flexibility with uses of funds, recognizing that formula grant amounts are often too small to make a major impact in rural districts. REAP currently awards two types of formula grants: (1) the Small, Rural Schools Achievement (SRSA) Program which provides grants directly to eligible school districts, and (2) the Rural and Low Income Schools (RLIS) Program, which provides grants to states, which then award subgrants to school districts. All REAP districts will continue to receive increased flexibility in how they can spend formula funds. This bill will continue REAP, with several key changes.

- **Classification method:** Replace the current classification method with locale codes developed by the U.S. Census Bureau and the National Center for Education Statistics, which are generally considered to be more accurate. School districts with the following locale codes will be eligible for participation in REAP: 32, 33, 41, 42, and 43.
- **Increased number of districts will qualify to participate:** Since there is not a one-to-one correlation between the old locale codes and the new ones, more districts will qualify to receive REAP funds under this bill.
- **Dual program eligibility:** Current law states that if a district is eligible for both the SRSA and RLIS programs, it must participate in only the SRSA program. In this bill, dual-eligible districts will be able to choose which program they would rather participate in.
- **Increase in the minimum and maximum grant sizes for SRSA.**

### ***Increase Flexibility in the Use of Federal Funding Streams (Title VI, Part A):***

Current law allows up to 50 percent of non-administrative funds for State-level activities under several programs in titles II, IV, and V to be transferred to other programs. This bill updates the program by allowing funds to be transferred among all the formula grant programs in the bill and increases this percentage to up to 100 percent. However, no funds may be transferred out of formula programs in titles I (education for the disadvantaged), III (English learners), VII (Native Hawaiian/Alaskan, Indian students), or VIII (Impact Aid). Parallel changes are made to increase flexibility for local school districts with their formula grant funds. Current law is maintained in that each State or local educational agency that makes a transfer must modify its plan and report changes to the Secretary within 30 days.