AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

I

106TH CONGRESS
1ST SESSION

H. R. 1960

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

IN THE HOUSE OF REPRESENTATIVES

MAY 26, 1999

Mr. CLAY (for himself, Mr. KILDEE, Mr. MARTINEZ, Mr. OWENS, Mr. PAYNE, Mrs. MINK of Hawaii, Mr. ANDREWS, Mr. ROEMER, Mr. SCOTT, Ms. WOOLSEY, Mr. ROMERO-BARCELÓ, Mr. FATTAH, Mr. HINOJOSA, Mrs. MCCARTHY of New York, Mr. TIERNEY, Mr. KIND, Ms. SANCHEZ, Mr. FORD, Mr. KUCINICH, Mr. HOLT, and Mr. WU) introduced the following bill; which was referred to the Committee on Education and the Workforce

---

A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That this Act may be cited as the ''Educational Excellence for All Children Act of 1999''.

TABLE OF CONTENTS

SEC. 2. The Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq., hereinafter in this Act referred to as ''the ESEA'') is amended—

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

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

''TABLE OF CONTENTS

''SEC. 2. The table of contents is as follows:

''Sec. 1. Short title.
''Sec. 2. Table of contents.
''Sec. 3. America's education goals.

''TITLE I—HELPING DISADVANTAGED CHILDREN MEET HIGH STANDARDS

''Sec. 1001. Declaration of policy and statement of purpose.
''Sec. 1002. Authorization of appropriations.
''Sec. 1003. Reservations for accountability and evaluation.

''PART A—IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES

''SUBPART 1—BASIC PROGRAM REQUIREMENTS

''Sec. 1111. State plans.
''Sec. 1112. Local educational agency plans.
''Sec. 1113. Eligible school attendance areas.
''Sec. 1114. Schoolwide programs.
''Sec. 1115. Targeted assistance schools.
''Sec. 1115A. School choice.
''Sec. 1116. Assessment and local educational agency and school improvement.
''Sec. 1117. State assistance for school district and school support and improvement.
''Sec. 1118. Parental involvement.
''Sec. 1119. High-quality instruction.
''Sec. 1120. Participation of children enrolled in private schools.
''Sec. 1120A. Fiscal requirements.
''Sec. 1120B. Preschool services; coordination requirements.

''SUBPART 2—ALLOCATIONS

''Sec. 1121. Grants for the outlying areas and the Secretary of the Interior.
''Sec. 1122. Allocations to States.

"Sec. 1124. Basic grants to local educational agencies.
"Sec. 1124A. Concentration grants to local educational agencies.
"Sec. 1125. Targeted assistance grants to local educational agencies.
"Sec. 1125A. Education finance incentive program.
"Sec. 1126. Special allocation procedures.
"Sec. 1127. Carryover and waiver.

"PART B—EVEN START FAMILY LITERACY PROGRAMS

"Sec. 1201. Statement of purpose.
"Sec. 1202. Program authorized.
"Sec. 1203. State programs.
"Sec. 1204. Uses of funds.
"Sec. 1205. Program elements.
"Sec. 1206. Eligible participants.
"Sec. 1207. Applications.
"Sec. 1208. Award of subgrants.
"Sec. 1209. Evaluation.
"Sec. 1210. Indicators of program quality.
"Sec. 1211. Construction.

"PART C—EDUCATION OF MIGRATORY CHILDREN

"Sec. 1301. Program purpose.
"Sec. 1302. Program authorized.
"Sec. 1303. State allocations.
"Sec. 1304. State applications; services.
"Sec. 1305. Secretarial approval; peer review.
"Sec. 1306. Authorized activities.
"Sec. 1307. Bypass.
"Sec. 1308. Coordination of migrant education activities.
"Sec. 1309. Definitions.

"PART D—STATE AGENCY PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED OR DELINQUENT

"Sec. 1401. Findings; purpose; program authorized.
"Sec. 1402. Payments for programs under this part.

"SUBPART 1—STATE AGENCY PROGRAMS

"Sec. 1411. Eligibility.
"Sec. 1412. Allocations to States.
"Sec. 1413. State reallocation of funds.
"Sec. 1414. State plan and State agency applications.
"Sec. 1415. Use of funds.
"Sec. 1416. Institution-wide projects.
"Sec. 1417. Three-year programs or projects.
"Sec. 1418. Transition services.

"SUBPART 2—GENERAL PROVISIONS

"Sec. 1431. Program evaluations.
"Sec. 1432. Definitions.

"PART E—READING AND LITERACY GRANTS

"Sec. 1501. Purposes.

"Sec. 1502. Definitions.
"Sec. 1503. Reading and literacy grants to State educational agencies.
"Sec. 1504. Use of amounts by State educational agencies.
"Sec. 1505. Local reading improvement subgrants.
"Sec. 1506. Tutorial assistance subgrants.
"Sec. 1507. National evaluation.
"Sec. 1508. Information dissemination.
"Sec. 1509. State evaluations; performance reports.

"PART F—FEDERAL EVALUATIONS, DEMONSTRATIONS, AND TRANSITION PROJECTS

"Sec. 1601. Evaluations, management information, and other national activities.
"Sec. 1602. Demonstrations of innovative practices.

"PART G—GENERAL PROVISIONS

"Sec. 1701. State administration.
"Sec. 1702. Construction.

"TITLE II—HIGH STANDARDS IN THE CLASSROOM

"PART A—TEACHING TO HIGH STANDARDS

"SUBPART 1—FINDINGS, PURPOSE, AND AUTHORIZATION OF APPROPRIATIONS

"Sec. 2111. Findings.
"Sec. 2112. Purpose.
"Sec. 2113. Authorizations of appropriations.

"SUBPART 2—STATE AMD LOCAL ACTIVITIES

"Sec. 2121. Allocations to States.
"Sec. 2122. Priority for professional development in mathematics and science.
"Sec. 2123. State application.
"Sec. 2124. Annual State reports.
"Sec. 2125. Within-State allocations.
"Sec. 2126. State-level activities.
"Sec. 2127. Subgrants to partnerships of institutions of higher education and local educational agencies.
"Sec. 2128. Competitive local awards.
"Sec. 2129. Local applications.
"Sec. 2130. Uses of funds.
"Sec. 2131. Local accountability.
"Sec. 2132. Local cost-sharing requirement.
"Sec. 2133. Maintenance of effort.
"Sec. 2134. Equipment and textbooks.
"Sec. 2135. Supplement, not supplant.
"Sec. 2136. Program performance indicators.
"Sec. 2137. Definitions.

"SUBPART 3—NATIONAL ACTIVITIES FOR THE IMPROVEMENT OF TEACHING AND SCHOOL LEADERSHIP

"Sec. 2141. Program authorized.

"Sec. 2142. Eisenhower National Clearinghouse for Mathematics and Science Education.

"Part B—Transition to Teaching: Troops to Teachers

"Sec. 2211. Findings.
"Sec. 2212. Purpose.
"Sec. 2213. Program authorized.
"Sec. 2214. Application.
"Sec. 2215. Uses of funds and period of service.
"Sec. 2216. Equitable distribution.
"Sec. 2217. Definitions.

"Part C—Early Childhood Educator Professional Development

"Sec. 2301. Purpose.
"Sec. 2302. Program authorized.
"Sec. 2303. Applications.
"Sec. 2304. Selection of grantees.
"Sec. 2305. Uses of funds.
"Sec. 2306. Accountability.
"Sec. 2307. Cost-sharing.
"Sec. 2308. Definitions.
"Sec. 2309. Federal coordination.
"Sec. 2310. Authorization of appropriations.

"Part D—Technical Assistance Programs

"Sec. 2401. Findings.
"Sec. 2402. Purpose.

"Subpart 1—Strengthening the Capacity of State and Local Educational Agencies To Become Effective, Informed Consumers of Technical Assistance

"Sec. 2411. Purpose.
"Sec. 2412. Allocation of funds.
"Sec. 2413. Formula grants to State educational agencies.
"Sec. 2414. State application.
"Sec. 2415. State uses of funds.
"Sec. 2416. Grants to large local educational agencies.
"Sec. 2417. Local application.
"Sec. 2418. Local uses of funds.
"Sec. 2419. Equitable services for private schools.
"Sec. 2419A. Consumer information.
"Sec. 2419B. Authorization of appropriations.

"Subpart 2—Technical Assistance Centers Serving Special Needs

"Sec. 2421. General provisions.
"Sec. 2422. Centers for technical assistance on the needs of special populations.
"Sec. 2423. Parental information and resource centers.
"Sec. 2424. Eisenhower regional mathematics and science education consortia.

"Subpart 3—Technology-Based Technical Assistance Information Dissemination

"Sec. 2431. Web-based and other information dissemination.

"Sec. 2432. Authorization of appropriations.

"SUBPART 4—NATIONAL EVALUATION ACTIVITIES

"Sec. 2441. National evaluation activities.

"TITLE III—TECHNOLOGY FOR EDUCATION

"Sec. 3001. Short title.
"Sec. 3002. Findings.
"Sec. 3003. Statement of purpose.
"Sec. 3004. Supplement, not supplant.

"PART A—FEDERAL LEADERSHIP AND NATIONAL ACTIVITIES

"Sec. 3101. National evaluation of education technology.
"Sec. 3102. National long-range technology plan.
"Sec. 3103. Federal leadership.
"Sec. 3104. Authorization of appropriations.

"PART B—SPECIAL PROJECTS

"SUBPART 1—NEXT-GENERATION TECHNOLOGY INNOVATION AWARDS

"Sec. 3211. Purpose; program authority.
"Sec. 3212. Eligibility.
"Sec. 3213. Uses of funds.
"Sec. 3214. Evaluation.
"Sec. 3215. Authorization of appropriations.

"SUBPART 2—READY-TO-LEARN DIGITAL TELEVISION

"Sec. 3221. Ready-to-learn.
"Sec. 3222. Educational programming.
"Sec. 3223. Duties of Secretary.
"Sec. 3224. Applications.
"Sec. 3225. Reports and evaluation.
"Sec. 3226. Administrative costs.
"Sec. 3227. Definition.
"Sec. 3228. Authorization of appropriations.

"SUBPART 3—TELECOMMUNICATIONS PROGRAM FOR PROFESSIONAL DEVELOPMENT IN THE CORE CONTENT AREAS

"Sec. 3231. Purpose; program authority.
"Sec. 3232. Application required.
"Sec. 3233. Authorization of appropriations.

"SUBPART 4—COMMUNITY TECHNOLOGY CENTERS

"Sec. 3241. Purpose; program authority.
"Sec. 3242. Eligibility and application requirements.
"Sec. 3243. Uses of funds.
"Sec. 3244. Authorization of appropriations.

"PART C—PREPARING TOMORROW'S TEACHERS TO USE TECHNOLOGY

"Sec. 3301. Purpose; program authority.
"Sec. 3302. Eligibility.

"Sec. 3303. Uses of funds.
"Sec. 3304. Authorization of appropriations.

"PART D—REGIONAL, STATE, AND LOCAL EDUCATIONAL TECHNOLOGY RESOURCES

"SUBPART 1—TECHNOLOGY LITERACY CHALLENGE FUND

"Sec. 3411. Purpose.
"Sec. 3412. Allotment and reallotment.
"Sec. 3413. Technology literacy challenge fund.
"Sec. 3414. State application.
"Sec. 3415. Local uses of funds.
"Sec. 3416. Local applications.
"Sec. 3417. Definitions.
"Sec. 3418. Authorization of appropriations.

"SUBPART 2—REGIONAL TECHNOLOGY IN EDUCATION CONSORTIA

"Sec. 3411. Regional technical support and professional development.
"Sec. 3412. Authorization of appropriations.

"TITLE IV—SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES

"Sec. 4001. Short title.
"Sec. 4002. Findings.
"Sec. 4003. Purpose.
"Sec. 4004. Authorization of appropriations.

"PART A—STATE GRANTS FOR DRUG AND VIOLENCE PREVENTION PROGRAMS

"Sec. 4111. Reservations and allotments.
"Sec. 4112. State applications.
"Sec. 4113. State and local educational agency programs.
"Sec. 4114. Local drug and violence prevention programs.
"Sec. 4115. Governor's programs.
"Sec. 4116. Local applications.
"Sec. 4117. National evaluations and data collection.

"PART B—NATIONAL PROGRAMS

"Sec. 4211. National activities.

"PART C—SCHOOL EMERGENCY RESPONSE TO VIOLENCE

"Sec. 4311. Project SERV.

"PART D—RELATED PROVISIONS

"Sec. 4411. Gun-Free Schools Act.
"Sec. 4412. Local policies.
"Sec. 4413. Materials.
"Sec. 4414. Prohibited use of funds.
"Sec. 4415. Drug-, alcohol-, and tobacco-free schools.
"Sec. 4416. Prohibition of supplanting.
"Sec. 4417. Definitions.

"TITLE V—PROMOTING EQUITY, EXCELLENCE, AND PUBLIC SCHOOL CHOICE

"PART A—MAGNET SCHOOLS ASSISTANCE

"SEC. 5101. Findings.
"SEC. 5102. Statement of purpose.
"SEC. 5103. Program authorized.
"SEC. 5104. Definition.
"SEC. 5105. Eligibility.
"SEC. 5106. Applications and requirements.
"SEC. 5107. Priority.
"SEC. 5108. Use of funds.
"SEC. 5109. Prohibitions.
"SEC. 5110. Limitations.
"SEC. 5111. Evaluations.
"SEC. 5112. Authorization of appropriations; reservation.

"PART B—PUBLIC CHARTER SCHOOLS

"SEC. 5201. Findings and purpose.
"SEC. 5202. Program authorized.
"SEC. 5203. Applications.
"SEC. 5204. Administration.
"SEC. 5205. National activities.
"SEC. 5206. Federal formula allocation during the first year and for successive enrollment expansions.
"SEC. 5207. Solicitation of input from charter school operators.
"SEC. 5208. Records transfers.
"SEC. 5209. Paperwork reduction.
"SEC. 5210. Definitions.
"SEC. 5211. Authorization of appropriations.

"PART C—OPTIONS: OPPORTUNITIES TO IMPROVE OUR NATION'S SCHOOLS

"SEC. 5301. Findings; purpose.
"SEC. 5302. Grants.
"SEC. 5303. Uses of funds.
"SEC. 5304. Grant application; priorities.
"SEC. 5305. Authorization of appropriations.

"PART D—WOMEN'S EDUCATIONAL EQUITY

"SEC. 5401. Short title; findings.
"SEC. 5402. Statement of purposes.
"SEC. 5403. Programs authorized.
"SEC. 5404. Applications.
"SEC. 5405. Criteria and priorities.
"SEC. 5406. Administration.
"SEC. 5407. Authorization of appropriations.

"TITLE VI—CLASS-SIZE REDUCTION

"SEC. 6001. Findings.
"SEC. 6002. Purpose.
"SEC. 6003. Authorization of appropriations.
"SEC. 6004. Allocations to States.

"Sec. 6005. Applications.
"Sec. 6006. Within-State allocations.
"Sec. 6007. Local applications.
"Sec. 6008. Uses of funds.
"Sec. 6009. Cost-sharing requirement.
"Sec. 6010. Nonsupplanting.
"Sec. 6011. Annual State reports.
"Sec. 6012. Participation of private school teachers.
"Sec. 6013. Definition.

"TITLE VII—BILINGUAL EDUCATION, LANGUAGE ENHANCEMENT, AND LANGUAGE ACQUISITION PROGRAMS

"PART A—BILINGUAL EDUCATION

"Sec. 7101. Short title.
"Sec. 7102. Findings, policy, and purpose.
"Sec. 7103. Authorization of appropriations.
"Sec. 7104. Native American and Alaska Native children in School.

"SUBPART 1—BILINGUAL EDUCATION CAPACITY AND DEMONSTRATION GRANTS

"Sec. 7111. Financial assistance for bilingual education.
"Sec. 7112. Program development and enhancement grants.
"Sec. 7113. Comprehensive school grants.
"Sec. 7114. Systemwide improvement grants.
"Sec. 7115. Applications.
"Sec. 7116. Capacity building.
"Sec. 7117. Programs for Native Americans and Puerto Rico.
"Sec. 7118. Evaluations.
"Sec. 7119. Construction.

"SUBPART 2—RESEARCH, EVALUATION, AND DISSEMINATION

"Sec. 7121. Authority.
"Sec. 7122. Research.
"Sec. 7123. Academic excellence awards.
"Sec. 7124. State grant program.
"Sec. 7125. National Clearinghouse on the Education of Children and Youth with Limited English Proficiency.
"Sec. 7126. Instructional materials development.

"SUBPART 3—PROFESSIONAL DEVELOPMENT

"Sec. 7131. Purpose.
"Sec. 7132. Training for all teachers program.
"Sec. 7133. Bilingual education teachers and personnel grants.
"Sec. 7134. Bilingual education career ladder program.
"Sec. 7135. Graduate fellowships in bilingual education program.
"Sec. 7136. Application.
"Sec. 7137. Stipends.
"Sec. 7138. Program evaluations.
"Sec. 7139. Use of funds for second language competence.

"SUBPART 4—TRANSITION

"Sec. 7141. Transition.

"PART B—EMERGENCY IMMIGRANT EDUCATION PROGRAM

"Sec. 7201. Findings and purpose.
"Sec. 7202. State administrative costs.
"Sec. 7203. Withholding.
"Sec. 7204. State allocations.
"Sec. 7205. State applications.
"Sec. 7206. Administrative provisions.
"Sec. 7207. Uses of funds.
"Sec. 7208. Reports.
"Sec. 7209. Authorization of appropriations.

"PART C—ADMINISTRATION

"Sec. 7301. Release time.
"Sec. 7302. Education technology.
"Sec. 7303. Notification.
"Sec. 7304. Continued eligibility.
"Sec. 7305. Coordination and reporting requirements.
"Sec. 7306. Administrative provisions.

"PART D—GENERAL PROVISIONS

"Sec. 7401. Definitions; regulations.
"Sec. 7402. Regulations, parental notification, and use of paraprofessionals.

"TITLE VIII—IMPACT AID

"Sec. 8001. Purpose.
"Sec. 8002. Payments relating to Federal acquisition of real property.
"Sec. 8003. Payments for eligible federally connected children.
"Sec. 8004. Indian community participation.
"Sec. 8005. Application for payments under sections 8002 and 8003.
"Sec. 8007. Construction.
"Sec. 8008. Facilities.
"Sec. 8009. State consideration of payments in providing State aid.
"Sec. 8010. Federal administration.
"Sec. 8011. Administrative hearings and judicial review.
"Sec. 8012. Forgiveness of overpayments.
"Sec. 8013. Definitions.
"Sec. 8014. Authorization of appropriations.

"TITLE IX—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

"PART A—INDIAN EDUCATION

"Sec. 9101. Findings.
"Sec. 9102. Purpose.

"SUBPART 1—FORMULA GRANTS TO LOCAL EDUCATIONAL AGENCIES

"Sec. 9111. Purpose.
"Sec. 9112. Grants to local educational agencies.
"Sec. 9113. Amount of grants.
"Sec. 9114. Applications.
"Sec. 9115. Authorized services and activities.
"Sec. 9116. Student eligibility forms.

"Sec. 9117. Payments.
"Sec. 9118. State educational agency review.

"SUBPART 2—SPECIAL PROGRAMS AND PROJECTS TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN

"Sec. 9121. Improvement of educational opportunities for Indian children.
"Sec. 9122. Professional development.

"SUBPART 3—NATIONAL RESEARCH ACTIVITIES

"Sec. 9141. National activities.

"SUBPART 4—FEDERAL ADMINISTRATION

"Sec. 9151. National Advisory Council on Indian Education.
"Sec. 9152. Peer review.
"Sec. 9153. Preference for Indian applicants.
"Sec. 9154. Minimum grant criteria.

"SUBPART 5—DEFINITIONS; AUTHORIZATIONS OF APPROPRIATIONS

"Sec. 9161. Definitions.
"Sec. 9162. Authorization of appropriations.

"PART B—NATIVE HAWAIIAN EDUCATION

"Sec. 9201. Short title.
"Sec. 9202. Findings.
"Sec. 9203. Purpose.
"Sec. 9204. Program authorized.
"Sec. 9205. Administrative provisions.
"Sec. 9206. Definitions.

"PART C—ALASKA NATIVE EDUCATION

"Sec. 9301. Short title.
"Sec. 9302. Findings.
"Sec. 9303. Purpose.
"Sec. 9304. Program authorized.
"Sec. 9305. Administrative provisions.
"Sec. 9306. Definitions.

"TITLE X—PROGRAMS OF NATIONAL SIGNIFICANCE

"PART A—FUND FOR THE IMPROVEMENT OF EDUCATION

"Sec. 10101. Fund for the improvement of education.
"Sec. 10102. State and local character education program.
"Sec. 10103. Character education research, dissemination, and evaluation.

"PART B—GIFTED AND TALENTED CHILDREN

"Sec. 10201. Short title.
"Sec. 10202. Findings and purpose.
"Sec. 10203. Construction.
"Sec. 10204. Authorized programs.
"Sec. 10205. Program priorities.
"Sec. 10206. General provisions.

"Sec. 10207. Authorization of appropriations.

"Part C—International Education Program

"Sec. 10301. International education program.

"Part D—Arts in Education

"Sec. 10401. Support for arts education.

"Part E—Inexpensive Book Distribution Program

"Sec. 10501. Inexpensive book distribution program for reading motivation.

"Part F—Civic Education

"Sec. 10601. Instruction on the history and principles of democracy in the United States.
"Sec. 10602. Authorization of appropriations.

"Part G—21st Century Community Learning Centers

"Sec. 10701. Short title.
"Sec. 10702. Findings.
"Sec. 10703. Program authorization.
"Sec. 10704. Application required.
"Sec. 10705. Uses of funds.
"Sec. 10706. Definitions.
"Sec. 10707. Authorization of appropriations.
"Sec. 10708. Continuation awards.

"Part H—High School Reform

"Sec. 10801. Purposes.
"Sec. 10802. Grants to local educational agencies.
"Sec. 10803. Applications.
"Sec. 10804. Selection of grantees.
"Sec. 10805. Outcomes and components of education reforms.
"Sec. 10806. Private schools.
"Sec. 10807. Additional activities.
"Sec. 10808. Definition.
"Sec. 10809. Authorization of appropriations.

"PART I—Elementary School Foreign Language Assistance Program

"Sec. 10901. Findings; purposes.
"Sec. 10902. Elementary school foreign language assistance program.

"Part J—National Writing Project

"Sec. 10951. Findings.
"Sec. 10952. National writing project.

"TITLE XI—GENERAL PROVISIONS

"Part A—Definitions

"Sec. 11101. Definitions.
"Sec. 11102. Applicability of this title.

"Sec. 11103. Applicability to Bureau of Indian Affairs Operated Schools.

"Part B—Improving Education Through Accountability

"Sec. 11201. Short title.
"Sec. 11202. Purpose.
"Sec. 11203. Turning around failing schools.
"Sec. 11204. Student progress and promotion policy.
"Sec. 11205. Ensuring teacher quality.
"Sec. 11206. Sound discipline policy.
"Sec. 11207. Education report cards.
"Sec. 11208. Education accountability plans.
"Sec. 11209. Authority of Secretary to ensure accountability.
"Sec. 11210. Recognition and rewards.
"Sec. 11211. Best practices and models.
"Sec. 11212. Construction.

"Part C—America's Education Goals Panel

"Sec. 11301. Purpose.
"Sec. 11302. America's Education Goals Panel.
"Sec. 11303. Duties.
"Sec. 11304. Powers of the Goals Panel.
"Sec. 11305. Administrative provisions.
"Sec. 11306. Director and staff; experts and consultants.
"Sec. 11307. Authorization of appropriations.

"Part D—Flexibility in the Use of Administrative and Other Funds

"Sec. 11401. Consolidation of State administrative funds for elementary and secondary education programs.
"Sec. 11402. Single local educational agency States.
"Sec. 11403. Consolidation of funds for local administration.
"Sec. 11404. Consolidated set-aside for Department of the Interior funds.
"Sec. 11405. Most effective use of program funds.

"Part E—Coordination of Programs; Consolidated State and Local Plans

"Sec. 11501. Purpose.
"Sec. 11502. Optional consolidated State plans.
"Sec. 11503. General applicability of State educational agency assurances.
"Sec. 11504. Consolidated local plans.
"Sec. 11505. Other general assurances.
"Sec. 11506. Consolidated reporting.

"Part F—Waivers

"Sec. 11601. Waivers of statutory and regulatory requirements.

"Part G—Education Flexibility Partnerships

"Sec. 11701. Short title.
"Sec. 11702. Findings.
"Sec. 11703. Definitions.
"Sec. 11704. Education flexibility partnerships.

"PART H—UNIFORM PROVISIONS

"Sec. 11801. Maintenance of effort.
"Sec. 11802. Prohibition regarding State aid.
"Sec. 11803. Participation by private school children and teachers.
"Sec. 11804. Standards for by-pass.
"Sec. 11805. Complaint process for participation of private school children.
"Sec. 11806. By-pass determination process.
"Sec. 11807. Prohibition against funds for religious worship or instruction.
"Sec. 11808. Applicability to home schools.
"Sec. 11809. General provisions regarding nonrecipient nonpublic schools.
"Sec. 11810. School prayer.
"Sec. 11811. General prohibitions.
"Sec. 11812. Prohibition on Federal mandates, direction, and control.

"PART I—COORDINATED SERVICES

"Sec. 11901. Findings and purpose.
"Sec. 11902. Definitions.
"Sec. 11903. Project development and implementation.
"Sec. 11904. Uses of funds.
"Sec. 11905. Continuing authority.

"PART J—EVALUATION AND INDICATORS

"Sec. 11911. Evaluations.
"Sec. 11912. Performance measures.

"PART K—SENSE OF THE CONGRESS

"Sec. 11921. Sense of Congress to increase the total share of federal spending on education.
"Sec. 11922. Sense of Congress; requirement regarding notice.".

AMERICA'S EDUCATION GOALS

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

(1) America's Education Goals (formerly the National Education Goals) are very ambitious, and purposely designed to set high expectations for educational performance at every stage of an individual's life, from the preschool years through adulthood.

(2) With a focus by policymakers, educators, and the public on the Goals, the Nation will be able to raise its overall level of educational achievement.

(3) Since the 1990 adoption of the National Education Goals, some progress has been made toward achieving those Goals. Areas in which the Nation has made progress toward these Goals during the last decade include:

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

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

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

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

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

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

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

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

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

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

(ii) the difference between the percentage of Black high school graduates

who complete a college degree and the percentage of white high school graduates who complete a college degree has increased.

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

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

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

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

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

(6) Individual States have made significant progress toward the Goals, and some States have

made progress in multiple areas. Areas in which States have made progress toward the Goals during the last decade include:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(G) With respect to Goal #8, that every school will promote partnerships that increase parental involvement, 17 States have increased

the influence of parent associations in setting public school policies.

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

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

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

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

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

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

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

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

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

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

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

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

"AMERICA'S EDUCATION GOALS

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

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

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

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

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

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

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

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

"(ii) every parent in the United States will be a child's first teacher, and devote time each day to helping his or her preschool child learn, and parents will have access to the training and support they need; and

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

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

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

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

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

"(3) STUDENT ACHIEVEMENT AND CITIZENSHIP.—(A) All students will leave grades 4, 8, and 12 having demonstrated competency over challenging subject matter including English, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography, and every

school in America will ensure that all students learn to use their minds well, so they may be prepared for responsible citizenship, further learning, and productive employment in our Nation's modern economy.

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

"(i) the academic performance of all students at the elementary and secondary level will increase significantly in every quartile, and the distribution of minority students in each quartile will more closely reflect the student population as a whole;

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

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

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

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

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

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

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

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

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

"(iii) States and school districts will create integrated strategies to attract, recruit, pre-

pare, retrain, and support the continued professional development of teachers, administrators, and other educators, so that there is a highly talented work force of professional educators to teach challenging subject matter; and

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

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

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

"(i) mathematics and science education, including the metric system of measurement, will be strengthened throughout the education system, especially in the early grades;

"(ii) the number of teachers with a substantive background in mathematics and science, including the metric system of measurement, will increase; and

"(iii) the number of United States undergraduate and graduate students, especially

women and minorities, who complete degrees in mathematics, science, and engineering will increase significantly.

"(6) ADULT LITERACY AND LIFELONG LEARNING.—(A) Every adult American will be literate and will possess the knowledge and skills necessary to compete in a global economy and exercise the rights and responsibilities of citizenship.

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

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

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

"(iii) the number of high-quality programs, including those at libraries, that are designed to serve more effectively the needs of the growing number of part-time and midcareer students will increase substantially;

"(iv) the proportion of qualified students, especially minorities, who enter college, who

complete at least two years, and who complete their degree programs will increase substantially;

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

"(vi) schools, in implementing comprehensive parent involvement programs, will offer more adult literacy, parent training and lifelong learning opportunities to improve the ties between home and school, and enhance parents' work and home lives.

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

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

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

"(ii) parents, businesses, and governmental and community organizations will work together

to ensure the rights of students to study in a safe and secure environment that is free of drugs and crime, and that schools provide a healthy environment and a safe haven for all children;

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

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

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

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

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

"(8) PARENTAL PARTICIPATION.—(A) Every school will promote partnerships that will increase parental involvement and participation in promoting

the social, emotional, and academic growth of children.

"(B) The objectives for this Goal are that—

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

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

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

TRANSITION

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

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

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

EFFECTIVE DATES

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

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

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

TITLE I—HELPING DISADVANTAGED CHILDREN MEET HIGH STANDARDS

DECLARATION OF POLICY AND STATEMENT OF PURPOSE

SEC. 101. (a) STATEMENT OF POLICY.—Section 1001(a) of the ESEA is amended—

(1) by striking out ''(a) STATEMENT OF POLICY.—(1) IN GENERAL.'' and inserting in lieu thereof ''(a) STATEMENT OF POLICY.''; and

(2) by striking out paragraph (2).

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

(1) in paragraph (4), by striking out ''and'' at the end thereof;

(2) in paragraph (5)—

(A) by striking out ''National Education Goal described in section 102(3) of the Goals 2000: Educate America Act'' and inserting in lieu thereof ''of America's Education Goals set out in section 3 of this Act''; and

(B) by striking out the period at the end thereof and inserting in lieu thereof a semicolon and ''and''; and

(3) by adding at the end thereof a new paragraph (6) to read as follows:

''(6) holding local educational agencies and schools accountable for results, including processes for identifying and turning around low-performing schools, provides a focus for educators and promotes better outcomes for students.''.

(c) WHAT HAS BEEN LEARNED.—Section 1001(c) of the ESEA is amended—

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

(2) in the matter before paragraph (1), by striking out ''learned'';

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

(4) in paragraph (8)—

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

(B) in the second sentence, by inserting ''information,'' before ''resources'';

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

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

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

''(2) Schools that enroll high concentrations of children living in poverty face the greatest chal-

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

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

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

"(5) Other recent research also confirms the validity of amendments to this title made by the Improving America's Schools Act of 1994. For example, the National Research Council (NRC) report, Preventing Reading Difficulties in Young Children, stresses the importance of language development and literacy in the preschool years, upgrading the curriculum and instruction provided to all children in a school, intensive professional development to prepare teachers and other instructional staff to teach to high standards, and providing extended learning opportunities outside the regular school day.

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

"(7) The educational progress of children participating in programs under this title depends on their being taught by credentialed and highly qualified staff, particularly in schools with the highest

concentrations of poverty, where paraprofessionals, uncertified teachers, and teachers teaching out of field frequently provide instructional services.''.

(d) STATEMENT OF PURPOSE.—Section 1001(d) of the ESEA is amended—

(1) in paragraph (3), by striking out ''promoting schoolwide reform and'';

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

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

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

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

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

AUTHORIZATION OF APPROPRIATIONS

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

"AUTHORIZATION OF APPROPRIATIONS

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

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

"(c) EDUCATION OF MIGRATORY CHILDREN.—For the purpose of carrying out part C, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.

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

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

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

RESERVATIONS FOR ACCOUNTABILITY AND EVALUATION

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

"RESERVATIONS FOR ACCOUNTABILITY AND EVALUATION

"SEC. 1003. (a) STATE RESERVATIONS.—(1) Each State educational agency shall reserve 2.5 percent of the amount it receives under part A of this title for fiscal years 2001 and 2002, and 3.5 percent of that amount for fiscal years 2003 through 2005, to carry out paragraph (2) and to carry out its responsibilities under sections 1116 and 1117, including its statewide system of technical assistance and support for local educational agencies.

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

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

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

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

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

"(b) NATIONAL ACTIVITIES.—From the total amount appropriated for any fiscal year to carry out this title, the Secretary may reserve not more than 0.30 percent to conduct evaluations and studies, collect data, and carry out other activities under section 1601.".

PART A—BASIC GRANTS

STATE PLANS

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

(1) in subsection (a)—

(A) in paragraph (1)—

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

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

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

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

(2) in subsection (b)—

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

(B) in paragraph (1)—

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

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

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

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

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

(D) in paragraph (2), as so redesignated—

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

(ii) in subparagraph (F)—

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

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

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

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

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

(iii) in subparagraph (G)—

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

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

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

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

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

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

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

"(B) The accountability system described in subparagraph (A), and described in the State plan, shall also include a procedure for identifying local educational agencies and schools in need of improvement, intervening in those agencies and schools, and (when those interventions are not effective) imple-

menting corrective actions no later than three years after first identifying such an agency or school, that either—

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

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

"(I) the alternative procedure is at least as effective as the procedures described in clause (i) and in sections 1116 and 1117, and that the State has shown substantial overall achievement gains and a reduction in the achievement gap between

high-performing and low-performing students in the State; or

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

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

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

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

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

"(5) REVISIONS.—A State may revise its final assessments described in this subsection at any time,

but no such revision shall affect the timelines established under this subsection for identifying, assisting, and taking corrective action with respect to, schools and local educational agencies in need of improvement.'';

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

(I) in paragraph (6), as so redesignated—

(i) in subparagraph (A)—

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

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

(ii) in subparagraph (B), by inserting ''as'' after ''factors'';

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

''(c) ASSURANCES.—Each State plan shall contain assurances that the State educational agency—

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

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

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

(4) in subsection (d)—

(A) by striking out paragraph (2);

(B) in paragraph (1)—

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

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

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

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

(5) in subsection (e)(1)—

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

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

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

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

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

LOCAL EDUCATIONAL AGENCY PLANS

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

(1) in subsection (a)—

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

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

(2) in subsection (b)—

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

(B) in paragraph (1)—

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

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

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

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

"(i) are developmentally appropriate;

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

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

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

(D) in paragraph (4)(B)—

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

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

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

(E) in paragraph (7), by striking out ''eligible'';

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

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

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

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

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

(3) in subsection (c)—

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

(B) in paragraph (1)—

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

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

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

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

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

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

''(7) annually assess the English proficiency of all children with limited English proficiency participating in programs under this part, use the results of those assessments to help guide and modify in-

struction in the content areas, and provide those results to the parents of those children; and

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

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

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

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

"(3) Each such local educational agency shall—

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

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

(5) in subsection (e)—

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

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

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

(C) by striking out paragraph (3).

ELIGIBLE SCHOOL ATTENDANCE AREAS

SEC. 113. Section 1113 of the ESEA is amended—

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

(2) in subsection (b)(1)—

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

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

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

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

(3) in subsection (c)—

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

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

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

SCHOOLWIDE PROGRAMS

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

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

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

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

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

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

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

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

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

(3) in paragraph (4)(A)—

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

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

(4) by striking out paragraph (5).

(b) REORGANIZATION OF SECTION.—Section 1114 of the ESEA is further amended—

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

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

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

''(b) COMPONENTS OF A SCHOOLWIDE PROGRAM.—A schoolwide program shall include the following components:

''(1) A comprehensive needs assessment of the entire school that is based on—

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

''(B) other factors that affect teaching and learning in the school.

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

"(A) schoolwide reform strategies that—

"(i) provide opportunities for all children to meet the State's proficient and advanced levels of student performance described in section 1111(b)(1)(D);

"(ii) use effective research-based methods and instructional strategies that—

"(I) strengthen the core academic program in the school;

"(II) increase the amount and quality of learning time, such as providing an extended school year and before- and after-school and summer programs and opportunities, and help provide an enriched and accelerated curriculum; and

"(III) include strategies for meeting the educational needs of historically underserved populations, includ-

ing children with limited English proficiency;

"(iii)(I) address the needs of all children in the school, but particularly the needs of children who are most at risk of not meeting the State student performance standards, including the needs of children who are members of the target population of any program that is included in the schoolwide program; and

"(II) address how the school will determine if those needs have been met; and

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

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

"(C) in accordance with section 1119, ongoing, high-quality professional development for teachers and aides and, where appropriate, pupil services personnel, parents, principals, and other staff to enable all children in the

school to meet the State student performance standards;

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

"(E) plans for addressing transitions to and from the grade span served by the schoolwide program by, for example—

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

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

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

"(i) measures to ensure that students' difficulties are identified on a timely basis and to provide sufficient information on which to base effective assistance;

"(ii) for any student who has not met those standards, teacher-parent con-

ferences, at which the teacher and parents shall discuss—

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

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

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

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

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

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

(1) by striking out subparagraph (B);

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

(3) in paragraph (1), as so redesignated—

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

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

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

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

(4) in paragraph (2), as redesignated by paragraph (2)—

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

(B) in subparagraph (A), as so redesignated—

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

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

(iii) in clause (ii), as redesignated by clause (i), by striking out ''the date of enactment of the Improving America's Schools Act of 1994'' and inserting in lieu thereof ''the effective date of the Educational Excellence for All Children Act of 1999''; and

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

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

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

TARGETED ASSISTANCE SCHOOLS

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

(1) in subsection (b)—

(A) in paragraph (1)(A)—

(i) by striking out ''part'' and inserting in lieu thereof ''section''; and

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

(B) in paragraph (2)—

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

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

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

(iii) in subparagraph (C)—

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

(II) in clause (ii), by striking out ''may be eligible'' and inserting in lieu thereof ''is eligible''; and

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

(2) in subsection (c)(1)—

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

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

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

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

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

(E) in subparagraph (G), by striking out ''subsection (e)(3) and''; and

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

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

SCHOOL CHOICE

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

ASSESSMENT AND LOCAL EDUCATIONAL AGENCY AND SCHOOL IMPROVEMENT

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

''(a) LOCAL REVIEW.—Each local educational agency receiving funds under this part shall—

''(1) use the State assessments and other indicators described in the State plan, as well as 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 if it is making continuous and substantial

gains as described in section 1111(b)(3) toward enabling its students to meet the State student performance standards described in the State plan; and

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

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

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

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

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

"(c) SCHOOL IMPROVEMENT.—

"(1) IN GENERAL.—

"(A) PURPOSE.—In order to improve staff, curriculum, and the services offered to children,

so that they can meet challenging State standards, each local educational agency shall identify for school improvement any school served under this part that—

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

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

"(B) TRANSITION.—The two-year period described in subparagraph (A) shall include any continuous period of time, immediately preceding the effective date of the amendments made to this section by the Educational Excellence for All Children Act of 1999, during which a school did not make adequate progress

as defined in the State's plan under section 1111(b)(2)(B) or (7)(B), as then in effect.

"(C) TARGETED ASSISTANCE SCHOOLS.—In determining whether a school that is conducting a targeted assistance program under section 1115 should be identified as in need of improvement under this paragraph, a local educational agency may choose to review the progress of only those students in that school who are served under this part.

"(2) OPPORTUNITY TO REVIEW AND PRESENT EVIDENCE.—(A) 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 that proposed identification is based.

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

"(3) SCHOOL PLAN.—(A) Each school identified under paragraph (1) shall, within three months of being so identified, develop or revise a school plan,

in consultation with parents, school staff, the local educational agency, and a State school support team or other outside experts, that includes research-based strategies and specific goals and objectives for making continuous and substantial progress and that—

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

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

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

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

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

"(B) The local educational agency shall promptly subject the plan to a peer-review process, work

with the school to revise the plan as necessary, and approve the plan.

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

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

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

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

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

"(ii) shall take corrective action with respect to any school that still fails to make continuous and substantial gains, as defined by the State, immediately after the

third year following its identification under paragraph (1), except that the local educational agency may refrain from taking such action for not more than one additional year if it assesses the school's performance and determines that—

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

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

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

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

"(i) substantially and directly responds to the consistent academic failure that caused that agency to take that action

and to any underlying staffing, curricular, or other problems in the school; and

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

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

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

"(ii) Redesigning the school by reconstituting all or part of the school staff in a manner consistent with section 1119(a); restructuring the school, such as by creating schools within schools or other smaller learning environments; or re-opening the school under alternative governance ar-

rangements, such as a public charter school.

"(iii) Closing the school.

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

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

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

"(ii) If the school believes that the proposed determination is in error for statistical or other substantive reasons, it may provide supporting evidence to the local educational agency,

which shall consider it before making a final determination.

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

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

"(d) STATE REVIEW AND LEA IMPROVEMENT.—

"(1) PURPOSE.—In order to ensure that children served under this part meet challenging State standards, each State educational agency shall annually review the progress of each participating local educational agency, in accordance with section 1111(b)(3), to determine whether it is meeting the State's criteria for accountability, including showing

continuous and substantial gains in the achievement of the lowest-performing students.

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

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

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

"(ii) If the local educational agency believes that such proposed identification is in error due to

statistical or other substantive reasons, the local educational agency may provide supporting evidence, which the State educational agency shall consider before making a final determination.

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

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

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

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

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

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

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

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

"(B) work with schools needing improvement.

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

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

"(i) may take corrective action at any time with respect to a local educational

agency that has been identified under paragraph (3);

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

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

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

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

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

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

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

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

"(i) Withholding of funds.

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

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

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

"(D) Before implementing any corrective action under subparagraph (A), the State educational agency shall provide due process and a hearing to the affected local educational agency, if State law provides for such process and hearing.

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

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

STATE ASSISTANCE FOR SCHOOL SUPPORT AND IMPROVEMENT

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

"STATE ASSISTANCE FOR SCHOOL DISTRICT AND SCHOOL SUPPORT AND IMPROVEMENT

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

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

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

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

"(3) then provide support and assistance to other local educational agencies and schools partici-

pating under this part that need that support and assistance in order to achieve the purpose of this part.

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

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

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

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

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

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

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

PARENTAL INVOLVEMENT

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

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

(2) in subsection (c)—

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

(B) in paragraph (4)(B)—

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

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

(C) in paragraph (5)—

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

(ii) by striking out ''participating children'' and inserting in lieu thereof ''children attending the school'';

(3) in subsection (e)(1)—

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

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

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

(5) by striking out subsection (g).

TEACHER QUALIFICATIONS AND PROFESSIONAL DEVELOPMENT

SEC. 119. Section 1119 of the ESEA is amended—

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

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

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

''(a) PURPOSE AND GENERAL REQUIREMENTS.—In order to enable all children to meet challenging State

standards, each local educational agency receiving assistance under this part shall—

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

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

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

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

"(b) MINIMUM QUALIFICATIONS FOR TEACHERS.—Each local educational agency shall ensure that, by no later than the effective date of the amendments to this section made by the Educational Excellence for All Children Act of 1999, all new teachers in programs supported with funds under this part—

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

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

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

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

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

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

"(C) Providing assistance in a computer laboratory.

"(3) A paraprofessional who possesses a secondary school diploma or its equivalent, but who has not completed at least two 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.

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

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

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

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

(5) in subsection (d), as redesignated by paragraph (2)—

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

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

"(A) improve the ability of teachers to help all students, including children with disabilities, children with limited English proficiency, and economically disadvantaged children, reach high State content and student performance standards;

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

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

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

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

"(F) include professional development activities that involve collaborative groups of

teachers and administrators from the same school or district and, to the greatest extent possible, include follow-up and school-based support such as coaching or study groups; and

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

(B) in paragraph (2)—

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

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

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

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

(iii) in subparagraph (H), by striking out "Head Start" and all that follows through "personnel" and inserting in lieu thereof "Head Start, or family literacy programs such as Even Start; State-run

preschool program personnel; and child-care providers''; and

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

PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS

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

(1) in subsection (a)—

(A) in paragraph (1), by inserting ''that address their needs, and shall ensure that teachers and families of these students participate, on an equitable basis, in services and activities under sections 1118 and 1119'' before the period at the end thereof; and

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

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (D), by striking out ''assessed; and'' and inserting in lieu thereof ''assessed, and how the results of

that assessment will be used to improve those services''; (ii) in subparagraph (E), by striking out ''what is'' and all that follows through the period at the end thereof and inserting in lieu thereof ''the amounts of funds generated by low-income private school children in each participating attendance area for those services;''; and (iii) by adding at the end thereof new subparagraphs (F) and (G) to read as follows:

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

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

(B) in paragraph (2)—

(i) by inserting ''shall include meetings of agency and private school officials and'' after ''consultation''; and

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

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

(4) by striking out subsection (e).

FISCAL REQUIREMENTS

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

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

(2) in subsection (c)—

(A) in paragraph (2)—

(i) by amending the paragraph heading to read as follows: ''CRITERIA FOR MEETING COMPARABILITY REQUIREMENT.'';

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

''(A) To meet the requirement of paragraph (1), a local educational agency shall establish, and obtain the State educational agency's approval of, policies to ensure com-

parability in the use of State and local funds among its schools participating under this part and its other schools with respect to—

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

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

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

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

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

"(C) Notwithstanding subparagraph (A), a local educational agency may continue to meet the requirement of paragraph (1) by complying with subparagraph (A) as it was in effect prior to the enactment of the Educational Excellence for All Children Act of 1999, but each local educational agency shall comply with subparagraph (A), as amended by that Act, no later than July 1, 2002."; and

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

PRESCHOOL SERVICES AND COORDINATION REQUIREMENTS

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

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

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

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

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

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

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

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

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

"(3) All preschool programs funded under this part shall—

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

"(B) ensure that participating children, at a minimum—

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

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

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

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

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

ALLOCATIONS

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

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

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

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

"ALLOCATIONS TO STATES

"SEC. 1122. (a) AMOUNTS FOR BASIC GRANTS, CONCENTRATION GRANTS, AND TARGETED GRANTS.—Of the amount appropriated under section 1002(a) for any fiscal year that remains after funds are reserved under section

1003(b), the Secretary shall allocate the greater of the following to targeted grants under section 1125:

"(1) 20 percent of that remaining amount.

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

"(b) ALLOCATIONS.—Except as provided in subsections (c) and (d), the Secretary shall allocate to each State the sum of the amounts determined for the local educational agencies in the State under sections 1124, 1124A, and 1125.

"(c) ADUSTMENTS IN CASE OF INSUFFICIENT APPROPRIATIONS.—(1) If the sums available for any fiscal year under subsection (a) are insufficient to pay the full amounts that all local educational agencies in the States are eligible to receive under sections 1124, 1124A, and 1125, the Secretary shall ratably reduce the allocations to those agencies and to the States.

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

"(d) HOLD-HARMLESS AMOUNTS.—(1) Notwithstanding subsections (b) and (c), the amount made avail-

able to each local educational agency under each of sections 1124 and 1125 for any fiscal year shall be—

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

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

"(C) at least 85 percent of its amount for the previous fiscal year if the number of children so counted is less than 15 percent of the total number of children aged 5 through 17 in that agency.

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

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

"(B) if the allocation to a county is not sufficient to meet the requirement of paragraph (1) for each local educational agency in that county, the State educational agency shall proportionately reallocate funds from all other local educational agencies

in the State that would otherwise receive allocations in excess of the amounts determined under that paragraph.

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

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

(1) in subsection (a)—

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

"(1) GRANTS FOR LOCAL EDUCATIONAL AGENCIES.—Except as provided in paragraph (4) and in section 1126, the grant that a local educational agency is eligible to receive under this section for a fiscal year is the amount determined by multiplying—

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

"(B) 40 percent of the average per-pupil expenditure in the State, except that the amount determined under this subparagraph shall not be less than 32 percent, and not more

than 48 percent, of the average per-pupil expenditure in the United States.";

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

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

"(2) CALCULATION OF GRANTS.—

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

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

"(ii) paragraph (3) shall apply.

"(B) ALLOCATIONS TO LARGE AND SMALL LOCAL EDUCATIONAL AGENCIES.—(i) For any fiscal year to which this paragraph applies, the

Secretary shall calculate grants under this section for each local educational agency.

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

"(iii) For small local educational agencies, the State educational agency may either—

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

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

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

"(v) If a small local educational agency is dissatisfied with the determination of its grant

by the State educational agency under clause (iii)(II), it may appeal that determination to the Secretary, who shall respond within 45 days of receiving it.

"(vi) As used in this subparagraph—

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

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

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

"(B) In any State in which a large number of local educational agencies overlap county boundaries, or for which the State believes it has data that would better target funds than allocating them by

county, the State educational agency may apply to the Secretary for authority to make the allocations under this part for a particular fiscal year directly to local educational agencies without regard to counties.

''(C) If the Secretary approves its application under subparagraph (B), the State educational agency shall provide the Secretary an assurance that those allocations will be made—

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

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

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

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

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

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

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

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

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

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

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

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

"(1) 10 or more; and

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

(3) in subsection (c)—

(A) in paragraph (1)—

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

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

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

(B) in paragraph (2)—

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

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

(C) in paragraph (3)—

(i) in the first sentence—

(I) by striking out ''1997'' and inserting in lieu thereof ''2001''; and

(II) by striking out ''unreliable'' and all that follows through Sciences'' and inserting in lieu thereof ''unreliable''; and

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

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

(E) in paragraph (4), as redesignated by subparagraph (D)—

(i) by striking out the first sentence;

(ii) in the second sentence—

(I) by striking out ''the number of such children and'';

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

(III) by striking out ''(using'' and all that follows through ''October)''; and

(iii) by adding the following sentence at the end thereof: ''For the purpose of this section, the Secretary shall consider all children who are in correctional institu-

tions to be living in institutions for delinquent children.''; and

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

(4) in subsection (d), by striking out ''subsection (b)(1) or (d) of''.

(d) CONCENTRATION GRANTS.—Section 1124A of the ESEA is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

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

''(A) Except as provided in subparagraph (B), each local educational agency that is eligible for a grant under section 1124 for any fiscal year is eligible for an additional grant under this section for that fiscal year if the number of children counted under section 1124(c) in the agency exceeds either—

''(i) 6,500; or

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

(ii) in subparagraph (B)—

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

(II) by striking out ''described in subparagraph (A)''; and

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

''(4) LOCAL ALLOCATIONS.—(A) Grant amounts under this section shall be determined in accordance with section 1124(a)(2) and (3).

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

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

(e) TARGETED ASSISTANCE GRANTS.—Section 1125 of the ESEA is amended—

(1) in subsection (b)—

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

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

(2) in subsection (c)—

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

(B) in paragraph (2)—

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

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

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

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

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

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

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

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

(2) in subsection (b)—

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

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

(3) by striking out subsection (e).

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

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

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

PROGRAM INDICATORS

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

"Subpart 3—Program Indicators

"PROGRAM INDICATORS

"SEC. 1131. Each State receiving assistance under this part shall report to the Secretary each year with respect to its progress in meeting the following performance indicators for participating schools and local educational agencies, and shall use those indicators to improve its program performance:

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

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

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

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

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

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

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

PART B—EVEN START

STATEMENT OF PURPOSE

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

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

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

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

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

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

PROGRAM AUTHORIZED

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

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

"(a) RESERVATION OF FUNDS.—For each fiscal year, the Secretary shall reserve 5 percent of the amount appropriated under section 1002(b) for programs, under such terms and conditions as the Secretary shall establish, that are consistent with the purpose of this part, and that support national demonstration and model projects for isolated and especially hard-to-reach populations, which shall include projects for—

"(1) children of migratory workers;

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

"(3) Indian tribes and tribal organizations; and

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

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

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

(3) in subsection (c)—

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

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

(C) in paragraph (2)(C)—

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

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

(iii) by striking out ''section 2253'' and inserting in lieu thereof ''section 1503''; and

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

(4) in subsection (d)—

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

(B) in paragraph (3)—

(i) by striking out ''$250,000, or''; and

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

(5) in subsection (e)—

(A) in paragraph (2), by striking out ''nonprofit''; and

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

STATE PROGRAMS

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

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

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

"(a) STATE PLAN.—

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

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

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

"(C) describe how the State will help each project under this part ensure the full implementation of the program elements described in section 1205, including how it will encourage local projects to use technology, such as distance learning, to improve program access and

the intensity of services, especially for isolated populations;

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

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

"(2) DURATION.—Each State plan shall—

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

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

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

(3) in subsection (b), as redesignated by paragraph (1)—

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

(B) in paragraph (2), by striking out ''subsection (b)'' and inserting in lieu thereof ''subsection (c)''; and

(4) in paragraph (1) of subsection (c), as redesignated by paragraph (1)—

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

(B) by striking out ''subsection (a)'' and inserting in lieu thereof ''subsection (b)''.

USES OF FUNDS

SEC. 124. Section 1204 of the ESEA is amended—

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

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

PROGRAM ELEMENTS

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

''PROGRAM ELEMENTS

''SEC. 1205. Each program assisted under this part shall—

''(1) identify and recruit families most in need of services provided under this part, as indicated by the eligible parent or parents' low income and low

level of adult literacy or English language proficiency, and other need-related factors;

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

"(3) be designed to accommodate participating families' work schedules and other responsibilities, including scheduling and locating services to allow joint participation by parents and children, and providing support services necessary for participation in the activities assisted under this part if those services are unavailable from other sources, such as—

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

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

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

"(4) provide high-quality, intensive family literacy services (as defined in section 1202(e)(3)),

using instructional approaches that the best available research on reading indicates will be most effective in building adult literacy and children's language development and reading ability;

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

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

"(ii) within four years of the effective date of the amendments to this section made by the Educational Excellence for All Children Act of 1999, all instruction is provided by teachers who have at least a bachelor's degree; and

"(iii) as of that effective date, all new teachers who are hired to provide instruction have at least a bachelor's degree, and are certified in the field in which they are going to teach, or are enrolled in a program leading to such certification within two years;

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

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

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

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

"(8) serve those families most in need of the activities and services provided under this part, including individuals with special needs, such as individ-

uals with disabilities, individuals with limited English proficiency, and homeless individuals;

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

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

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

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

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

"(10) be coordinated with—

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

"(B) any relevant programs under the Adult Education and Family Literacy Act, the Individuals with Disabilities Education Act, and the Workforce Investment Act of 1998; and

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

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

ELIGIBLE PARTICIPANTS

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

APPLICATIONS

SEC. 127. (a) PLANS.—Section 1207(c) of the ESEA is amended—

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

(2) in paragraph (1)—

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

"(A) a description of the program goals, including outcomes for children and families that are consistent with the program indicators

established or adopted by the State under section 1210, and of the strategies the applicant will use to reach those goals;'';

(B) in subparagraph (B), by inserting ''each of'' after ''incorporate'';

(C) in subparagraph (D) by inserting ''and'' at the end thereof; and

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

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

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

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

AWARD OF SUBGRANTS

SEC. 128. (a) SELECTION PROCESS.—Section 1208(a) of the ESEA is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking out ''limited-English'' and inserting in lieu thereof ''limited English'';

(B) by striking out subparagraph (C);

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

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

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

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

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

''(c) EXEMPLARY PROJECTS.—(1) Notwithstanding subsection (b)(5)(A), each State may use funds under this part in any fiscal year to continue providing assistance, for up to two additional years, for not more than two projects that have been highly successful in achieving the goals described in their plans under section 1207(c)(1)(A)

and that have substantial potential to serve as models for other projects throughout the Nation and as mentor sites for other family-literacy programs in the State.

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

EVALUATION

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

"EVALUATION

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

"(1) determine their performance and effectiveness; and

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

INDICATORS OF PROGRAM QUALITY

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

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

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

"(3) With respect to a program's implementation of high-quality, intensive family literacy serv-

ices, specific levels of intensity of those services and duration of individuals' participation that are necessary to result in the outcomes described under paragraphs (1) and (2), which the State shall periodically review and revise as needed to achieve those outcomes.''.

REPEAL AND REDESIGNATION

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

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

PART C—EDUCATION OF MIGRATORY CHILDREN

STATE ALLOCATIONS

SEC. 131. Section 1303 of the ESEA is amended—

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

''(a) STATE ALLOCATIONS.—

''(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (b), each State is entitled to receive under this part, for each fiscal year, an amount equal to—

''(A) the sum of—

''(i) the number of identified eligible migratory children, aged 3 through 21, residing in the State during the previous year; and

"(ii) the number of identified eligible migratory children, aged 3 through 21, who received services under this part in summer or intersession programs provided by the State; multiplied by

"(B) 40 percent of the average per-pupil expenditure in the State, but not less than 32 percent or more than 48 percent of the average per-pupil expenditure in the United States.

"(2) MINIMUM AND MAXIMUM ALLOCATIONS.—No State's allocation under paragraph (1) for any fiscal year shall be more than 120 percent, or less than 80 percent, of its allocation for the previous year, except that no State's allocation shall be less than $200,000.";

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

"(b) ALLOCATIONS TO PUERTO RICO.—Subject to subsection (a)(2), the grant that the Commonwealth of Puerto Rico is eligible to receive under this section for a fiscal year is the amount determined for Puerto Rico under subsection (a)(1), multiplied by the following:

"(1) For fiscal year 2001, 77.6 percent.

"(2) For fiscal year 2002, 83.2 percent.

"(3) For fiscal year 2003, 88.8 percent.

"(4) For fiscal year 2004, 94.4 percent.

"(5) For fiscal years starting with fiscal year 2005, 100 percent."; and

(3) by striking out subsections (d) and (e).

STATE APPLICATIONS

SEC. 132. Section 1304 of the ESEA is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking out "through" and all that follows through the end thereof and inserting in lieu thereof "through—

"(A) the full range of services that are available for migratory children from appropriate local, State, and Federal educational programs;

"(B) joint planning among such local, State, and Federal programs, and bilingual education programs under part A of title VII;

"(C) the integration of services available under this part with services provided by those other programs; and

"(D) measurable program goals and outcomes;

(B) in paragraph (5), by striking out "the requirements of paragraph (1)" and inserting in lieu thereof "the numbers and needs of migratory children, the requirements of subsection

(d), and the availability of funds from other Federal, State, and local programs''; (C) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7); and (D) by inserting after paragraph (4) a new paragraph (5) to read as follows:

''(5) a description of how the State will encourage the participation of migratory children in State assessments required under section 1111(b)(2);''; and

(2) in subsection (c)—

(A) in paragraph (1)(A), by striking out ''section 1306(b)(1)'' and inserting in lieu thereof ''section 1306(a)'';

(B) in paragraph (2), by striking out ''part F'' and inserting in lieu thereof ''part G'';

(C) in paragraph (3)—

(i) by striking out ''appropriate''; and

(ii) by striking out ''carried out, to the extent feasible,'' and inserting in lieu thereof ''carried out''; and

(D) in paragraph (7), by striking out ''section 1303(e)'' and inserting in lieu thereof ''section 1303(a)(1)(A)''.

AUTHORIZED ACTIVITIES

SEC. 133. Section 1306 of the ESEA is amended to read as follows:

"AUTHORIZED ACTIVITIES

"SEC. 1306. (a) IN GENERAL.—(1)(A) Each State educational agency, through its operating agencies, shall have the flexibility to determine the activities to be provided with funds made available under this part; except that (B) such funds shall first be used to meet the identified needs of migratory children that result from their migratory lifestyle, and permit these children to participate effectively in school.

"(2) Funds provided under this part shall be used to address the needs of migratory children that are not addressed by services available from other Federal or non-Federal programs, except that migratory children who are eligible to receive services under part A of this title may receive those services through funds provided under that part, or with funds under this part that remain after the agency addresses the needs described in paragraph (1)(B).

"(b) CONSTRUCTION.—Nothing in this part shall be construed to prohibit a local operating agency from serving migratory children simultaneously with students with similar educational needs in the same educational settings, where appropriate.

"(c) SPECIAL RULE.—Notwithstanding section 1114, a school that receives funds under this part shall continue to address the identified needs described in subsection (a)(1).".

COORDINATION OF MIGRANT EDUCATION ACTIVITIES

SEC. 134. Section 1308 of the ESEA is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking out "non-profit"; and

(B) in paragraph (2) by striking out "sub-part" and inserting in lieu thereof "subsection";

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

"(b) ASSISTANCE.—The Secretary shall assist States in developing effective methods for the transfer of student records and in determining the number of migratory children in each State.";

(3) in subsection (c), by striking out "$6,000,000" and inserting in lieu thereof "$10,000,000"; and

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

"(d) INCENTIVE GRANTS.—From the amounts made available to carry out this section for any fiscal year, the Secretary may reserve not more than $3,000,000 to award grants of not more than $250,000 to State educational

agencies that propose consortium arrangements with another State or other appropriate entity that the Secretary determines, pursuant to criteria the Secretary shall establish, would improve the delivery of services to migratory children whose education is interrupted.''.

DEFINITIONS

SEC. 135. Section 1309(2) of the ESEA is amended by striking out ''parent, spouse, or guardian'' each place it appears and inserting in lieu thereof ''parent or spouse''.

PART D—NEGLECTED AND DELINQUENT CHILDREN

PROGRAM NAME

SEC. 141. The heading of part D of title I of the ESEA is amended to read as follows:

''PART D—STATE AGENCY PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED OR DELINQUENT''.

FINDINGS; PURPOSE; PROGRAM AUTHORIZED

SEC. 142. (a) FINDING.—Section 1401(a) of the ESEA is amended to read as follows:

''(a) FINDINGS.—Congress finds the following:

''(1) A large percentage of youth in the juvenile-justice system have poor academic achievement, are a year or more behind grade level, and have dropped out of school.

''(2) Many schools and correctional facilities fail to communicate regarding a youth's academic needs,

and students often return to their home school ill-prepared to meet current curriculum requirements.

''(3) Schools are often reluctant to deal with youth returning from facilities and often receive no funds to deal with the unique educational and other needs of those youth.

''(4) There is a need for federal assistance to support State efforts to educate students in State institutions for neglected and delinquent children and youth to challenging academic standards.''.

(b) PURPOSE.—Section 1401(b) of the ESEA is amended—

(1) in paragraph (1), by striking out ''local and''; and

(2) by amending paragraph (3) to read as follows:

''(3) to provide youth returning from institutions with a support system to ensure their continued education.''.

(c) PROGRAM AUTHORIZED.—Section 1401(c) of the ESEA is amended—

(1) by striking out ''and local educational agencies''; and

(2) by striking out ''at risk'' and all that follows through ''graduation''.

PAYMENTS FOR PROGRAMS UNDER PART D

SEC. 143. Section 1402 of the ESEA is amended—

(1) by striking out ''(a) AGENCY SUBGRANTS.—''; and

(2) by striking out subsections (b) and (c).

ALLOCATION OF FUNDS

SEC. 144. Section 1412 of the ESEA is amended—

(1) in subsection (a)(1)—

(A) by striking out ''Each State agency described in section 1411 (other than an agency in the Commonwealth of Puerto Rico)'' and inserting in lieu thereof ''Except as provided in subsection (b), each State agency described in section 1411''; and

(B) by inserting ''in'' before ''an amount equal''; and

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

''(b) SUBGRANTS TO STATE AGENCIES IN PUERTO RICO.—The amount of the subgrant for which a State agency in the Commonwealth of Puerto Rico is eligible under this part for a fiscal year is the amount determined for that agency under subsection (a), multiplied by the following:

''(1) For fiscal year 2001, 77.6 percent.

''(2) For fiscal year 2002, 83.2 percent.

"(3) For fiscal year 2003, 88.8 percent.

"(4) For fiscal year 2004, 94.4 percent.

"(5) For fiscal years starting with fiscal year 2005, 100 percent.".

STATE PLAN AND STATE AGENCY APPLICATIONS

SEC. 145. (a) STATE PLAN.—Section 1414(a) of the ESEA is amended—

(1) in paragraph (1), by striking out "14306" and inserting in lieu thereof "11506"; and

(2) in paragraph (2)—

(A) in subparagraph (B), by striking out "as such children would have if such children" and inserting in lieu thereof a comma and "and will be held to the same challenging standards, as they would if they"; and

(B) in subparagraph (C)(ii), by striking out "1416" and inserting in lieu thereof "1431".

(b) STATE AGENCY APPLICATIONS.—Section 1414(c)(6) of the ESEA of the ESEA is amended by striking out "14701" and inserting in lieu thereof "1431".

USE OF FUNDS

SEC. 146. Section 1415(a)(2)(D) of the ESEA is amended by striking out "14701" and inserting in lieu thereof "1431".

LOCAL AGENCY PROGRAMS

SEC. 147. Part D of title I of the ESEA is further amended by—

(1) repealing subpart 2; and

(2) redesignating subpart 3 as subpart 2.

PROGRAM EVALUATIONS

SEC. 148. Section 1431 of the ESEA is amended—

(1) in subsection (a)—

(A) by striking out ''or local educational agency''; and

(B) by striking out ''subpart 1 or 2'' and inserting in lieu thereof ''subpart 1'';

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

''(b) EVALUATION MEASURES.—In conducting each evaluation under subsection (a), a State agency shall use multiple measures of student progress that, while consistent with section 1414(a)(2)(B), are appropriate for the students and are feasible for the agency to achieve (considering such factors as the duration of students' participation in the program).''; and

(3) in subsection (c), by striking out ''and local educational agency''.

DEFINITIONS

SEC. 149. Section 1432 of the ESEA is amended by striking out paragraph (2) and redesignating paragraphs

(3), (4), and (5) as paragraphs (2), (3), and (4), respectively.

PART E—FEDERAL EVALUATIONS, DEMONSTRATIONS, AND TRANSITION PROJECTS

EVALUATIONS, MANAGEMENT INFORMATION, AND OTHER NATIONAL ACTIVITIES

SEC. 151. Section 1501 of the ESEA is amended to read as follows:

"EVALUATIONS, MANAGEMENT INFORMATION, AND OTHER NATIONAL ACTIVITIES

"SEC. 1501. (a) PURPOSE.—The purpose of this section is to authorize—

"(1) evaluations of the activities assisted under this title to determine their effectiveness, consistent with the Government Performance and Results Act of 1993;

"(2) activities undertaken in partnership with the States to develop information needed to inform program management and support continuous improvement at the State, school district, and school levels;

"(3) applied research, technical assistance, dissemination, and recognition activities relating to this title; and

"(4) obtaining biennial updates of census data used under this title.

"(b) NATIONAL ASSESSMENT OF TITLE I.—

(1) IN GENERAL.—The Secretary shall conduct a national assessment of programs assisted under this title, in coordination with the national longitudinal study of schools under subsection (d), which shall be planned, reviewed, and conducted with an independent panel authorized under section 11911.

"(2) SCOPE OF ASSESSMENT.—The national assessment shall examine—

"(A) the implementation and impact of the programs carried out under this title on student academic performance, particularly in schools with high concentrations of children living in poverty;

"(B) the implementation and impact of State standards, assessments, and accountability systems developed under this title on educational programs and instruction at the local level;

"(C) the effect of schoolwide programs under section 1114 and targeted-assistance programs under section 1115 on increasing the number of students who have access to an enriched, challenging curriculum consistent with high standards;

"(D) the implementation and impact of the professional development activities supported under this title on instruction and student performance;

"(E) the extent to which local educational agencies and schools, in carrying out activities under this title, provide parents with meaningful opportunities to participate in the education of their children at home and at school, and the impact of those opportunities;

"(F) the extent to which the resources provided under this title are effectively targeted to schools that need them most;

"(G) the effectiveness of Federal administration, including monitoring and technical assistance, on programs under this title; and

"(H) such other issues as the Secretary may determine.

"(3) SOURCES OF INFORMATION.—The Secretary shall use information from a variety of sources, including the National Assessment of Educational Progress, State evaluations, and available research studies, in carrying out the national assessment.

"(4) INTERIM AND FINAL REPORTS.—The Secretary shall submit to the President and the appropriate committees of the Congress an interim report on the national assessment within three years of the enactment of the Educational Excellence for All Children Act of 1999 and a final report within four years of that enactment.

"(c) STUDIES AND DATA COLLECTION.—

(1) IN GENERAL.—In addition to other activities described in this section, the Secretary may, directly or through grants to, and contracts with, appropriate entities—

"(A) conduct studies and evaluations of the need for, and effectiveness of, programs under this title;

"(B) collect data that are needed to comply with the Government Performance and Results Act of 1993; and

"(C) provide guidance and technical assistance to State educational agencies and local educational agencies in developing and maintaining management-information systems through which they can develop program-performance indicators, collect data to measure

performance against those indicators, and use the data to improve services and performance.

"(2) MINIMUM INFORMATION.—At a minimum, the Secretary shall collect trend information on the effect of programs under this title, which shall complement the data collected and reported under subsections (b) and (d).

"(d) NATIONAL LONGITUDINAL STUDY OF SCHOOLS.—(1) The Secretary shall carry out an ongoing longitudinal study of schools in order to provide the public, the Congress, and educators involved in the program carried out under this title—

"(A) an accurate description of its short-term and long-term effectiveness;

"(B) information that can be used to improve its effectiveness in enabling students to meet challenging State student performance standards; and

"(C) information on such other topics as the Secretary may find appropriate, such as the program's effectiveness in enabling students to graduate from secondary school and make successful transitions to postsecondary education and work.

"(2) The longitudinal study shall—

"(A) include a nationally representative sample of schools participating in programs under this title

that serve large concentrations of children with limited English proficiency; and

"(B) evaluate the extent to which those children are—

"(i) participating in services and school-improvement efforts supported by this title; and

"(ii) included and accommodated in State assessments under this title.".

DEMONSTRATIONS OF INNOVATIVE PRACTICES

SEC. 152. Section 1502 of the ESEA is amended—

(1) in subsection (a)(1), by striking out "section 1002(g)(2)" and inserting in lieu thereof "section 1002(f)"; and

(2) in subsection (b), by striking out "section 1002(g)(2)" and inserting in lieu thereof "section 1002(f)".

PART F—GENERAL PROVISIONS

GENERAL PROVISIONS

SEC. 161. Part F of title I of the ESEA is amended—

(1) by striking out sections 1601 and 1602; and

(2) by redesignating sections 1603 and 1604 as sections 1601 and 1602, respectively.

PART G—READING EXCELLENCE

READING AND LITERACY GRANTS TO STATE EDUCATIONAL AGENCIES

SEC. 171. Section 2253 of the ESEA is amended—

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

"(A) NUMBER OF GRANTS.—After receiving a grant under this subpart, a State educational agency may apply for a subsequent grant, but the period of any subsequent grant may not begin before the end of the period of the prior grant.";

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the first sentence, by striking out "and in such form" and inserting in lieu thereof a comma and "in such form, and containing such information"; and

(ii) in the second sentence, by inserting "also" after "shall"; and

(B) in paragraph (2)(B), by adding at the end thereof a new clause (ix) to read as follows:

"(ix) The process and criteria that the State educational agency will use to review and approve applications for local reading

improvement subgrants under section 1505 and for tutorial assistance subgrants under section 1506, including a peer-review process that includes individuals described in section 1503(c)(2)(B) and, in the case of tutorial assistance subgrants under section 1506, includes experts on tutorial assistance.'';

(3) in subsection (c)(2), by amending subparagraph (C) to read as follows:

''(C) PRIORITY.—(i) The panel shall recommend grant applications from State educational agencies under this section to the Secretary for funding or disapproval.

''(ii) In making its recommendations, the panel shall give priority to applications from State educational agencies in States that have modified or are modifying, or that provide persuasive evidence that not later than 18 months after receiving a grant under this section the State will modify, its requirements for certification of elementary school teachers to require prospective teachers to be effectively trained in methods of reading instruction that reflect scientifically based reading research.

"(iii) Nothing in this part shall be read to establish a national system of teacher certification."; and

(4) in subsection (d)(3), by striking out "the date of the enactment of the Reading Excellence Act" and inserting in lieu thereof "October 21, 1998".

USE OF FUNDS BY STATE EDUCATIONAL AGENCIES

SEC. 172. Section 2254 of the ESEA is amended to read as follows:

"USE OF AMOUNTS BY STATE EDUCATIONAL AGENCIES

"SEC. 2254. A State educational agency that receives a grant under section 1503—

"(1) may use not more than five percent of the grant funds for the administrative costs of carrying out this part, including the use of not more than two percent of the grant funds to carry out section 1509; and

"(2) shall award not more than 15 percent of the grant funds through at least one subgrant under section 1506.".

LOCAL READING IMPROVEMENT SUBGRANTS

SEC. 173. (a) IN GENERAL.—Section 2255(a) of the ESEA is amended—

(1) in paragraph (1)—

(A) by inserting ''serve children in grades one through three and that'' after ''agencies that'';

(B) in subparagraph (B), by inserting ''serving children in grades one through three'' after ''State''; and

(C) in subparagraph (C), by inserting ''serving children in grades one through three'' after ''State'';

(2) by redesignating paragraph (2) as paragraph (3);

(3) by redesignating the second sentence of paragraph (1) as paragraph (2); and

(4) in paragraph (2), as so redesignated—

(A) by inserting the paragraph heading ''DEFINITION.—'' after the paragraph designation ''(2)''; and

(B) by striking out ''subparagraph (C)'' and inserting in lieu thereof ''paragraph (1)(C)''.

(b) USE OF FUNDS.—Section 2255(d) of the ESEA is amended—

(1) by redesignating paragraph (2) as paragraph (3) and redesignating the second sentence of paragraph (1) as paragraph (2);

(2) in paragraph (1)—

(A) by striking out ''paragraph (2)'' and inserting in lieu thereof ''paragraph (3)'';

(B) by inserting ''serves children in third grade or below and'' after ''any school that''; and

(C) by striking out ''the second sentence of subsection (a)(1)'' and inserting in lieu thereof ''subsection (a)(2)''; and

(3) in paragraph (2), as redesignated by paragraph (1), by striking out ''Such activities shall'' and inserting in lieu thereof ''AUTHORIZED ACTIVITIES.—The activities referred to in paragraph (1)''.

TUTORIAL ASSISTANCE SUBGRANTS

SEC. 174. (a) IN GENERAL.—Section 2256(a) of the ESEA is amended—

(1) in paragraph (1)—

(A) by inserting ''local educational agencies that serve children in grades one through three and that'' after ''basis to'';

(B) by striking out subparagraph (A) and redesignating subparagraphs (B) through (D) as subparagraphs (A) through (C), respectively;

(C) in subparagraph (A), as so redesignated, by striking out ''local educational agencies that'';

(D) in subparagraph (B), as redesignated by subparagraph (B)—

(i) by striking out ''local educational agencies with'' and inserting in lieu thereof ''have''; and

(ii) by inserting ''that serve children in grades one through three'' after ''State''; and

(E) in subparagraph (C), as redesignated by subparagraph (B)—

(i) by striking out ''local educational agencies with'' and inserting in lieu thereof ''have''; and

(ii) by inserting ''that serve children in grades one through three'' after ''State'';

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

(3) by redesignating the second sentence of paragraph (1) as paragraph (2);

(4) in paragraph (2), as so redesignated—

(A) by inserting the paragraph heading ''DEFINITION.—'' after the paragraph designation ''(2)''; and

(B) by striking out ''subparagraph (D)'' and inserting in lieu thereof ''paragraph (1)(C)'';

(5) in subparagraph (B) of paragraph (3), as redesignated by paragraph (2), by striking out ''shall, as a condition'' and all that follows through ''provide'' and inserting in lieu thereof ''shall provide'';

(6) in the second sentence of paragraph (4), as redesignated by paragraph (2), by striking out ''that (A)'' and all that follows through the end thereof and inserting in lieu thereof ''that—

''(A) is described in paragraph (1)(A);

''(B) has the largest, or second largest, number of children who are counted under section 1124(c), in comparison to all other schools in the local educational agency; or

''(C) has the highest, or second highest, school-age child-poverty rate (as defined in paragraph (2)), in comparison to all other schools in the local educational agency.''; and

(7) in paragraph (5), as redesignated by paragraph (2)—

(A) by striking out ''paragraph (2)'' and inserting in lieu thereof ''paragraph (3)''; and

(B) by striking out ''paragraph (3)'' and inserting in lieu thereof ''paragraph (4)''.

(b) USE OF FUNDS.—Section 2256(b)(2) of the ESEA is amended by inserting ''who are in, or have just completed, a pre-kindergarten program, kindergarten, or grades 1, 2, or 3 and'' after ''to children''.

NATIONAL EVALUATION

SEC. 175. Section 2257 of the ESEA is amended by striking out ''From funds reserved under section 2260(b)(1), the'' and inserting in lieu thereof ''The''.

INFORMATION DISSEMINATION

SEC. 176. Section 2258 of the ESEA is amended—

(1) in subsection (a)—

(A) by striking out ''section 2260(b)(2)'' and inserting in lieu thereof ''section 1002(e)''; and

(B) by adding the following sentence at the end thereof: ''The Institute may use not more than 5 percent of the amount reserved under section 1002(e) for the costs of administering this section.''; and

(2) by adding at the end thereof a new subsection (c) to read as follows:

''(c) SECRETARY'S AUTHORITY.—From amounts appropriated for any fiscal year under section 1002(e), the Secretary may reserve not more than one percent to pro-

vide, directly or through grants or contracts, technical assistance, program improvement, and replication activities.''.

AUTHORIZATION OF APPROPRIATIONS

SEC. 177. Section 2260 of the ESEA is repealed.

TRANSFER AND REDESIGNATIONS

SEC. 178. (a) REDESIGNATION OF TITLE I PARTS E AND F.—Title I of the ESEA is further amended—

(1) by redesignating parts E and F as parts F and G, respectively;

(2) by redesignating sections 1601 and 1602, as redesignated by section 161(2) of this Act, as sections 1701 and 1702, respectively; and

(3) by redesignating sections 1501, 1502, and 1503 as sections 1601, 1602, and 1603, respectively.

(b) TRANSFER OF READING EXCELLENCE ACT TO TITLE I.—(1) Part C of title II of the ESEA, as amended by this part, is redesignated as, and transferred to, part E of title I of the ESEA.

(2) Sections 2251 through 2259 of the ESEA are redesignated as sections 1501 through 1509, respectively.

(3) Section 1503 of the ESEA, as redesignated by paragraph (2), is amended—

(A) in subsection (a)(1), by striking out ''sections 2254 through 2256'' and inserting in lieu thereof ''sections 1504 through 1506'';

(B) in subsection (b)(2)—

(i) by striking out ''sections 2255 and 2256'' each place it appears and inserting in lieu thereof ''sections 1505 and 1506''; and

(ii) in subparagraph (E)(iii), by striking out ''sections 2255(a)(1) and 2256(a)(1)'' and inserting in lieu thereof ''sections 1505(a)(1) and 1506(a)(1)''; and

(C) in subsection (d)(1)(D), by striking out ''section 2255'' and inserting in lieu thereof ''section 1505''.

(4) Section 1505 of the ESEA, as redesignated by paragraph (2), is amended—

(A) in subsection (a)(1), by striking out ''section 2253'' and inserting in lieu thereof ''section 1503''; and

(B) in subsection (e), by striking out ''title I of this Act'' and inserting in lieu thereof ''other parts of this title''.

(5) Subsection (a) of section 1506 of the ESEA, as redesignated by paragraph (2), is amended—

(A) in paragraph (1), by striking out ''section 2253'' and inserting in lieu thereof ''section 1503''; and

(B) in paragraph (5), as redesignated by section 174(2)—

(i) by striking out ''2254(2)'' and inserting in lieu thereof ''section 1504(2)''; and

(ii) by striking out ''section 2255'' and inserting in lieu thereof ''section 1505''.

(6) Section 1507 of the ESEA, as redesignated by paragraph (2), is amended by striking out ''section 2253(c)(2)'' and inserting in lieu thereof ''section 1503(c)(2)''.

(7) Section 1508 of the ESEA, as redesignated by paragraph (2), is amended—

(A) in subsection (a), by striking out ''section 2255 or 2256'' and inserting in lieu thereof ''section 1505 or 1506''; and

(B) in subsection (b)(3), by striking out ''section 2253'' each place it appears and inserting in lieu thereof ''section 1503''.

(8) Section 1509 of the ESEA, as redesignated by paragraph (2), is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking out ''section 2253'' and inserting in lieu thereof ''section 1503''; and

(ii) in paragraph (3), by striking out ''section 2257'' and inserting in lieu thereof ''section 1507''; and

(B) in subsection (b)—

(i) by striking out ''section 2253'' and inserting in lieu thereof ''section 1503'';

(ii) in paragraph (1), by striking out ''section 2255'' and inserting in lieu thereof ''section 1505''; and

(iii) in paragraph (2), by striking out ''section 2253(b)(2)(E)(iv)'' and inserting in lieu thereof ''section 1503(b)(2)(E)(iv)''.

TITLE II—HIGH STANDARDS IN THE CLASSROOM

HIGH STANDARDS IN THE CLASSROOM

SEC. 201. Title II of the ESEA is amended to read as follows:

''TITLE II—HIGH STANDARDS IN THE CLASSROOM

''PART A—TEACHING TO HIGH STANDARDS

''Subpart 1—Findings, Purpose, and Authorization of Appropriations

''FINDINGS

''SEC. 2111. The Congress finds as follows:

"(1) All students can learn and achieve to high standards.

"(2) States that have shown the most recent success in improving student achievement are those that have developed challenging content and student performance standards, aligned curricula and assessments with those standards, prepare educators to teach to those standards, and hold schools accountable for the achievement of all students against those standards.

"(3) A crucial component of an effective strategy for achieving high standards is ensuring, through professional development, that all teachers provide their students with challenging learning experiences in the core academic subjects.

"(4) Increased teachers' knowledge of academic content and effective teaching skills are associated with increases in student achievement. While other factors also influence learning, teacher quality makes a critical difference in how well students learn, across all categories of students. For example, recent research has found that teachers' expertise has a greater impact on students' achievement in reading than any other in-school factor.

"(5) Recent research has found that teachers who participate in sustained curriculum-centered professional development are much more likely to report that their teaching is aligned with high standards than are teachers who have not received such training.

"(6) Students who attend schools with large numbers of poor children are less likely to be taught by teachers who have met all State requirements for certification or licensure or who have a solid academic background in the subject matter they are teaching.

"(7) Despite the fact that every year the Nation's colleges and universities produce many more teachers than are hired and that over 2 million individuals who possess education degrees are currently engaged in activities other than teaching, many school districts experience difficulty recruiting and hiring enough fully qualified teachers. Among the reasons researchers have found for districts hiring less than fully qualified teachers are—

"(A) cumbersome and poorly coordinated State licensing procedures and local hiring practices;

"(B) bureaucratic personnel practices that result in hiring decisions being delayed until as late as the start of the school year;

"(C) local salaries and working conditions that discourage many individuals from entering teaching and cause experienced teachers to leave the profession;

"(D) the lack of portability of teacher credentials, pensions, and credited years of experience across State and school district lines;

"(E) a lack of support for new teachers, such as high-quality mentoring programs, that can help reduce the attrition rate and the number of new teachers that school districts must hire every year; and

"(F) compensation systems that do not reward teachers for improving their knowledge and skills.

"(8) As a result of increasing enrollments, natural teacher turnover, and the retirement of many veteran teachers, the Nation faces the challenge of hiring approximately two million new teachers in the coming decade.

"(9) As retirement and other causes of attrition diminish the pool of experienced school administra-

tors, many school districts report a growing shortage of qualified candidates for the job of principal at the elementary, middle, and high school levels.

''(10) Programs that facilitate mid-career transitions from other fields can be an effective means of bringing talented individuals into the classroom and addressing teacher shortages.

''(11) Programs that recruit, train, and retain highly qualified recent college graduates as teachers in high-poverty local educational agencies can also help to bring talented individuals into the classroom and address teacher shortages.

''(12) Research has found that high-quality professional development is—

''(A) linked to high standards: professional development activities should improve the ability of teachers to help all students, including children with disabilities, children with limited English proficiency, and economically disadvantaged children, reach high State academic standards;

''(B) focused on content: professional development activities should advance teacher understanding of one or more of the core academic subject areas and effective instructional

strategies for improving student achievement in those areas;

"(C) collaborative: professional development activities should involve collaborative groups of teachers and administrators from the same school or district;

"(D) sustained: professional development activities should be of sufficient duration to have a positive and lasting impact on classroom instruction and, to the greatest extent possible, should include follow-up and school-based support such as coaching or study groups;

"(E) embedded in a plan: professional development activities should be embedded in school and district-wide plans designed to raise student achievement to State academic standards; and

"(F) informed by research: professional development activities should be based on the best available research on teaching and learning.

"(13) Programs funded under this part can assist the Nation to achieve America's Education Goals #3, #4, and #5, as set out in section 3 of this Act.

"PURPOSE

"SEC. 2112. The purpose of this part is to support improvement in classroom instruction so that all students are prepared to achieve to challenging State content and student performance standards in the core academic subjects, by providing assistance to State and local educational agencies and to institutions of higher education to—

"(1) support States and school districts in continuing the task of developing challenging content and student performance standards and aligned assessments, revising curricula and teacher certification requirements, and using challenging content and student performance standards to improve teaching and learning;

"(2) ensure that teachers and administrators have access to professional development that is aligned with challenging State content and student performance standards in the core academic subjects;

"(3) provide assistance to new teachers during their first three years in the classroom; and

"(4) support the development and acquisition of curricular materials and other instructional aids, if they are not normally provided by the local edu-

cational agency or the State as part of the regular instructional program, that will advance local standards-based school reform efforts.

"AUTHORIZATIONS OF APPROPRIATIONS

"SEC. 2113. (a) SUBPART 2.—For the purpose of carrying out subpart 2, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.

"(b) SUBPART 3.—For the purpose of carrying out subpart 3, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.

"Subpart 2—State and Local Activities

"ALLOCATIONS TO STATES

"SEC. 2121. (a) RESERVATION OF FUNDS.—From the amount available to carry out this subpart for any fiscal year, the Secretary shall reserve a total of one percent to provide assistance to—

"(1) the outlying areas, which the Secretary shall distribute among them on the basis of their relative need, which they shall use to provide professional development; and

"(2) the Secretary of the Interior for professional development activities for teachers, other staff, and administrators in schools operated or funded by the Bureau of Indian Affairs.

"(b) STATE ALLOCATIONS.—After reserving funds under subsection (a), the Secretary shall allocate the remaining funds among the States as follows:

"(1) Fifty percent shall be allocated on the basis of the relative amounts the States received under subpart 2 of part A of title I for the previous fiscal year.

"(2) Fifty percent shall be allocated on the basis of the relative populations of individuals aged 5 through 17, as determined by the Secretary on the basis of the most recent data that are satisfactory to the Secretary.

"(c) MINIMUM STATE ALLOCATION.—Notwithstanding subsection (b), the Secretary shall allocate to each State no less than one-half of 1 percent of the total amount available under that subsection.

"(d) DEFINITION.—For the purpose of this section, the term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

"PRIORITY FOR PROFESSIONAL DEVELOPMENT IN MATHEMATICS AND SCIENCE

"SEC. 2122. (a) PRIORITY.—(1) In any fiscal year for which the appropriation for this subpart is $300 million or less, each State educational agency, working jointly with the State agency for higher education, shall ensure that all funds received under this subpart are used for pro-

fessional development in mathematics and science that is aligned with State content and student performance standards.

"(2) In any fiscal year for which the appropriation for this subpart is greater than $300 million, the State educational agency and the State agency for higher education shall jointly ensure that the total amount of funds under this subpart that they use for professional development in mathematics and science is at least as much as the allocation the State would have received if that appropriation had been $300 million.

"(b) INTERDISCIPLINARY ACTIVITIES.—A State may apply funds under this subpart that it uses for activities that focus on more than one core academic subject toward meeting the requirements of subsection (a) if those activities include a strong focus on improving instruction in mathematics or science.

"(c) ADDITIONAL FUNDS.—Each State educational agency and State agency for higher education shall jointly ensure that any funds in excess of the amount required by subsection (a) to be spent on professional development in mathematics or science are used to provide professional development activities in one or more of the core academic subjects.

"STATE APPLICATION

"SEC. 2123. (a) APPLICATIONS REQUIRED.—(1) Each State desiring to receive its allocation under this subpart shall submit an application to the Secretary at such time, in such form, and containing such information as the Secretary may reasonably require.

"(2) The State educational agency shall develop the State application—

"(A) in consultation with the State agency for higher education, community-based and other non-profit organizations of demonstrated effectiveness in professional development, and institutions of higher education; and

"(B) with the extensive participation of teachers, teacher educators, school administrators, and content specialists.

"(b) CONTENTS.—Each such application shall include—

"(1) a description of how the State educational agency will use all funds received under this subpart, including funds reserved for State-level activities under section 2126, to implement State plans or policies that support comprehensive standards-based education reform through the following strategies:

"(A) Supporting the alignment of curricula, assessments, and professional development with challenging State and local content and student performance standards.

"(B) Providing professional development, aligned with State content and student performance standards in core academic subjects.

"(C) Ensuring that teachers employed by local educational agencies are proficient in content knowledge and teaching skills;

"(2) a description of how the State educational agency will coordinate activities funded under this subpart with professional development activities that are supported with funds from other relevant Federal and non-Federal programs;

"(3) a description of how the State educational agency will ensure that all recipients of funds under this subpart report on the program performance indicators identified by the Secretary under section 2136;

"(4) a list of any additional indicators of program performance, beyond those required under this subpart, on which the State educational agency and State agency for higher education will require recipients to report, and a description of how those State

agencies will use the information collected to improve program performance; and

"(5) a description of the process the State educational agency will use to make competitive awards to local educational agencies under section 2128, including a description of—

"(A) the State's criteria for classifying local educational agencies as among those having the greatest need for services provided under this subpart and its justification for those criteria;

"(B) the State's strategies for ensuring that local educational agencies that have historically had little success in competing for funds are provided a reasonable opportunity to compete for subgrants;

"(C) the State's criteria for determining the amounts that it will award to recipients and the criteria for providing noncompetitive renewals of subgrants; and

"(D) the technical assistance that the State educational agency will provide, under section 2128(e)(2), to local educational agencies that it identifies as having the greatest need for

services and that fail to receive an award under this subpart.

"(c) APPROVAL.—The Secretary shall, using a peer-review process, approve a State application if it meets the requirements of this section and holds reasonable promise of achieving the purpose described in section 2112.

"ANNUAL STATE REPORTS

"SEC. 2124. Each State that receives funds under this subpart shall annually report to the Secretary, by such deadline as the Secretary may establish, with the first such report due by October 1, 2001—

"(1) on its activities under this subpart;

"(2) on the progress of recipients of subgrants under this subpart against such program performance indicators as the Secretary may identify under section 2136 and against any additional indicators included in the State's application; and

"(3) such other information as the Secretary may reasonably require.

"WITHIN-STATE ALLOCATIONS

"SEC. 2125. (a) STATE ADMINISTRATION AND STATE-LEVEL ACTIVITIES.—(1) Each State educational agency may reserve not more than a total of 10 percent of the amount it receives under this subpart for any fiscal year for—

"(A) its costs of administering this subpart;

"(B) the State-level activities described in section 2126; and

"(C) evaluations of the effectiveness of activities under this part, including effectiveness as measured against such indicators of program performance as the Secretary may identify under section 2136.

"(2) A State educational agency may use not more than one third of the amount reserved under paragraph (1) for administration of this subpart, including any costs of conducting subgrant competitions under section 2128.

"(b) RESERVATION FOR STATE AGENCY FOR HIGHER EDUCATION.—For the purpose of carrying out section 2127 for any fiscal year, each State educational agency shall make available to the State agency for higher education an amount equal to what the State's allocation would be if the amount appropriated for this subpart were $60 million.

"(c) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—Each State educational agency shall use the remaining funds to make subgrants to local educational agencies as follows:

"(1) Fifty percent shall be allocated to local educational agencies in proportion to the relative numbers of children, aged 5 through 17, from fami-

lies below the poverty level who reside in the jurisdictions served by those agencies.

"(2) Fifty percent shall be used to provide additional funds to local educational agencies on a competitive basis under section 2128.

"STATE-LEVEL ACTIVITIES

"SEC. 2126. Each State shall use funds it reserves under section 2125(a)(1)(B) to carry out activities described in its approved application that promote high-quality classroom instruction, such as—

"(1) supporting the continued improvement of State content and student performance standards and assessments aligned with those standards;

"(2) providing technical assistance and other services to increase the capacity of local educational agencies and schools to develop and implement systemic local improvement plans, implement State and local assessments, and develop curricula consistent with State and local content and performance standards;

"(3) supporting the development and improvement of performance-based accountability and incentive systems for schools;

"(4) supporting the development and implementation, at the local educational agency and school-building level, of improved systems for recruiting, se-

lecting, hiring, mentoring, supporting, evaluating, and rewarding teachers and principals;

''(5) redesigning and strengthening professional licensure systems for educators;

''(6) developing and implementing professional development opportunities for teachers, principals, and other educators based on State content and student performance standards;

''(7) developing performance-based assessment systems for full teacher licensure;

''(8) establishing, expanding, or improving rigorous alternative routes to State certification or licensure;

''(9) developing or strengthening assessments to test the content knowledge and teaching skills of new teachers;

''(10) creating a statewide network to provide potential teachers with access to information on job openings and required qualifications, and with access to on-line applications;

''(11) supporting the work of a broad-based Statewide panel that promotes comprehensive education reform; and

"(12) meeting the requirements of part B of title XI of this Act, except for the development of policies on school discipline.

"SUBGRANTS TO PARTNERSHIPS OF INSTITUTIONS OF HIGHER EDUCATION AND LOCAL EDUCATIONAL AGENCIES

"SEC. 2127. (a) ADMINISTRATION.—From the funds made available to it under section 2125(b) for any fiscal year, the State agency for higher education may use not more than three and one-third percent for its expenses in administering this subpart, including conducting evaluations against such indicators of program performance as the Secretary may identify under section 2136.

"(b) SUBGRANTS TO PARTNERSHIPS.—(1) The State agency for higher education shall use the remainder of those funds, in cooperation with the State educational agency, to make subgrants to, or enter into contracts or cooperative agreements with, institutions of higher education or nonprofit organizations of demonstrated effectiveness in providing professional development in the core academic subjects.

"(2) Each subgrant under this section shall be—

"(A) of sufficient size and duration to carry out the purpose of this subpart effectively;

"(B) awarded, using a peer-review process, on a competitive basis; and

"(C) for a period of three years, which the State agency for higher education shall extend for an additional two years if it determines that substantial progress is being made toward meeting the specific goals set out in the written agreements required by subsection (c) and against such indicators of program performance as the Secretary may identify under section 2136.

"(3) In making subgrants, the State agency for higher education shall give a priority to projects that focus on induction programs for new teachers.

"(4) In making subgrants, the State agency for higher education shall consider—

"(A) the need for the proposed professional development activities in the local educational agency or agencies with which the institution or organization has an agreement under subsection (c), as demonstrated by measurable indicators, such as those described in section 2128(c) and those identified by the Secretary under section 2136;

"(B) the quality of the proposed program and its likelihood of success in improving classroom instruction and student academic achievement; and

"(C) such other criteria as it finds appropriate.

"(c) LOCAL EDUCATIONAL AGENCIES AS REQUIRED PARTNERS.—(1) No institution of higher education or nonprofit organization may receive a subgrant under this section unless it enters into a written agreement with at least one local educational agency to provide professional development for elementary and secondary school teachers in the schools of that agency in the core academic subjects.

"(2) Each such agreement shall identify specific goals for how the professional development that the subgrantee provides will enhance the ability of those teachers to prepare all students to achieve to challenging State and local content and student performance standards.

"(d) COORDINATION.—Any professional development activities carried out under this section shall be coordinated with activities carried out under title II of the Higher Education Act of 1965, if the local educational agency or institution of higher education is participating in programs funded under that title.

"(e) JOINT EFFORTS WITHIN INSTITUTIONS OF HIGHER EDUCATION.—Each activity assisted under this section shall involve the joint effort of the institution of higher education's school or department of education and the school or departments in the specific disciplines in which the professional development will be provided.

"(f) USES OF FUNDS.—A recipient of funds under this section shall use those funds for—

"(1) professional development in the core academic subjects, aligned with State or local content standards, for teams of teachers from a school or local educational agency and, where appropriate, administrators and teaching assistants on a career track;

"(2) research-based programs to assist new teachers during their first three years in the classroom, which may include—

"(A) mentoring and coaching by trained mentor teachers that lasts at least two years;

"(B) team teaching with experienced teachers;

"(C) time for observation of, and consultation with, experienced teachers;

"(D) assignment of fewer course preparations; and

"(E) provision of additional time for preparation; and

"(3) providing technical assistance to school and agency staff for planning, implementing, and evaluating professional development.

"(g) ANNUAL REPORTS.—(1) Beginning with fiscal year 2002, each subgrantee under this section shall submit an annual report to the State agency for higher education, by a date set by that agency, on its progress against such indicators of program performance as the Secretary may identify under section 2136.

"(2) Each such report shall—

"(A) include a copy of each written agreement required by subsection (c); and

"(B) describe how the subgrantee and the local educational agency have collaborated to achieve the specific goals set out in the agreement, and the results of that collaboration.

"(3) The State agency for higher education shall provide the State educational agency with a copy of each subgrantee's annual report.

"COMPETITIVE LOCAL AWARDS

"SEC. 2128. (a) IN GENERAL.—Each State educational agency shall use the funds described in section 2125(c)(2) for competitive grants to local educational agencies that are primarily focused on those agencies with the greatest need for activities related to the development and effective implementation of curricula aligned with State content and student performance standards and for professional development activities that are aligned with those standards.

"(b) SELECTION PROCESS.—(1) The State educational agency shall award subgrants under this section through a peer-review process that includes reviewers who are knowledgeable in the academic content areas.

"(2) The State educational agency shall—

"(A) provide local educational agencies and the general public with a list of the selection criteria that the State educational agency will use in making subgrants; and

"(B) at the completion of the awards process, make public a complete list of applicants and of the applicants that received awards.

"(c) DEMONSTRATION OF NEED.—The State educational agency shall identify the applicants with the greatest need for services based on objective data supplied by the applicant, such as—

"(1) the number or percentage of children who fail to meet State performance standards on assessments used for part A of title I;

"(2) the number or percentage of schools identified for school improvement under section 1116(c);

"(3) the number or percentage of teachers employed who have not received full State certification or licensure;

"(4) the number or percentage of secondary-school teachers whose primary teaching assignment is in a core academic subject for which the teacher does not have an academic major or minor in the subject area or a related field;

"(5) the number or percentage of students living in poverty;

"(6) the number or percentage of students who have limited English proficiency; and

"(7) the applicant's fiscal capacity to fund programs described in this section without Federal assistance.

"(d) SELECTION OF SUBGRANTEES.—The State educational agency shall make awards to applicants based on—

"(1) the quality of the applicant's proposal and the likelihood of its success in improving classroom instruction and student academic achievement; and

"(2) the demonstrated need of the applicant under subsection (c).

"(e) OPPORTUNITY TO COMPETE.—(1) To ensure that local educational agencies that have the greatest need are provided a reasonable opportunity to compete for an award, State educational agencies shall adopt at least one

of, or a strategy similar to at least one of, the following strategies:

"(A) Holding more than one competition for funds from a fiscal year and, before each subsequent competition, providing technical assistance in developing a high-quality application to districts it identifies as having the greatest need that were unsuccessful in the initial grant competition.

"(B) Holding a competition restricted to local educational agencies that it has identified as having the greatest need for services.

"(C) Requiring recipients seeking a renewal of their awards to form a partnership with an applicant that failed to receive an award.

"(D) Providing a competitive priority to those districts it has identified as having the greatest need for services.

"(2) At a minimum, a State educational agency shall, after the completion of an award cycle and before the start of the next cycle, provide any applicant local educational agency that met its criteria for greatest need for services, but that did not receive a subgrant, with technical assistance in developing a high-quality application for future competitions.

"(f) SCOPE OF PROJECTS.—The State educational agency shall approve only applications for projects that are of sufficient size, scope, and quality to achieve the purpose of this part.

"(g) DURATION OF SUBGRANTS.—Each subgrant under this section shall be for a period of three years, which the State educational agency shall extend for an additional two years if it determines that the local educational agency is making substantial progress toward meeting the specific goals in its plan described in section 2129(c)(1) and against such indicators of program performance as the Secretary may identify under section 2136.

"LOCAL APPLICATIONS

"SEC. 2129. (a) APPLICATION REQUIRED.—A local educational agency that wishes to receive a subgrant under this subpart shall submit an application to the State educational agency containing such information as the State educational agency may reasonably require.

"(b) PLAN.—(1) Each such application shall include a district-wide plan for raising student achievement against State standards through each of the following strategies:

"(A) Supporting the alignment of curricula, assessments, and professional development with challenging State and local content standards.

"(B) Providing professional development in core academic content areas.

"(C) Carrying out activities to assist new teachers during their first three years in the classroom.

"(D) Ensuring that teachers employed by the local educational agency are proficient in teaching skills and in the content knowledge needed to effectively teach the content called for by State standards.

"(2) Each plan under paragraph (1) shall be data-driven and based on results of assessments of student performance that the local educational agency is using under title I.

"(c) ADDITIONAL CONTENTS.—Each such application shall also—

"(1) identify specific, measurable goals for achieving the purpose described in section 2112 that, at a minimum, reflect the performance indicators identified by the Secretary under section 2136;

"(2) describe how the local educational agency will address the needs of high-poverty, low-performing schools within its jurisdiction;

"(3) describe how the local educational agency will address the needs of teachers of students with

limited English proficiency and other students with special needs;

"(4) include an assurance that the local educational agency will collect data that measure progress toward the indicators of program performance identified by the Secretary under section 2136;

"(5) describe how the local educational agency will coordinate funds under this subpart with the professional development activities funded through other State and Federal programs;

"(6) describe how the local educational agency will use funds described in section 2125(c)(1) to help implement the plan described in subsection (b); and

"(7) if applying for a competitive subgrant under section 2128, describe how it will use the additional funds under that section to support implementation of that plan.

"(d) APPROVAL.—Notwithstanding section 2125(c)(1)—

"(1) a State educational agency shall approve a local educational agency's application under this section only if it determines that it holds reasonable promise of achieving the purpose described in section 2112; and

"(2) shall continue to provide funds to a local educational agency under section 2125(c)(1) after its third year of participation only if it determines that the local educational agency has made substantial progress toward meeting the specific goals in its plan described in section 2129(c)(1) and against such indicators of program performance as the Secretary may identify under section 2136.

"(e) DURATION.—(1) An application approved under this section shall remain in effect for the duration of a local educational agency's participation in the program under this subpart.

"(2) A local educational agency shall annually review its plan, revise it as necessary, and submit any such revisions to the State educational agency for its approval.

"USES OF FUNDS

"SEC. 2130. A local educational agency that receives funds under this subpart shall use those funds for activities to raise student achievement against challenging State standards, in accordance with its plan described in section 2129(b), which may include—

"(1) professional development in the core academic subjects that provides educators with content and pedagogical skills to prepare all students to achieve to challenging State and local content and student performance standards;

"(2) school-based collaborative efforts among teachers to improve instruction in core academic subject areas, including programs that facilitate teacher observation and analyses of fellow teachers' classroom practice to improve instruction;

"(3) sustained collaboration that takes place over the course of at least one school year among teachers and outside experts to improve instruction in core academic subject areas;

"(4) teacher participation in working groups, task forces, or committees charged with adapting and implementing high standards for all students, including district-wide and school-based teams of teachers charged with aligning curricula and lesson plans with State content and student performance standards and assessments;

"(5) programs to assist new teachers during their first three years in the classroom, such as—

"(A) mentoring and coaching by trained mentor teachers that lasts for at least two school years;

"(B) team teaching with experienced teachers;

"(C) time for observation of, and consultation with, experienced teachers;

"(D) assignment of fewer course preparations; and

"(E) provision of additional time for course preparation;

"(6) programs to implement peer-review processes for teachers and principals;

"(7) collaborative professional development experiences for veteran teachers based on the standards in the core academic subjects of the National Board for Professional Teaching Standards;

"(8) the participation of teams of teachers in summer institutes and summer immersion activities that are focused on preparing teachers to bring all students to high standards in one or more of the core academic subjects;

"(9) the establishment and maintenance of local professional networks that provide a forum for interaction among teachers and that allow for the exchange of information on advances in content and pedagogy;

"(10) the development of incentives to encourage teachers employed by the agency, and other qualified individuals, to obtain proficiency in content knowledge in a core academic subject area identified

by the agency as having a shortage of qualified teachers;

"(11) the development and acquisition of curricular materials and other instructional aids, if they are not normally provided by the local educational agency or the State as part of the regular instructional program, that will advance local reform efforts to raise student achievement against State and local content and student performance standards; and

"(12) the development and distribution of school and agency report cards on the status of education and educational progress, as required by section 11206.

"LOCAL ACCOUNTABILITY

"SEC. 2131. (a) ANNUAL REPORTS.—Each local educational agency that receives funds under this subpart shall make publicly available and submit to the State educational agency every year, beginning in fiscal year 2002, a report on its activities under this subpart, in such form and containing such information as the State educational agency may reasonably require.

"(b) CONTENTS.—The report shall contain, at a minimum—

"(1) information on progress across the local educational agency against such indicators of pro-

gram performance as the Secretary may identify under section 2136;

"(2) information on progress across the local educational agency toward achieving the specific goals described in section 2129(c)(1);

"(3) data disaggregated by school-poverty level as defined by the Secretary; and

"(4) a description of the methodology used to gather the data.

"LOCAL COST-SHARING REQUIREMENT

"SEC. 2132. (a) FUNDS AWARDED BY FORMULA.—The Federal share of activities carried out under this subpart with funds awarded by formula under section 2125(c)(1) shall not exceed 67 percent for any fiscal year.

"(b) OTHER FUNDS.—The Federal share of activities carried out under this subpart with funds awarded under section 2125(c)(2) shall not exceed—

"(1) 85 percent during the first year of the subgrant;

"(2) 75 percent during the second year;

"(3) 65 percent during the third year;

"(4) 55 percent during the fourth year; and

"(5) 50 percent during the fifth year.

"(c) SERVICES TO PRIVATE SCHOOL STUDENTS AND TEACHERS.—Notwithstanding subsections (a) and (b), the Federal share of the cost of providing services to stu-

dents and teachers in private schools, in accordance with section 11803 through 11806, may be up to 100 percent.

"(d) AVAILABLE RESOURCES FOR COST-SHARING.—A local educational agency may meet its obligations under subsections (a) or (b) through one or more of the following:

"(1) Cash expenditures from non-Federal sources, including private contributions.

"(2) Services provided in kind, fairly evaluated.

"(3) Release time for participating teachers.

"(4) Funds received under other Federal statutes and programs, if used in a manner consistent with those statutes and programs and for the benefit of students and teachers that would otherwise have been served with those funds.

"MAINTENANCE OF EFFORT

"SEC. 2133. No funds may be provided to a local educational agency under this subpart unless the State educational agency is satisfied that the local educational agency will spend, from other sources, at least as much for professional development activities described in this subpart as the average amount it spent from other sources for those activities over the previous three years.

"EQUIPMENT AND TEXTBOOKS

"SEC. 2134. A local educational agency may not use subgrant funds under this subpart for equipment, com-

puter hardware, textbooks, telecommunications fees, or other items, that would otherwise be provided by the local educational agency, the State, or a private school whose students receive services under this part.

"SUPPLEMENT, NOT SUPPLANT

"SEC. 2135. A local educational agency that receives funds under this subpart shall use those funds only to supplement the amount of funds or resources that would, in the absence of those Federal funds, be made available from non-Federal sources for the purposes of the program authorized under this subpart, and not to supplant those non-Federal funds or resources.

"PROGRAM PERFORMANCE INDICATORS

"SEC. 2136. Not later than three months after the effective date of the amendments to this title made by the Educational Excellence for All Children Act of 1999, the Secretary shall, in collaboration with States, local educational agencies, and institutions of higher education, identify indicators of program performance under this subpart, against which recipients of funds under this subpart shall report their progress, in such manner as the Secretary may determine.

"DEFINITIONS

"SEC. 2137. As used in this subpart, the following terms have the following meanings:

"(1) CORE ACADEMIC SUBJECTS.—The term 'core academic subjects' means—

"(A) mathematics;

"(B) science;

"(C) reading (or language arts) and English;

"(D) social studies (history, civics/government, geography, and economics);

"(E) foreign languages; and

"(F) fine arts (music, dance, drama, and the visual arts).

"(2) HIGH-POVERTY LOCAL EDUCATIONAL AGENCY.—The term 'high-poverty local educational agency' has the meaning given that term in section 2217(1).

"(3) LOW-PERFORMING SCHOOL.—The term 'low-performing school' means—

"(A) a school identified by a local educational agency for school improvement under section 1116(c); or

"(B) a school in which the great majority of students fail to meet State student performance standards based on assessments the local educational agency is using under part A of title I.

"(4) PROFESSIONAL DEVELOPMENT.—The term 'professional development' means sustained and intensive activities that improve teachers' content knowledge and teaching skills and that—

"(A) enhance the ability of teachers to help all students, including children with disabilities, children with limited English proficiency and economically disadvantaged children, reach high State and local content and student performance standards;

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

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

"(D) are an integral part of broader school and district-wide plans for raising student achievement to State and local standards;

"(E) are based on the best available research on teaching and learning;

"(F) include professional development activities that involve collaborative groups of teachers and administrators from the same

school or district and, to the greatest extent possible, include follow-up and school-based support such as coaching or study groups; and

"(G) as a whole, are regularly evaluated for their impact on increased teacher effectiveness and improved student achievement, with the findings of such evaluations used to improve the quality of professional development.

"Subpart 3—National Activities for the Improvement of Teaching and School Leadership

"PROGRAM AUTHORIZED

"SEC. 2141. (a) IN GENERAL.—The Secretary is authorized to make grants to, and to enter into contracts and cooperative agreements with, local educational agencies, educational service agencies, State educational agencies, State agencies for higher education, institutions of higher education, and other public and private nonprofit agencies, organizations, and institutions to carry out subsection (b).

"(b) ACTIVITIES.—The Secretary—

"(1) may support activities of national significance that are not supported through other sources and that the Secretary determines will contribute to the improvement of teaching and school leadership in the Nation's schools, such as—

"(A) supporting collaborative efforts by States, or consortia of States, to review and benchmark the quality, rigor and alignment of State standards and assessments;

"(B) supporting the development of models, at the State and local levels, of innovative compensation systems that—

"(i) provide incentives for talented individuals who have a strong knowledge of academic content to enter teaching; and

"(ii) reward experienced teachers who acquire new knowledge and skills that are needed in the schools and districts in which they teach; and

"(C) supporting collaborative efforts by States, or consortia of States, to develop performance-based systems for assessing content knowledge and teaching skills prior to full teacher licensure;

"(2) may support activities of national significance that the Secretary determines will contribute to the recruitment and retention of highly qualified teachers and principals in high-poverty local educational agencies, such as—

"(A) the development and implementation of a national teacher recruitment clearinghouse and job bank, which shall be coordinated and, to the extent feasible, integrated with the America's Job Bank administered by the Secretary of Labor, to—

"(i) disseminate information and resources nationwide on entering the teaching profession to persons interested in becoming teachers;

"(ii) serve as a national resource center for effective practices in teacher recruitment and retention;

"(iii) link prospective teachers to local educational agencies and training resources; and

"(iv) provide information and technical assistance to prospective teachers about certification and other State and local requirements related to teaching;

"(B) the development and implementation, or expansion, of programs that recruit talented individuals to become principals, including such programs that employ alternative routes to State certification, and that prepare both new

and experienced principals to serve as instructional leaders, which may include the creation and operation of a national center for the preparation and support of principals as leaders of school reform;

"(C) efforts to increase the portability of teacher pensions and reciprocity of teaching credentials across State lines;

"(D) research, evaluation, and dissemination activities related to effective strategies for increasing the portability of teachers' credited years of experience across State and school district lines; and

"(E) the development and implementation of national or regional programs to—

"(i) recruit highly talented individuals to become teachers, through alternative certification routes, in high-poverty local educational agencies; and

"(ii) help retain those individuals as classroom teachers in those local educational agencies for more than three years;

"(3) shall carry out a national evaluation of the effect of activities under this part, including changes

in instructional practice and objective measures of student achievement;

"(4) may support the National Board for Professional Teaching Standards; and

"(5) shall support the Eisenhower National Clearinghouse for Mathematics and Science Education under section 2142.

"EISENHOWER NATIONAL CLEARINGHOUSE FOR MATHEMATICS AND SCIENCE EDUCATION

"SEC. 2142. (a) ESTABLISHMENT OF CLEARINGHOUSE. The Secretary shall award a competitive grant or contract to establish the Eisenhower National Clearinghouse for Mathematics and Science Education (hereafter in this section referred to as 'the Clearinghouse').

"(b) AUTHORIZED ACTIVITIES.—

(1) APPLICATION AND AWARD BASIS.—(A) Each entity desiring to establish and operate the Clearinghouse shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

"(B) The Secretary shall establish a peer-review process to make recommendations on the recipient of the award for the Clearinghouse.

"(C) The Secretary shall make the award for the Clearinghouse on the basis of merit.

"(2) DURATION.—The Secretary shall award the grant or contract for the Clearinghouse for a period of five years.

"(3) ACTIVITIES.—The award recipient shall use the award funds to—

"(A) maintain a permanent collection of such mathematics and science education instructional materials and programs for elementary and secondary schools as the Secretary finds appropriate, with a priority for such materials and programs that have been identified as promising or exemplary, through a systematic approach such as the use of expert panels required under the Educational Research, Development, Dissemination, and Improvement Act of 1994;

"(B) disseminate the materials and programs described in paragraph (1) to the public, State educational agencies, local educational agencies, and schools (particularly high-poverty, low-performing schools), including through the maintenance of an interactive national electronic information management and retrieval system accessible through the Worldwide Web

and other advanced communications technologies;

"(C) coordinate with other databases containing mathematics and science curriculum and instructional materials, including Federal, non-Federal, and, where feasible, international databases;

"(D) using not more than ten percent of the amount awarded under this section for any fiscal year, participate in collaborative meetings of representatives of the Clearinghouse and the regional consortia established under section 2424 of this title to—

"(i) discuss issues of common interest and concern;

"(ii) foster effective collaboration and cooperation in acquiring and distributing curriculum materials and programs; and

"(iii) coordinate and enhance computer network access to the Clearinghouse and the resources of the regional consortia;

"(E) support the development and dissemination of model professional development materials in mathematics and science education;

"(F) contribute materials or information, as appropriate, to other national repositories or networks; and

"(G) gather qualitative and evaluative data on submissions to the Clearinghouse, and disseminate that data widely, including through the use of electronic dissemination networks.

"(4) SUBMISSION TO CLEARINGHOUSE.—Each Federal agency or department that develops mathematics or science education instructional materials or programs, including the National Science Foundation and the Department, shall submit copies of that material and those programs to the Clearinghouse.

"(5) STEERING COMMITTEE.—The Secretary may appoint a steering committee to recommend policies and activities for the Clearinghouse.

"(6) APPLICATION OF COPYRIGHT LAWS.—(A) Nothing in this section shall be construed to allow the use or copying, in any medium, of any material collected by the Clearinghouse that is protected under the copyright laws of the United States unless the permission of the owner of the copyright is obtained.

"(B) In carrying out this section, the Clearinghouse shall ensure compliance with title 17 of the United States Code.

"PART B—TRANSITION TO TEACHING; TROOPS TO TEACHERS

"FINDINGS

"SEC. 2211. The Congress finds as follows:

"(1) School districts will need to hire more than 2 million teachers in the next decade. The need for teachers in the areas of math, science, foreign languages, special education, and bilingual education, and for those able to teach in high-poverty school districts will be particularly high. To meet this need, talented Americans of all ages should be recruited to become successful, qualified teachers.

"(2) Nearly 13 percent of teachers of academic subjects have neither an undergraduate major nor minor in their main assignment fields. This problem is more acute in high-poverty schools, where the out-of-field percentage is 22 percent.

"(3) The Third International Math and Science Study (TIMSS) ranked U.S. high school seniors last among 16 countries in physics and next to last in math. It is also evident, mainly from the TIMSS data, that based on academic scores, a stronger em-

phasis needs to be placed on the academic preparation of our children in math and science.

"(4) One-fourth of high-poverty schools find it very difficult to fill bilingual teaching positions, and nearly half of public school teachers have students in their classrooms for whom English is a second language.

"(5) Many career-changing professionals with strong content-area skills are interested in a teaching career, but need assistance in getting the appropriate pedagogical training and classroom experience.

"(6) The Troops to Teachers model has been highly successful in linking high-quality teachers to teach in high-poverty school districts.

"PURPOSE

"SEC. 2212. The purpose of this part is to address the need of high-poverty school districts for highly qualified teachers in particular subject areas, such as mathematics, science, foreign languages, bilingual education, and special education needed by those school districts, by—

"(1) continuing and enhancing the Troops to Teachers model for recruiting and supporting the placement of such teachers; and

"(2) recruiting, preparing, placing, and supporting career-changing professionals who have knowledge and experience that will help them become such teachers.

"PROGRAM AUTHORIZED

"SEC. 2213. (a) AUTHORITY.—Subject to subsection (b), the Secretary is authorized to use funds appropriated under subsection (c) for each fiscal year to award grants, contracts, or cooperative agreements to institutions of higher education and public and private nonprofit agencies or organizations to carry out programs authorized by this part.

"(b) TROOPS TO TEACHERS.—(1) Before making awards under subsection (a) for any fiscal year, the Secretary shall first—

"(A) consult with the Secretary of Defense and the Secretary of Transportation regarding the appropriate amount of funding needed to continue and enhance the Troops to Teachers program; and

"(B) upon agreement, transfer that amount to the Department of Defense to carry out the Troops to Teachers program.

"(2) The Secretary may enter into a written agreement with the Departments of Defense and Transportation, or take such other steps as the Secretary deter-

mines are appropriate to ensure effective continuation of the Troops to Teachers program.

"(c) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.

"APPLICATION

"SEC. 2214. Each applicant that desires an award under section 2213(a) shall submit an application to the Secretary containing such information as the Secretary may require, including—

"(1) a description of the target group of career-changing professionals upon which the applicant will focus in carrying out its program under this part, including a description of the characteristics of that target group that shows how the knowledge and experience of its members are relevant to meeting the purpose of this part;

"(2) a description of how the applicant will identify and recruit program participants;

"(3) a description of the training that program participants will receive and how that training will relate to their certification as teachers;

"(4) a description of how the applicant will ensure that program participants are placed and teach in high-poverty local educational agencies;

"(5) a description of the teacher induction services (which may be provided through existing induction programs) the program participants will receive throughout at least their first year of teaching;

"(6) a description of how the applicant will collaborate, as needed, with other institutions, agencies, or organizations to recruit, train, place, and support program participants under this part, including evidence of the commitment of those institutions, agencies, or organizations to the applicant's program;

"(7) a description of how the applicant will evaluate the progress and effectiveness of its program, including—

"(A) the program's goals and objectives;

"(B) the performance indicators the applicant will use to measure the program's progress; and

"(C) the outcome measures that will be used to determine the program's effectiveness; and

"(8) an assurance that the applicant will provide to the Secretary such information as the Secretary determines necessary to determine the overall effectiveness of programs under this part.

"USES OF FUNDS AND PERIOD OF SERVICE

"SEC. 2215. (a) AUTHORIZED ACTIVITIES.—Funds under this part may be used for—

"(1) recruiting program participants, including informing them of opportunities under the program and putting them in contact with other institutions, agencies, or organizations that would train, place, and support them;

"(2) training stipends and other financial incentives for program participants, such as moving expenses, not to exceed $5,000, in the aggregate, per participant;

"(3) assisting institutions of higher education or other providers of teacher training to tailor their training to meet the particular needs of professionals who are changing their careers to teaching;

"(4) placement activities, including identifying high-poverty local educational agencies with needs for the particular skills and characteristics of the newly trained program participants and assisting those participants to obtain employment in those local educational agencies; and

"(5) post-placement induction or support activities for program participants.

"(b) PERIOD OF SERVICE.—A program participant in a program under this subpart who completes his or her training shall serve in a high-poverty local educational agency for at least three years.

"(c) REPAYMENT.—The Secretary shall establish such requirements as the Secretary determines appropriate to ensure that program participants who receive a training stipend or other financial incentive under subsection (a)(2), but fail to complete their service obligation under subsection (b), repay all or a portion of such stipend or other incentive.

"EQUITABLE DISTRIBUTION

"SEC. 2216. To the extent practicable, the Secretary shall make awards under this part that support programs in different geographic regions of the Nation.

"DEFINITIONS

"SEC. 2217. As used in this part—

"(1) the term 'high-poverty local educational agency' means a local educational agency in which the percentage of children, ages 5 through 17, from families below the poverty level is 20 percent or greater, or the number of such children exceeds 10,000; and

"(2) the term 'program participants' means career-changing professionals who—

"(A) hold at least a baccalaureate degree;

"(B) demonstrate interest in, and commitment to, becoming a teacher; and

"(C) have knowledge and experience that is relevant to teaching a high-need subject area in a high-poverty local educational agency.

"PART C—EARLY CHILDHOOD EDUCATOR PROFESSIONAL DEVELOPMENT

"PURPOSE

"SEC. 2301. In support of the national effort to attain the first of America's Education Goals, as set out in section 2(c)(1) of this Act, the purpose of this part is to enhance the school readiness of young children, particularly disadvantaged young children, and to prevent them from encountering reading difficulties once they enter school, by improving the knowledge and skills of early childhood educators who work in communities that have high concentrations of children living in poverty.

"PROGRAM AUTHORIZED

"SEC. 2302. (a) ELIGIBLE PARTNERSHIPS.—The Secretary shall carry out the purpose of this part through competitive grants to partnerships consisting of—

"(1) either—

"(A) one or more institutions of higher education that provide professional development for early childhood educators who work with

children from low-income families in high-need communities; or

"(B) another public or private, nonprofit entity that provides such professional development; and

"(2) one or more public agencies (including local educational agencies, State educational agencies, State human services agencies, and State and local agencies administering programs under the Child Care and Development Block Grant Act of 1990); Head Start agencies; or private, nonprofit organizations.

"(b) PRIORITY.—In selecting grantees under this part, the Secretary shall give priority to applications from partnerships that include one or more local educational agencies that operate early childhood education programs for children from low-income families in high-need communities.

"(c) DURATION OF GRANTS.—(1) Each grant under this part shall be for up to four years.

"(2) No grantee may receive more than one grant under this part.

"APPLICATIONS

"SEC. 2303. (a) APPLICATIONS REQUIRED.—Any eligible applicant that desires to receive a grant under this part shall submit an application at such time, in such

manner, and containing such information as the Secretary may require.

"(b) CONTENTS.—Each such application shall include—

"(1) a description of the high-need community to be served by the project, including such demographic and socioeconomic information as the Secretary may request;

"(2) information on the quality of the early childhood educator professional development program currently conducted by the institution of higher education or other provider in the partnership;

"(3) the results of the assessment that the entities in the partnership have undertaken to determine the most critical professional development needs of the early childhood educators to be served by the partnership and in the broader community, and a description of how the proposed project will address those needs;

"(4) a description of how the proposed project will be carried out, including—

"(A) how individuals will be selected to participate;

"(B) the types of research-based professional development activities that will be carried out;

"(C) how research on effective professional development and on adult learning will be used to design and deliver project activities;

"(D) how the project will coordinate with and build on, and will not supplant or duplicate, early childhood education professional development activities that exist in the community;

"(E) how the project will train early childhood educators to provide services that are based on the best available research on child, language, and literacy development and on early childhood pedagogy; and

"(F) how the program will train early childhood educators to meet the diverse educational needs of children in the community, including children who have limited English proficiency, disabilities, or other special needs;

"(5) a description of—

"(A) the specific objectives that the applicant will seek to attain through the project, and

how the applicant will measure progress toward attainment of those objectives; and

"(B) how the objectives and the measurement activities align with the performance indicators established by the Secretary under section 2306(a);

"(6) a description of the applicant's plan for institutionalizing the activities carried out under the project, so that they continue once Federal funding ceases;

"(7) an assurance that, where applicable, the project will provide appropriate professional development to volunteer staff, as well as to paid staff; and

"(8) an assurance that, in developing its application and in carrying out its project, it has consulted with, and will consult with, relevant agencies and organizations described in section 2302(a)(2) that are not members of the partnership.

"SELECTION OF GRANTEES

"SEC. 2304. (a) CRITERIA.—The Secretary shall select applicants to receive funding on the basis of the community's need for assistance and the quality of the applications.

"(b) GEOGRAPHIC DISTRIBUTION.—In selecting grantees, the Secretary shall seek to ensure that commu-

nities in different regions of the Nation, as well as both urban and rural communities, are served.

"USES OF FUNDS

"SEC. 2305. (a) IN GENERAL.—Each recipient of a grant under this part shall use the grant funds to carry out activities that will improve the knowledge and skills of early childhood educators who are working in early childhood programs that are located in high-need communities and serve concentrations of children from low-income families.

"(b) ALLOWABLE ACTIVITIES.—Allowable activities include, but are not limited to—

"(1) professional development for individuals working as early childhood educators, particularly to familiarize those individuals with recent research on child, language, and literacy development and on early childhood pedagogy;

"(2) professional development for early childhood educators in working with parents, based on the best current research on child, language, and literacy development and parent involvement, so that they can prepare their children to succeed in school;

"(3) professional development for early childhood educators to work with children who have limited English proficiency, disabilities, and other special needs;

"(4) activities that assist and support early childhood educators during their first three years in the field;

"(5) development and implementation of early childhood educator professional development programs that make use of distance learning and other technologies; and

"(6) data collection, evaluation, and reporting needed to meet the requirements of this part relating to accountability.

"ACCOUNTABILITY

"SEC. 2306. (a) PERFORMANCE INDICATORS.—Simultaneously with the publication of any application notice for grants under this part, the Secretary shall announce performance indicators for this part, which shall be designed to measure—

"(1) the quality of the professional development provided;

"(2) the impact of that professional development on the early childhood education provided by the individuals who are trained; and

"(3) such other measures of program impact as the Secretary determines appropriate.

"(b) ANNUAL REPORTS.—(1) Grantees shall report annually to the Secretary on their progress against the performance indicators.

"(2) The Secretary may terminate a grant at any time if he determines that the grantee is not making satisfactory progress against those indicators.

"COST-SHARING

"SEC. 2307. (a) IN GENERAL.—Each grantee shall provide, from other sources, which may include other Federal sources—

"(1) at least 50 percent of the total cost of its project for the grant period; and

"(2) at least 20 percent of the project cost in each year.

"(b) ACCEPTABLE CONTRIBUTIONS.—A grantee may meet the requirement of subsection (a) through cash or in-kind contributions, fairly valued.

"(c) WAIVERS.—The Secretary may waive or modify the requirements of subsection (a) in cases of demonstrated financial hardship.

"DEFINITIONS

"SEC. 2308. As used in this part, the following terms have the following meanings:

"(1)(A) The term 'high-need community' means—

"(i) a municipality, or portion of a municipality, in which at least 50 percent of children are from low-income families; or

"(ii) a municipality that is one of the 10 percent of municipalities within its State having the greatest numbers of those children.

"(B) In determining which communities are described in subparagraph (A), the Secretary shall use such data as he determines are most accurate and appropriate.

"(2) The term 'low-income family' means a family with an income below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved for the most recent fiscal year for which satisfactory data are available.

"(3) The term 'early childhood educator' means a person who provides care and education to children at any age from birth through kindergarten.

"FEDERAL COORDINATION

"SEC. 2309. The Secretary and the Secretary of Health and Human Services shall coordinate activities under this part and other early childhood programs administered by the two Secretaries.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 2310. For the purpose of carrying out this part, there are authorized to be appropriated such sums

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

"PART D—TECHNICAL ASSISTANCE PROGRAMS

"FINDINGS

"SEC. 2401. The Congress finds that—

"(1) sustained, high-quality technical assistance that responds to State and local demand, supported by widely disseminated, research-based information on what constitutes high-quality technical assistance and how to identify high-quality technical assistance providers, can enhance the opportunity for all children to achieve to challenging State academic content and student performance standards;

"(2) an integrated system for acquiring, using, and supplying technical assistance is essential to improving programs and affording all children this opportunity;

"(3) States, local educational agencies, tribes, and schools serving students with special needs, such as educationally disadvantaged students and students with limited English proficiency, have clear needs for technical assistance in order to use funds under this Act to provide those students with opportunities to achieve to challenging State academic

content standards and student performance standards;

"(4) current technical assistance and dissemination efforts are insufficiently responsive to the needs of States, local educational agencies, schools, and tribes for help in identifying their particular needs for technical assistance and developing and implementing their own integrated systems for using the various sources of funding for technical assistance activities under this Act (as well as other Federal, State, and local resources) to improve teaching and learning and to implement more effectively the programs authorized by this Act; and

"(5) the Internet and other forms of advanced telecommunications technology are an important means of providing information and assistance in a cost-effective way.

"PURPOSE

"SEC. 2402. The purpose of this part is to create a comprehensive and cohesive, national system of technical assistance and dissemination that is based on market principles in responding to the demand for, and expanding the supply of, high-quality technical assistance. Such a system shall support States, local educational agencies, tribes, schools, and other recipients of funds under this Act in

implementing standards-based reform and improving student performance through—

"(1) the provision of financial support and impartial, research-based information designed to assist States and high-need local educational agencies to develop and implement their own integrated systems of technical assistance and select high-quality technical assistance activities and providers for use in those systems;

"(2) the establishment of technical assistance centers in areas that reflect identified national needs in order to ensure the availability of strong technical assistance in those areas;

"(3) the integration of all technical assistance and information dissemination activities carried out or supported by the Department of Education in order to ensure comprehensive support for school improvement;

"(4) the creation of a technology-based system, for disseminating information about ways to improve educational practices throughout the Nation, that reflects input from students, teachers, administrators, and other individuals who participate in, or may be affected by, the Nation's educational system; and

"(5) national evaluations of effective technical assistance.

"Subpart 1—Strengthening the Capacity of State and Local Educational Agencies To Become Effective, Informed Consumers of Technical Assistance

"PURPOSE

"SEC. 2411. It is the purpose of this subpart to—

"(1) provide grants to State and local educational agencies in order to—

"(A) respond to the growing demand for increased local decisionmaking in determining technical assistance needs and appropriate technical assistance services;

"(B) encourage States and local educational agencies to assess their technical assistance needs, and how their various sources of funding for technical assistance under this Act and from other sources can best be coordinated to meet those needs (including their needs to collect and analyze data);

"(C) build the capacity of State and local educational agencies to use technical assistance effectively and thereby improve their ability to provide the opportunity for all children to achieve to challenging State academic content

standards and student performance standards; and

"(D) assist State and local educational agencies in acquiring high-quality technical assistance; and

"(2) establish an independent source of consumer information regarding the quality of technical assistance activities and providers, in order to assist State and local educational agencies, and other consumers of technical assistance that receive funds under this Act, in selecting technical assistance activities and providers for their use.

"ALLOCATION OF FUNDS

"SEC. 2412. From the funds appropriated to carry out this subpart for any fiscal year—

"(1) the Secretary shall first allocate one percent of such funds to the Bureau of Indian Affairs and the Outlying Areas, in accordance with their respective needs for such funds (as determined by the Secretary) to carry out activities that meet the purposes of this subpart; and

"(2) from the remainder of such funds, the Secretary shall—

"(A) allocate two-thirds of such remainder to State educational agencies in accordance with the formula described in section 2413; and

"(B) allocate one-third of such remainder to the 100 local educational agencies with the largest number of children counted under section 1124(c), in accordance with the formula described in section 2416.

"FORMULA GRANTS TO STATE EDUCATIONAL AGENCIES

"SEC. 2413. (a) FORMULA.—Subject to subsection (b), the Secretary shall allocate the funds under section 2412(2)(A) among the States in proportion to the relative amounts each State would have received for Basic Grants under subpart 2 of part A of title I of this Act for the most recent fiscal year, if the Secretary had disregarded the allocations under such subpart to local educational agencies that are eligible to receive direct grants under section 2416.

"(b) ADJUSTMENTS TO ALLOCATIONS.—The Secretary shall adjust the allocations under subsection (a), as necessary, to ensure that, of the total amount allocated to States under subsection (a) and to local educational agencies under section 2416, the percentage allocated to a State under this section and to localities in the State under section 2416 is at least the minimum percentage for the State described in section 1124(d) for the previous fiscal year.

"(c) REALLOCATIONS.—If the Secretary determines that any amount of any State's allocation under sub-

section (a) (as adjusted, if necessary, under subsection (b)) will not be required for such fiscal year for carrying out the activities for which such amount has been allocated, the Secretary shall make such amount available for reallocation. Any such reallocation among other States shall occur on such dates as the Secretary shall establish, and shall be made on the basis of criteria established by regulation. Any amount reallocated to a State under this subsection for any fiscal year shall remain available for obligation during the succeeding fiscal year, and shall be deemed to be part of the State's allocation for the year in which the amount is obligated.

"STATE APPLICATION

"SEC. 2414. (a) APPLICATION REQUIREMENTS.—Each State desiring a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. Each such application shall describe—

"(1) the State's need for, and the capacity of the State educational agency to provide, technical assistance in implementing programs under this Act (including assistance on the collection and analysis of data) and in implementing the State plan or policies for comprehensive, standards-based education reform;

"(2) how the State will use the funds provided under this subpart to coordinate all its sources of funds for technical assistance, including all sources of such funds under this Act, into an integrated system of providing technical assistance to local educational agencies, and other local recipients of funds under this Act, within the State and implement that system;

"(3) the State educational agency's plan for using funds from all sources under this Act to build its capacity, through the acquisition of outside technical assistance and other means, to provide technical assistance to local educational agencies and other recipients within the State;

"(4) how, in carrying out technical assistance activities using funds provided from all sources under this Act, the State will—

"(A) assist local educational agencies and schools in providing high-quality education to all children served under this Act to achieve to challenging academic standards;

"(B) give the highest priority to meeting the needs of high-poverty, low-performing local educational agencies (taking into consideration

any assistance that such local educational agencies may be receiving under section 2416); and

"(C) give special consideration to local educational agencies and other recipients of funds under this Act serving rural and isolated areas.

"(b) APPROVAL.—The Secretary shall approve a State's application for funds under this subpart if it meets the requirements of subsection (a) and is of sufficient quality to meet the purposes of this subpart. In determining whether to approve a State's application, the Secretary shall take into consideration the advice of peer reviewers. The Secretary shall not disapprove any application under this section without giving the State notice and opportunity for a hearing.

"STATE USES OF FUNDS

"SEC. 2415. (a) IN GENERAL.—The State educational agency may use funds provided under this subpart to—

"(1) build its capacity (and the capacity of other State agencies that implement programs under this Act) to use technical assistance funds provided under this Act effectively through the acquisition of high-quality technical assistance, and the selection of high-quality technical assistance activities and pro-

viders, that meet the technical assistance needs identified by the State;

"(2) develop, coordinate, and implement an integrated system—

"(A) that provides technical assistance to local educational agencies and other recipients of funds under this Act within the State, directly, through contracts, or through subgrants to local educational agencies, or other recipients of funds under this Act, for activities that meet the purposes of this subpart; and

"(B) that uses all sources of funds provided for technical assistance, including all sources of such funds under this Act; and

"(3) acquire the technical assistance it needs to increase opportunities for all children to achieve to challenging State academic content standards and student performance standards and to implement the State's plan or policies for comprehensive standards-based education reform.

"(b) TYPES OF TECHNICAL ASSISTANCE.—A State's integrated system of providing technical assistance may include assistance on such activities as the following:

"(1) Implementing State standards in the classroom, including aligning instruction, curriculum, as-

sessments, and other aspects of school reform with those standards.

"(2) Collecting, disaggregating, and using data to analyze and improve the implementation, and increase the impact, of educational programs.

"(3) Conducting needs assessments and planning intervention strategies that are aligned with State goals and accountability systems.

"(4) Planning and implementing effective, research-based reform strategies, including schoolwide reforms, and strategies for making schools safe, disciplined, and drug-free.

"(5) Improving the quality of teaching and the ability of teachers to serve students with special needs (including educationally disadvantaged students and students with limited English proficiency).

"(6) Planning and implementing strategies to promote opportunities for all children to achieve to challenging State academic content standards and student performance standards.

"GRANTS TO LARGE LOCAL EDUCATIONAL AGENCIES

"SEC. 2416. (a) FORMULA.—The Secretary shall allocate the funds under section 2412(2)(B) among the local educational agencies described therein in proportion to the relative amounts allocated to each such local educational

agency for Basic Grants under subpart 2 of part A of title I of this Act for the most recent fiscal year.

"(b) REALLOCATIONS.—If the Secretary determines that any amount of any local educational agency's allocation under subsection (a) will not be required for such fiscal year for carrying out the activities for which such amount has been allocated, the Secretary shall make such amount available for reallocation. Any such reallocation among other local educational agencies described in section 2412(2)(B) shall occur on such dates as the Secretary shall establish, and shall be made on the basis of criteria established by regulation. Any amount reallocated to a local educational agency under this subsection for any fiscal year shall remain available for obligation during the succeeding fiscal year, and shall be deemed to be part of the local educational agency's allocation for the year in which the amount is obligated.

"LOCAL APPLICATION

"SEC. 2417. (a) APPLICATION REQUIREMENTS.—Each local educational agency described in section 2412(2)(B) that desires a grant under section 2416 shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. Each such application shall describe—

"(1) the local educational agency's need for technical assistance in implementing programs under

this Act (including assistance on the use and analysis of data) and in implementing the State's, or its own, plan or policies for comprehensive standards-based education reform; and

"(2) how the local educational agency will use the funds provided under this subpart to coordinate all its various sources of funds for technical assistance, including all sources of such funds under this Act and from other sources, into an integrated system for acquiring and using outside technical assistance and other means of building its own capacity to provide the opportunity for all children to achieve to challenging State academic content standards and student performance standards implementing programs under this Act, and implement that system.

"(b) APPROVAL.—The Secretary shall approve a local educational agency's application for funds under this subpart if it meets the requirements of subsection (a) and is of sufficient quality to meet the purposes of this subpart. In determining whether to approve a local educational agency's application, the Secretary shall take into consideration the advice of peer reviewers. The Secretary shall not disapprove any application under this section without giving the local educational agency notice and opportunity for a hearing.

"LOCAL USES OF FUNDS

"SEC. 2418. (a) IN GENERAL.—A local educational agency described in section 2412(2)(B) may use funds provided under section 2416 to—

"(1) build its capacity to use technical assistance funds provided under this Act effectively through the acquisition of high-quality technical assistance and the selection of high-quality technical assistance activities and providers that meet its technical assistance needs;

"(2) develop, coordinate, and implement an integrated system of providing technical assistance to its schools using all sources of funds provided for technical assistance, including all sources of such funds under this Act; and

"(3) acquire the technical assistance it needs to increase opportunities for all children to achieve to challenging State academic content standards and student performance standards and to implement the State's, or its own, plan or policies for comprehensive standards-based education reform.

"(b) TYPES OF TECHNICAL ASSISTANCE.—A local educational agency may use funds provided under this subpart for technical assistance activities such as those described in section 2415(b).

"EQUITABLE SERVICES FOR PRIVATE SCHOOLS

"SEC. 2419. (a) INFORMATION AND TRAINING.—If a State or local educational agency uses funds under this subpart to—

"(1) provide professional development for teachers or school administrators, it shall provide for such professional development for teachers or school administrators in private schools located in the same geographic area on an equitable basis; or

"(2) provide information about State educational goals, standards, or assessments, it shall, upon request, provide such information to private schools located in the same geographic area.

"(b) WAIVER.—If a State or local educational agency is prohibited by law from complying with subsection (a)(1), or the Secretary determines it has substantially failed or is unwilling to comply with subsection (a)(1), the Secretary shall waive subsection (a)(1) and arrange for the provision of such professional development services for such teachers or school administrators, consistent with applicable State goals and standards and section 11806 of this Act.

"CONSUMER INFORMATION

"SEC. 2419A. (a) The Secretary shall, through one or more contracts, establish an independent source of consumer information regarding the quality and effectiveness

of technical assistance activities and providers available to States, local educational agencies, and other recipients of funds under this Act, in selecting technical assistance activities and providers for their use.

"(b) A contract under this section may be awarded for a period of up to five years.

"(c) The Secretary may reserve, from the funds appropriated to carry out this subpart for any fiscal year, such sums as he determines necessary to carry out this section.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 2419B. For purposes of carrying out this subpart, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years.

"Subpart 2—Technical Assistance Centers Serving Special Needs

"GENERAL PROVISIONS

"SEC. 2421. In addition to meeting the requirements of a particular section of this subpart, all technical assistance providers that receive funds under this subpart, all consortia that receive funds under subpart 2 of part B of title III, and the educational laboratories, and clearinghouses of the Educational Resources Information Center, supported under the Educational Research, Development,

Dissemination, and Improvement Act (notwithstanding any other provision of such title or Act), shall—

"(1) participate in a technical assistance network with the Department and other federally supported technical assistance providers in order to coordinate services and resources;

"(2) ensure that the services they provide—

"(A) are of high quality;

"(B) are cost-effective;

"(C) reflect the best information available from research and practice, including findings and applications such as those made available through the Regional Educational Laboratories, Research and Development Centers, National Clearinghouses, and other federally supported providers of technical assistance; and

"(D) are aligned with State and local education reform efforts;

"(3) in collaboration with State educational agencies in the States served, educational service agencies (where appropriate), and representatives of high-poverty, low-performing urban and rural local educational agencies in each State served, develop a targeted approach to providing technical assistance that gives priority to providing intensive, ongoing

services to high-poverty local educational agencies and schools that are most in need of raising student achievement (such as schools identified as in need of improvement under section 1116(c));

"(4) cooperate with the Secretary in carrying out activities (including technical assistance activities authorized by other programs under this Act) such as publicly disseminating materials and information that are produced by the Department and are relevant to the purpose, expertise, and mission of the technical assistance provider; and

"(5) use technology, including electronic dissemination networks and Internet-based resources, in innovative ways to provide high-quality technical assistance.

"CENTERS FOR TECHNICAL ASSISTANCE ON THE NEEDS OF SPECIAL POPULATIONS

"SEC. 2422. (a) PROGRAM AUTHORITY.—

(1) IN GENERAL.—The Secretary is authorized to award grants, contracts, or cooperative agreements for each fiscal year to public or private nonprofit entities, or consortia of such entities, to provide for the operation of two technical assistance centers to provide training and technical assistance to State educational agencies, local educational agencies, schools, tribes, community-based organiza-

tions, and other recipients of funds under this Act concerning—

"(A) how to address the specific linguistic, cultural, or other needs of limited English proficient, migratory, Indian, and Alaska Native students; and

"(B) educational strategies for enabling those students to achieve to challenging State academic content and performance standards.

"(2) SPECIAL EXPERTISE REQUIRED.—An entity may receive an award under this section only if it demonstrates, to the satisfaction of the Secretary, that it has expertise in the areas described in paragraphs (1) (A) and (B).

"(b) DURATION OF AWARD.—Grants, contracts, or cooperative agreements under this section shall be awarded for a period of up to 5 years.

"(c) CENTER REQUIREMENTS.—

(1) IN GENERAL.—In order to assist local educational agencies and schools to provide high-quality education to the students described in subsection (a)(1)(A), so that they can achieve to challenging State academic content and performance standards, each center established under this section shall—

"(A) maintain appropriate staff expertise; and

"(B) provide support, training, and assistance to State educational agencies, tribes, local educational agencies, schools, and other grant recipients under this Act in meeting the needs of the students described in subsection (a)(1)(A), including the coordination of other Federal programs and State and local programs, resources, and reforms.

"(2) PRIORITY.—Each center assisted under this section shall give priority to providing services to schools, including Bureau of Indian Affairs-funded schools, that educate the students described in subsection (a)(1)(A) and have the highest percentages or numbers of children in poverty and the lowest student achievement levels.

"(d) ACCOUNTABILITY.—To ensure the quality and effectiveness of the centers supported under this section, the Secretary shall—

"(1) develop a set of performance indicators that assesses whether the work of the centers assists in improving teaching and learning under this Act for students described in subsection (a)(1)(A);

"(2) conduct surveys every two years of entities to be served under this section to determine if such entities are satisfied with the access to, and quality of, such services;

"(3) collect, as part of the Department's reviews of programs under this Act, information about the availability and quality of services provided by the centers, and share that information with the centers; and

"(4) take whatever steps are reasonable and necessary to ensure that each center performs its responsibilities in a satisfactory manner, which may include—

"(A) termination of an award under this part (if the Secretary concludes that performance has been unsatisfactory) and the selection of a new center; and

"(B) whatever interim arrangements the Secretary determines are necessary to ensure the satisfactory delivery of services under this section.

"(e) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out this section, there are authorized to be appropriated such sums as may be necessary for fis-

cal year 2001 and for each of the four succeeding fiscal years.

"PARENTAL INFORMATION AND RESOURCE CENTERS

"SEC. 2423. (a) PROGRAM AUTHORITY.—

(1) IN GENERAL.—The Secretary is authorized to award grants, contracts, or cooperative agreements for each fiscal year to nonprofit organizations that serve parents (particularly those organizations that make substantial efforts to reach low-income, minority, or limited English proficient parents) to establish parental information and resource centers that—

"(A) coordinate the efforts of Federal, State, and local parent education and family involvement initiatives; and

"(B) provide training, information, and support to—

"(i)(I) State educational agencies;

"(II) local educational agencies, particularly local educational agencies with high-poverty and low-performing schools; and

"(III) schools, particularly high-poverty and low-performing schools; and

"(ii) organizations that support family-school partnerships, such as parent teacher organizations.

"(2) AWARD RULE.—In making awards under this section, the Secretary shall, to the greatest extent possible, ensure that each State is served by at least one recipient of such an award.

"(b) APPLICATIONS.—

(1) IN GENERAL.—Each nonprofit organization that desires an award under this section shall submit an application to the Secretary at such time, and in such manner, as the Secretary shall determine.

"(2) CONTENTS.—Each application submitted under paragraph (1) shall, at a minimum, include—

"(A) a description of the applicant's capacity and expertise to implement a grant under this section;

"(B) a description of how the applicant would use its award to help State and local educational agencies, schools, and non-profit organizations in the State, particularly those making substantial efforts to reach a large number or percentage of low-income, minority, or limited English proficient children—

"(i) identify barriers to parent or family involvement in schools, and strategies to overcome those barriers; and

"(ii) implement high-quality parent education and family involvement programs that—

"(I) improve the capacity of parents to participate more effectively in the education of their children;

"(II) support the effective implementation of research-based instructional activities that support parents and families in promoting early language and literacy development; and

"(III) support schools in promoting meaningful parent and family involvement;

"(C) a description of the applicant's plan to disseminate information on high-quality parent education and family involvement programs to local educational agencies, schools, and nonprofit organizations that serve parents in the State;

"(D) a description of how the applicant would coordinate its activities with the activities

of other Federal, State, and local parent education and family involvement programs and with national, State, and local organizations that provide parents and families with training, information, and support on how to help their children prepare for success in school and achieve to high academic standards;

"(E) a description of how the applicant would use technology, particularly the Internet, to disseminate information; and

"(F) a description of the applicant's goals for the center, as well as baseline indicators for each of the goals, a timeline for achieving the goals, and interim measures of success toward achieving the goals.

"(c) MATCHING REQUIREMENTS.—The Federal share of the cost of any center funded under this section shall not exceed 75 percent. The non-Federal share of the cost of a center may be provided in cash or in kind, fairly evaluated.

"(d) USES OF FUNDS.—

(1) IN GENERAL.—Recipients of funds awarded under this section shall use such funds to support State and local educational agencies, schools, and non-profit organizations in implementing programs

that provide parents with training, information, and support on how to help their children achieve to high academic standards. Such activities may include:

"(A) Assistance in the implementation of programs that support parents and families in promoting early language and literacy development and prepare children to enter school ready to succeed in school.

"(B) Assistance in developing networks and other strategies to support the use of research-based, proven models of parent education and family involvement, including the 'Parents as Teachers' and 'Home Instruction Program for Preschool Youngsters' programs, to promote children's development and learning.

"(C) Assistance in preparing parents to communicate more effectively with teachers and other professional educators and support staff, and providing a means for on-going, meaningful communication between parents and schools.

"(D) Assistance in developing and implementing parent education and family involvement programs that increase parental knowledge about standards-based school reform.

"(E) Disseminating information on programs, resources, and services available at the national, State, and local levels that support parent and family involvement in the education of their school-age children.

"(2) TARGETED ACTIVITIES.—Each recipient of funds under this section shall use at least 75 percent of its award to support activities that serve areas with large numbers or concentrations of low-income families.

"(e) NATIONAL ACTIVITIES.—For any fiscal year, the Secretary may reserve up to 5 percent of funds appropriated to carry out this section for that fiscal year to—

"(1) provide technical assistance to the centers funded under this section; and

"(2) carry out evaluations of the program authorized by this part.

"(f) DEFINITIONS.—For purposes of this section—

"(1) the term 'parent education' includes parent support activities, the provision of resource materials on child development, parent-child learning activities and child rearing issues, private and group educational guidance, individual and group learning experiences for the parent and child, and other ac-

tivities that enable the parent to improve learning in the home;

"(2) the term 'Parents as Teachers program' means a voluntary early childhood parent education program that—

"(A) is designed to provide all parents of children from birth through age 5 with the information and support such parents need to give their child a solid foundation for school success;

"(B) is based on the Missouri Parents as Teachers model, with the philosophy that parents are their child's first and most influential teachers;

"(C) provides—

"(i) regularly scheduled personal visits with families by certified parent educators;

"(ii) regularly scheduled developmental screenings; and

"(iii) linkage with other resources within the community in order to provide services that parents may want and need, except that such services are beyond the scope of the Parents as Teachers program; and

"(3) the term 'Home Instruction for Preschool Youngsters program' means a voluntary early-learning program for parents with one or more children between the ages of 3 through 5, that—

"(A) provides support, training, and appropriate educational materials necessary for parents to implement a school-readiness, home instruction program for their child; and

"(B) includes—

"(i) group meetings with other parents participating in the program;

"(ii) individual and group learning experiences with the parent and child;

"(iii) provision of resource materials on child development and parent-child learning activities; and

"(iv) other activities that enable the parent to improve learning in the home.

"(g) REPORTS.—Each recipient of funds under this section shall annually submit a report to the Secretary, on its activities under this section, in such form and containing such information as the Secretary may reasonably require. A report under this subsection shall include, at a minimum—

"(1) the number and types of activities supported by the recipient with funds received under this section;

"(2) activities supported by the recipient that served areas with high numbers or concentrations of low-income families; and

"(3) the progress made by the recipient in achieving the goals included in its application.

"(h) GENERAL PROVISIONS.—Notwithstanding any other provision of this section—

"(1) no person, including a parent who educates a child at home, public school parent, or private school parent, shall be required to participate in any program of parent education or developmental screening pursuant to the provisions of this section;

"(2) no program assisted under this section shall take any action that infringes in any manner on the right of a parent to direct the education of their children; and

"(3) the provisions of section 444(c) of the General Education Provisions Act shall apply to organizations that receive awards under this section.

"(i) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out this section, there are authorized to be appropriated such sums as may be necessary for fis-

cal year 2001 and for each of the four succeeding fiscal years.

"EISENHOWER REGIONAL MATHEMATICS AND SCIENCE EDUCATION CONSORTIA

"SEC. 2424. (a) PROGRAM AUTHORITY.—

"(1) IN GENERAL.—

"(A) GRANTS, CONTRACTS, OR COOPERATIVE AGREEMENTS AUTHORIZED.—The Secretary, in consultation with the Director of the National Science Foundation, is authorized to award grants, contracts, or cooperative agreements to eligible entities to enable such entities to establish and operate regional mathematics and science education consortia for the purpose of—

"(i) disseminating exemplary mathematics and science education instructional materials; and

"(ii) providing technical assistance for the implementation of teaching methods and assessment tools for use by elementary and secondary school students, teachers, and administrators.

"(B) NUMBER OF AWARDS.—The Secretary, in accordance with the provisions of this subsection, shall award at least one grant, con-

tract, or cooperative agreement to an eligible entity in each region.

"(C) SPECIAL RULE.—In any fiscal year, if the amount made available pursuant to subsection (h) is less than $4,500,000, then the Secretary may waive the provisions of subparagraph (B) and award grants, contracts, or cooperative agreements of sufficient size, scope, and quality to carry out this subsection.

"(D) DESIGNATION.—Each regional consortium assisted under this subsection shall be known as an 'Eisenhower regional consortium'.

"(2) PERIOD OF AWARD AND REVIEW.—Grants, contracts, or cooperative agreements under this section shall be awarded for a period of not more than five years and shall be reviewed before the end of the 30-month period beginning on the date the award is made.

"(3) AWARD AMOUNT.—In making awards under this section, the Secretary shall ensure that there is a relatively equal distribution of the funds made available among the regions, except that the Secretary may award additional funds to a regional consortium on the basis of population and geographical conditions of the region being served.

"(b) USE OF FUNDS.—Funds provided under this section may be used by a regional consortium, under the direction of a regional board established under subsection (d), to—

"(1) work cooperatively with the other regional consortia, the Eisenhower National Clearinghouse for Science and Mathematics Education established under section 2142, and federally funded technical assistance providers, to accomplish more effectively the activities described in this subsection;

"(2) assist, train, and provide technical assistance to classroom teachers, administrators, and other educators to identify, implement, assess, or adapt the instructional materials, teaching methods, and assessment tools described in subsection (a)(1)(A);

"(3) provide for the training of classroom teachers to enable such teachers to instruct other teachers, administrators, and educators in the classroom use of the instructional materials, teaching methods, and assessment tools described in subsection (a)(1)(A);

"(4) implement programs and activities designed to meet the needs of groups that are under-

represented in, and underserved by, mathematics and science education;

"(5) collect data on activities assisted under this section in order to evaluate the effectiveness of the activities of the regional consortia;

"(6) identify exemplary teaching practices and materials from within the region and communicate such practices and materials to the Eisenhower National Clearinghouse for Mathematics and Science Education;

"(7) communicate, on a regular basis, with entities within the region that are delivering services to students and teachers of mathematics and science; and

"(8) assist in the development and evaluation of State and regional plans and activities that hold promise of bringing about systemic reform in student performance in mathematics and science.

"(c) APPLICATION.—Each eligible entity desiring a grant or contract under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such additional information as the Secretary may reasonably require. Each such application shall—

"(1) demonstrate that the eligible entity has expertise in the fields of mathematics and science education;

"(2) demonstrate that the eligible entity will implement and disseminate mathematics and science education instructional materials, teaching methods, and assessment tools through a consortium of the region's mathematics and science education organizations and agencies;

"(3) demonstrate that the eligible entity will carry out the functions of the regional consortium;

"(4) demonstrate that emphasis will be given to programs and activities designed to meet the needs of groups that are underrepresented in, and underserved by, mathematics and science education;

"(5) demonstrate that the business community in the region served by the regional consortium will play an integral role in designing and supporting the regional consortium's work; and

"(6) assure that the eligible entity will conduct its activities and supervise its personnel in a manner that effectively ensures compliance with the copyright laws of the United States under title 17, United States Code.

"(d) REGIONAL BOARDS.—

(1) IN GENERAL.—Each eligible entity receiving an award under this section shall establish a regional board to oversee the administration and establishment of program priorities for the regional consortium established by such eligible entity. Such regional board shall be broadly representative of the agencies and organizations participating in the regional consortium.

"(2) PROHIBITION ON USE OF FEDERAL FUNDS.—No Federal funds may be used for the establishment or operation of a regional board required by paragraph (1), except that at the discretion of a regional board, Federal funds may be used to provide assistance such as travel and accommodations for board members who could not otherwise afford to participate as members of the board.

"(e) PAYMENTS; FEDERAL SHARE; NON-FEDERAL SHARE.—

(1) PAYMENTS.—The Secretary shall pay to each eligible entity having an application approved under subsection (c) the Federal share of the cost of the activities described in the application.

"(2) FEDERAL SHARE.—For the purpose of paragraph (1), the Federal share shall be 80 percent.

"(3) NON-FEDERAL SHARE.—The non-Federal share of the cost of activities described in the application submitted under subsection (c) may be in cash or in kind, fairly evaluated. At least 10 percent of such non-Federal share shall be from sources other than the Federal Government or State or local government.

"(f) EVALUATION.—

(1) EVALUATION REQUIRED.—The Secretary, through the Office of Educational Research and Improvement and in accordance with section 11911, shall collect sufficient data on, and evaluate the effectiveness of, the activities of each regional consortium.

"(2) ASSESSMENT.—The evaluations described in paragraph (1) shall include an assessment of the effectiveness of the regional consortium in meeting the needs of the schools, teachers, administrators, and students in the region.

"(3) REPORT.—At the end of each award, the Secretary shall submit to the Congress a report on the effectiveness of the programs conducted at each regional consortium.

"(g) DEFINITIONS.—For purposes of this part:

"(1) The term 'eligible entity' means an entity that has demonstrated expertise in mathematics and science education and is—

"(A) a private nonprofit organization;

"(B) an institution of higher education;

"(C) an elementary or secondary school;

"(D) a State or local educational agency;

"(E) a regional educational laboratory in consortium with the research and development center established under section 931(c)(1)(B)(i) of the Educational Research, Development, Dissemination, and Improvement Act of 1994; or

"(F) any combination of the entities described in subparagraphs (A) through (E).

"(2) The terms 'mathematics' and 'science' include the technology education associated with mathematics and science, respectively.

"(3) The term 'region' means a region of the United States served by a regional education laboratory that is supported by the Secretary pursuant to section 405(d)(4)(A)(i) of the General Education Provisions Act (as such section was in existence on the day preceding the date of enactment of the Goals 2000: Educate America Act).

"(4) The term 'regional consortium' means each regional mathematics and science education consortium established pursuant to subsection (a).

"(5) The term 'State agency for higher education' means the State board of higher education or other agency or officer primarily responsible for the State supervision of higher education, or, if there is no such officer or agency, an officer or agency designated for the purpose of carrying out this section by the Governor or by State law.

"(h) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out this section, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years.

"Subpart 3—Technology-Based Technical Assistance Information Dissemination

"WEB-BASED AND OTHER INFORMATION DISSEMINATION

"SEC. 2431. (a) IN GENERAL.—(1)(A) With funds appropriated under section 2432 for each fiscal year, the Secretary is authorized to carry out a national system, through the Worldwide Web and other advanced telecommunications technologies, that supports interactive information sharing and dissemination about ways to improve educational practices throughout the Nation.

"(B) In designing and implementing the system under this subsection, the Secretary shall create opportunities for the continuing input of students, teachers, administrators, and other individuals who participate in, or may be affected by, the Nation's educational system.

"(C) The Secretary may carry out the program authorized by this subsection through the award of grants, contracts, or cooperative agreements on a competitive basis.

"(2) The system authorized by this subsection shall include information on—

"(A) stimulating instructional materials that are aligned with challenging content standards; and

"(B) successful and innovative practices in—

"(i) instruction;

"(ii) professional development;

"(iii) challenging academic content and student performance standards;

"(iv) assessments;

"(v) effective school management; and

"(vi) such other areas as the Secretary determines are appropriate.

"(3)(A) The Secretary may require the technical assistance providers funded under this part, or under subpart 2 of part B of title III, or the educational laboratories

and clearinghouses of the Educational Resources Information Center supported under the Educational Research, Development, Dissemination, and Improvement Act (notwithstanding any other provision of such part, subpart, or Act), to—

"(i) provide information (including information on practices employed in the regions or States served by the providers) for use in the system authorized by this subsection;

"(ii) coordinate their activities in order to ensure a unified system of technical assistance; or

"(iii) otherwise participate in the system authorized by this subsection.

"(B) The Secretary shall ensure that—

"(i) the dissemination activities authorized under this subsection are integrated with, and do not duplicate, the dissemination activities of the Office of Educational Research and Improvement; and

"(ii) the public has access, through the system authorized by this subsection, to the latest research, statistics, and other information supported by, or available from, such Office.

"(b) ADDITIONAL ACTIVITIES.—The Secretary is authorized to carry out additional activities, using advanced telecommunications technologies where appropriate, to as-

sist local educational agencies, State educational agencies, tribes, and other recipients of funds under this Act in meeting the requirements of the Government Performance and Results Act of 1993. Such assistance may include information on measuring and benchmarking program performance and student outcomes.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 2432. For purposes of carrying out this subpart, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years.

"Subpart 4—National Evaluation Activities

"NATIONAL EVALUATION ACTIVITIES

"SEC. 2441. The Secretary shall conduct, directly or through grants, contracts, or cooperative agreements, such activities as the Secretary determines necessary to—

"(1) determine what constitutes effective technical assistance;

"(2) evaluate the effectiveness of the technical assistance and dissemination programs authorized by, or assisted under, this part and the educational laboratories, and clearinghouses of the Educational Resources Information Center, supported under the Educational Research, Development, Dissemination, and Improvement Act (notwithstanding any other provision of such Act); and

"(3) increase the effectiveness of such programs.".

TITLE III—TECHNOLOGY FOR EDUCATION

SHORT TITLE

SEC. 301. Section 3101 of the ESEA is amended by striking out "of 1994".

FINDINGS

SEC. 302. Section 3111 of the ESEA is amended—

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

"(1) technology can—

"(A) support education improvement efforts by expanding available resources and reshaping instruction, teaching, and learning environments; and

"(B) when used effectively and aligned with challenging State academic content and performance standards, support teacher capacity to create classrooms where students develop higher-order thinking and information technology skills;";

(2) by amending paragraph (3) to read as follows:

"(3) the Federal Government—

"(A) has played an integral role in expanding and improving access to technology as an important tool for teaching and learning; and

"(B) can continue to serve as a catalyst in bringing effective uses for education technology to the classroom by providing support for—

"(i) access to technology;

"(ii) the development of educational software and web-based learning resources; and

"(iii) sustained and intensive, high-quality professional development that is aligned with challenging State academic content and performance standards;";

(3) by amending paragraph (5) to read as follows:

"(5) a 1996 Department of Commerce study found that, by the year 2000, 60 percent of all jobs will require computer-related skills, and other studies show that women and some minorities are underrepresented in the information technology workforce;

(4) by striking out paragraph (7);

(5) in paragraph (8), by striking out "acquisition and maintenance" and inserting in lieu thereof "acquisition, maintenance, and ongoing support";

(6) by striking out paragraphs (9) and (11);

(7) in paragraph (12), by adding ''and'' at the end thereof;

(8) by striking out paragraph (13);

(9) by amending paragraph (14) to read as follows:

''(14) the rapidly changing nature of technology, among other factors, requires the Department to maintain a leadership role in developing a national vision and strategies for bringing effective technology applications and practices to all classrooms and all educational programs through such activities as—

''(A) developing and carrying out a strategy for an ongoing evaluation of existing and anticipated future uses of educational technology to better inform the Federal role in supporting the use of educational technology, stimulate reform and innovation in teaching and learning with technology, and further the development of advanced technology;

''(B) evaluating and assessing technology programs;

''(C) disseminating information;

"(D) coordinating with public and private partnerships; and

"(E) convening expert panels to identify effective uses of educational technology;";

(10) by striking out paragraph (15);

(11) by redesignating paragraphs (2), (3), (4), (5), (6), (8), (10), (12), and (14) as paragraphs (4), (5), (9), (10), (15), (16), (17), (18), and (19), respectively;

(12) by inserting immediately after paragraph (1) the following new paragraphs:

"(2) the cost of processing, storing, and transmitting information continues to plummet, making new advances in computer and telecommunications technology more available to schools;

"(3) by providing students with a rapidly expanding educational resource base, and a unique means of developing content knowledge, improvements in software and other technology applications (such as high-quality video, voice recognition, modeling and simulation, and intelligent tutoring and virtual reality tools), have increased student opportunities for meaningful exploration and discovery;";

(13) by inserting immediately after paragraph (5) (as redesignated by paragraph (11)) the following new paragraphs:

''(6) poor children are less likely than their wealthier peers to have access to a computer at home, and to attend a school in which teachers use technology to develop technical and higher-order thinking skills;

''(7) public schools have made significant progress toward meeting the goal of connecting every school to the Internet, with the percentage of schools that are connected to the Internet increasing from 35 percent in 1994 to 89 percent in 1998 and nearly doubling between 1997 and 1998, but a gap continues to exist between wealthy and poor schools in the extent to which classrooms are connected to the Internet and the manner in which technology is used to support instruction;

''(8) the E-Rate and other Federal education technology initiatives are significantly increasing the number of classrooms connected to the Internet and providing affordable access to advanced telecommunications;''; and

(14) by inserting immediately after paragraph (10) (as redesignated by paragraph (11)) the following new paragraphs:

''(11) because girls of all ethnicities consistently rate themselves significantly lower than boys on computer ability, and are less likely to experiment with technology and enroll in advanced computer science courses, the Federal Government should encourage States, local educational agencies, and teachers to consider the needs of girls and women to obtain technical proficiency, so that they can compete in an increasingly technological society;

''(12) the Federal Government should support efforts to ensure the accessibility of all educational technology, not just assistive technology, to students with disabilities through strategies such as universal design;

''(13) although 25 States have some requirement for computer education for teacher licensure, only two States require teacher candidates to show that they can use technology, and only three States require participation in technology training, as a prerequisite for license renewal;

''(14) according to a 1998 National Center for Education Statistics survey, only 20 percent of full-

time K–12 teachers feel fully prepared to integrate technology into classroom instruction;''.

STATEMENT OF PURPOSE

SEC. 303. Section 3112 of the ESEA is amended to read as follows:

''STATEMENT OF PURPOSE

''SEC. 3112. To help all students to develop technical and higher-order thinking skills and to achieve to challenging State academic content and performance standards, as well as America's Education Goals, it is the purpose of this title to—

''(1) help provide all classrooms with access to educational technology through support for the acquisition of advanced multimedia computers, Internet connections, and other technologies;

''(2) help ensure access to, and effective use of, educational technology in all classrooms through the provision of sustained and intensive, high-quality professional development that improves teachers' capability to integrate educational technology effectively into their classrooms by actively engaging students and teachers in the use of technology;

''(3) help improve the capability of teachers to design and construct new learning experiences using technology, and actively engage students in that design and construction;

"(4) support efforts by State educational agencies and local educational agencies to create learning environments designed to prepare students to achieve to challenging State academic content and performance standards through the use of research-based teaching practices and advanced technologies;

"(5) support technical assistance to State educational agencies, local educational agencies, and communities to help them use technology-based resources and information systems to support school reform and meet the needs of students and teachers;

"(6) support the development of applications that make use of such technologies as advanced telecommunications, hand-held devices, web-based learning resources, distance learning networks, and modeling and simulation software;

"(7) support Federal partnerships with business and industry to realize more rapidly the potential of digital communications to expand the scope of, and opportunities for, learning;

"(8) support evaluation and research on the effective use of technology in preparing all students to achieve to challenging State academic content and performance standards, and the impact of technology on teaching and learning;

"(9) provide national leadership to stimulate and coordinate public and private efforts, at the national, State, and local levels, that support the development and integration of advanced technologies and applications to improve school planning and classroom instruction;

"(10) support the development, or redesign, of teacher preparation programs to enable prospective teachers to integrate the use of technology in teaching and learning;

"(11) increase the capacity of State and local educational agencies to improve student achievement, particularly that of students in high-poverty, low-performing schools;

"(12) promote the formation of partnerships and consortia to stimulate the development of, and new uses for, technology in teaching and learning;

"(13) support the creation or expansion of community technology centers that will provide disadvantaged residents of economically distressed urban and rural communities with access to information technology and related training; and

"(14) help to ensure that technology is accessible to, and usable by, all students, particularly stu-

dents with disabilities or limited English proficiency.''.

PROHIBITION AGAINST SUPPLANTING

SEC. 304. (a) Section 3113 of the ESEA is repealed.

(b) Title III of the ESEA is further amended by inserting immediately after section 3112 the following new section:

''SUPPLEMENT, NOT SUPPLANT

''SEC. 3113. A recipient of funds awarded under this title shall use such funds only to supplement the amount of funds or resources that would, in the absence of such Federal funds, be made available from non-Federal sources for the purposes of the programs authorized under this title, and not to supplant such non-Federal funds or resources.''.

PART A—FEDERAL LEADERSHIP AND NATIONAL ACTIVITIES

STRUCTURE OF PART

SEC. 311. Part A of title III of the ESEA is amended—

(1) by striking out the part heading and designation thereof;

(2) by striking out the subpart headings and designations for subparts 1, 2, and 3 thereof;

(3) by repealing subpart 4; and

(4) by inserting immediately before section 3121 the following new part designation and heading:

"PART A—FEDERAL LEADERSHIP AND NATIONAL ACTIVITIES".

NATIONAL LONG-RANGE TECHNOLOGY PLAN

SEC. 312. Section 3121 of the ESEA is amended—

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

"(a) IN GENERAL.—Not later than one year after the date of enactment of the Educational Excellence for All Children Act of 1999, the Secretary shall update the national long-range educational technology plan and broadly disseminate the updated plan."; and

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by inserting "updated" immediately before "national";

(B) in paragraph (7)—

(i) by striking out "section 3123" and inserting in lieu thereof "section 3101"; and

(ii) by striking out "and" at the end thereof;

(C) in paragraph (8), by striking out the period at the end thereof and inserting in lieu thereof a semicolon and ''and'';

(D) by redesignating paragraphs (7) and (8) as paragraphs (9) and (10), respectively;

(E) by inserting immediately after paragraph (6) the following new paragraphs:

''(7) how the Secretary will promote the full integration of technology into learning, including the creation of new instructional opportunities through access to challenging courses and information that would otherwise not have been available, and independent learning opportunities for students through technology;

''(8) how the Secretary will encourage the creation of opportunities for teachers to develop, through the use of technology, their own networks and resources for sustained and intensive, high-quality professional development;''; and

(F) by inserting immediately after paragraph (10) (as redesignated by subparagraph (D)) the following new paragraph:

''(11) how the Secretary will encourage the commercial development of effective, high-quality,

cost-competitive educational technology and software.''.

FEDERAL LEADERSHIP

SEC. 313. Section 3122 of the ESEA is amended—

(1) in subsection (a), by striking out ''United States National Commission on Libraries and Information Sciences,'' and inserting in lieu thereof ''White House Office of Science and Technology Policy,'';

(2) in subsection (b)(1), by striking out ''in accordance with'' through the end thereof and inserting in lieu thereof a period; and

(3) in subsection (c)—

(A) by striking out paragraph (4) and inserting in lieu thereof the following new paragraph:

''(4) the development of a national repository of information on the effective uses of educational technology, including its use for sustained and intensive, high-quality professional development, and the dissemination of that information nationwide;''; and

(B) in paragraph (7), by striking out ''existing technology'' and inserting in lieu thereof ''technology and innovative tools''.

REPEAL; REDESIGNATIONS; AUTHORIZATION OF APPROPRIATIONS

SEC. 314. (a) Sections 3114, 3115, and 3123 of the ESEA are repealed.

(b) Title III of the ESEA is further amended—

(1) by redesignating sections 3101, 3111, 3112, 3113, 3121, and 3122 as sections 3001, 3002, 3003, 3004, 3102, and 3103, respectively; and

(2) by inserting immediately before section 3102 (as redesignated by paragraph (1)) the following new section:

"NATIONAL EVALUATION OF EDUCATION TECHNOLOGY

"SEC. 3101. (a) NATIONAL EVALUATION.—

"(1) IN GENERAL.—In order to better inform the Federal role in supporting the use of educational technology, in stimulating reform and innovation in teaching and learning with technology, and in advancing the development of more advanced and new types and applications of such technology, the Secretary shall—

"(A) develop, within 12 months of the date of enactment of the Educational Excellence for All Children Act of 1999, a strategy for an ongoing evaluation of existing and anticipated future uses of educational technology; and

"(B) carry out such an evaluation.

"(2) ACTIVITIES AUTHORIZED.—From the funds reserved under subsection (b), the Secretary may—

"(A) conduct long-term controlled studies on the effectiveness of the uses of educational technology;

"(B) convene panels of experts to—

"(i) identify uses of educational technology that hold the greatest promise for improving teaching and learning;

"(ii) assist the Secretary with the review and assessment of the progress and effectiveness of projects that are funded under this title; and

"(iii) identify barriers to the commercial development of effective, high-quality, cost-competitive educational technology and software;

"(C) conduct evaluations and applied research studies that examine—

"(i) how students learn using educational technology, whether singly or in groups, and across age groups, student populations (including students with special needs, such as students with limited

English proficiency and students with disabilities) and settings; and

"(ii) the characteristics of classrooms and other educational settings that use educational technology effectively;

"(D) collaborate with other Federal agencies that support research on, and evaluation of, the use of network technology in educational settings; and

"(E) carry out such other activities as the Secretary determines appropriate.

"(b) AVAILABILITY OF TITLE III FUNDS FOR EVALUATION.—Notwithstanding any other provision of this title, the Secretary may use up to 4 percent of the funds appropriated to carry out this title for any fiscal year to carry out the activities described in subsection (a) for that fiscal year."; and

(3) by inserting immediately after section 3103 (as redesignated by paragraph (1)) the following new section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 3104. For purposes of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years.".

PART B—SPECIAL PROJECTS

REPEALS; REDESIGNATIONS; NEW PART

SEC. 321. (a) Parts B and E of title III of the ESEA are repealed.

(b) Parts C and D of title III of the ESEA are redesignated as subparts 2 and 3 of part B of title III of the ESEA, respectively.

(c) Sections 3301, 3302, 3303, 3304, 3305, 3306, 3307, 3308, 3401, 3402, and 3403 of the ESEA are redesignated as sections 3221, 3222, 3223, 3224, 3225, 3226, 3227, 3228, 3231, 3232, and 3233, respectively.

(d) Title III of the ESEA is further amended by inserting immediately after section 3104 (as added by section 314(b)(3) of the bill) the following new part heading and designation, and the following new subpart:

"PART B—SPECIAL PROJECTS

"Subpart 1—Next-Generation Technology Innovation Awards

"PURPOSE; PROGRAM AUTHORITY

"SEC. 3211. (a) PURPOSE.—It is the purpose of this subpart to—

"(1) expand the knowledge base about the use of the next generation of advanced computers and telecommunications in delivering new applications for teaching and learning;

"(2) address questions of national significance about the next generation of technology and its use to improve teaching and learning; and

"(3) develop, for wide-scale adoption by State educational agencies and local educational agencies, models of innovative and effective applications of technology to teaching and learning, such as high quality video, voice recognition devices, modeling and simulation software (particularly web-based software and intelligent tutoring), hand-held devices, and virtual reality and wireless technologies, that are aligned with challenging State academic content and student performance standards.

"(b) PROGRAM AUTHORITY.—

(1) IN GENERAL.—The Secretary is authorized, through the Office of Educational Technology, to award grants, contracts, or cooperative agreements on a competitive basis to eligible applicants in order to carry out the purposes of this subpart.

"(2) PERIOD OF AWARD.—The Secretary may award grants, contracts, or cooperative agreements under this subpart for a period of not more than five years.

"ELIGIBILITY

"SEC. 3212. (a) ELIGIBLE APPLICANTS.—In order to receive an award under this subpart, an applicant shall,

subject to subsection (c)(1), be a consortium that includes—

"(1) at least one State educational agency or local educational agency; and

"(2) at least one institution of higher education, for-profit business, museum, library, or other public or private entity with a particular expertise that would assist in carrying out the purposes of this subpart.

"(b) APPLICATION REQUIREMENTS.—In order to receive an award under this subpart, an eligible applicant shall submit an application to the Secretary at such time, and containing such information, as the Secretary may require. Such application shall include—

"(1) a description of the proposed project, and how it would carry out the purposes of this subpart; and

"(2) a detailed plan for the independent evaluation of the project, which shall include benchmarks to monitor progress toward specific project objectives.

"(c) PRIORITIES.—In making awards under this subpart, the Secretary may establish one or more priorities consistent with the objectives of this subpart, including:

"(1) A priority for applicants, the members of which are one or more of the particular types described in subsection (a)(2).

"(2) A priority for projects that develop innovative models of effective use of educational technology, including the development of distance learning networks, software (including software deliverable through the Internet), and online-learning resources.

"(3) A priority for projects serving more than one State and involving large-scale innovations in the use of technology in education.

"(4) A priority for projects that develop innovative models that serve traditionally underserved populations, including low-income students, students with disabilities, and students with limited English proficiency.

"(5) A priority for projects in which applicants provide substantial financial and other resources to achieve the goals of the project.

"(6) A priority for projects that develop innovative models for using electronic networks to provide challenging courses, such as Advanced Placement courses.

"USES OF FUNDS

"SEC. 3213. A recipient shall use funds awarded under this subpart to—

"(1) develop new applications of educational technologies and telecommunications to support school reform efforts, such as wireless and web-based telecommunications, hand-held devices, web-based learning resources, distributed learning environments (including distance learning networks), and the development of educational software and other applications; and

"(2) carry out other activities consistent with the purposes of this subpart, such as—

"(A) developing innovative models for improving teachers' ability to integrate technology effectively into course curriculum, through sustained and intensive, high-quality professional development;

"(B) developing high-quality, standards-based, digital content, including multimedia software, digital video, and web-based resources, such as—

"(i) new technological formats to facilitate deeper subject matter understanding in particularly challenging learn-

ing environments in areas such as physics, foreign language, or Advanced Placement courses;

''(ii) computer modeling, visualization, and simulation tools;

''(iii) new methods for assessing student performance;

''(iv) web-based and other distance learning curricula and related materials, such as interoperable software components;

''(v) learning-focused digital libraries, information retrieval systems, and other designs for supporting broad re-use of learning content; and

''(vi) software that supports the development, modification, and maintenance of educational materials;

''(C) using telecommunications, and other technologies, to make programs accessible to students with special needs (such as low-income students, students with disabilities, students in remote areas, and students with limited English proficiency) through such activities as using technology to support mentoring;

"(D) providing classroom and extracurricular opportunities for female students to explore the different uses of technology;

"(E) promoting school-family partnerships, which may include services for adults and families, particularly parent education programs that provide parents with training, information, and support on how to help their children achieve to high academic standards;

"(F) acquiring connectivity linkages, resources, distance learning networks, and services, including hardware and software, as needed to accomplish the goals of the project; and

"(G) collaborating with other Department of Education and Federal information technology research and development programs.

"EVALUATION

"SEC. 3214. The Secretary is authorized to—

"(1) develop tools and provide resources for recipients of funds under this subpart to evaluate their activities;

"(2) provide technical assistance to assist recipients of funds under this subpart in evaluating their projects;

"(3) conduct independent evaluations of the activities assisted under this subpart; and

"(4) disseminate findings and methodologies from evaluations of activities assisted under this subpart, or other information obtained from such projects that would promote the design, replication, or implementation of effective models for evaluating the impact of educational technology on teaching and learning.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 3215. For purposes of carrying out this subpart, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years.".

READY-TO-LEARN DIGITAL TELEVISION

SEC. 322. (a) Subpart 2 of part C of title III of the ESEA (as redesignated by section 321(b) of the bill) is further amended, in the heading thereof, by inserting "Digital" immediately before "Television".

(b) Section 3221(a) of the ESEA (as redesignated by section 321(c) of the bill) is amended by striking out "section 3302(b)" and "the National Education Goals." and inserting in lieu thereof "section 3222(b)" and "America's Education Goals.", respectively.

(c) Section 3222(a)(2) of the ESEA (as redesignated by section 321(c) of the bill) is amended by striking out "and those funded under the Star Schools Act".

(d) Section 3223(2) of the ESEA (as redesignated by section 321(c) of the bill) is amended by striking out ''part'' each place it appears and inserting in lieu thereof ''subpart'' in each such place.

(e) Section 3224 of the ESEA (as redesignated by section 321(c) of the bill) is amended by striking out ''section 3301 or 3303'' and inserting in lieu thereof ''section 3221 or 3223''.

(f) Section 3225 of the ESEA (as redesignated by section 321(c) of the bill) is amended—

(1) in subsection (a), by striking out ''section 3201'' and inserting in lieu thereof ''section 3221''; and

(2) in subsection (b)—

(A) in paragraph (1), by striking out ''section 3302(a); and'' and inserting in lieu thereof ''section 3222(a); and''; and

(B) in paragraph (2), by striking out ''section 3303(3),'' and inserting in lieu thereof ''section 3223(3),''.

(g) Section 3226 of the ESEA (as redesignated by section 321(c) of the bill) is amended by striking out ''section 3302,'' and inserting in lieu thereof ''section 3222,''.

(h) Section 3228 of the ESEA (as redesignated by section 321(c) of the bill) is amended—

(1) in subsection (a), by striking out ''part, $30,000,000 for fiscal year 1995, and such sums as may be necessary'' and ''section 3302.'' and inserting in lieu thereof ''subpart, such sums as may be necessary for fiscal year 2001 and'' and ''section 3222'', respectively; and

(2) in subsection (b), by striking out ''section 3303(1)(C).'' and inserting in lieu thereof ''section 3223(1)(C).''.

TELECOMMUNICATIONS PROGRAM FOR PROFESSIONAL DEVELOPMENT IN THE CORE CONTENT AREAS

SEC. 323. (a) Subpart 3 of part B of title III of the ESEA (as redesignated by section 321(b) of the bill) is further amended by amending the subpart heading to read as follows: ''Telecommunications Program for Professional Development in the Core Content Areas''.

(b) Section 3231 of the ESEA (as redesignated by section 321(c) of the bill) is amended to read as follows:

''PURPOSE; PROGRAM AUTHORITY

''SEC. 3231. (a) PURPOSE.—It is the purpose of this subpart to assist elementary and secondary school teachers in preparing all students to achieve to challenging State academic content and performance standards through a national telecommunications-based program to improve teaching in core content areas.

"(b) PROGRAM AUTHORITY.—From funds appropriated to carry out this subpart, the Secretary may make grants to nonprofit telecommunications entities, or partnerships of such entities, to carry out the purposes of this subpart.".

(c) Section 3232 of the ESEA (as redesignated by section 321(c) of the bill) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking out "part" and inserting in lieu thereof "subpart";

(B) in paragraph (1), by striking out "existing publicly funded telecommunications infrastructure to deliver video, voice and data" and inserting in lieu thereof "public broadcasting infrastructure, digital libraries, and emerging school networks to deliver video and web-based resources"; and

(C) in paragraph (2), by striking out "State or local" through the end thereof and inserting in lieu thereof "national, State, or local nonprofit public communications entities, institutions of higher education, museums, libraries, and national education professional associations

that have developed content standards in the core content areas;''; and

(2) in subsection (b)—

(A) in the heading thereof, by striking out ''DEMONSTRATION'' and inserting in lieu thereof ''PROJECT''; and

(B) by striking out ''assure that the demonstration project authorized by this part is'' and inserting in lieu thereof ''ensure that the projects carried out under this subpart are''.

(d) Section 3233 of the ESEA (as redesignated by section 321(c) of the bill) is amended by striking out ''part, $5,000,000 for the fiscal year 1995, and such sums as may be necessary'' and inserting in lieu thereof ''subpart, such sums as may be necessary for fiscal year 2001 and''.

COMMUNITY TECHNOLOGY CENTERS

SEC. 324. Part B of Title III of the ESEA (as amended by section 321 of the bill) is further amended by adding immediately at the end thereof the following new subpart:

''Subpart 4—Community Technology Centers

''PURPOSE; PROGRAM AUTHORITY

''SEC. 3241. (a) PURPOSE.—It is the purpose of this subpart to assist eligible applicants to—

"(1) create or expand community technology centers that will provide disadvantaged residents of economically distressed urban and rural communities with access to information technology and related training; and

"(2) provide technical assistance and support to community technology centers.

"(b) PROGRAM AUTHORITY.—

"(1) IN GENERAL.—The Secretary is authorized, through the Office of Educational Technology, to award grants, contracts, or cooperative agreements on a competitive basis to eligible applicants in order to assist them in—

"(A) creating or expanding community technology centers; or

"(B) providing technical assistance and support to community technology centers.

"(2) PERIOD OF AWARD.—The Secretary may award grants, contracts, or cooperative agreements under this subpart for a period of not more than three years.

"ELIGIBILITY AND APPLICATION REQUIREMENTS

"SEC. 3242. (a) ELIGIBLE APPLICANTS.—In order to be eligible to receive an award under this subpart, an applicant shall—

"(1) have the capacity to expand significantly access to computers and related services for disadvantaged residents of economically distressed urban and rural communities (who would otherwise be denied such access); and

"(2) be—

"(A) an entity such as a foundation, museum, library, for-profit business, public or private nonprofit organization, or community-based organization;

"(B) an institution of higher education;

"(C) a State educational agency;

"(D) a local education agency; or

"(E) a consortium of entities described in subparagraphs (A), (B), (C), or (D).

"(b) APPLICATION REQUIREMENTS.—In order to receive an award under this subpart, an eligible applicant shall submit an application to the Secretary at such time, and containing such information, as the Secretary may require. Such application shall include—

"(1) a description of the proposed project, including a description of the magnitude of the need for the services and how the project would expand access to information technology and related services

to disadvantaged residents of an economically distressed urban or rural community;

"(2) a demonstration of—

"(A) the commitment, including the financial commitment, of entities such as institutions, organizations, business and other groups in the community that will provide support for the creation, expansion, and continuation of the proposed project; and

"(B) the extent to which the proposed project establishes linkages with other appropriate agencies, efforts, and organizations providing services to disadvantaged residents of an economically distressed urban or rural community;

"(3) a description of how the proposed project would be sustained once the Federal funds awarded under this subpart end; and

"(4) a plan for the evaluation of the program, which shall include benchmarks to monitor progress toward specific project objectives.

"(c) MATCHING REQUIREMENTS.—The Federal share of the cost of any project funded under this subpart shall not exceed 50 percent. The non-Federal share of

such project may be in cash or in kind, fairly evaluated, including services.

"USES OF FUNDS

"SEC. 3243. (a) REQUIRED USES.—A recipient shall use funds under this subpart for—

"(1) creating or expanding community technology centers that expand access to information technology and related training for disadvantaged residents of distressed urban or rural communities; and

"(2) evaluating the effectiveness of the project.

"(b) PERMISSIBLE USES.—A recipient may use funds under this subpart for activities, described in its application, that carry out the purposes of this subpart, such as—

"(1) supporting a center coordinator, and staff, to supervise instruction and build community partnerships;

"(2) acquiring equipment, networking capabilities, and infrastructure to carry out the project; and

"(3) developing and providing services and activities for community residents that provide access to computers, information technology, and the use of such technology in support of pre-school preparation, academic achievement, lifelong learning, and workforce development, such as the following:

"(A) After-school activities in which children and youths use software that provides academic enrichment and assistance with homework, develop their technical skills, explore the Internet, and participate in multimedia activities, including web page design and creation.

"(B) Adult education and family literacy activities through technology and the Internet, including—

"(i) General Education Development, English as a Second Language, and adult basic education classes or programs;

"(ii) introduction to computers;

"(iii) intergenerational activities; and

"(iv) lifelong learning opportunities.

"(C) Career development and job preparation activities, such as—

"(i) training in basic and advanced computer skills;

"(ii) resume writing workshops; and

"(iii) access to databases of employment opportunities, career information, and other online materials.

"(D) Small business activities, such as—

"(i) computer-based training for basic entrepreneurial skills and electronic commerce; and

"(ii) access to information on business start-up programs that is available online, or from other sources.

"(E) Activities that provide home access to computers and technology, such as assistance and services to promote the acquisition, installation, and use of information technology in the home through low-cost solutions such as networked computers, web-based television devices, and other technology.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 3244. For purposes of carrying out this subpart, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years.".

PART C—PREPARING TOMORROW'S TEACHERS TO USE TECHNOLOGY

NEW PART

SEC. 331. Title III of the ESEA is further amended by adding immediately after subpart 4 of part B of such title (as added by section 324 of the bill) the following new part:

"PART C—PREPARING TOMORROW'S TEACHERS TO USE TECHNOLOGY

"PURPOSE; PROGRAM AUTHORITY

"SEC. 3301. (a) PURPOSE.—It is the purpose of this part to assist consortia of public and private entities in carrying out programs that prepare prospective teachers to use advanced technology to foster learning environments conducive to preparing all students to achieve to challenging State and local content and student performance standards.

"(b) PROGRAM AUTHORITY.—

"(1) IN GENERAL.—The Secretary is authorized, through the Office of Educational Technology, to award grants, contracts, or cooperative agreements on a competitive basis to eligible applicants in order to assist them in developing or redesigning teacher preparation programs to enable prospective teachers to use technology effectively in their classrooms.

"(2) PERIOD OF AWARD.—The Secretary may award grants, contracts, or cooperative agreements under this part for a period of not more than five years.

"ELIGIBILITY

"SEC. 3302. (a) ELIGIBLE APPLICANTS.—In order to receive an award under this part, an applicant shall be a consortium that includes—

"(1) at least one institution of higher education that offers a baccalaureate degree and prepares teachers for their initial entry into teaching;

"(2) at least one State educational agency or local educational agency; and

"(3) one or more of the following entities:

"(A) An institution of higher education (other than the institution described in paragraph (1)).

"(B) A school or department of education at an institution of higher education.

"(C) A school or college of arts and sciences at an institution of higher education.

"(D) A private elementary or secondary school.

"(E) A professional association, foundation, museum, library, for-profit business, public or private nonprofit organization, community-based organization, or other entity with the capacity to contribute to the technology-related reform of teacher preparation programs.

"(b) APPLICATION REQUIREMENTS.—In order to receive an award under this part, an eligible applicant shall submit an application to the Secretary at such time, and containing such information, as the Secretary may require. Such application shall include—

"(1) a description of the proposed project, including how the project would ensure that individuals participating in the project would be prepared to use technology to create learning environments conducive to preparing all students to achieve to challenging State and local content and student performance standards;

"(2) a demonstration of—

"(A) the commitment, including the financial commitment, of each of the members of the consortium; and

"(B) the active support of the leadership of each member of the consortium for the proposed project;

"(3) a description of how each member of the consortium would be included in project activities;

"(4) a description of how the proposed project would be continued once the Federal funds awarded under this part end; and

"(5) a plan for the evaluation of the program, which shall include benchmarks to monitor progress toward specific project objectives.

"(c) MATCHING REQUIREMENTS.—

"(1) IN GENERAL.—The Federal share of the cost of any project funded under this part shall not exceed 50 percent. Except as provided in paragraph (2), the non-Federal share of such project may be in cash or in kind, fairly evaluated, including services.

"(2) ACQUISITION OF EQUIPMENT.—Not more than 10 percent of the funds awarded for a project under this part may be used to acquire equipment, networking capabilities or infrastructure, and the non-Federal share of the cost of any such acquisition shall be in cash.

"USES OF FUNDS

"SEC. 3303. (a) REQUIRED USES.—A recipient shall use funds under this part for—

"(1) creating programs that enable prospective teachers to use advanced technology to create learning environments conducive to preparing all students to achieve to challenging State and local content and student performance standards; and

"(2) evaluating the effectiveness of the project.

"(b) PERMISSIBLE USES.—A recipient may use funds under this part for activities, described in its application, that carry out the purposes of this part, such as—

"(1) developing and implementing high-quality teacher preparation programs that enable educators to—

"(A) learn the full range of resources that can be accessed through the use of technology;

"(B) integrate a variety of technologies into the classroom in order to expand students' knowledge;

"(C) evaluate educational technologies and their potential for use in instruction; and

"(D) help students develop their own technical skills and digital learning environments;

"(2) developing alternative teacher development paths that provide elementary and secondary schools with well-prepared, technology-proficient educators;

"(3) developing performance-based standards and aligned assessments to measure the capacity of prospective teachers to use technology effectively in their classrooms;

"(4) providing technical assistance to other teacher preparation programs;

"(5) developing and disseminating resources and information in order to assist institutions of higher education to prepare teachers to use technology effectively in their classrooms; and

"(6) subject to section 3302(c)(2), acquiring equipment, networking capabilities, and infrastructure to carry out the project.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 3304. For purposes of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years.".

PART D—REGIONAL, STATE, AND LOCAL EDUCATIONAL TECHNOLOGY RESOURCES

NEW PART

SEC. 341. Title III of the ESEA is further amended by inserting at the end thereof the following new part heading, subpart heading, and section:

"PART D—REGIONAL, STATE, AND LOCAL EDUCATIONAL TECHNOLOGY RESOURCES

"Subpart 1—Technology Literacy Challenge Fund

"PURPOSE

"SEC. 3411. It is the purpose of this subpart to increase the capacity of State and local educational agencies to improve student achievement, particularly that of stu-

dents in high-poverty, low-performing schools, by supporting State and local efforts that—

"(1) make effective use of new technologies and technology applications, networks, and electronic learning resources;

"(2) utilize research-based teaching practices that are linked to advanced technologies; and

"(3) promote sustained and intensive, high-quality professional development that increases teacher capacity to create improved learning environments through the integration of educational technology into instruction.".

ALLOTMENT AND REALLOTMENT

SEC. 342. Section 3131(a)(2) of the ESEA is amended—

(1) by inserting "(including, for purposes of this subpart, the Bureau of Indian Affairs)" immediately after "State educational agency"; and

(2) by striking out the period at the end thereof and inserting a comma and "except that such minimum shall apply to the aggregate of grants received under this subpart by the outlying areas for a fiscal year.".

TECHNOLOGY LITERACY CHALLENGE FUND

SEC. 343. Section 3132 of the ESEA is amended—

(1) by amending the heading thereof to read as follows:

"TECHNOLOGY LITERACY CHALLENGE FUND";

(2) by amending subsection (a)(2) to read as follows:

"(2) USE OF GRANTS.—(A) Each State educational agency that receives a grant under paragraph (1) shall use—

"(i) not less than 95 percent of the grant funds received to award, on a competitive basis, subgrants to eligible local applicants, as defined in section 3417, for use in creating new learning environments designed to prepare all students, including students with disabilities or limited English proficiency, to achieve to challenging State academic content and performance standards through the use of research-based teaching practices and advanced technologies; and

"(ii) subject to subparagraph (C), the remainder of the grant funds for administrative costs and technical assistance.

"(B) In awarding subgrants under subparagraph (A)(i), a State educational agency shall give priority to an eligible local applicant that is a part-

nership that meets the requirements of section 3417(1)(B).

"(C) From the funds described in subparagraph (A)(i), a State educational agency may use not more than 2 percent of the grant funds received by that agency under this subpart to provide planning subgrants to eligible local applicants in order to assist them to develop strategic long-term local technology plans that shall be included in the application for a subgrant under section 3416(1)."; and

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

"(2) provide eligible local applicants with assistance in—

"(A) developing applications under section 3416;

"(B) forming partnerships among the entities described in section 3417(1)(B); and

"(C) establishing performance indicators and methods for measuring program outcomes against the indicators.".

STATE APPLICATION

SEC. 344. Section 3133 of the ESEA is amended to read as follows:

"STATE APPLICATION

"SEC. 3133. To receive funds under this subpart, a State educational agency shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require. As part of its application, a State educational agency shall submit a new or updated statewide educational technology plan. The plan submitted shall demonstrate how it will be coordinated with and support the State plan or policies for comprehensive standards-based education reform, and shall describe—

"(1) how the State educational agency will meet the national technology goals that—

"(A) all teachers in the Nation will have the training and support they need to help students learn using computers and the information superhighway;

"(B) all teachers and students will have modern multimedia computers in their classrooms;

"(C) every classroom will be connected to the information superhighway; and

"(D) effective software and online learning resources will be an integral part of every school's curriculum;

"(2) the State educational agency's long-term strategies for financing educational technology in the State, including how the State educational agency will use other sources of Federal and non-Federal funds, including the E-Rate, for this purpose;

"(3) the State educational agency's criteria for identifying, for purposes of section 3317(1)(A), a local educational agency as high-poverty, serving at least one low-performing school, and having a substantial need for technology, and how the State educational agency will report to the public the criteria to be used and the outcome of the competition;

"(4) the State educational agency's specific goals for using advanced technology to improve student achievement to challenging State academic content and performance standards by—

"(A) using web-based resources and telecommunications networks to provide challenging content and improve classroom instruction;

"(B) using research-based teaching practices and models of effective uses of advanced technology; and

"(C) promoting sustained and intensive, high-quality professional development that increases teacher capacity to create improved

learning environments through the integration of technology into instruction;

"(5) the State educational agency's performance indicators for each of the goals described in paragraphs (1), (2), and (4) and included in its plan, baseline performance data for the indicators, a timeline for achieving the goals, and interim measures of success toward achieving the goals;

"(6) how the State educational agency will ensure that grants to eligible local applicants are of sufficient size, scope, and quality to meet the purposes of this subpart effectively;

"(7) how the State educational agency will provide technical assistance to eligible local applicants, and its capacity for providing such assistance;

"(8) how the State educational agency will ensure that educational technology is accessible to, and usable by, all students, including students with special needs, such as students who have disabilities or limited English proficiency; and

"(9) how the State educational agency will evaluate its activities under the plan.".

LOCAL USES OF FUNDS

SEC. 345. Section 3134 of the ESEA is amended to read as follows:

"LOCAL USES OF FUNDS

"SEC. 3134. Each eligible local applicant shall use the funds made available under section 3413(a)(2)(i) for one or more of the following activities:

"(1) Adapting or expanding existing and new applications of technology to enable teachers to create learning environments designed to prepare students to achieve to challenging State academic content and student performance standards through the use of research-based teaching practices and advanced technologies.

"(2) Providing sustained and intensive, high-quality professional development in the integration of advanced technologies into curriculum and in using those technologies to create new learning environments, including training in the use of technology to access data and resources to develop curricula and instructional materials.

"(3) Enabling teachers to use the Internet to communicate with other teachers and retrieve web-based learning resources.

"(4) Using technology to collect, manage, and analyze data to inform school improvement efforts.

"(5) Acquiring wireless telecommunications, hand-held devices, modeling or simulation tools, dis-

tance learning networks, and other advanced technologies with classroom applications.

''(6) Acquiring wiring and access to advanced telecommunications.

''(7) Using web-based learning resources, including those that provide access to challenging courses such as Advanced Placement courses.

''(8) Assisting schools to use technology to promote parent and family involvement, and support communications between family and school.''.

LOCAL APPLICATIONS

SEC. 346. Section 3135 of the ESEA is amended—

(1) in the matter preceding paragraph (1)—

(A) by inserting the subsection designation and heading ''(a) IN GENERAL.—'' immediately after the section heading; and

(B) by striking out ''local educational agency'' and ''section 3132(a)(2)'' and inserting in lieu thereof ''eligible local applicant'' and ''section 3413(a)(2)'', respectively;

(2) in paragraph (1)—

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

''(A) a description of how the applicant plans to improve the achievement of all students by—

"(i) making effective use of new technologies, networks, and electronic learning resources;

"(ii) using research-based teaching practices that are linked to advanced technologies; and

"(iii) promoting sustained and intensive, high-quality professional development that increases the capacity of teachers to create improved learning environments through the integration of educational technology into instruction.";

(B) by striking out subparagraph (B);

(C) by amending subparagraphs (C), (D), and (E) to read as follows:

"(C) a description of the applicant's goals regarding the use of educational technology to meet the purposes of this subpart, as well as the applicant's baseline data, timelines, benchmarks, and indicators of success for meeting these goals;

"(D) a description of how the applicant will ensure sustained and intensive, high-quality professional development for teachers, adminis-

trators, and other educational personnel to further the use of technology in the classroom;

"(E) a description of the administrative and technical support that the applicant will provide schools;";

(D) in subparagraph (G), by striking out "and" at the end thereof;

(E) by amending subparagraph (H) to read as follows:

"(H) a description of the applicant's strategy for financing its strategic, long-term local technology plan, including the use of other Federal and non-Federal funds;'—

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

(G) by adding at the end thereof the following new subparagraphs:

"(J) a description of how the applicant will use advanced technology to promote communication between teachers for activities such as—

"(i) sharing examples of student work;

"(ii) developing instructional strategies;

"(iii) developing curricula aligned with State or local standards;

"(iv) using data to improve teaching and learning; and

"(K) a description of how the applicant would use technology to improve the teaching and learning of students with special needs, such as students with disabilities or limited English proficiency.".

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

"(2) describe how the applicant included parents, public libraries, business leaders, and community leaders in the development of the strategic long-term local technology plan described in paragraph (1);";

(4) in paragraph (3), by striking out "and" at the end thereof;

(5) in paragraph (4)(B), by striking out "National Education Goals" and inserting in lieu thereof "America's Education Goals";

(6) by redesignating paragraph (4) as paragraph (8);

(7) by inserting immediately after paragraph (3) the following new paragraphs:

''(4) describe how the applicant would use subgrant funds to benefit low-performing schools;

''(5) describe how the applicant will ensure that technology is accessible to, and usable by, all students, particularly students with disabilities or limited English proficiency;

''(6) include an assurance that, before any funds received under this part are used for acquiring wiring or access to advanced telecommunications, the applicant will use all resources available to it through the E–Rate;

''(7) if the applicant is a partnership, describe the members of the partnership, their respective roles, and their respective contributions to improving the capacity of the local educational agency; and'';

(8) by striking out subsection (d);

(9) in subsection (e), by striking out ''local educational agency'' and ''under this Act or the Goals 2000: Educate America Act,'' and inserting in lieu thereof ''eligible local applicant'' and ''under this Act,'', respectively; and

(10) by redesignating subsection (e) as subsection (b).

REPEALS; CONFORMING CHANGES; REDESIGNATIONS

SEC. 347. (a) Sections 3136 and 3137 of the ESEA are repealed.

(b)(1) Section 3131(a) of the ESEA is amended—

(A) in paragraph (1), by striking out ''section 3114(a)(1)(C)'' and inserting in lieu thereof ''section 3418''; and

(B) in paragraph (2), by striking out ''section 3115(a)(1)(C)'' and inserting in lieu thereof ''section 3418''; and

(2) Section 3132 of the ESEA is amended—

(A) in subsection (a)(1), by striking out ''section 3131,'' and ''section 3133.'' and inserting in lieu thereof ''section 3412,'' and ''section 3414.'', respectively; and

(B) in subsection (b)(1)(B), by striking out ''section 3133;'' and inserting in lieu thereof ''section 3414;''.

(c) Sections 3131, 3132, 3133, 3134, and 3135 of the ESEA are redesignated as sections 3412, 3413, 3414, 3415, and 3416, respectively.

DEFINITIONS; AUTHORIZATION OF APPROPRIATIONS

SEC. 348. Title III of the ESEA is further amended by adding immediately after section 3416 (as redesignated by section 347(c) of the bill) the following new sections:

"DEFINITIONS

"SEC. 3417. For purposes of this subpart—

"(1) 'eligible local applicant' means—

"(A) a local educational agency that, as determined by the State educational agency,—

"(i) is among the local educational agencies in the State with the highest numbers or percentages of children from households living in poverty;

"(ii) includes one or more low-performing schools; and

"(iii) has a substantial need for assistance in acquiring and using technology; or

"(B) a partnership that includes at least one local educational agency that meets the requirements of subparagraph (A) and at least one—

"(i) local educational agency that can demonstrate that teachers in schools served by that agency are using technology effectively in their classrooms;

"(ii) institution of higher education;

"(iii) for-profit organization that develops, designs, manufactures, or produces

technology products or services, or has substantial expertise in the application of technology; or

"(iv) public or private non-profit organization with demonstrated experience in the application of educational technology; and

"(2) 'low-performing school' means a school—

"(A) identified by the local educational agency for school improvement under section 1116(c) of this Act; or

"(B) in which a substantial majority of students fail to meet State performance standards based on State or local assessments that are aligned to the performance standards.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 3418. For purposes of carrying out this subpart, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years.".

REGIONAL TECHNOLOGY IN EDUCATION CONSORTIA

SEC. 349. (a) Title III of the ESEA is further amended by inserting immediately after section 3418 (as added by section 348 of the bill) the following new subpart designation and heading: "Subpart 2—Regional Technology in Education Consortia".

(b) Section 3141 of the ESEA is amended—

(1) in subsection (a)—

(A) by amending the heading thereof to read as follows: ''GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS AUTHORIZED.—'';

(B) by amending paragraph (1) to read as follows:

''(1) AUTHORITY.—The Secretary, through the Office of Educational Technology, shall make grants, or enter into contracts or cooperative agreements, in accordance with the provisions of this subpart, to consortia that meet the requirements of paragraph (2). In making such awards, the Secretary shall ensure, to the extent possible, that each geographic region of the United States shall be served by a recipient of an award under this subpart.''; and

(C) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking out ''a grant under this section'' and inserting in lieu thereof ''an award under this subpart'';

(ii) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(iii) by inserting immediately after subparagraph (A) the following new subparagraph:

''(B) meet the requirements of section 2421 in addition to meeting the requirements of this subpart;''; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking out ''a grant under this section'' and inserting in lieu thereof ''an award under this subpart'';

(ii) in subsection (B)—

(I) by striking out ''information, in coordination with information available from the Secretary,'' and inserting in lieu thereof ''information''; and

(II) by striking out ''evaluate and make recommendations on equipment and software that support the America's Education Goals and are suited for a school's particular needs,''; and

(iii) in subparagraph (C), by striking out ''to participate'' through the end thereof and inserting in lieu thereof ''assistance

in applying advanced technologies and web-based resources in order to design learning environments for the 21st Century; and''; (B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking out ''a grant under this section'' and inserting in lieu thereof ''an award under this subpart'';

(ii) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking out ''technology-specific, ongoing professional development,'' and inserting in lieu thereof ''sustained and intensive high-quality professional development that prepares educators to be effective developers, users, and evaluators of educational technology,'';

(II) in clause (i), by striking out ''that use'' through the end thereof and inserting in lieu thereof ''for teachers, administrators, school librarians, and other education personnel; and''; and

(III) in clause (ii)—

(aa) by striking out subclauses (II), and (V);

(bb) in subclause (III), by adding ''and'' at the end thereof;

(cc) in subclause (IV), by striking out ''video conferences and seminars which'' and inserting in lieu thereof ''the use of advanced telecommunications and distance learning networks to''; and

(dd) by redesignating subclauses (III) and (IV) as subclauses (II) and (III), respectively;

(iii) by striking out subparagraphs (B) and (C);

(iv) in subparagraph (F), by striking out ''for students'' through the end thereof and inserting in lieu thereof a comma and ''coordinated with other programs supported under this title, that incorporate the effective use of advanced technology into teacher preparation courses;'';

(v) in subparagraph (G)—

(I) by striking out ''develop support from'' and inserting in lieu thereof ''increase the involvement and support of''; and

(II) by striking out the period at the end thereof and inserting in lieu thereof a semicolon and ''and''; and

(vi) by redesignating subparagraphs (D), (E), (F), and (G) as subparagraphs (B), (C), (D), and (E), respectively;

(C) in paragraph (3)—

(i) in the matter preceding subparagraph (A), by striking out ''a grant under this section'' and inserting in lieu thereof ''an award under this subpart'';

(ii) in subparagraph (A), by adding ''and'' at the end thereof;

(iii) in subparagraph (B), by striking out the semicolon and ''and'' at the end thereof and inserting in lieu thereof a period;

(iv) by striking out subparagraph (C);

(v) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(vi) by inserting immediately before subparagraph (B) (as redesignated by clause (v)) the following new subparagraph:

''(A) maintain, or contribute to, a nationally accessible repository that contains information about effective uses of educational technology, including for sustained and intensive, high-quality professional development, and disseminate that information nationwide;''; and

(D) by amending paragraph (4) to read as follows:

''(4) Each consortium receiving an award under this subpart shall—

''(A) collaborate, and coordinate the services that it provides, with appropriate regional and other entities assisted in whole or in part by the Department;

''(B) coordinate activities and establish partnerships with organizations and institutions of higher education that represent the interests of the region regarding the application of technology to teaching, learning, instructional management, dissemination, the collection and dis-

tribution of educational statistics, and the transfer of student information; and

"(C) collaborate with the Department and recipients of funding under other technology programs of the Department, particularly the Technology Literacy Challenge Fund under subpart 1, and the Next-Generation Technology Innovation Awards program under subpart 1 of part B, to assist the Department and those recipients as requested by the Secretary.".

(c) Section 3141 of the ESEA is redesignated as section 3421.

(d) Title III of the ESEA is further amended by inserting immediately after section 3421 (as redesignated by subsection (c)) the following new section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 3422. For purposes of carrying out this subpart, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years.".

TITLE IV—SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES ACT

SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES

SEC. 401. Title IV of the ESEA is amended to read as follows:

"TITLE IV—SAFE AND DRUG-FREE SCHOOLS AND COMMUNITIES

"SHORT TITLE

"SEC. 4001. This title may be cited as the 'Safe and Drug-Free Schools and Communities Act'.

"FINDINGS

"SEC. 4002. The Congress finds that:

"(1) Safe and Drug-Free Schools and Communities Programs support achievement of Goal One of the National Drug Control Strategy—to educate and enable America's youth to reject illegal drugs, as well as alcohol and tobacco—and Goal Seven of America's Education Goals—that every school in the United States will be free of drugs, violence, and the unauthorized presence of firearms and alcohol.

"(2) It is essential for schools to provide a drug-free, safe, and orderly learning environment for all students, if all students are to live healthy lives and achieve to high academic standards.

"(3) Student drug use and school violence are serious educational and public health concerns.

"(4) Safe and Drug-Free Schools and Communities programs are most likely to be effective when they are based on a thorough assessment of objective data about the drug and violence problems in schools and communities, are designed to meet measurable

goals and objectives, are based on sound research or evaluation findings, and are evaluated regularly and held accountable for results.

"(5) Safe and Drug-Free Schools and Communities program resources should be targeted at the local level to projects in areas that demonstrate need for the funds, have developed the best strategic plans for using the funds, and are committed to being accountable for results.

"(6) Lifelong physical activity contributes to students' well-being and, consistent with the second of America's Education Goals, it is appropriate for the Federal government to help strengthen State and local efforts in this area.

"PURPOSE

"SEC. 4003. DECLARATION OF PURPOSE.—The purpose of this title is to support programs for creating and maintaining drug-free, safe, and orderly environments for learning in and around schools, by awarding Federal financial assistance to—

"(1) State educational agencies for competitive awards to local educational agencies with a demonstrated need for services and the highest quality proposed programming;

"(2) Governors for competitive awards to local educational agencies, as well as community-based or-

ganizations and other public entities and nonprofit organizations, for programs that complement and support local educational agency programs;

''(3) State educational agencies and Governors for capacity-building, and technical assistance and accountability services and activities to improve the effectiveness of, and institutionalize, State and local Safe and Drug-Free Schools and Communities programs; and

''(4) Public and private organizations, and individuals, for training programs, demonstrations, evaluations, research projects, direct services, and technical assistance to schools and school systems, developing and disseminating materials and information, drug and violence prevention programs at the postsecondary level, and other activities related to the purposes of this title.

''AUTHORIZATION OF APPROPRIATIONS

''SEC. 4004. There are authorized to be appropriated—

''(1) such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years to carry out part A;

''(2) such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years to carry out part B; and

"(3) such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years to carry out part C.

"PART A—STATE GRANTS FOR DRUG AND VIOLENCE PREVENTION PROGRAMS

"RESERVATIONS AND ALLOTMENTS

"SEC. 4111. (a) RESERVATIONS.—(1) From the amount made available under section 4004(1) to carry out this part for each fiscal year, the Secretary—

"(A) shall reserve 1 percent of such amount for grants under this part to Guam, America Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands, to be allotted in accordance with the Secretary's determination of their respective needs;

"(B) shall reserve 1 percent of such amount for the Secretary of the Interior to carry out programs for Indian youth;

"(C) shall reserve 0.2 percent of such amount for programs for Native Hawaiians; and

"(D) may reserve not more than $2,000,000 for evaluation activities required by section 4117(a).

"(2)(A)(i) Funds reserved under paragraph (1)(A) may not be consolidated under the provisions of title V of Public Law 95–134.

"(ii) The Governor of Guam, America Samoa, the Virgin Islands, or the Commonwealth of the Northern Mariana Islands may direct the Secretary to consolidate the Governor's share of funds under this part with the State educational agency's share and award the consolidated amount to the State educational agency for administration in accordance with the requirements of this part applicable to State educational agencies.

"(iii) Funds reserved under paragraph (1)(A) shall be used to carry out programs and activities that—

"(I) are authorized by this part and are implemented in a manner that is consistent with the program requirements under section 4114; and

"(II) are subject to the application requirements under section 4112(a).

"(B) Funds reserved under paragraph (1)(B) shall be used to carry out programs and activities authorized by this part that meet the needs of Native American youth and that are implemented in a manner that is consistent with the program requirements under section 4114.

"(C)(i) Funds reserved under paragraph (1)(C) shall be used by the Secretary to award grants or contracts to organizations primarily serving or representing Native Hawaiians to carry out programs and activities authorized by this part that meet the needs of Native Hawaiian youth

and that are implemented in a manner that is consistent with the program requirements under section 4114.

"(ii) Recipients of funds reserved under paragraph (1)(C) shall coordinate their programs and activities with programs and activities under this part carried out by the State educational agency of Hawaii.

"(iii) For the purposes of this section, the term 'Native Hawaiian' has the same meaning as the term is provided in section 9212 of the Elementary and Secondary Education Act of 1965.

"(b) STATE ALLOTMENTS.—(1) Except as provided in paragraph (2), the Secretary shall, for each fiscal year, allocate among the States—

"(A) one-half of the remainder not reserved under subsection (a) according to the ratio between the school-aged population of each State and the school-aged population of all the States; and

"(B) one-half of such remainder according to the ratio between the amount each State received under section 1122 of part A of title I of the Act for the preceding year and the sum of such amounts received by all the States.

"(2) MINIMUM.—For any fiscal year, no State shall be allotted under this subsection an amount that is less

than one-half of one percent of the total amount allotted to all the States under this subsection.

"(3) REALLOTMENT.—The Secretary may reallot any amount of any allotment to a State if the Secretary determines that the State will be unable to use such amount within two years of such allotment. Such reallotments shall be made on the same basis as allotments are made under paragraph (1).

"(4) DEFINITIONS.—For the purposes of this part—

"(A) the term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico; and

"(B) the term 'local educational agency' includes educational service agencies and consortia of such agencies.

"STATE APPLICATIONS

"SEC. 4112. (a) STATE APPLICATION. In order to receive an allotment under section 4111(b) for any fiscal year, a State shall submit to the Secretary, at such time and in such manner as the Secretary may require, a 5-year application that—

"(1) is submitted jointly by the Governor and the State educational agency of the State;

"(2) contains a description of how funds under this part will be coordinated with other programs

under this Act and with other Federal education and drug prevention programs;

"(3) contains a comprehensive plan for the use of funds by the State educational agency and the Governor to provide safe, orderly, and drug-free school environments that includes—

"(A) the results of the State's needs assessment for drug and violence-prevention programs, which shall be based on the results of ongoing State evaluation activities and include data on the prevalence of drug use and violence by youth in schools and communities in the State;

"(B) a list of the State's results-based performance measures for drug and violence prevention, which shall—

"(i) be focused on student behavior and attitudes and derived from the needs assessment;

"(ii) be selected from a core set of indicators that the Secretary shall develop in consultation with State and local officials;

"(iii) include targets and due dates for the attainment of these indicators;

"(iv) include a description of the procedures the State will use to inform local educational agencies of the State's results-based performance measures for drug and violence prevention for assessing and publicly reporting progress toward meeting these indicators, or revising them as needed; and

"(v) include a description of how the procedures described in subparagraph (C) and subparagraph (D) will support the achievement of the State's results-based performance measures;

"(C) a description of the procedures the State educational agency will use for reviewing applications and awarding funds to local educational agencies on a competitive basis under section 4113(c), including—

"(i) the objective criteria the State educational agency will use for determining which local educational agencies are eligible to compete for these funds;

"(ii) the criteria the State educational agency will use to assess the relative quality of applications and demonstrated need

for funding by these local educational agencies;

"(iii) the peer review process the State educational agency will use to review applications;

"(iv) how the State educational agency will ensure that the geographical distribution of awards reflects the diversity of local educational agencies in the State; and

"(v) how the State educational agency and the Governor will coordinate these programs;

"(D) a description of the procedures, including objective criteria, the State educational agency will use for reviewing any applications and awarding any funds to local educational agencies on a non-competitive basis under section 4113(c)(3);

"(E) a description of the procedures the Governor will use to award funds to eligible applicants on a competitive basis consistent with section 4115(c), including—

"(i) the criteria the Governor will use to assess the relative quality of applica-

tions and demonstrated need for funding of eligible applicants;

"(ii) the peer review process the Governor will use to review applications;

"(iii) how those funds will be used for community resources and activities that support local educational agency programs to create drug-free, safe, and disciplined learning environments in, and passageways to and from schools; and

"(iv) how the Governor will ensure that the geographic distribution of awards reflects the diversity of local educational agencies in the State;

"(F) a description of how the State educational agency and Governor will use the funds reserved under sections 4113(b) and 4115(b) for coordinated capacity-building and technical assistance and program accountability services and activities at the State and local levels, including how the State educational agency and Governor will coordinate their activities with law enforcement, health, mental health, and education programs and officials at the State and local levels;

"(G) a description of how the State educational agency and the Governor will monitor local programs; and

"(H) a description of how the State educational agency will ensure that local educational agencies not receiving funds under this part will be provided technical assistance to improve their programs;

"(4) contains assurances that the application was developed in consultation and coordination with appropriate State officials, including the head of the State alcohol and drug abuse agency, the heads of the State health and mental health agencies, the head of the State criminal justice planning agency, the head of the State child welfare agency, the head of the State board of education, or their designees, and representatives of parents, students, and community-based organizations; and

"(5) contains assurance that the State will cooperate with, and assist, the Secretary in conducting the national impact evaluation of programs required by section 4117(a).

"(b) PEER REVIEW.—The Secretary shall use a peer review process in reviewing State applications under this section.

"STATE AND LOCAL EDUCATIONAL AGENCY PROGRAMS

"SEC. 4113. (a) ALLOCATION OF FUNDS.—In each fiscal year, 80 percent of the total amount allocated to the State under section 4111(b) shall be used by the State educational agency and local educational agencies in the State to carry out programs and activities in accordance with this section that are designed to create and maintain drug-free, safe, and orderly environments for learning in and around schools in the State.

"(b) STATE LEVEL ACTIVITIES.—(1) A State educational agency shall reserve not more than 20 percent of the amount described in subsection (a) for State-level activities described in paragraphs (2) and (4).

"(2) A State educational agency may use not more than 5 percent of the amount described in subsection (a) for the costs of carrying out its administrative responsibilities under this part.

"(3) The State educational agency shall reserve the remainder of the amount described in paragraph (1) after application of paragraph (2), but not less than 10 percent of the amount described in subsection (a), for State-level activities described in paragraph (4).

"(4)(A) The State educational agency and the Governor shall jointly use the amounts reserved under paragraph (3) and section 4115(b)(3) to plan, develop, and im-

plement capacity building, technical assistance, and accountability services that are designed to support the effective implementation of local drug and violence prevention activities throughout the State and promote program accountability and improvement.

"(B)(i) The State educational agency and Governor may carry out the services and activities described in subparagraph (A) directly, or through subgrants or contracts with public and private organizations, as well as individuals.

"(ii) Except as provided under clause (iii), the State educational agency and Governor shall, to the extent practicable, use funds under this paragraph to provide capacity building and technical assistance and accountability services and activities to all local educational agencies in the State, including those that do not receive funds under this part.

"(iii) The State educational agency and the Governor may use funds under this paragraph to provide emergency intervention services to schools and communities following a traumatic crisis, such as a shooting, major accident, or drug-related incident that has disrupted the learning environment.

"(C) For the purpose of this paragraph—

"(i) 'capacity building' means activities to improve the knowledge, skills, and expertise of State and local program staff needed to plan, implement, and improve effective research-based programs; and

"(ii) 'technical assistance and accountability services' means activities designed to improve State and local programs and activities under this part, including dissemination of information and curricula, program evaluation, demonstration programs, peer review of local educational agency applications, and evaluation assistance, such as collecting, monitoring, and reporting program indicator data.

"(c) LOCAL LEVEL ACTIVITIES.—(1) A State educational agency shall use not less than 80 percent of the amount described in subsection (a) for local-level activities described in paragraphs (2) and (3).

"(2)(A) A State educational agency shall use at least 70 percent of the amount described in subsection (a) to make competitive subgrants, consistent with subparagraph (C)(i), to local educational agencies (or consortia of local educational agencies) that the State educational agency determines, based on objective data, need assistance under this part.

"(B) In determining which local educational agencies (or consortia) need assistance under this part, the State educational agency may consider such factors as—

"(i) high rates of alcohol, tobacco, or drug use among youth;

"(ii) high rates of victimization of youth by violence and crime;

"(iii) high rates of arrest and adjudication of youth for violent or drug- or alcohol-related delinquency;

"(iv) high rates of bullying, hate-related incidents, racial harassment, sexual harassment, or sexual abuse;

"(v) high rates of referrals of youths to drug and alcohol abuse treatment and rehabilitation programs;

"(vi) high rates of referrals of youths to juvenile court;

"(vii) high rates of expulsions and suspensions of students from schools;

"(viii) high rates of reported cases of child abuse and domestic violence;

"(ix) the extent of illegal gang activity;

"(x) local fiscal capacity to fund such programs without Federal assistance;

"(xi) the incidence of drug paraphernalia in schools;

"(xii) high rates of drug-related emergencies or deaths; and

"(xiii) high rates of drug distribution or sales on, or around, school grounds.

"(C)(i) The State educational agency shall base the competition it conducts under subparagraph (A) on the quality of the applicant's proposed program and how closely it is aligned with the principles of effectiveness described in clause (ii).

"(ii) For the purpose of this subsection, the State educational agency shall use the following principles of effectiveness:

"(I) The applicant's program is based on a thorough assessment of objective data about the drug and violence problems in the schools and communities to be served.

"(II) The applicant has established a set of measurable goals and objectives aimed at ensuring that all schools served by the local educational agency have a drug-free, safe, and orderly learning environment, and has designed its programs to meet those goals and objectives.

"(III) The applicant has designed and will implement its programs for youth based on research or evaluation that provides evidence that the program to be used will prevent or reduce drug use, violence, delinquency, or disruptive behavior among youth.

"(IV) The applicant will evaluate its program periodically to assess its progress toward achieving its goals and objectives, and will use evaluation results to refine, improve, and strengthen its program, and refine its goals and objectives, as needed.

"(D) A State educational agency may make subgrants under this paragraph to not more than 50 percent of the local educational agencies in the State, unless the State demonstrates in its application under section 4112 that the State educational agency can make subgrants to more than 50 percent of the local educational agencies in the State and still comply with subparagraph (E).

"(E) Subgrants under this paragraph shall be of sufficient size to support high-quality, effective programs and activities that are designed to create safe, disciplined, and drug-free learning environments in schools and that are consistent with the needs, goals, and objectives identified in the State's plan under section 4112.

"(3)(A) A State educational agency may use not more than 10 percent of the amount described in subsection (a)

to make non-competitive subgrants to local educational agencies (or consortia of local educational agencies) with the greatest need for assistance as described in paragraph (2)(B) that did not receive a subgrant under subparagraph (2)(A). A local educational agency may not receive more than one subgrant under this paragraph.

"(B) A State educational agency shall not make a subgrant to a local educational agency under this paragraph unless it—

"(i) assists the local educational agency in meeting the information requirements under section 4116(a) pertaining to local educational agency needs assessment, results-based performance measures, comprehensive safe and drug-free schools plan, evaluation plan, and assurances; and

"(ii) provides continuing technical assistance to the local educational agency to build its capacity to develop and implement high-quality, effective programs consistent with the principles of effectiveness in subsection (c)(2)(C)(ii).

"(d) PROJECT PERIODS AND REALLOCATION.—(1)(A) Subgrants under subsection (c) shall be for project periods not to exceed three years.

"(B) In order to receive funds under this section for the second or third year of the project, a local educational

agency shall demonstrate to the satisfaction of the State educational agency that the local educational agency's project is making reasonable progress toward its performance measures under section 4116(a)(3)(C).

"(2) A State educational agency may require local educational agencies to return funds awarded to them under this section that they have not expended within one year of the date of the subgrant, and may award such recovered funds to other local educational agencies with the greatest need for them—

"(A) through a new competition;

"(B) by funding high-quality applications that were not funded in a previous competition; or

"(C) by making supplemental awards to current subgrant recipients.

"LOCAL DRUG AND VIOLENCE PREVENTION PROGRAMS

"SEC. 4114. (a) PRINCIPLES OF EFFECTIVENESS.—Each local educational agency that receives a subgrant under section 4113(c) shall use those funds to support research-based, drug- and violence-prevention services and activities that are consistent with the principles of effectiveness described in section 4113(c)(2)(C)(ii).

"(b) OTHER AUTHORIZED ACTIVITIES.—(1) Each local educational agency that receives a subgrant under section 4113(c) may also use those funds to carry out, in a manner that is consistent with the most recent rel-

evant research, other services and activities that are consistent with the purposes of this title, such as—

"(A) staff training and development;

"(B) parental involvement and training;

"(C) community involvement activities;

"(D) law enforcement and security activities that are related to school safety and drug use;

"(E) creating and maintaining safe zones of passage to and from school to prevent violence and drug trafficking;

"(F) counseling, mentoring, and referral services, and other student assistance programs;

"(G) before- and after-school programs;

"(H) alternative education programs for those students who have been expelled from their regular education programs;

"(I) programs to assist students to reenter the regular education program upon return from treatment or alternative education settings;

"(J) services and activities that reduce the need for suspension and expulsion in maintaining classroom order and school discipline;

"(K) services and activities to prevent and reduce truancy;

"(L) teaching students about the risks and consequences associated with handling firearms and that enables them to make safe choices and avoid injuries to themselves and others; and

"(M) activities designed to prevent hate crimes.

"(2) A local educational agency may not use more that 20 percent of its subgrant for the acquisition or use of metal detectors and security personnel unless it demonstrates in its application under section 4116 to the satisfaction of the State educational agency that it has a compelling need to do so.

"GOVERNOR'S PROGRAMS

"SEC. 4115. (a) ALLOCATION OF FUNDS.—In each fiscal year, 20 percent of the total amount allocated to the State under section 4111(b) shall be used by the Governor to support community efforts that directly complement the efforts of local educational agencies to foster drug-free, safe, and orderly learning environments in and around schools.

"(b) STATE-LEVEL ACTIVITIES.—(1) A Governor shall reserve not more than 20 percent of the amount described in subsection (a) for State-level activities described in paragraph (2) and section 4113(b)(4).

"(2) A Governor may use not more than 5 percent of the amount described in subsection (a) for costs, direct

or indirect, of carrying out the Governor's administrative responsibilities under this part.

"(3) The Governor shall reserve the remainder of the amount described in paragraph (1), after application of paragraph (2), but not less than 10 percent of the amount described in subsection (a), for State-level activities that are administered jointly with the State educational agency, as described in section 4113(b)(4).

"(c) LOCAL-LEVEL ACTIVITIES.—(1)(A) A Governor shall use not less than 80 percent of the amount described in subsection (a) to make competitive subgrants to, or contracts with, community-based organizations, local educational agencies, and other public entities and private non-profit organizations, or consortia thereof, to support community efforts that directly complement the efforts of local educational agencies to foster drug-free, safe, and orderly learning environments in and around schools.

"(B) To be eligible for a subgrant under this subsection, an applicant (other than a local educational agency applying on its own behalf) shall include in its application its written agreement with one or more local educational agencies, or one or more schools within a local educational agency, to provide services and activities in support of such local educational agencies or schools, as well as an explanation of how those services and activities

will complement or support the local educational agencies' or schools' efforts to provide a drug-free, safe, and orderly school environment.

"(C) The Governor shall base the competition conducted under subparagraph (A)—

"(i) on the quality of the applicant's proposed program and how closely it is aligned with the principles of effectiveness described in section 4113(c)(2)(C)(ii); and

"(ii) on the needs of the schools or local educational agencies to be served, based on the objective criteria determined by the Governor.

"(D) Subgrants under this subsection may support community efforts on a Statewide, regional, or local basis and may support the efforts of local educational agencies and schools that do not receive funds under this part.

"(2)(A) Each recipient of a subgrant under this subsection shall use those funds to support research-based services and activities that are consistent with the principles of effectiveness described in section 4113(c)(2)(C)(ii).

"(B) Each recipient of a subgrant under this subsection may also use those funds to carry out, in a manner that is consistent with the most recent relevant research,

other services and activities that are consistent with the purposes of this title, such as—

"(i) counseling and mentoring services;

"(ii) the support of school resource officers, and other partnerships with law enforcement;

"(iii) after-school programs;

"(iv) activities designed to prevent hate crimes; and

"(v) alternative education programs for students removed from their regular educational programs.

"LOCAL APPLICATIONS

"SEC. 4116. APPLICATION CONTENTS.—(a)(1) Applicants for subgrants under section 4113(c)(2), section 4113(c)(3), and section 4115(c) shall submit an application at such time and including such information as the State educational agency or the Governor, as applicable, requires, consistent with paragraph (3).

"(2)(A) Applications from local educational agencies for subgrants under section 4113(c)(2), section 4113(c)(3), and section 4115(c) shall be developed in consultation with a local or regional advisory council that includes, to the extent possible, representatives of local government, business, parents, students, teachers, pupil services personnel, mental health service providers, appropriate State agencies, private schools, law enforcement,

community-based organizations, and other groups interested in, and knowledgeable about, drug and violence prevention.

"(B) Applications from entities other than local educational agencies for subgrants under section 4115(c) shall be developed in consultation with the schools or local educational agencies to be served and, to the extent practicable, with the representatives described in subparagraph (A).

"(3) Each application for a subgrant described in subsection (a) shall contain—

"(A) the results of the applicant's needs assessment concerning the creation and maintenance of a drug-free, safe, and orderly school environment and include data on the prevalence of drug use and violence by youth in the schools and communities to be served;

"(B) a description of how the applicant will target services and activities on the communities, schools, and students with the greatest need for assistance in creating and maintaining drug-free, safe, and orderly learning environments;

"(C) the applicant's results-based performance measures for creating and maintaining a drug-free, safe, and orderly learning environment, which shall

be focused on student behavior and attitudes, and include annual targets for each performance measure;

"(D) a description of the procedures the applicant will use to assess and publicly report progress toward meeting its performance indicators;

"(E) a description of how—

"(i) the applicant will use the funds to be awarded and how the activities it will support with those funds address the needs identified under subparagraph (A) and the performance measures identified in subparagraph (C); and

"(ii) if the applicant is a local educational agency, how those activities are consistent with the Safe and Drug-Free Schools plan under paragraph (4)(F) or another existing school plan related to safe, disciplined, and drug-free environments;

"(F) a description of how the applicant will coordinate its activities with local, State, and Federal law enforcement, health, mental health, and education officials;

"(G) a description of how the applicant will coordinate its activities under this part with those im-

plemented under the Drug-Free Communities Act, if any;

"(H) a description of the applicant's plan for evaluating its project; and

"(I) any other information the State educational agency or Governor, as applicable, may require to review applications, and award subgrants, based on the applicant's need for assistance and the quality of the application.

"(4) Each applicant for a subgrant under section 4113(c)(2) or 4113(c)(3) shall also include in its application an assurance that it—

"(A) has a policy, consistent with State law and the Gun-Free Schools Act, that requires the expulsion of students who possess a firearm at school;

"(B) has, or will have, a full- or part-time program coordinator whose primary responsibility is planning, designing, implementing, and evaluating the applicant's programs (unless the applicant demonstrates in its application, to the satisfaction of the State educational agency, that such a program coordinator is not needed);

"(C) will evaluate its program every two years to assess its progress toward meeting its goals and objectives, and will use the results of its evaluation

to improve its program and refine its goals and objectives, as needed; and

"(D) has, or the schools to be served have, a comprehensive Safe and Drug-Free Schools plan that includes—

"(i) appropriate and effective discipline policies that prohibit disorderly conduct, the possession of firearms and other weapons, and the illegal use, possession, distribution, and sale of tobacco, alcohol, and other drugs by students, and that mandate predetermined consequences, sanctions, or interventions for specific offenses;

"(ii) security procedures at school and while students are on the way to and from school, which may include the use of metal detectors and the development and implementation of formal agreements with law enforcement officials;

"(iii) early intervention and prevention activities of demonstrated effectiveness designed to create and maintain safe, disciplined, and drug-free environments;

"(iv) school readiness and family involvement activities;

"(v) improvements to classroom management and school environment, such as efforts to reduce class size or improve classroom discipline;

"(vi) procedures to identify and intervene with troubled students, including establishing linkages with, and referring students to, juvenile justice, community mental health, and other service providers;

"(vii) activities that connect students to responsible adults in the community, including activities such as after-school or mentoring programs; and

"(viii) a crisis management plan for responding to violent or traumatic incidents on school grounds, which provides for addressing the needs of victims, and communicating with parents, the media, law enforcement officials, and mental health service providers.

"(5) Each applicant for a subgrant under section 4115(c) shall also include in its application—

"(A) a description of how the services and activities to be supported will be coordinated with relevant programs under this part that are supported

by State educational agencies, including how recipients will share resources, services, and data;

"(B) a description of how the applicant will coordinate its activities under this part with those implemented under the Drug-Free Communities Act, if any; and

"(C)(i) an assurance that it will evaluate its program every two years to assess its progress toward meeting its goals and objectives, and will use the results of its evaluation to improve its program and refine its goals and objectives as needed, if the applicant is not a local educational agency; or

"(ii) the assurances under paragraph (4) if the applicant is a local educational agency.

"(b) REVIEW OF APPLICATION.—To review applications under this section—

"(1) State educational agencies shall use a peer review process; and

"(2) Governors may use a peer review process or other methods that ensure that applications are funded on the basis of need and quality.

"NATIONAL EVALUATIONS AND DATA COLLECTIONS

"SEC. 4117. (a) NATIONAL EVALUATIONS.—(1) The Secretary shall provide for periodic national evaluations, at least every two years, of the quality and impact of programs under this title and other programs designed to pre-

vent drugs and violence in schools and submit a report of the findings of such evaluations to the President and Congress.

"(2)(A) The National Center for Education Statistics shall collect data to determine the frequency, seriousness, and incidence of violence in elementary and secondary schools in the States. The Secretary shall collect the data using, wherever appropriate, data submitted by the States pursuant to subsection (b)(1)(B).

"(B) The Secretary shall report to Congress on the data collected under this paragraph, together with such recommendations as the Secretary determines appropriate.

"(3) The Secretary of Education and the Attorney General shall publish annual reports on school safety.

"(b) STATE REPORTS.—(1) The Governor and State educational agency of each State shall annually report to the Secretary, in such form as the Secretary may require, on the State's progress toward attaining its performance indicators, required under section 4112(a)(1)(c)(ii), for achieving drug-free, safe, and orderly learning environments in its schools. Annual reports shall—

"(A) be based on the State's ongoing evaluation activities;

"(B) include data on the prevalence and incidence of drug use and violence by youth in schools and communities;

"(C) address the implementation and outcomes of State and local programs under this part, as well as their effectiveness; and

"(D) be made readily available to the public.

"(2) Each State shall report to the Secretary, in such form as the Secretary, in consultation with the Secretary of Health and Human Services, may require, all school-related suicides and homicides within the State within 30 days of the incident.

"(c) LOCAL REPORTS.—(1)(A) Each local educational agency that receives a subgrant under section 4113(c)(2) or section 4113(c)(3) shall report annually to the State educational agency and the public on—

"(i) the local educational agency's progress toward meeting its results-based performance indicators for its program;

"(ii) the results of its on-going evaluation of its program; and

"(iii) any problems the local educational agency has encountered in implementing its program that warrant the provision of technical assistance by the State educational agency.

"(B) The State educational agency shall review the annual reports described under paragraph (1) and shall not provide funding for the second or third year of a local educational agency's program unless it determines that the local educational agency is making reasonable progress toward meeting its objectives.

"(2)(A) Each recipient of funds under section 4115(c) shall report annually to the Governor and to the public on—

"(i) its progress toward meeting its results-based performance measures for its program;

"(ii) the results of its on-going evaluation of its program; and

"(iii) any problems it encountered in implementing its program that warrant the provision of technical assistance by the Governor.

"(B) The Governor shall review the annual reports described under subparagraph (A), and shall not provide funding for subsequent years of a multi-year program unless the Governor determines that the recipient is making reasonable progress toward meeting its objectives.

"PART B—NATIONAL PROGRAMS

"NATIONAL ACTIVITIES

"SEC. 4211. (a) PROGRAM AUTHORIZED.—From funds appropriated to carry out this part for each fiscal

year under section 4004(2), the Secretary shall carry out—

"(1) programs designed to promote drug-free, safe, and orderly learning environments for students at all educational levels, from preschool through the postsecondary level; and

"(2) programs for such students that promote lifelong physical activity.

"(b) DRUG-FREE, SAFE, AND ORDERLY LEARNING ENVIRONMENTS.—(1) The Secretary may carry out the programs described in subsection (a)(1) directly, or through grants, contracts, or cooperative agreements with public and private agencies, organizations, and individuals, or through agreements with other Federal agencies, and shall coordinate with other Federal agencies, as appropriate.

"(2) Programs under this subsection may include, but are not limited to—

"(A) one or more centers to provide training and technical assistance for teachers, school administrators and staff, and others on the identification and implementation of effective strategies to promote safe, orderly, and drug-free learning environments;

"(B) programs to train teachers in innovative techniques and strategies of effective drug and violence prevention;

"(C) research and demonstration projects to test innovative approaches to drug and violence prevention;

"(D) evaluations of the effectiveness of programs funded under this title, or other programs designed to create safe, disciplined, and drug-free environments;

"(E) direct services and technical assistance to schools and school systems, including those afflicted with especially severe drug and violence problems;

"(F) developing and disseminating drug and violence prevention materials and information in print, audiovisual, or electronic format, including information about effective research-based programs, policies, practices, strategies, and curriculum and other relevant materials to support drug and violence prevention education;

"(G) recruiting, hiring, and training program coordinators to assist school districts in implementing high-quality, effective, research-based drug and violence prevention programs;

"(H) the development and provision of education and training programs, curricula, instructional materials, and professional training for preventing and reducing the incidence of crimes or conflicts motivated by bullying, hate, prejudice, intolerance, or sexual harassment and abuse;

"(I) programs for youth who are out of the education mainstream, including school dropouts, students who have been suspended or expelled from their regular education program, and runaway or homeless children and youth;

"(J) programs implemented in conjunction with other Federal agencies that support local educational agencies and communities in developing and implementing comprehensive programs that create safe, disciplined, and drug-free learning environments and promote healthy childhood development;

"(K) services and activities that reduce the need for suspension and expulsion in maintaining classroom order and discipline;

"(L) services and activities to prevent and reduce truancy;

"(M) programs to provide counseling services to troubled youth, including support for the recruit-

ment and hiring of counselors and the operation of telephone help lines; and

"(N) other activities that meet emerging or unmet national needs consistent with the purposes of this title.

"(c) LIFELONG PHYSICAL ACTIVITY PROGRAMS.—(1) The Secretary may carry out the programs described in subsection (a)(2) directly, or through grants, contracts, or cooperative agreements with public and private agencies, organizations, and individuals, or through agreements with other Federal agencies, and shall coordinate with the Centers for Disease Control and Prevention, the President's Council on Physical Fitness, and other Federal agencies, as appropriate.

"(2) Programs under this subsection may include, but are not limited to—

"(A) the conduct of demonstrations of school-based programs that promote lifelong physical activity, with a particular emphasis on physical education programs that are part of coordinated school health programs, that promote healthy, drug-free lifestyles;

"(B) training, technical assistance, and other activities to encourage States and local educational agencies to implement sound school-based programs

that promote lifelong physical activity and healthy lifestyles; and

"(C) activities designed to build State capacity to provide leadership and strengthen schools' capabilities to provide school-based programs that promote lifelong physical activity and healthy lifestyles.

"(d) PEER REVIEW.—The Secretary shall use a peer review process in reviewing applications for funds under this section.

"PART C—SCHOOL EMERGENCY RESPONSE TO VIOLENCE

"PROJECT SERV

"SEC. 4311. (a) PROJECT SERV.—(1) From funds appropriated to carry out this part for each fiscal year under section 4004(3), the Secretary is authorized to carry out a program of providing education-related services to local educational agencies in which the learning environment has been disrupted due to a violent or traumatic crisis, such as a shooting or major accident. Such program may be referred to as 'Project SERV.—

"(2) The Secretary may carry out Project SERV directly, or through grants, contracts, or cooperative agreements with public and private organizations, agencies, and individuals, or through agreements with other Federal agencies.

"(b) AUTHORIZED ACTIVITIES.—(1) Project SERV may provide—

"(A) assistance to school personnel in assessing a crisis situation, including—

"(i) assessing the resources available to the local educational agency and community to respond to the situation; and

"(ii) developing a response plan to coordinate services provided at the Federal, State, and local level;

"(B) mental health crisis counseling to students and their families, teachers, and others in need of such services;

"(C) increased school security;

"(D) training and technical assistance for State and local educational agencies, State and local mental health agencies, State and local law enforcement agencies, and communities to enhance their capacity to develop and implement crisis intervention plans;

"(E) services and activities designed to identify and disseminate the best practices of school- and community-related plans for responding to crises; and

"(F) other needed services and activities that are consistent with the purposes of this part.

"(2) The Secretary, in consultation with the Attorney General, the Secretary of Health and Human Services, and the Director of the Federal Emergency Management Agency—

"(A) shall establish such criteria and application requirements as may be needed to select which local educational agencies are assisted under this part; and

"(B) may establish such reporting requirements as may be needed to collect uniform data and other information from all local educational agencies assisted under this part.

"(c) COORDINATING COMMITTEE.—(1) There shall be established a Federal coordinating committee on school crises comprised of the Secretary, the Attorney General, the Secretary of Health and Human Services, the Director of the Federal Emergency Management Agency, the Director of the Office of National Drug Control Policy, and such other members as the Secretary shall determine. The Secretary shall serve as chair of the Committee.

"(2) The Committee shall coordinate the Federal responses to crises that occur in schools or directly affect the learning environment in schools.

"PART D—RELATED PROVISIONS

"GUN-FREE SCHOOLS ACT

"SEC. 4411. (a) SHORT TITLE.—This section may be cited as the 'Gun-Free Schools Act'.

"(b) REQUIREMENTS.—(1) Each State receiving Federal funds under the Elementary and Secondary Education Act of 1965 shall have in effect a State law requiring local educational agencies to expel from school, for a period of not less than one year, a student who is determined to have possessed a firearm at school under the jurisdiction of a local educational agency in that State, except that such State law shall allow the chief administering officer of that local educational agency to modify the expulsion requirement for a student on a case-by-case basis.

"(2) For the purpose of this section, the term 'firearm' has the same meaning given that term in section 921 of title 18, United States Code (which includes bombs).

"(c) SPECIAL RULE.—This section shall be construed in a manner consistent with the Individuals with Disabilities Education Act.

"(d) REPORT TO STATE.—Each local educational agency requesting assistance from the State educational agency under this Act shall provide to the State in its application—

"(1) an assurance that such local educational agency is in compliance with the State law required by subsection (b);

"(2) a description of the circumstances surrounding any expulsions imposed under the State law required by subsection (b), including—

"(A) the name of the school concerned;

"(B) the number of students expelled from such school (disaggregated by gender, race, ethnicity, and educational level); and

"(C) the type of weapons concerned; and

"(3) the number of—

"(A) students referred to the criminal justice or juvenile justice system as required in section 4412(a)(1); and

"(B) instances in which the chief administering officer of a local educational agency modified the expulsion requirement described in subsection (b)(1) on a case-by-case basis.

"(e) REPORTING.—Each State shall report the information described in subsection (d) to the Secretary on an annual basis.

"LOCAL POLICIES

"SEC. 4412. (a) REQUIRED POLICIES.—No funds shall be made available under the Elementary and Sec-

ondary Education Act of 1965 to any local educational agency unless that agency has a policy ensuring—

"(1) that any student who possesses a firearm at school served by such agency is referred to the criminal justice or juvenile justice system;

"(2) that a student described in paragraph (1) is referred to a mental health professional for assessment as to whether he or she poses an imminent threat of harm to himself, herself, or others and needs appropriate mental health services before readmission to school; and

"(3) that a student under paragraph (1) who has been determined by a mental health professional to pose an imminent threat of harm to himself, herself, or others receive, in addition to appropriate services under section 11206(9) of this Act, appropriate mental health services before being permitted to return to school.

"(b) SPECIAL RULE.—This section shall be construed in a manner consistent with the Individuals with Disabilities Education Act.

"(c) DEFINITIONS.—For the purposes of this section, the terms 'firearm' and 'school' have the same meaning given those terms in section 921(a) of title 18, United States Code.

"MATERIALS

"SEC. 4413. (a) 'WRONG AND HARMFUL MESSAGE'.—Drug prevention programs supported under this title shall convey a clear and consistent message that the illegal use of alcohol and other drugs is wrong and harmful.

"(b) CURRICULUM.—The Secretary shall not prescribe the use of particular curricula for programs under this title, but may evaluate and disseminate information about the effectiveness of such curricula and programs.

"PROHIBITED USES OF FUNDS

"SEC. 4414. No funds under this title may be used for—

"(1) construction (except for minor remodeling needed to accomplish the purposes of this part); and

"(2) medical services or drug treatment or rehabilitation, except for pupil services or referral to treatment for students who are victims of, or witnesses to, crime or who use alcohol, tobacco, or drugs."

"DRUG-FREE, ALCOHOL-FREE, AND TOBACCO-FREE SCHOOLS

"SEC. 4415. (a) REQUIRED POLICY.—Each State educational agency and local educational agency that receives funds under this title shall have a policy that prohibits the possession or use of tobacco, and the illegal pos-

1 session or use of drugs and alcohol, in any form, at any
2 time, and by any person, in school buildings, on school
3 grounds, or at any school-sponsored event.

4 ''(b) ASSURANCE.—Each local educational agency re-
5 questing assistance under this title from the State edu-
6 cational agency shall include in its application an assur-
7 ance that it is in compliance with the requirements of this
8 section.

9 ''(c) STATE REPORTING.—Each State educational
10 agency shall report to the Secretary on an annual basis
11 if any local educational agency is not in compliance with
12 the requirements of subsection (a).

13 ''PROHIBITION ON SUPPLANTING

14 ''SEC. 4416. Funds under this title shall be used to
15 increase the level of State, local, and other non-Federal
16 funds that would, in the absence of funds under this title,
17 be made available for programs and activities authorized
18 under this title, and in no case to supplant such State,
19 local, and other non-Federal funds.

20 ''DEFINITIONS OF TERMS

21 ''SEC. 4417. As used in this title—

22 ''(1) the term 'drug and violence prevention'
23 means—

24 ''(A) with respect to drugs, prevention,
25 early intervention, rehabilitation, referral, or
26 education related to the illegal use of alcohol

and the use of controlled, illegal, addictive, or harmful substances, including inhalants and anabolic steroids;

"(B) prevention, early intervention, smoking cessation activities, or education related to the use of tobacco by children and youth eligible for services under this title; and

"(C) with respect to violence, the promotion of school safety, such that students and school personnel are free from violent and disruptive acts, including sexual harassment and abuse and victimization associated with prejudice and intolerance, on school premises, going to and from school, and at school-sponsored activities, through the creation and maintenance of a school environment that is free of weapons and fosters individual responsibility and respect for the rights of others;

"(2) the terms 'drug treatment' and 'drug rehabilitation' include activities to assist regular users of drugs to become drug-free, but do not include alternative education programs for students expelled from school, student assistance programs, or programs to help students who have been expelled to re-

enter and succeed in their regular education program;

"(3) the term 'hate crime' means a crime described in section 1(b) of the Hate Crime Statistics Act of 1990; and

"(4) the term 'medical services' includes, but is not limited to, the diagnosis and treatment of disease, illness, or injury, but does not include assessments by mental health professionals to determine whether a student poses an imminent threat of harm to himself or others.".

TITLE V—PROMOTING EQUITY, EXCELLENCE, AND PUBLIC SCHOOL CHOICE

RENAMING THE TITLE

SEC. 501. The heading for Title V of the ESEA is amended to read as follows: "TITLE V—PROMOTING EQUITY, EXCELLENCE, AND PUBLIC SCHOOL CHOICE".

AMENDMENTS TO THE MAGNET SCHOOLS ASSISTANCE PROGRAM

SEC. 502. (a) FINDINGS.—Section 5101 of the ESEA is amended to read as follows:

"FINDINGS

"SEC. 5101. The Congress finds as follows:

"(1) Magnet schools are a significant part of our Nation's effort to achieve voluntary desegregation in our Nation's schools.

"(2) It is in the national interest to desegregate and diversify those schools in our Nation that are racially, economically, linguistically, or ethnically segregated. Such segregation exists between minority and non-minority students as well as among students of different minority groups.

"(3) Desegregation can help increase rates of high school graduation and college attendance, and can promote better occupational prospects for students who have attended integrated schools.

"(4) Desegregation can provide students with valuable experience that prepares them to function in a diverse society and can help break down long-standing patterns of racial isolation in adult social relationships.

"(5) Despite ongoing desegregation efforts in the Nation—

"(A) almost one-third of our elementary and secondary schools continue to be schools with 50 percent or more minority students;

"(B) more than two-thirds of minority students attend schools with 50 percent or more

minority students, and almost half of minority students attend schools with 75 percent or more minority students;

"(C) almost one-third of non-minority students attend schools with less than 10 percent minority students;

"(D) almost one-quarter of African-American students attend schools with 90 percent or more African-American students; and

"(E) almost one-third of Hispanic students attend schools with 75 percent or more Hispanic students.

"(6) Local educational agencies" use of magnet schools has increased dramatically since the enactment of the Magnet Schools Assistance program, thus increasing public school options for the approximately two million students nationwide now attending such schools, of which more than 65 percent of the students are minority.

"(7) Magnet schools offer a wide range of distinctive programs that have served as models for school improvement efforts.

"(8) In administering the Magnet Schools Assistance program, the Federal Government has learned that—

"(A) where magnet programs are implemented for only a portion of a school's student body, special efforts must be made to discourage the isolation of—

"(i) magnet school students from other students in the school; and

"(ii) students by racial characteristics;

"(B) local educational agencies can maximize their effectiveness in achieving the purposes of the Magnet Schools Assistance program if they have more flexibility in the administration of the program in order to serve students attending a school who are not enrolled in the magnet program;

"(C) local educational agencies must be creative in designing magnet schools for students at all academic levels, so that those schools do not serve only the highest-achieving students;

"(D) consistent with desegregation guidelines, local educational agencies must seek to enable participation in magnet school programs by students who reside in the neighborhoods where the programs operate;

"(E) in order to ensure that magnet schools are sustained after Federal funding ends, the Federal Government must assist school districts to improve their capacity to continue operating magnet schools at a high level of performance; and

"(F) magnet schools and interdistrict magnet programs have provided poor and minority students opportunities to succeed academically and continue with college or productive employment.

"(9) It is in the best interest of the Federal Government to—

"(A) continue Federal support of school districts implementing court-ordered desegregation plans and school districts seeking to foster meaningful interaction among students of different racial and ethnic backgrounds, beginning at the earliest stage of their education;

"(B) help ensure that all students have equitable access to high-quality education that will prepare them to function well in a culturally diverse, technologically oriented, and highly competitive global community; and

"(C) help maximize the ability of local educational agencies to plan, develop, implement and continue effective and innovative magnet schools that contribute to State and local systemic reform.".

(b) PURPOSE.—Section 5102(3) of the ESEA is amended to read as follows:

"(3) the development and design of innovative educational methods and practices that promote diversity and increase choices in public elementary and secondary schools and educational programs; and".

(c) APPLICATION REQUIREMENTS.—Section 5106(b)(1)(D) of the ESEA is amended by—

(1) striking out "under this Act, the Goals 2000: Educate America Act," and inserting in lieu thereof "under this Act,"; and

(2) striking out "section 14306" and inserting in lieu thereof "section 14307".

(d) PRIORITY.—Section 5107 of the ESEA is amended by—

(1) striking out paragraphs (1) and (5);

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

(3) adding a new paragraph (4) to read as follows:

"(4) propose activities, which may include professional development, that will build local capacity to operate the magnet program once Federal assistance has ended.".

(e) USES OF FUNDS.—Section 5108(a) of the ESEA is amended—

(1) by amending paragraph (3) to read as follows:

"(3) for the payment, or subsidization of the compensation, of—

"(A) elementary and secondary school teachers who are certified or licensed by the State; and

"(B) instructional staff who have—

"(i) expertise and professional skills necessary for the conduct of programs in magnet schools; or

"(ii) demonstrate knowledge, experience, or skills in the relevant field of expertise, such as expertise in the performing arts, the medical sciences, or the field of law;";

(2) in paragraph (4), by striking out the period and inserting in lieu thereof a semicolon and "and"; and

(3) by adding a new paragraph (5) to read as follows:

"(5) for activities, which may include professional development, that will build the applicant's capacity to operate the magnet program once Federal assistance has ended.".

(f) REPEAL.—Section 5111 of the ESEA is repealed.

(g) EVALUATION, TECHNICAL ASSISTANCE, AND DISSEMINATION.—Section 5112 of the ESEA is—

(1) redesignated as section 5111; and

(2) amended, as redesignated by paragraph (1), to read as follows:

"EVALUATION, TECHNICAL ASSISTANCE, AND DISSEMINATION

"SEC. 5111. The Secretary may reserve not more than five percent of the funds appropriated under section 5112(a) for any fiscal year—

"(1) for evaluations of magnet school programs assisted under this part, which, at a minimum, shall address—

"(A) how, and the extent to which, magnet school programs lead to high educational quality and improvement;

"(B) the extent to which magnet school programs enhance student access to high-quality education;

"(C) the extent to which magnet school programs lead to the elimination, reduction, or prevention of minority group isolation in elementary and secondary schools with substantial proportions of minority students;

"(D) the extent to which magnet school programs differ from other school programs in terms of organizational characteristics and resource allocations; and

"(E) the extent to which magnet school programs continue once grant assistance under this part ends;

"(2) to provide technical assistance to applicants and grantees; and

"(3) to collect and disseminate information on successful magnet school programs.".

(h) AUTHORIZATION OF APPROPRIATIONS.—(1) Section 5113(a) of the ESEA is amended to read as follows:

"(a) AUTHORIZATION.—For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years.".

(2) Section 5113 of the ESEA, as amended by paragraph (1), is redesignated as section 5112.

AMENDMENTS TO AND REDESIGNATION OF THE WOMEN'S EDUCATIONAL EQUITY PROGRAM

SEC. 503. (a) AMENDMENTS TO THE WOMEN'S EDUCATIONAL EQUITY PROGRAM.—(1) Section 5201 of the ESEA is amended—

(A) in subsection (a), by striking out ''of 1994''; and

(B) in subsection (b)(3)—

(i) in paragraph (B), by striking out ''do not'' and inserting in lieu thereof ''continue not to''; and

(ii) by amending paragraph (C) to read as follows:

''(C) girls lose confidence in their mathematics and science ability as they move through adolescence, girls do not take as many upper-level mathematics and science courses as boys, and girls are dramatically underrepresented in higher-level computer science courses;''.

(2) Section 5204 of the ESEA is amended—

(A) by striking out ''section 5203(b)(1)'' each place it appears and inserting in lieu thereof ''section 5403(b)(2)(A)'' in each such place;

(B) in paragraph (2), by striking out ''the National Education Goals'' and inserting in lieu thereof ''America's Education Goals'';

(C) by striking out paragraph (4); and

(D) by redesignating paragraphs (5) through (7) as paragraphs (4) through (6), respectively.

(3) Section 5205(a)(1) of the ESEA is amended by striking out ''section 5203(b)'' and inserting in lieu thereof ''section 5403(b)''.

(4) Section 5206 of the ESEA is repealed.

(5) Section 5207 of the ESEA is amended—

(A) by striking out subsection (a); and

(B) in subsection (b), by striking out the subsection designation and heading.

(6) Section 5208 is amended to read as follows:

''AUTHORIZATION OF APPROPRIATIONS

''SEC. 5208. For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years.''.

(b) REDESIGNATION.—(1) Part B of title V of the ESEA is redesignated as part D.

(2) Sections 5201, 5202, 5203, 5204, 5205, 5207, and 5208 of the ESEA are redesignated as sections 5401, 5402, 5403, 5404, 5405, 5406, and 5407, respectively.

REPEAL OF THE ASSISTANCE TO ADDRESS SCHOOL DROPOUT PROBLEMS PROGRAM

SEC. 504. Part C of title V of the ESEA is repealed.

REDESIGNATION OF THE PUBLIC CHARTER SCHOOLS PROGRAM

SEC. 505. (a) REDESIGNATION.—(1) Part C of title X of the ESEA is redesignated as part B of title V of the ESEA.

(2) The heading for Part B of Title V of the ESEA, as redesignated by paragraph (1), is amended to read as follows:

"PART B—PUBLIC CHARTER SCHOOLS".

(3) Sections 10301 through 10311 of the ESEA are redesignated as sections 5201 through 5211 of title V of the ESEA, respectively.

(b) CONFORMING AMENDMENTS.—(1) Section 5202 of the ESEA, as redesignated by subsection (a)(3), is amended—

(A) in subsection (a), by striking out "section 10303" and inserting in lieu thereof "section 5203";

(B) in subsection (b), by—

(i) striking out "section 10303" and inserting in lieu thereof "section 5203"; and

(ii) striking out "section 10303(c)" and inserting in lieu thereof "section 5203(c)";

(C) in subsection (c)(2)(C), by striking out ''section 10304(f)(6)(B)'' and inserting in lieu thereof ''section 5204(f)(6)(B)''; and

(D) in subsection (e)(1), by striking out ''section 10311'' each place it appears and inserting in lieu thereof ''section 5211''.

(2) Section 5203 of the ESEA, as redesignated by subsection (a)(3), is amended—

(A) in subsection (b)(3)(L), by striking out ''section 10302(c)(2)(C)'' and inserting in lieu thereof ''section 5202(c)(2)(C)'';

(B) in subsection (c), by striking out ''section 10302(e)(1) or 10302(b)'' and inserting in lieu thereof ''section 5202(b)''; and

(C) in subsection (d)(2)(B), by striking out ''section 10304(e)'' and inserting in lieu thereof ''section 5204(e)''.

(3) Section 5204 of the ESEA, as redesignated by subsection (a)(3), is amended—

(A) in subsection (a)—

(i) in the matter before paragraph (1), by striking out ''section 10303(b)'' and inserting in lieu thereof ''section 5203(b)''; and

(ii) in paragraph (7), by striking out ''section 10302(c)(2)(C)'' and inserting in lieu thereof ''section 5202(c)(2)(C)'';

(B) in subsection (b)(7), by striking out ''section 10302(c)(2)(C)'' and inserting in lieu thereof ''section 5202(c)(2)(C)''; and

(C) in subsection (e), by striking out ''section 10310(1)'' and inserting in lieu thereof ''section 5210(1)''.

OPTIONS: OPPORTUNITIES TO IMPROVE OUR NATION'S SCHOOLS

SEC. 506. Title V of the ESEA is further amended by adding a new part C to read as follows:

''PART C—OPTIONS: OPPORTUNITIES TO IMPROVE OUR NATION'S SCHOOLS

''FINDINGS; PURPOSE

''SEC. 5301. (a) FINDINGS.—The Congress finds that—

''(1) a wide variety of educational opportunities and options in the public school system is needed to help all children achieve to high standards;

''(2) high-quality public school choice programs that are genuinely open and accessible to all students (including poor, minority, limited English proficient, and disabled students) broaden educational opportunities and promote excellence in education;

"(3) current research shows that—

"(A) students learn in different ways, benefiting from different teaching methods and instructional settings; and

"(B) family involvement in a child's education (such as helping choose what courses to take) is a key factor supporting student achievement;

"(4) public school systems have begun to develop a variety of innovative programs that offer expanded choices to parents and students; and

"(5) the Federal Government should support and expand efforts to give students and parents the high-quality public school choices they seek, to help eliminate barriers to effective public school choice, and to disseminate the lessons learned from high-quality choice programs so that all public schools can benefit from these efforts.

"(b) PURPOSE.—It is the purpose of this part to identify and support innovative approaches to high-quality public school choice by providing financial assistance for the demonstration, development, implementation, and evaluation of, and dissemination of information about, public school choice projects that stimulate educational in-

novation for all public schools and contribute to standards-based school reform efforts.

"GRANTS

"SEC. 5302. (a) IN GENERAL.—From funds appropriated under section 5305(a) and not reserved under section 5305(b), the Secretary is authorized to make grants to State and local educational agencies to support programs that promote innovative approaches to high-quality public school choice.

"(b) DURATION.—Grants under this part shall not exceed three years.

"USES OF FUNDS

"SEC. 5303. (a) USES OF FUNDS.—(1) Funds under this part may be used to demonstrate, develop, implement, evaluate, and disseminate information on innovative approaches to broaden public school choice, including the design and development of new public school choice options, the development of new strategies for overcoming barriers to effective public school choice, and the design and development of public school choice systems that promote high standards for all students and the continuous improvement of all public schools.

"(2) Examples of such approaches at the school, district, and State levels are—

"(A) inter-district approaches to public school choice, including approaches that increase equal ac-

cess to high-quality educational programs and diversity in schools;

"(B) public elementary and secondary programs that involve partnerships with institutions of higher education and that are located on the campuses of those institutions;

"(C) programs that allow students in public secondary schools to enroll in postsecondary courses and to receive both secondary and postsecondary academic credit;

"(D) worksite satellite schools, in which State or local educational agencies form partnerships with public or private employers, to create public schools at parents' places of employment; and

"(E) approaches to school desegregation that provide students and parents choice through strategies other than magnet schools.

"(b) LIMITATIONS.—Funds under this part shall—

"(1) supplement, and not supplant, non-Federal funds expended for existing programs;

"(2) not be used for transportation; and

"(3) not be used to fund projects that are specifically authorized under part A or B of this title.

"GRANT APPLICATION; PRIORITIES

"SEC. 5304. (a) APPLICATION REQUIRED.—A State or local educational agency desiring to receive a grant

under this part shall submit an application to the Secretary, in such form and containing such information, as the Secretary may require.

"(b) APPLICATION CONTENTS.—Each application shall include—

"(1) a description of the program for which funds are sought and the goals for such program;

"(2) a description of how the program funded under this part will be coordinated with, and will complement and enhance, programs under other related Federal and non-federal projects;

"(3) if the program includes partners, the name of each partner and a description of its responsibilities;

"(4) a description of the policies and procedures the applicant will use to ensure—

"(A) its accountability for results, including its goals and performance indicators; and

"(B) that the program is open and accessible to, and will promote high academic standards for, all students.

"(c) PRIORITIES.—(1) The Secretary shall give a priority to applications for projects that would serve high-poverty local educational agencies.

"(2) The Secretary is authorized to give a priority to applications demonstrating that the applicant will carry out its project in partnership with one or more public and private agencies, organizations, and institutions, including institutions of higher education and public and private employers.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 5305. (a) AUTHORIZATION OF APPROPRIATION.—For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years.

"(b) RESERVATION FOR EVALUATION, TECHNICAL ASSISTANCE, AND DISSEMINATION.—From the amount appropriated under subsection (a) for any fiscal year, the Secretary may reserve not more than five percent to carry out evaluations under subsection (c), to provide technical assistance, and to disseminate information.

"(c) EVALUATIONS.—The Secretary may use funds reserved under subsection (b) to carry out one or more evaluations of programs assisted under this part, which shall, at a minimum, address—

"(1) how, and the extent to which, the programs supported with funds under this part promote educational equity and excellence; and

"(2) the extent to which public schools of choice supported with funds under this part are—

"(A) held accountable to the public;

"(B) effective in improving public education; and

"(C) open and accessible to all students.".

TITLE VI—CLASS-SIZE REDUCTION

CLASS-SIZE REDUCTION

SEC. 601. Title VI of the ESEA is amended to read as follows:

"FINDINGS

"SEC. 6001. The Congress finds as follows:

"(1) Rigorous research has shown that students attending small classes than students in larger classes, and that these achievement gains persist through at least the 8th grade.

"(2) The benefits of smaller classes are greatest for lower-achieving, minority, poor, and inner-city children. One study found that urban fourth-graders in smaller-than-average classes were three-quarters of a school year ahead of their counterparts in larger-than-average classes.

"(3) Teachers in small classes can provide students with more individualized attention, spend more time on instruction and less on other tasks, and cover more material effectively, and are better able

to work with parents to further their children's education.

''(4) Smaller classes allow teachers to identify and work sooner with students who have learning disabilities, thereby potentially reducing those students' need for special education services in the later grades.

''(5) The National Research Council report, 'Preventing Reading Difficulties in Young Children', recommends reducing class sizes, accompanied by high-quality professional development for teachers, as a strategy for improving student achievement in reading.

''(6) Efforts to improve educational outcomes by reducing class sizes in the early grades are likely to be successful only if well-qualified teachers are hired to fill additional classroom positions and if teachers receive intensive, on-going professional development.

''(7) Several States and school districts have begun a serious effort to reduce class sizes in the early elementary grades, but these actions may be impeded by financial limitations or difficulties in hiring highly qualified teachers.

"(8) The Federal Government can assist in this effort by providing funding for class-size reductions in grades one through three, and by helping to ensure that both new and current teachers who are moving into smaller classrooms are well prepared.

"PURPOSE

"SEC. 6002. The purpose of this title is to help States and local educational agencies recruit, train, and hire 100,000 additional teachers in order to—

"(1) reduce class sizes nationally, in grades 1 through 3, to an average of 18 students per regular classroom; and

"(2) improve teaching in the early grades so that all students can learn to read independently and well by the end of the third grade.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 6003. For the purpose of carrying out this title, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.

"ALLOCATIONS TO STATES

"SEC. 6004. (a) RESERVATION FOR THE OUTLYING AREAS AND THE BUREAU OF INDIAN AFFAIRS.—Of the amount appropriated under section 6003 for any fiscal year, the Secretary shall reserve a total of not more than 1 percent to make payments, on the basis of their respective needs, to—

"(1) American Samoa, Guam, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands for activities, approved by the Secretary, consistent with this Act; and

"(2) the Secretary of the Interior for activities approved by the Secretary, consistent with this Act, in schools operated or supported by the Bureau of Indian Affairs.

"(b) ALLOCATIONS TO STATES.—(1) After reserving funds under subsection (a), the Secretary shall allocate to each State the percentage of the remaining amount that is the greater of the percentage it received for the preceding fiscal year of the total amount allocated to the States under section 1122 of this Act or section 2202(b) of this Act, as it was in effect before enactment of the Educational Excellence for All Children Act of 1999, or under section 2121 of this Act, as the case may be.

"(2) The Secretary shall ratably reduce the allocations determined under paragraph (1) as necessary.

"(3) If any State chooses not to participate in the program under this Act, or fails to submit an approvable application, the Secretary shall reallocate its allocation to the remaining States, in accordance with paragraph (1).

"APPLICATIONS

"SEC. 6005. (a) APPLICATION REQUIRED.—The State educational agency of each State desiring to receive

a grant under this title shall submit an application to the Secretary at such time, in such form, and containing such information as the Secretary may require.

"(b) CONTENTS.—Each application shall include—

"(1) the State's goals for using funds under this title to reduce average class sizes in regular classrooms in grades 1 through 3, including a description of current class sizes in those grades in the local educational agencies of the State;

"(2) a description of the State educational agency's plan for allocating program funds within the State;

"(3) a description of how the State will use other funds, including other Federal funds, to reduce class sizes and improve teacher quality and reading achievement within the State; and

"(4) an assurance that the State educational agency will submit such reports and information as the Secretary may reasonably require.

"(c) APPROVAL OF APPLICATIONS.—The Secretary shall approve a State's application if it meets the requirements of this section and holds reasonable promise of achieving the purposes of this Act.

"WITHIN-STATE ALLOCATIONS

"SEC. 6006. (a) ALLOCATIONS TO LOCAL EDUCATIONAL AGENCIES.—Each State that receives funds

under this title for any fiscal year may reserve not more than 1 percent of those funds for the cost of administering this title, and shall distribute all remaining funds to local educational agencies, of which—

"(1)(A) 80 percent shall be allocated to local educational agencies in proportion to the relative numbers of children, aged 5 through 17, who reside in the school districts served by those agencies and who are from families with incomes below the poverty line (as defined by the Office of Management and Budget and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902)) applicable to a family of the size involved for the most recent fiscal year for which satisfactory data are available; except that

"(B) a State may adjust the data described in subparagraph (A), or use alternative child-poverty data, if it demonstrates to the Secretary's satisfaction that such adjusted or alternative data more accurately reflect the incidence of children living in poverty in local educational agencies in the State; and

"(2) 20 percent shall be allocated in accordance with the relative enrollments of children, aged 5 through 17, in public and private nonprofit elemen-

tary and secondary schools within the boundaries of those agencies.

"(b) REALLOCATION.—If any local educational agency chooses not to participate in the program under this title, or fails to submit an approvable application, the State educational agency shall reallocate its allocation to the remaining local educational agencies, in accordance with subsection (a).

"LOCAL APPLICATIONS

"SEC. 6007. Each local educational agency that wishes to receive a subgrant under section 6006 shall submit an application to the State educational agency that contains a description of its program to reduce class size by hiring additional highly qualified teachers.

"USES OF FUNDS

"SEC. 6008. (a) ADMINISTRATIVE EXPENSES.—Each local educational agency receiving a subgrant under section 6006 may use not more than 3 percent of the subgrant funds for any fiscal year for the costs of administering this title.

"(b) TEACHER TESTING AND PROFESSIONAL DEVELOPMENT.—Each local educational agency may use not more than a total of 15 percent of the funds it receives under this title for any fiscal year to—

"(1) assess new teachers for their competency in content knowledge and teaching skills;

"(2) assist new teachers to take any tests required to meet State certification requirements; and

"(3) provide professional development to teachers (including teachers of children with disabilities and teachers of children with limited English proficiency), which it shall coordinate with activities carried out under titles II and VII of this Act, title II of the Higher Education Act of 1965, and the Individuals with Disabilities Education Act, if it is participating in programs funded under those statutes.

"(c) RECRUITING, HIRING, AND TRAINING TEACHERS.—Each local educational agency shall use any funds not expended under subsection (a) or (b) to recruit, hire, and train certified teachers (which may include teachers certified through State and local alternative routes), for the purpose of reducing class size to 18, which may include hiring special education teachers to team-teach with regular classroom teachers.

"(d) LIMITATION.—No local educational agency may use funds made available under this title to increase the salary of, or to provide benefits (other than participation in professional development and enrichment programs) to, any teacher who is, or has been, employed by the agency.

"(e) ADDITIONAL USES.—A local educational agency that has already reduced class size in grades 1 through 3 to 18 or fewer children may use funds received under this title to—

"(1) make further class-size reductions in grades 1 through 3;

"(2) reduce class size in kindergarten or other grades; or

"(3) carry out activities to improve teacher quality, including professional development.

"(f) SMALL LEAS.—Notwithstanding any other provision of this section (except for subsection (d)), a local educational agency that receives a subgrant under this section in an amount less than the starting salary for a new teacher in that agency may use the subgrant funds—

"(1) to form a consortium with one or more other local educational agencies for the purpose of reducing class size;

"(2) to help pay the salary of a full or part-time teacher hired to reduce class size; or

"(3) for professional development related to teaching in smaller classes, if the amount of the subgrant is less than $10,000.

"COST-SHARING REQUIREMENT

"SEC. 6009. (a) FEDERAL SHARE.—(1) The Federal share of the cost of activities carried out under this title

may be up to 100 percent in local educational agencies with child-poverty levels greater than 50 percent, but shall be no more than 65 percent in local educational agencies with child-poverty rates of less than 50 percent.

"(2) In determining the child-poverty rates and Federal share of individual local educational agencies under paragraph (1), each State shall use the most recent census data that the Secretary finds satisfactory.

"(b) LOCAL SHARE.—A local educational agency shall provide the non-Federal share of a project under this Act through cash expenditures from non-Federal sources, except that if an agency has allocated funds under section 1113(c) of this Act to one or more schoolwide programs under section 1114, it may use those funds for the non-Federal share of activities under this program that benefit those schoolwide programs, to the extent consistent with section 1120A(c) and notwithstanding section 1114(a)(3)(B).

"NONSUPPLANTING

"SEC. 6010. A local educational agency shall use funds it receives under this title to supplement the level of funds that, in the absence of funds under this title, would be spent for the combination of—

"(1) teachers in regular classrooms in schools receiving assistance under this title;

"(2) assessing new teachers in their competency in content knowledge and teaching skills, and to assist new teachers to take any tests required to meet State certification standards; and

"(3) professional development for teachers.

"ANNUAL STATE REPORTS

"SEC. 6011. Each State receiving funds under this title shall submit to the Secretary an annual report on its activities under this title, in such form and containing such information as the Secretary may reasonably require.

"PARTICIPATION OF PRIVATE SCHOOL TEACHERS

"SEC. 6012. (a) IN GENERAL.—Each local educational agency receiving funds under this title shall, in accordance with sections 11803 through 11806, provide for the equitable participation of private school teachers in the professional development activities the agency and its schools carry out with those funds.

"(b) LIMITATION.—Sections 11803 through 11806 do not apply to other activities under this title.

"DEFINITION

"SEC. 6013. As used in this title, the term 'State' means each of the 50 States, the District of Columbia, and Puerto Rico.".

TITLE VII—BILINGUAL EDUCATION ACT

FINDINGS, POLICY, AND PURPOSE

SEC. 701. Section 7102 of the Act is amended—

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

''(a) FINDINGS.—The Congress finds that—

''(1) as the Nations of the world become increasingly interdependent and as international communication becomes a daily occurrence in government, business, commerce, and family life, multilingual skills constitute an important national resource that deserves protection and development;

''(2) the presence of language-minority Americans is related to Federal immigration policies;

''(3) language-minority Americans speak virtually all languages, including many that are indigenous to the United States;

''(4) many language-minority Americans are limited in their English proficiency, and many have limited education and income;

''(5) there are large, and growing, numbers of children and youth of limited English proficiency, many of whom have a cultural heritage that differs from that of their English proficient peers;

''(6) limited English proficient students and their families are increasingly moving into school districts that do not have appropriate services in place to serve them;

"(7) limited English proficient students arrive at their schools at various age levels and often with little or no prior formal schooling;

"(8) limited English proficient children and youth face a number of challenges in receiving an education that will enable them to participate fully in American society, including—

"(A) segregated education programs;

"(B) disproportionate and improper placement in special education and other special programs, due to the use of inappropriate evaluation procedures;

"(C) disproportionate attendance in high-poverty schools, as demonstrated by the fact that, in 1994, 75 percent of limited English proficient students attended schools in which at least half of all students were eligible for free or reduced-price meals;

"(D) the limited English proficiency of their parents, which hinders parents' ability to participate fully in the education of their children; and

"(E) a shortage of teachers and other staff who are professionally trained and qualified to serve such children and youth;

"(9) school districts and schools find it challenging to include limited English proficient students in their reform efforts;

"(10) a 1999 National Center for Education Statistics survey found that teachers are less likely to participate in professional development designed to address the needs of limited English proficient students than to take part in any other kind of professional development activity;

"(11) institutions of higher education can assist in preparing teachers, administrators, and other school personnel to understand and build upon the educational strengths and needs of language-minority and culturally diverse student enrollments;

"(12) high-quality bilingual education programs enable children and youth to learn English and meet high academic standards;

"(13) a 1998 National Research Council report, Preventing Reading Difficulties in Young Children, found that limited English proficient students should be taught to read first in their native language and that, if such an approach is not possible due to lack of materials and resources, limited English proficient students should attain some fluency in oral English

before they receive formal reading instruction in English;

"(14) the use of a child's or youth's native language and culture in classroom instruction can—

"(A) promote self-esteem and contribute to academic achievement and learning English by limited English proficient children and youth;

"(B) benefit children and youth who are proficient in English and also participate in such programs; and

"(C) develop our Nation's national language resources, thus promoting our Nation's competitiveness in the global economy;

"(15) research, evaluation, and data collection capabilities in the field of bilingual education need to be strengthened so that educators and other staff can better identify and promote programs, program implementation strategies, and instructional practices that result in effective education of limited English proficient children;

"(16) parent and community participation in bilingual education programs contributes to program effectiveness;

"(17) educational technology has the potential for improving the education of language-minority

and limited English proficient students and their families, and the Federal Government should foster development of that technology;

''(18) the Federal Government, as reflected in title VI of the Civil Rights Act of 1964 and section 204(f) of the Equal Education Opportunities Act of 1974, has a special and continuing obligation to ensure that States and local school districts take appropriate action to provide equal educational opportunities to children and youth of limited English proficiency;

''(19) the Federal Government also, as exemplified by programs authorized under this title, has a special and continuing obligation to assist States and local school districts to develop the capacity to provide programs of instruction that offer limited English proficient children and youth an equal educational opportunity; and

''(20) Native Americans and Native American languages (as such terms are defined in section 103 of the Native American Languages Act), including native residents of the outlying areas, have a unique status under Federal law that requires special policies within the broad purposes of this Act.'';

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

"(b) POLICY.—The Congress declares it to be the policy of the United States—

"(1) in order to ensure equal educational opportunity for all children and youth and to promote educational excellence, that the Federal Government should assist State and local educational agencies, institutions of higher education, and community-based organizations to build their capacity to establish, implement, and sustain programs of instruction for children and youth of limited English proficiency; and

"(2) in order to ensure that school districts are providing effective instruction to limited English proficient students that enable students to achieve to challenging State standards and are providing programs under subtitle 1 of part A of this title that are consistent with the requirements under section 1111(b)(2)(F)(v) of title I of this Act, that—

"(A) those students should be included in State assessments of academic performance;

"(B) those students should be assessed, to the extent practicable, in the language and form most likely to yield accurate and reliable infor-

mation on what those students know, and can do, in subjects other than English, including using tests written in Spanish for Spanish-speaking students with limited English proficiency, if those tests are more likely than tests written in English to yield accurate and reliable information on what those students know, and can do, in subjects other than English; and

''(C) those students who have been in United States schools (not including Puerto Rico) for three consecutive years or more should be tested in reading and language arts using tests written in English.''; and

(3) in subsection (c)—

(A) in the matter before paragraph (1), by striking out ''to educate limited English proficient children and youth to'' and inserting in lieu thereof ''to help ensure that limited English proficient students master English and''; and

(B) by amending paragraph (1) to read as follows:

''(1) promoting systemic improvement and reform of, and developing accountability systems for, educational programs serving students with limited English proficiency.''.

AUTHORIZATION OF APPROPRIATIONS FOR PART A

SEC. 702. Section 7103(a) of the ESEA is amended to read as follows:

''(a) IN GENERAL.—For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2001 through 2005.''.

PROGRAM DEVELOPMENT AND ENHANCEMENT GRANTS

SEC. 703. Section 7113 of the ESEA is amended—

(1) by amending the section heading to read as follows: ''PROGRAM DEVELOPMENT AND ENHANCEMENT GRANTS'';

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

''(a) PURPOSE.—The purpose of this section is to provide grants to eligible entities to carry out innovative instructional programs for limited English proficient students.'';

(3) in subsection (b)—

(A) in paragraph (1)(B), by striking out ''two'' and inserting in lieu thereof ''three''; and

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

''(2) AUTHORIZED ACTIVITIES.—(A) Grants under this section shall be used for—

"(i) developing and implementing comprehensive, preschool, elementary, or secondary education programs for children and youth with limited English proficiency, that are aligned with standards-based State and local school reform efforts and coordinated with other relevant programs and services to meet the full range of educational needs of such children and youth;

"(ii) providing high-quality professional development to classroom teachers, administrators, and other school or community-based organization personnel to improve the instruction and assessment of limited English proficient students; and

"(iii) annually assessing the English proficiency of all limited English proficient students served by the program.

"(B) Grants under this section may be used for—

"(i) implementing programs to upgrade the reading and other academic skills of limited English proficient students;

"(ii) developing accountability systems to track the academic progress of limited English

proficient and formerly limited English proficient students;

"(iii) implementing family education programs and parent outreach and training activities designed to assist parents to become active participants in the education of their children;

"(iv) improving the instructional program for limited English proficient students by identifying, acquiring, and applying effective curriculum, instructional materials, assessments, and educational technology aligned with State and local standards;

"(v) providing tutorials and academic or career counseling for children and youth who are limited English proficient; and

"(vi) such other activities, consistent with the purposes of this part, as the Secretary may approve."; and

(4) by adding at the end thereof the following new subsection:

"(d) PRIORITY.—The Secretary is authorized to give priority to applicants that have a total district enrollment that is less than 10,000 students and have limited or no experience in serving limited English proficient students.".

COMPREHENSIVE SCHOOL GRANTS

SEC. 704. Section 7114 of the ESEA is amended—

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

"(a) PURPOSE.—The purpose of this section is to implement school-wide education programs, in coordination with title I, for children and youth with limited English proficiency—

"(1) to assist such children and youth to learn English and achieve to challenging State content and performance standards; and

"(2) to improve, reform, and upgrade relevant programs and operations, in schools with significant concentrations of such students or that serve significant numbers of such students.";

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

"(2) PROGRAM IMPROVEMENT PLAN.—(A) The Secretary, before making a continuation award for the fourth year of a program under this section, shall determine if the program is making continuous and substantial progress in assisting children and youth with limited English proficiency to learn English and achieve to challenging State content and performance standards. The Secretary shall base the determination on—

"(i) the indicators established under section 7118(d) and the data and information collected under section 7118; and

"(ii) such other data and information as the Secretary may require.

"(B)(i) If the Secretary determines that a recipient requesting a fourth-year continuation award under this section is not making continuous and substantial progress under subparagraph (A), the recipient shall promptly develop and submit to the Secretary a program improvement plan for its program.

"(ii) The Secretary shall approve a program improvement plan under clause (i) only if he or she determines that it holds reasonable promise of enabling students with limited English proficiency participating in the program to learn English and achieve to challenging State content and performance standards.

"(iii) If the Secretary determines that the recipient is not making substantial progress in implementing the program improvement plan under clause (i), the Secretary shall deny a continuation award.";

(3) by amending paragraphs (3) and (4) to read as follows:

"(3) AUTHORIZED ACTIVITIES.—(A) Grants under this section shall be used to improve the education of limited English proficient students and their families by—

"(i) coordinating the program with district policies and practices, as well as other relevant programs and services, and aligning the program with school reform efforts to meet the full range of educational needs of limited English proficient students;

"(ii) providing training to all, or virtually all, school personnel and participating community-based organization personnel to improve the instruction and assessment of limited English proficient students;

"(iii) developing or improving accountability systems to track the academic progress of limited English proficient and formerly limited English proficient students; and

"(iv) annually assessing the English proficiency of all limited English proficient students served by the program.

"(B) Grants under this section may also be used for—

"(i) implementing programs to upgrade the reading and other academic skills of limited English proficient students;

"(ii) developing and using educational technology, including interactive technology, to improve learning, assessments, and accountability;

"(iii) implementing and adapting research-based models for meeting the needs of limited English proficient students;

"(iv) developing and implementing programs to meet the needs of limited English proficient students with disabilities;

"(v) implementing family education programs and parent outreach and training activities designed to assist parents to become active participants in the education of their children;

"(vi) improving the instructional program for limited English proficient students by identifying, acquiring, and upgrading curriculum, instructional materials, educational software and assessment procedures;

"(vii) providing tutorials and academic or career counseling for children and youth of limited English proficiency;

"(viii) developing and implementing programs to help all students become proficient in more than one language; and

"(ix) carrying out such other activities, consistent with the purposes of this part, as the Secretary may approve.

"(4) SPECIAL RULES.—A grant recipient—

"(A) before carrying out a program assisted under this section, shall plan, train personnel, develop curriculum, and acquire or develop materials, but shall not use funds under this section for planning purposes for more than 90 days; and

"(B) shall not carry out a program under this section in more than two schools for each grant it receives under this section.".

SYSTEMWIDE IMPROVEMENT GRANTS

SEC. 705. Section 7115 of the ESEA is amended—

(1) in subsection (a), by striking out "bilingual education programs or special alternative instruction programs to" and inserting in lieu thereof "instructional programs for children and youth with limited English proficiency";

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

"(2) PROGRAM IMPROVEMENT PLAN.—(A) The Secretary, before making a continuation award for the fourth year of a program under this section, shall determine if the program is making continuous and substantial progress in assisting children and youth with limited English proficiency to learn English and achieve to challenging State content and performance standards. The Secretary shall base the determination on—

"(i) the indicators established under section 7118(d) and the data and information collected under section 7118; and

"(ii) such other data and information as the Secretary may require.

"(B)(i) If the Secretary determines that a recipient requesting a fourth-year continuation award under this section is not making continuous and substantial progress under subparagraph (A), the recipient shall promptly develop and submit to the Secretary a program improvement plan for its program.

"(ii) The Secretary shall approve a program improvement plan under clause (i) only if he or she determines that it holds reasonable promise of enabling students with limited English proficiency partici-

pating in the program to learn English and achieve to challenging State content and performance standards.

"(iii) If the Secretary determines that the recipient is not making substantial progress in implementing the program improvement plan under clause (i), the Secretary shall deny a continuation award.";

(3) by amending paragraph (4) to read as follows:

"(4) AUTHORIZED ACTIVITIES.—(A) Grants under this section shall be used for—

"(i) aligning programs for limited English proficient students in the district with school, district, and State reform efforts and coordinating the program with other relevant programs, such as title I, and services to meet the full range of educational needs of limited English proficient students throughout the district;

"(ii) providing high-quality professional development that is aligned with high standards to classroom teachers, administrators, and other school or community-based organization personnel to improve the instruction and assessment of limited English proficient students;

"(iii) developing and implementing a plan, coordinated with programs under title II of Higher Education Act of 1965 where applicable, to recruit teachers trained to serve limited English proficient students;

"(iv) annually assessing the English proficiency of all limited English proficient students served by the program; and

"(v) developing or improving accountability systems that are consistent with the State's accountability system to measure limited English proficient students' academic progress in a valid and reliable manner.

"(B) Grants under this section may also be used for—

"(i) developing and implementing programs to help all students become proficient in more than one language;

"(ii) developing content and performance standards for learning English as a second language, as well as for learning other languages;

"(iii) developing assessments tied to State performance standards;

"(iv) developing performance standards for students with limited English proficiency that

are aligned with challenging State content standards;

''(v) redesigning programs for limited English proficient students to meet the needs of changing population of such students;

''(vi) coordinating assessments with State accountability systems;

''(vii) implementing policies and procedures to ensure that limited English proficient students have access to all district programs, such as gifted and talented, vocational education, and special education programs; and

''(viii) integrating technology into all aspects of educating limited English proficient students, including data management systems and the delivery of instructional services to limited English proficient students.''.

APPLICATIONS FOR AWARDS UNDER SUBPART 1

SEC. 706. Section 7116 of the ESEA is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking out ''such application'' and inserting in lieu thereof ''its written comments on the application''; and

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

"(B) For purposes of this subpart, such comments shall address—

"(i) how the grant activities will further the academic achievement and English proficiency of limited English proficient students served under a grant received under this subpart; and

"(ii) how the grant application is consistent with the State plan, especially with regard to State assessments, required under section 1111.";

(2) by amending subsection (f) to read as follows:

"(f) REQUIRED DOCUMENTATION.—Such application shall include documentation that—

"(1) the applicant has the qualified personnel required to develop, administer, and implement the proposed program; and

"(2) the leadership of each participating school has been involved in the development and planning of the program in the school.";

(3) in subsection (g)(1)—

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

"(A) A description of the need for the proposed program, including data on the number of children and youth of limited English proficiency in the schools or school districts to be served and the characteristics of such children and youth, including—

"(i) the native languages of the students to be served;

"(ii) student proficiency in English and the native language;

"(iii) current achievement data of the limited English proficient students to be served by the program (and in comparison to their English proficient peers) in—

"(I) reading or language arts (in English and in the native language, if applicable); and

"(II) mathematics;

"(iv) reclassification rates for limited English proficient students in the district;

"(v) the previous schooling experiences of participating students;

"(vi) the professional development needs of the instructional personnel who will provide services for limited English

proficient students, including the need for certified teachers; and

"(vii) how the grant would supplement the basic services provided to limited English proficient students.";

(B) in subparagraph (B)—

(i) by amending clause (ii) to read as follows:

"(ii) is coordinated with other programs under this Act, and other Acts as appropriate, such as the Individuals with Disabilities Education Act and the Carl D. Perkins Vocational and Technical Education Act, in accordance with section 11505;";

(ii) by redesignating clauses (ii) through (v) as clauses (iii) through (vi), respectively; and

(iii) by inserting a new clause (ii) to read as follows:

"(ii) will supplement the basic services the applicant provides to limited English proficient students;"; and

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

"(E) An assurance that the applicant will employ teachers in the proposed program who individually, or in combination, are proficient in—

"(i) English, including written, as well as oral, communication skills; and

"(ii) the native language of the majority of students they teach, if instruction in the program is also in the native language."; and

(4) in subsection (i)—

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

"(1) PRIORITY.—The Secretary is authorized to give priority to applicants that—

"(A) experience a dramatic increase in the number of limited English proficient students enrolled;

"(B) demonstrate that they have a proven record of success in helping children and youth with limited English proficiency learn English and achieve to high academic standards; or

"(C) propose programs that provide for the development of bilingual proficiency both in

English and another language for all participating students.

"(2) LIMITATION.—Grants for programs under this subpart that do not use the students' native language shall not exceed 25 percent of the funds provided for any type of grant under that section, or of the total funds provided under this subpart, for any fiscal year."; and

(B) in paragraph (3), by striking out "special alternative instructional programs" and inserting in lieu thereof "programs that do not use the students' native language".

EVALUATIONS UNDER SUBPART 1

SEC. 707. Section 7123 of the ESEA is amended—

(1) in subsection (a), by striking out "every two years" and inserting in lieu thereof "every year";

(2) by amending subsection (c) to read as follows:

"(c) EVALUATION COMPONENTS.—(1) In preparing evaluation reports, the recipient shall—

"(A) use the data provided in the application as baseline data against which to report academic achievement and gains in English proficiency for students in the program;

"(B) report on the validity and reliability of all instruments used to measure student progress; and

"(C) enable results to be disaggregated by relevant factors, such as a student's grade, gender, and language group, and whether the student has a disability.

"(2) Evaluations shall include—

"(A) data on the project's progress in achieving its objectives;

"(B) data showing the extent to which all students served by the program are achieving to the State's student performance standards, including—

"(i) data comparing limited English proficient children and youth with English proficient students with regard to grade retention and academic achievement in reading and language arts, in English and in the native language if the project develops native language proficiency, and in math;

"(ii) gains in English proficiency, including speaking, comprehension, reading, and writing, as developmentally appropriate, and such gains in native language proficiency if the project develops native language proficiency; and

"(iii) reclassification rates (including average duration in a program) for limited English proficient students by grade, and data on the

academic achievement of redesignated students for two years after redesignation;

''(C) program implementation indicators that address each of the program's objectives and components, including the extent to which professional development activities have resulted in improved classroom practices and improved student achievement;

''(D) a description of how the activities funded under the grant are coordinated and integrated with the overall school program and other Federal, State, or local programs serving limited English proficient children and youth; and

''(E) such other information as the Secretary may require.''; and

(3) by adding a new subsection (d) to read as follows:

''(d) PERFORMANCE MEASURES.—The Secretary shall establish performance indicators to determine if programs under sections 7113 and 7114 are making continuous and substantial progress, and may establish performance indicators to determine if programs under section 7112 are making continuous and substantial progress, toward assisting children and youth with limited English proficiency to learn English and achieve to challenging State content and performance standards.''.

RESEARCH

SEC. 708. Section 7132 of the ESEA is amended—

(1) in subsection (a), by—

(A) inserting the paragraph designation ''(1)'' before ''The Secretary shall'';

(B) striking out ''through the Office of Educational Research and Improvement in coordination and collaboration with the Office of Bilingual Education and Minority Language Affairs''; and

(C) adding a paragraph (2) to read as follows:

''(2) Such research may include—

''(A) collecting data needed for compliance with the Government Performance and Results Act;

''(B) improving data collection procedures and the infrastructure for data collection on limited English proficient students, for purposes of improving instruction and accountability;

''(C) developing research-based models for serving limited English proficient students of diverse language backgrounds and in diverse educational settings;

"(D) identifying technology-based approaches that show effectiveness in helping limited English proficient students reach challenging State standards; and

"(E) other research, demonstration, and data collection activities consistent with the purpose of this title.";

(2) in subsection (b)—

(A) in paragraph (1), by inserting "and " at the end thereof;

(B) by striking out paragraphs (2) and (3); and

(C) by redesignating paragraph (4) as paragraph (2);

(3) in subsection (c)—

(A) in paragraph (1), by—

(i) striking out "(1) IN GENERAL."; and

(ii) by striking out "under subpart 1 or 2" and inserting in lieu thereof "under subpart 1, section 7124, or subpart 3"; and

(B) striking out paragraph (2); and

(4) by striking out subsection (e).

ACADEMIC EXCELLENCE AWARDS

SEC. 709. Section 7133 of the ESEA is amended to read as follows:

"ACADEMIC EXCELLENCE AWARDS

"SEC. 7133. (a) AUTHORITY.—The Secretary is authorized to make grants to State educational agencies to assist them in recognizing local educational agencies and other public and non-profit entities whose programs have—

"(1) demonstrated significant progress in assisting limited English proficient students to learn English within three years; and

"(2) demonstrated significant progress in assisting limited English proficient students to meet, within three years, the same challenging State content standards expected of all children and youth.

"(b) APPLICATIONS.—A State educational agency desiring a grant under this section shall include an application for such grant in its application required under section 7124(e).".

STATE GRANT PROGRAM

SEC. 710. Section 7134(c) of the ESEA is amended to read as follows:

"(c) USES OF FUNDS.—A State educational agency shall use funds awarded under this section to—

"(1) assist local educational agencies in the State with program design, capacity building, assessment of student performance, program evaluation, and development of data collection and accountability systems for limited English proficient students that are aligned with State reform efforts; and

"(2) collect data on limited English proficient populations in the State and the educational programs and services available to such populations.".

NATIONAL CLEARINGHOUSE ON THE EDUCATION OF CHILDREN AND YOUTH WITH LIMITED ENGLISH PROFICIENCY

SEC. 711. Section 7135 of the ESEA is amended to read as follows:

"NATIONAL CLEARINGHOUSE ON THE EDUCATION OF CHILDREN AND YOUTH WITH LIMITED ENGLISH PROFICIENCY

"SEC. 7135. The Secretary shall establish and support the operation of a National Clearinghouse on the Education of Children and Youth with Limited English Proficiency, which shall collect, analyze, synthesize, and disseminate information about programs related to the education of children and youth with limited English proficiency and coordinate its activities with Federal data and information clearinghouses and dissemination networks and systems.".

INSTRUCTIONAL MATERIALS DEVELOPMENT

SEC. 712. Section 7136 of the ESEA is amended to read as follows:

"INSTRUCTIONAL MATERIALS DEVELOPMENT

"SEC. 7136. (a) AUTHORITY.—The Secretary may award grants for the development, publication, and dissemination of high-quality instructional materials—

"(1) in Native American and Native Hawaiian languages;

"(2) in the language of Native Pacific Islanders and other natives of the outlying areas for whom instructional materials are not readily available;

"(3) in other low-incidence languages in the United States and for which instructional materials are not readily available; and

"(4) on standards and assessments, and instructional programs related to the education of children and youth with limited English proficiency, for dissemination to parents of such children and youth.

"(b) PRIORITIES.—The Secretary shall give priority to applications that provide for—

"(1) developing instructional materials in languages indigenous to the United States or the outlying areas; and

"(2) developing and evaluating instructional materials, including technology-based application,

that reflect challenging State and local content standards, in collaboration with activities assisted under subpart 1 and section 7124.''.

PURPOSE OF SUBPART 3

SEC. 713. Section 7141 of the ESEA is amended to read as follows:

''PURPOSE

''SEC. 7141. The purpose of this subpart is to assist in preparing educators to improve educational services for children and youth with limited English proficiency by supporting professional development programs for such educators.''.

TRAINING FOR ALL TEACHERS PROGRAM

SEC. 714. Section 7142 of the ESEA is amended—

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

''(a) PURPOSE.—The purpose of this section is to assist eligible applicants under subsection (b)(1) to develop and provide ongoing professional development to teachers and other educational personnel with a baccalaureate degree to improve their provision of services to limited English proficient students or to become certified as a bilingual or English as a second language teacher.'';

(2) in subsection (b)—

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

"(1) AUTHORITY.—The Secretary is authorized to award grants under this section to local educational agencies or to one or more local educational agencies in consortium with one or more State educational agencies, institutions of higher education, or nonprofit organizations."; and

(B) in paragraph (2), by striking out "five" and inserting in lieu thereof "three"; and

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

"(c) ACTIVITIES.—(1) Funds under this section shall be used to conduct high-quality, long-term professional development activities.

"(2) Funds under this section may be used to—

"(A) design and implement induction programs for new teachers, including mentoring and coaching by trained teachers, team teaching with experienced teachers, time for observation of, and consultation with, experienced teachers, and additional time for course preparation;

"(B) implement school-based collaborative efforts among teachers to improve instruction in reading and other core academic areas for students with limited English proficiency, including programs that

facilitate teacher observation and analyses of fellow teachers' classroom practice;

"(C) support long-term collaboration among teachers and outside experts to improve instruction of limited English proficient students;

"(D) coordinate project activities with other programs such as those under the Head Start Act and titles I and II of the Act;

"(E) implement programs that support effective teacher use of education technologies to improve instruction and assessment;

"(F) establish and maintain local professional networks;

"(G) develop curricular materials and assessments for teachers that are aligned with State and local standards and the needs of the limited English proficient students to be served;

"(H) develop education technology to enhance professional development; and

"(I) such other activities as are consistent with the purpose of this section.".

BILINGUAL EDUCATION TEACHERS AND PERSONNEL GRANTS

SEC. 715. Section 7143 of the ESEA is amended—

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

"(a) PURPOSE.—The purpose of this section is to support preservice professional development to improve the preparation of prospective teachers who are preparing to teach children and youth of limited English proficiency.";

(2) by amending subsection (c) to read as follows:

"(c) AUTHORITY.—(1) The Secretary is authorized to make grants to institutions of higher education for preservice professional development in order to improve preparation for prospective teachers who are preparing to teach children and youth of limited English proficiency.

"(2) Each grant under this section shall be awarded for a period of not more than five years.

"(3) A recipient of a grant under this section shall coordinate its grant program activities with other programs under this Act and other Acts as appropriate."; and

(3) by adding a new subsection (d) to read as follow:

"(d) ACTIVITIES.—(1) Funds under this section shall be used to—

"(A) put in place a course of study that prepares teachers to serve limited English proficient students;

"(B) integrate course content relating to meeting the needs of limited English proficient students into all programs for prospective teachers;

"(C) assign tenured faculty to train teachers to serve limited English proficient students;

"(D) incorporate State content and performance standards into the institution's coursework; and

"(E) expand clinical experiences for participants.

"(2) Funds under this section may be used to—

"(A) support partnerships with local educational agencies that include placing participants in intensive internships in local educational agencies that serve large numbers of limited English proficient students;

"(B) restructure higher education course content, including improving coursework and clinical experiences for all prospective teachers regarding the needs of limited English proficient students and preparation for teacher certification tests;

"(C) assist other institutions of higher education to improve the quality of professional development programs for limited English proficient students;

"(D) expand recruitment of students who will be trained to serve limited English proficient students;

"(E) improve the skills and knowledge of faculty related to the needs of limited English proficient students;

"(F) coordinate project activities with activities under title II of the Higher Education Act of 1965; and

"(G) use technology to enhance professional development.".

BILINGUAL EDUCATION CAREER LADDER PROGRAM

SEC. 716. Section 7144 of the ESEA is amended—

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

"(a) PURPOSE.—The purpose of this section is to assist eligible consortia to develop and implement high-quality bilingual education career ladder programs.";

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

"(a) IN GENERAL.—(1)(A) The Secretary is authorized to award grants to consortia of one or more institutions of higher education and one or more State educational agencies or local educational agencies to develop and implement bilingual education career ladder programs.

"(B) For purposes of this section, a "bilingual education career ladder program" means a program that—

"(i) is designed to provide high-quality, pre-baccalaureate coursework and teacher training to educational personnel who do not have a baccalaureate degree; and

"(ii) leads to timely receipt of a baccalaureate degree and certification or licensure of program participants as bilingual education teachers or other educational personnel who serve limited English proficient students.

"(C) Recipients of grants under this section shall—

"(i) coordinate with programs under title II of the Higher Education Act of 1965, and other relevant programs, for the recruitment and retention of bilingual students in postsecondary programs to train them to become bilingual educators; and

"(ii) make use of all existing sources of student financial aid before using grant funds to pay tuition and stipends for participating students.";

(3) in subsection (c)—

(A) in paragraph (1)—

(i) by striking out "consortium"; and

(ii) at the end thereof, by inserting "and" after the semicolon;

(B) in paragraph (2), by striking out ''teachers; and'' and inserting in lieu thereof ''teachers.''; and

(C) by striking out paragraph (3); and

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

''(d) SPECIAL CONSIDERATION.—The Secretary shall give special consideration to applications under this section that provide training in English as a second language, including developing proficiency in the instructional use of English and, as appropriate, a second language in classroom contexts.''.

GRADUATE FELLOWSHIPS IN BILINGUAL EDUCATION PROGRAM

SEC. 717. Section 7145(a) of the ESEA is amended—

(1) in paragraph (1), by striking out ''masters, doctoral, and post-doctoral'' and inserting in lieu thereof ''masters and doctoral'';

(2) by striking out paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

APPLICATIONS FOR AWARDS UNDER SUBPART 3

SEC. 718. Section 7146 of the ESEA is amended—

(1) in subsection (a)(4), by inserting ''and applicants for grants under section 7145'' after ''Bureau of Indian Affairs''; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking out ''of such application copy'' and inserting in lieu thereof ''an application under sections 7132, 7133, or 7134''; and

(ii) by inserting ''the written review of'' after ''and transmit''; and

(B) in paragraph (2), by striking out ''this subpart'' and inserting in lieu thereof ''sections 7132, 7133, and 7134''.

EVALUATIONS UNDER SUBPART 3

SEC. 719. Section 7149 of the ESEA is amended to read as follows:

''PROGRAM EVALUATIONS

''SEC. 7149. Each recipient of funds under this subpart shall provide the Secretary with an evaluation of its program every year. Such evaluations shall include—

''(1) the number of participants served, the number of participants who have completed program requirements, and the number of participants who have taken positions in an instructional setting with limited English proficient students;

"(2) the effectiveness of the program in imparting the professional skills necessary for participants to achieve the objectives of the program; and

"(3) the teaching effectiveness of graduates or other persons who have completed the training program.".

TRANSITION

SEC. 720. Subpart 4 of part A of title VII of the ESEA is amended to read as follows:

"Subpart 4—Transition

"TRANSITION

"SEC. 7161. Notwithstanding any other provision of law, a recipient of a grant under subpart 1 of part A of this title that is in its third or fourth year of that grant on the day preceding the date of enactment of Educational Excellence for All Children Act of 1999 shall be eligible to receive continuation funding under the terms and conditions of the original grant.".

FINDINGS OF THE EMERGENCY IMMIGRANT EDUCATION PROGRAM

SEC. 721. Section 7301(a) of the ESEA is amended—

(1) in paragraph (3), by striking out "and" at the end thereof;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by adding at the end thereof the following new paragraph:

''(4) an increasing number of immigrant children are entering United States' schools with interrupted or little previous schooling; and''.

STATE ADMINISTRATIVE COSTS

SEC. 722. Section 7302 of the ESEA is amended by inserting a comma and ''or 2 percent if the State educational agency distributes funds received under this part to local educational agencies on a competitive basis,'' after ''1.5 percent of the amount''.

COMPETITIVE STATE GRANTS TO LOCAL EDUCATIONAL AGENCIES

SEC. 723. Section 7304(e)(1) of the ESEA is amended, in the matter before subparagraph (A), by striking out ''if the amount appropriated to carry out this part exceeds $50,000,000 for a fiscal year, a State educational agency may reserve not more than 20 percent'' and inserting in lieu thereof ''a State educational agency may reserve any portion''.

AUTHORIZATION OF APPROPRIATIONS FOR PART C

SEC. 724. Section 7309 of the ESEA is amended to read as follows:

''AUTHORIZATION OF APPROPRIATIONS

''SEC. 7309. For the purpose of carrying out this part, there are authorized to be appropriated such sums

as may be necessary for each of fiscal years 2001 through 2005.''

DEFINITIONS

SEC. 725. Section 7501 of the ESEA is amended by striking out paragraph (15) and inserting in lieu thereof a new paragraph to read as follows:

''(15) RECLASSIFICATION RATE.—The term reclassification rate means the annual percentage of limited English proficient students who have met the State criteria for no longer being considered limited English proficient.''.

REGULATIONS, PARENTAL NOTIFICATION, AND USE OF PARAPROFESSIONALS

SEC. 726. Section 7502 of the ESEA is amended by—

(1) amending the section heading to read as follows:

''REGULATIONS, PARENTAL NOTIFICATION, AND USE OF PARAPROFESSIONALS'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter before subparagraph (A), by striking out ''youth participating in'' and inserting in lieu thereof ''youth who will participate in''; and

(ii) in subparagraph (C)—

(I) in the matter before clause (i), by striking out ''goals of the bilingual education or special alternative instructional program'' and inserting in lieu thereof ''goals of the program related to the education of children and youth with limited English proficiency''; and

(II) in clause (i), by striking out ''results of the bilingual educational program and of the instructional alternatives'' and inserting in lieu thereof ''results of the instructional programs related to the education of children and youth with limited English proficiency''; and

(B) in paragraph (2)—

(i) by amending the paragraph heading to read ''OPTION TO WITHDRAW.''; and

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

''(A) A recipient of funds under subpart 1 of part A shall also provide a written notice to parents of children who will participate in the programs under that subpart, in a form and

language understandable to the parents, that informs them that they may withdraw their child from the program at any time.''; and

(3) adding a new subsection (c) to read as follows:

''(c) USE OF PARAPROFESSIONALS.—The provisions of section 1119(c) of this Act shall apply to all new staff hired to provide academic instruction in programs supported under subpart 1 of part A of this title on or after the date of enactment of the Educational Excellence for All Children Act of 1999.''.

TERMINOLOGY

SEC. 727. (a) PART A.—Subparts 1 and 2 of part A of title VII of the ESEA are amended by striking out ''bilingual education or special alternative instruction programs'' and ''bilingual education or special alternative instructional programs'' each place they appear and inserting in lieu thereof ''instructional programs''.

(b) PART E.—Section 7501(6) of the ESEA is amended by striking out ''a bilingual education and special alternative instructional program'' and inserting in lieu thereof ''an instructional program''.

REPEALS

SEC. 728. (a) REPEALS IN PART A.—Sections 7112, 7117, 7119, 7120, 7121, and 7147 of the ESEA are repealed.

(b) REPEAL OF PART B.—Part B of title VII of the ESEA is repealed.

REDESIGNATIONS AND CONFORMING AMENDMENTS

SEC. 729. (a) PART REDESIGNATIONS.—Parts C, D, and E of title VII of the ESEA are redesignated as parts B, C, and D, respectively.

(b) SECTION REDESIGNATIONS.—Sections 7113, 7114, 7115, 7116, 7118, 7122, 7123, 7124, 7131, 7132, 7133, 7134, 7135, 7136, 7141, 7142, 7143, 7144, 7145, 7146, 7148, 7149, 7150, 7161, 7301, 7302, 7303, 7304, 7305, 7306, 7307, 7308, 7309, 7401, 7402, 7403, 7404, 7405, 7501, and 7502 of the ESEA are redesignated as sections 7112, 7113, 7114, 7115, 7116, 7117, 7118, 7119, 7121, 7122, 7123, 7124, 7125, 7126, 7131, 7132, 7133, 7134, 7135, 7136, 7137, 7138, 7139, 7141, 7201, 7202, 7203, 7204, 7205, 7206, 7207, 7208, 7209, 7301, 7302, 7303, 7304, 7305, 7401, and 7402 of the ESEA, respectively.

(c) CONFORMING AMENDMENTS.—(1) Section 7111 of the ESEA is amended by striking out ''7114, and 7115'' and inserting in lieu thereof ''and 7114''.

(2) Section 7112(b)(1)(A) of the ESEA, as redesignated by subsection (b), is amended by striking out ''section 7116'' and inserting in lieu thereof ''section 7115''.

(3) Section 7113(b)(1)(A) of the ESEA, as redesignated by subsection (b), is amended by striking out ''section 7116'' and inserting in lieu thereof ''section 7115''.

(4) Section 7114(b)(1)(A) of the ESEA, as redesignated by subsection (b), is amended by striking out ''section 7116'' and inserting in lieu thereof ''section 7115''.

(5) Section 7115(g) of the ESEA, as redesignated by subsection (b), is amended—

(A) in paragraph (1)(B)(ii), by striking out ''section 14306'' and inserting in lieu thereof ''section 11505''; and

(B) in paragraph (2), by striking out ''section 7114 or 7115'' and inserting in lieu thereof ''section 7113 or 7114''.

(6) Section 7135(a)(3) of the ESEA, as redesignated by subsection (b), is amended by striking out ''section 7149'' and inserting in lieu thereof ''section 7138''.

(7) Section 7202 of the ESEA, as redesignated by subsection (b), is amended by striking out ''section 7304'' and inserting in lieu thereof ''section 7204''.

(8) Section 7204 of the ESEA, as redesignated by subsection (b), is amended—

(A) in subsection (a), by striking out ''section 7301(b)'' and inserting in lieu thereof ''section 7201(b)''; and

(B) in subsection (e)(2), by striking out ''section 7307'' and inserting in lieu thereof ''section 7207''.

(9) Section 7205(a) of the ESEA, as redesignated by subsection (b), is amended—

(A) in paragraph (2), by striking out ''sections 7301 and 7307'' and inserting in lieu thereof ''sections 7201 and 7207'';

(B) in paragraph (4), by—

(i) striking out ''section 7304(e)'' and inserting in lieu thereof ''sections 7204(e)''; and

(ii) striking out ''section 7304(b)(1)'' and inserting in lieu thereof ''section 7204(b)(1)''; and

(C) in paragraph (8), by striking out ''section 7304'' and inserting in lieu thereof ''section 7204''.

(10) Section 7206 of the ESEA, as redesignated by subsection (b), is amended—

(A) in subsection (a)—

(i) by striking out ''section 7305'' and inserting in lieu thereof ''section 7205''; and

(ii) by striking out ''section 7305'' and inserting in lieu thereof ''section 7205''; and

(B) in subsection (b), by striking out ''section 7305(a)(7)'' and inserting in lieu thereof ''section 7205(a)(7)''.

(11) Section 7208 of the ESEA, as redesignated by subsection (b), is amended by striking out ''section 14701'' and inserting in lieu thereof ''section 11911''.

(12) Section 7305(d)(2) of the ESEA, as redesignated by subsection (b), is amended by striking out ''section 7134'' and inserting in lieu thereof ''section 7124''.

TITLE VIII B IMPACT AID

PURPOSE

SEC. 801. Section 8001 of the ESEA is amended to read as follows:

''PURPOSE

''SEC. 8001. The purpose of this title is to provide assistance to certain local educational agencies that are financially burdened as a result of activities of the Federal Government carried out in their jurisdictions, in order to help those agencies provide educational services to their children, including federally connected children, so that they can meet challenging State standards.''.

PAYMENTS RELATING TO FEDERAL ACQUISITION OF REAL PROPERTY

SEC. 802. (a) ELIGIBILITY.—Section 8002(a) of the ESEA is amended—

(1) in the matter preceding paragraph (1), by striking out ''for a fiscal year ending prior to October 1, 1999'' and inserting in lieu thereof ''for any fiscal year''; and

(2) in paragraph (1)—

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

(B) in subparagraph (C), by striking out ''value of'' and all that follows through the end thereof and inserting in lieu thereof ''value of all real property in the local educational agency (similarly determined as of the time or times when the Federal property was so acquired); and''; and

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

''(D) has a current aggregate assessed value, determined under subsection (b)(3), that is at least 10 percent of the total current assessed value of all real property in the local educational agency; and''.

(b) REPEAL OF SPECIAL-INTEREST PROVISIONS.—Section 8002 of the ESEA is further amended by—

(1) striking out subsections (d), (e), (f), (g), (i), (j), and (k); and

(2) redesignating subsection (h) as subsection (d).

(c) HOLD-HARMLESS AMOUNTS.—Subsection (d) of section 8002 of the ESEA, as redesignated by subsection (b)(2), is amended to read as follows:

"(d) HOLD-HARMLESS AMOUNTS.—Notwithstanding any other provision of this section, the Secretary shall make the following minimum payments for the following fiscal years under this section to each local educational agency that was eligible for, and received, a payment under this section for fiscal year 1999 but that, as a result of subsection (a)(1)(D), is no longer eligible for a payment under this section:

"(1) For fiscal year 2001, 75 percent of the amount it received for fiscal year 1999.

"(2) For fiscal year 2002, 50 percent of the amount it received for fiscal year 1999.

"(3) For fiscal year 2003, 25 percent of the amount it received for fiscal year 1999.".

(d) TECHNICAL AMENDMENTS.—Section 8002(b)(1) of the ESEA is amended—

(1) in subparagraph (B), by striking out "section 8014(a)" and inserting in lieu thereof "section 8014(a)(1)"; and

(2) in subparagraph (C), by striking out ''section 8003(b)(1)(C)'' and inserting in lieu thereof ''section 8003(b)(1)(B)''.

PAYMENTS FOR ELIGIBLE FEDERALLY CONNECTED CHILDREN

SEC. 803. (a) COMPUTATION OF PAYMENTS.—Section 8003(a) of the ESEA is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by inserting ''or'' after the semicolon at the end thereof;

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

(C) by striking out subparagraphs (D) through (G);

(2) in paragraph (2), by striking out subparagraphs (C) through (E); and

(3) by striking out paragraphs (3) and (4).

(b) BASIC SUPPORT PAYMENTS.—Section 8003(b) of the ESEA is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) by striking out ''section 8014(b)'' and inserting in lieu thereof ''section 8014(a)(2)''; and

(ii) by striking out ''eligible'';

(B) by striking out subparagraph (B);

(C) by redesignating subparagraph (C) as subparagraph (B);

(D) in subparagraph (B), as so redesignated—

(i) by striking out ''greater'' and inserting in lieu thereof ''greatest'';

(ii) by striking out clauses (i) and (ii);

(iii) by redesignating clauses (iii) and (iv) as clauses (i) and (ii);

(iv) in clause (i), as so redesignated, by striking out ''or'' at the end thereof;

(v) in clause (ii), as so redesignated, by striking out the period at the end thereof and inserting a semicolon and ''or''; and

(vi) by adding a new clause (iii) to read as follows:

''(iii) the average per-pupil expenditure of all of the States, multiplied by the local contribution percentage for the State.''; and

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

''(C)(i) In determining the items described in clauses (i) through (iii) of subparagraph (B),

the Secretary shall use data for the third year preceding the fiscal year for which the calculation of maximum payment amounts under that subparagraph is being made, except as provided in clauses (ii) and (iii) of this subparagraph.

''(ii) If the State does not provide all necessary data for the item described in clause (i) of subparagraph (B) by September 30 of the fiscal year preceding the year for which the payments are made, the Secretary shall use the greater of the items described in clauses (ii) and (iii) of that subparagraph.

''(iii) If satisfactory data from the third preceding fiscal year are not available for any of the items described in clauses (i) through (iii) of subparagraph (B), the Secretary shall use data from the most recent fiscal year for which data that are satisfactory to the Secretary are available.'';

(2) in paragraph (2)—

(A) in subparagraph (A), by striking out ''section 8014(b) and inserting in lieu thereof ''section 8014(a)(2)'';

(B) in subparagraph (B)—

(i) by striking out clauses (ii) and (iii);

(ii) in clause (i)—

(I) by striking out the clause designation ''(i)''; and

(II) by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively;

(iii) by striking out ''paragraph (1)(C)'' and inserting in lieu thereof ''paragraph (1)(B)'';

(iv) in clause (i), as redesignated by clause (ii)(II), by inserting ''one-half of'' before ''the percentage''; and

(v) by amending clause (ii), as redesignated by clause (ii)(II), to read as follows:

''(ii) 50 percent.''; and

(C) by amending subparagraph (C) to read as follows:

''(C) RATABLE DISTRIBUTIONS.—For each fiscal year described in subparagraph (A), the Secretary shall—

"(i) make payments as a ratable distribution based on the computation made under subparagraph (B); and

"(ii) ratably increase those payments when the amount available exceeds the total of the amounts determined under subparagraph (B), except that no local educational agency shall receive a payment under this paragraph that exceeds the maximum payment for which it is eligible under paragraph (1)(B)."; and

(3) by striking out paragraph (3).

(c) TECHNICAL AMENDMENT.—Section 8003(c)(1) of the ESEA is amended by striking out "paragraph (2)" and inserting in lieu thereof "subsection (b)(1)(C), paragraph (2) of this subsection, and".

(d) CHILDREN WITH DISABILITIES.—Section 8003(d) of the ESEA is amended—

(1) in paragraph (1)—

(A) by striking out "section 8014(c)" and inserting in lieu thereof "section 8014(a)(3)";

(B) by striking out "determined" and all that follows through the subparagraph designation "(A)" and inserting in lieu thereof "determined by"; and

(C) by striking out ''factor of 1.0'' and all that follows through the period at the end thereof and inserting in lieu thereof ''factor of 1.0.''; and

(2) in paragraph (2), by striking out ''a free appropriate public education'' and inserting in lieu thereof ''services''.

(e) HOLD-HARMLESS AMOUNTS.—Section 8003 of the ESEA is further amended by striking out subsection (e).

(f) HEAVILY IMPACTED LEAS.—Section 8003(f) of the ESEA is amended—

(1) in paragraph (1), by striking out ''section 8014(b)'' and inserting in lieu thereof ''section 8014(a)(2)''; and

(2) by amending paragraphs (2) through (4) to read as follows:

''(2) ELIGIBILITY.—A local educational agency is eligible to receive additional assistance under this subsection only if the Secretary determines that—

''(A)(i)(I) federally connected children described in subsection (a)(1) constitute at least 40 percent of the agency's average daily attendance; and

"(II) it has a tax rate for general-fund purposes that is at least 100 percent of the average tax rate for those purposes of comparable local educational agencies in the State; or

"(ii) its boundaries are the same as those of a military installation;

"(B) it is exercising due diligence to obtain State and other financial assistance; and

"(C) the agency's eligibility under State law for State aid with respect to the free public education of children described in subsection (a)(1), and the amount of that aid, are determined on a basis no less favorable to it than the basis used in determining the eligibility of local educational agencies for State aid, and the amount of that aid, with respect to the free public education of other children in the State.

"(3) MAXIMUM PAYMENTS.—The Secretary shall determine the maximum amount that a local educational agency may receive under this subsection as follows:

"(A) PER-PUPIL COST FACTOR.—The local educational agency shall choose either—

"(i) the average per-pupil expenditure of the State in which the agency is located; or

"(ii) the average per-pupil expenditure of at least 10 generally comparable local educational agencies in the State.

"(B) TOTAL COST FACTOR.—The Secretary shall multiply the amount chosen by the agency under subparagraph (A) by the average daily attendance in the agency's schools of children described in subsection (a)(1).

"(C) UNMET NEED.—The Secretary shall—

"(i) multiply—

"(I) the amount of funds available to the agency for current expenditures (determined in accordance with subparagraph (D)); by

"(II) the percentage of the agency's average daily attendance comprised of children described in subsection (a)(1);

"(ii) subtract the amount determined under clause (i) from the amount determined under subparagraph (B); and

"(iii) subtract the amount of any payments to the agency for that fiscal year under subsections (b) and (d) of this section.

"(D) AMOUNT AVAILABLE FOR CURRENT EXPENDITURES.—In determining the amount of funds available in any fiscal year to a local educational agency for current expenditures (as defined in section 8013(4)) under subparagraph (C)(i)(I), the Secretary shall also include, with respect to the local educational agency's opening cash balance for that fiscal year, the portion of that balance that is the greater of—

"(i) the amount that exceeds the maximum amount of funds for current expenditures that the agency was allowed by State law to carry over from the prior fiscal year, if State restrictions on those amounts were applied uniformly to all local educational agencies in the State; or

"(ii) the amount that exceeds 30 percent of the agency's operating costs for the prior fiscal year.

"(4) DATA.—In determining a local educational agency's eligibility for, and the amount of, any pay-

ment under this subsection for any fiscal year, the Secretary shall use—

"(A) student, revenue, expenditure, tax, and other necessary data from the second preceding fiscal year, if the agency (or the State educational agency) provides the Secretary those data within 60 days of being requested in writing to do so; and

"(B) if any of those data are not provided by that deadline, such data from the most recent preceding fiscal year for which data that are satisfactory to the Secretary are available.".

(g) CHILDREN WITH SEVERE DISABILITIES.—Section 8003 of the ESEA is further amended by striking out subsection (g).

(h) OTHER FEDERAL FUNDS.—Section 8003(h) of the ESEA is amended to read as follows:

"(h) OTHER FEDERAL FUNDS.—Notwithstanding any other provision of law, a local educational agency may not receive a payment under this section for children claimed in its application if Federal funds (other than funds under this title) provide a substantial portion of the educational program for those children.".

(i) MAINTENANCE OF EFFORT.—Section 8003 of the ESEA is further amended by striking out subsection (i).

POLICIES AND PROCEDURES RELATING TO CHILDREN RESIDING ON INDIAN LANDS

SEC. 804. Section 8004 of the ESEA is amended—

(1) by amending the heading to read "INDIAN COMMUNITY PARTICIPATION.";

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

"(a) IN GENERAL.—(1) Any local educational agency that claims children residing on Indian lands for the purpose of receiving funds under section 8003 shall ensure that those children participate in programs and activities supported by those funds on an equal basis with all other children.

"(2)(A) Any local educational agency described in paragraph (1) shall ensure that the parents of Indian children and Indian tribes are afforded an opportunity to present their views and make recommendations on the unique educational needs of those children and how those children may realize the benefits of the educational programs and activities of the local educational agency, including the benefits of programs and activities assisted under this Act.

"(B)(i) A local educational agency that receives a grant under subpart 1 of part A of title IX of this Act shall comply with subparagraph (A) through activities

planned and carried out by the parent committee established under that subpart.

"(ii) A local educational agency that does not receive such a grant may form an Indian parent committee to implement subparagraph (A).

"(iii) Subject to clause (i), a local educational agency may meet the requirements of subparagraph (A) by carrying out the parental-involvement requirements of section 1118 of this Act for all children it claims who reside on Indian lands.

"(C) A local educational agency that provides services under part A of title I of this Act for any children residing on Indian lands that it claims for the purpose of receiving funds under section 8003 shall ensure that it complies with section 1118 with respect to those children and their parents.

"(3) A local educational agency may use funds provided under section 8003 (other than under section 8003(d)), for activities designed to increase tribal and parental involvement in the education of Indian children, including, but not limited to, parent education, professional development related to the unique educational needs of Indian children, and implementing model educational programs that are proven to be effective for Indian children.";

(3) by amending subsection (b) to read as follows:

''(b) RECORDS.—Each local educational agency described in subsection (a) shall maintain records demonstrating its compliance with that subsection.'';

(4) by striking out subsection (c);

(5) by redesignating subsections (d) through (f) as subsections (c) through (e), respectively; and

(6) by amending subsection (c), as so redesignated, to read as follows:

''(c) TECHNICAL ASSISTANCE AND ENFORCEMENT.—The Secretary shall—

''(1) provide technical assistance, as the Secretary finds necessary, to local educational agencies, parents, and Indian tribes to enable them to carry out this section;

''(2) recommend activities for local educational agencies to carry out using funds provided under section 8003 to increase tribal and parental involvement; and

''(3) enforce this section through such action (which may include the withholding of funds) as the Secretary finds appropriate, after affording the agency, parents, and affected Indian tribes an opportunity to present their views.''.

APPLICATIONS FOR PAYMENTS UNDER SECTIONS 8002 AND 8003

SEC. 805. Section 8005 of the ESEA is amended—

(1) in subsection (b)(2), by striking out ''children residing on Indian lands'' and inserting in lieu thereof ''Indian community participation''; and

(2) in subsection (d)—

(A) in paragraph (2), by striking out ''except that, notwithstanding section 8003(e),'' and inserting in lieu thereof ''except that''; and

(B) by striking out paragraph (4).

PAYMENTS FOR SUDDEN AND SUBSTANTIAL INCREASES IN ATTENDANCE OF MILITARY DEPENDENTS

SEC. 806. Section 8006 of the ESEA is repealed.

CONSTRUCTION

SEC. 807. Section 8007 of the ESEA is amended to read as follows:

''CONSTRUCTION

''SEC. 8007. (a) PAYMENTS AUTHORIZED.—From the amount appropriated for each fiscal year under section 8014(a)(4), the Secretary shall make a payment, to assist in the construction of school facilities, to each local educational agency—

''(1) that receives a basic payment under section 8003(b);

"(2) in which the number of children described in section 8003(a)(1)(C) is at least 50 percent of the number of children who were in average daily attendance in the agency's schools; and

"(3) that meets the requirements of this section.

"(b) APPLICATION.—Each local educational agency that wishes to receive a payment under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including—

"(1) a description of the agency's assessment of its school-construction needs and the results of that assessment; and

"(2) the agency's plan for the use of the funds for which it is applying.

"(c) AMOUNT OF PAYMENTS.—The amount of a local educational agency's payment under this section shall bear the same ratio to the amount available for all such payments as the number of children described in section 8003(a)(1)(C) for that agency bears to the total number of those children for all agencies eligible for such a payment.

"(d) FEDERAL SHARE.—(1) The Federal share of a project under this section may not exceed 50 percent.

"(2) The Secretary shall not obligate funds under this section with respect to an eligible local educational agency until the Secretary is satisfied that the agency will provide the non-Federal share of the cost of the project.

"(3) Any funds that are not obligated with respect to a local educational agency within three years of the approval of its application under this section shall be reallocated to other eligible agencies.

"(e) USE OF FUNDS.—A local educational agency shall use funds received under this section only for—

"(1) construction, as defined in section 8013(3); and

"(2) minimum initial equipment necessary for the operation of a new or renovated school facility.".

FACILITIES

SEC. 808. Section 8008(a) of the ESEA is amended by striking out "section 8014(f)" and inserting in lieu thereof "section 8014(a)(5)".

STATE CONSIDERATION OF PAYMENTS IN PROVIDING STATE AID

SEC. 809. Section 8009 of the ESEA is amended—

(1) in subsection (a)(1), by striking out "or under" and all that follows through "of 1994)";

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

"(1) IN GENERAL.—A State may reduce State aid to a local educational agency that receives a payment under section 8002 or section 8003(b) (except the amount calculated in excess of 1.0 under section 8003(a)(2)(B)) for any fiscal year only if the Secretary determines, and certifies under subsection (c)(3)(A), that—

"(A) the State has in effect a program of State aid that equalizes expenditures for free public education among local educational agencies in the State; and

"(B) the average per-pupil expenditure in the State is at least 80 percent of the average such expenditure in the 50 States and the District of Columbia."; and

(3) in subsection (d)—

(A) in paragraph (1)—

(i) by striking out "or under" and all that follows through "of 1994)"; and

(ii) in subparagraph (B), by striking out "or under" and all that follows through "of 1994)"; and

(B) in paragraph (2), by striking out "or under" and all that follows through "of 1994)".

FEDERAL ADMINISTRATION

SEC. 810. Section 8010 of the ESEA is amended by striking out subsection (c).

ADMINISTRATIVE HEARINGS AND JUDICIAL REVIEW

SEC. 811. Section 8011(a) of the ESEA is amended by striking out ''or under'' and all that follows through ''of 1994)'' and inserting in lieu thereof ''or under its predecessor authorities''.

FORGIVENESS OF OVERPAYMENTS

SEC. 812. Section 8012 of the ESEA is amended by striking out ''under the'' and all that follows through ''of 1994)'' and inserting in lieu thereof ''under its predecessor authorities''.

DEFINITIONS

SEC. 813. Section 8013 of the ESEA is amended—

(1) in paragraph (4), by striking out ''and title VI'';

(2) in paragraph (5)—

(A) in subparagraph (A)—

(i) by striking out ''subparagraphs (B) through (F)'' and inserting in lieu thereof ''subparagraphs (B) through (D)'';

(ii) in clause (ii)(V), by striking out ''as described in paragraph (10)'' and inserting in lieu thereof ''as described in clause (iii)''; and

(iii) by amending clause (iii) to read as follows:

"(iii)(I) part of a low-income housing project assisted under the United States Housing Act of 1937; or

"(II) affordable housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996; or"; and

(B) by striking out subparagraphs (B) and (F) and redesignating subparagraphs (C) through (E) as subparagraphs (B) through (D), respectively;

(3) in paragraph (7), by striking out "or (5)(F)";

(4) in paragraph (8)(B), by striking out "all States" and inserting in lieu thereof "the 50 States and the District of Columbia";

(5) in paragraph (9)(B)(i), by striking out "or the Act" and all that follows through "of 1994)" and inserting in lieu thereof "(or under its predecessor authority)";

(6) by striking out paragraphs (10) and (11); and

(7) by redesignating paragraph (12) as paragraph (10).

AUTHORIZATION OF APPROPRIATIONS

SEC. 814. Section 8014 of the ESEA is amended to read as follows:

''AUTHORIZATION OF APPROPRIATIONS

''SEC. 8014. (a) There are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years to carry out each of the following provisions of this title:

''(1) Section 8002, payments for Federal acquisition of real property.

''(2) Section 8003(b), basic payments; and section 8003(f), payments for heavily impacted local educational agencies.

''(3) Section 8003(d), payments for children with disabilities.

''(4) Section 8007, construction.

''(5) Section 8008, facilities maintenance.

''(b) Funds appropriated to carry out sections 8007 and 8008 shall be available to the Secretary until expended.''.

TITLE IX—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

PART A—INDIAN EDUCATION

FINDINGS AND PURPOSE

SEC. 901. Sections 9101(1)(C), 9102(a), and 9102(b)(1) of the ESEA are each amended by striking out ''special'' and inserting in lieu thereof ''unique''.

GRANTS TO LOCAL EDUCATIONAL AGENCIES

SEC. 902. Section 9112(b)(2) of the ESEA is amended by inserting a comma and ''except that any such tribe is not subject to section 9114(c)(4) (parent committee), section 9117(c) (maintenance of effort), or section 9118 (State review of applications)'' before the period at the end thereof.

AMOUNT OF GRANTS

SEC. 903. Section 9113 of the ESEA is amended—

(1) in subsection (b)(2), by striking out ''Act'' and inserting in lieu thereof ''subpart''; and

(2) by amending subsection (d) to read as follows:

''(d) SCHOOLS OPERATED OR SUPPORTED BY THE BUREAU OF INDIAN AFFAIRS.—(1) In addition to the grants awarded under subsection (a), and subject to subsection (e), the Secretary shall allocate to the Secretary of the Interior an amount equal to the product of—

"(A) the total number of Indian children enrolled in schools that are operated by—

"(i) the Bureau of Indian Affairs; or

"(ii) an Indian tribe, or an organization controlled or sanctioned by an Indian tribal government, for the children of that tribe under a contract with, or grant from, the Department of the Interior under the Indian Self-Determination Act or the Tribally Controlled Schools Act of 1988; and

"(B) the greater of—

"(i) the average per-pupil expenditure of the State in which the school is located; or

"(ii) 80 percent of the average per-pupil expenditure in the United States.

"(2) Any school described in paragraph (1) that wishes to receive an allocation under this subpart shall submit an application in accordance with section 9114, and shall otherwise be treated as a local educational agency for the purpose of this subpart, except that it shall not be subject to section 9114(c)(4) (parent committee), section 9117(c) (maintenance of effort), or section 9118 (State review of applications).".

APPLICATIONS

SEC. 904. Section 9114 of the ESEA is amended—

(1) in subsection (b)(2), by amending subparagraph (A) to read as follows:

"(A) is consistent with State and local plans under other provisions of this Act; and";

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

"(A) is based on a comprehensive local assessment and prioritization of the unique educational and culturally related academic needs of the American Indian and Alaska Native students to whom the local educational agency is providing an education;" and

(3) in paragraph (4)—

(A) by amending subparagraph (B) to read as follows:

"(B) a majority of whose members are parents of Indian children;" and

(B) in subparagraph (D)(ii), by striking out "will not diminish" and inserting in lieu thereof "will enhance".

AUTHORIZED SERVICES AND ACTIVITIES

SEC. 905. Section 9115(b) of the ESEA is amended—

(1) in paragraph (5), by striking out "Applied Technology Education Act" and inserting in lieu thereof "Technical Education Act of 1998";

(2) in paragraph (6), by striking out ''and'' at the end thereof;

(3) in paragraph (7), by striking out the period at the end thereof and inserting in lieu thereof a semicolon and ''and''; and

(4) by adding at the end thereof paragraphs (8) through (11) to read as follows:

''(8) activities that promote the incorporation of culturally responsive teaching and learning strategies into the educational program of the local educational agency;

''(9) activities that incorporate American Indian- and Alaska Native-specific curriculum content, consistent with State standards, into the curriculum used by the local educational agency;

''(10) activities to promote coordination and collaboration between tribal, Federal, and State public schools in areas that will improve American Indian and Alaska Native student achievement; and

''(11) activities that addresses the special needs of American Indian and Alaska Native students who are gifted and talented.''.

STUDENT ELIGIBILITY FORMS

SEC. 906. Section 9116 of the ESEA is amended—

(1) in subsection (f)—

(A) in the second sentence of paragraph (1)(A), by inserting ''the'' before ''size''; and

(B) in paragraph (3), by striking out ''subsection (d)'' and inserting in lieu thereof ''subsection (a)'';

(2) by amending subsection (g) to read as follows:

''(g) TRIBAL GRANT AND CONTRACT SCHOOLS.—Notwithstanding any other provision of this section, the Secretary, in awarding funds under this subpart to a tribal school that receives a grant or contract from the Bureau of Indian Affairs, shall use only one of the following, as selected by the school:

''(1) A count of the number of students in those schools certified by the Bureau.

''(2) A count of the number of students for whom the school has eligibility forms that comply with this section.''; and

(3) by adding at the end thereof a new subsection (h) to read as follows:

''(h) TIMING OF CHILD COUNTS.—For purposes of determining the number of children to be counted in calculating the amount of a local educational agency's grant under this subpart (other than in the case described in subsection (g)(1)), the local educational agency shall—

"(1) establish a date on, or a period not longer than 31 consecutive days during which, the agency counts those children, so long as that date or period occurs before the deadline established by the Secretary for submitting an application under section 9114; and

"(2) determine that each such child was enrolled, and receiving a free public education, in a school of the agency on that date or during that period, as the case may be.".

PAYMENTS

SEC. 907. Section 9117(b) of the ESEA is amended by striking out "(or under subpart 1 of the Indian Education Act of 1988)".

STATE EDUCATIONAL AGENCY REVIEW

SEC. 908. Section 9118 of the ESEA is amended to read as follows:

"STATE EDUCATIONAL AGENCY REVIEW

"SEC. 9118. Before submitting an application to the Secretary under section 9114, a local educational agency shall submit it to the State educational agency, which may comment on it. If the State educational agency comments on the application, it shall comment on all applications submitted by local educational agencies in the State and shall provide those comments to the respective local educational agencies, with an opportunity to respond.".

IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN

SEC. 909. Section 9121(d)(2) of the ESEA is amended—

(1) in subparagraph (A), by striking out ''subsection'' and inserting in lieu thereof ''section''; and

(2) in subparagraph (B)—

(A) by inserting a comma and ''other than an application for a dissemination grant under paragraph (1)(D),'' after ''subparagraph (A)'';

(B) in clause (ii), by striking out ''and'' at the end thereof;

(C) by redesignating clause (iii) as clause (v); and

(D) by inserting new clauses (iii) and (iv) to read as follows:

''(iii) information demonstrating that the proposed program is either a research-based program or such a program that has been modified to be culturally appropriate for the students who will be served;

''(iv) a description of how the applicant will incorporate the proposed services into the ongoing school program once the grant period is over; and''.

PROFESSIONAL DEVELOPMENT

SEC. 910. Section 9122 of the ESEA is amended—

(1) in subsection (e)—

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

(B) by striking out the subsection designation ''(e)'' and all that follows through ''Each'' and inserting in lieu thereof ''(e) APPLICATION.—Each'';

(2) in subsection (h)(1), by inserting ''preservice'' after ''receives''; and

(3) by adding at the end thereof a new subsection (i) to read as follows:

''(i) IN-SERVICE TRAINING FOR TEACHERS OF INDIAN CHILDREN.—

''(1) GRANTS AUTHORIZED.—In addition to the grants authorized by subsection (c), the Secretary may make grants to either of the following, in order to provide high-quality in-service training to teachers in local educational agencies with substantial numbers of Indian children enrolled in their schools:

''(A) A consortium of a tribal college and an institution of higher education that awards a degree in education.

''(B) A consortium of a tribal college or an institution of higher education that awards a

degree in education, or both, and one or more elementary or secondary schools operated by an Indian tribe or funded by the Bureau of Indian Affairs, local educational agencies serving Indian children, or tribal educational agencies.

"(2) USE OF FUNDS.—(A) A consortium that receives a grant under paragraph (1) shall use the grant funds only to provide high-quality in-service training to teachers, including teachers who are not Indian, in local educational agencies with substantial numbers of Indian children enrolled in their schools, in order to better meet the unique educational needs of those children.

"(B) The training described in subparagraph (A) shall include such activities as preparing teachers to use the best available research-based practices and learning strategies, and to make the most effective use of curriculum and materials, that respond to the unique needs of Indian children in their classrooms.

"(3) SPECIAL RULE.—Subsection (d) of this section shall not apply to grants made under this subsection.

"(4) PREFERENCE FOR INDIAN APPLICANTS.—In applying section 9153 to this subsection, the Sec-

retary shall give a preference to any consortium that includes one or more of the entities described in that section.''.

REPEAL OF AUTHORITIES

SEC. 911. Part A of title IX of the ESEA is further amended—

(1) by striking out sections 9123, 9124, and 9125;

(2) by striking out subpart 3; and

(3) by redesignating subparts 4, 5, and 6 as subparts 3, 4, and 5, respectively.

FEDERAL ADMINISTRATION

SEC. 912. (a) PEER REVIEW.—Section 9152 of the ESEA is amended by striking out ''subpart 2, 3, or 4'' and inserting in lieu thereof ''subpart 2 or 3''.

(b) PREFERENCE FOR INDIAN APPLICANTS.—Section 9153 of the ESEA is amended by striking out ''subpart 2, 3, or 4'' and inserting in lieu thereof ''subpart 2 or 3''.

(c) MINIMUM GRANT CRITERIA.—Section 9154 of the ESEA is amended by striking out ''subpart 2 or 3'' and inserting in lieu thereof ''subpart 2''.

AUTHORIZATION OF APPROPRIATIONS

SEC. 913. Section 9162 of the ESEA is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 9162. (a) SUBPART 1.—For the purpose of carrying out subpart 1 of this part, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.

"(b) SUBPARTS 2 AND 3.—For the purpose of carrying out subparts 2 and 3 of this part, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005.".

PART B—NATIVE HAWAIIAN EDUCATION

NATIVE HAWAIIAN EDUCATION

SEC. 921. Part B of title IX of the ESEA is amended—

(1) by amending the heading thereof to read as follows: "PART B—NATIVE HAWAIIAN EDUCATION";

(2) in section 9202(17), by inserting after the first sentence the following: "Subsequent reports by the Kamahameha School Bishop Estate and other organizations have generally confirmed those findings.";

(3) in section 9203(2), by striking out "on Native Hawaiian education," and everything that follows through the end thereof and inserting in lieu thereof "on Native Hawaiian education;";

(4) by repealing sections 9204 through 9210 and inserting in lieu thereof a new section 9204 to read as follows:

"PROGRAM AUTHORIZED

"SEC. 9204. (a) GENERAL AUTHORITY.—

"(1) PROGRAM AUTHORIZED.—The Secretary is authorized to make grants to, or enter into contracts with, Native Hawaiian educational organizations; Native Hawaiian community-based organizations; public and private nonprofit organizations, agencies, or institutions with experience in developing or operating Native Hawaiian programs or programs of instruction in the Native Hawaiian language; and consortia of such organizations, agencies, or institutions to carry out programs that meet the purposes of this part.

"(2) PERMISSIBLE ACTIVITIES.—Programs under this part may include—

"(A) the operation of one or more councils to coordinate the provision of educational and related services and programs available to Native Hawaiians;

"(B) the operation of family-based education centers that provide such services as—

"(i) programs for parents and their infants from prenatal through age three;

"(ii) preschool programs; and

"(iii) research on, development of, and assessment of family-based, early childhood, and preschool programs for Native Hawaiians;

"(C) activities to enable Native Hawaiians to enter and complete programs of postsecondary education, including—

"(i) full or partial scholarships for undergraduate or graduate study that are awarded to students based on their academic promise and financial need, with a priority, at the graduate level, given to professions in which Native Hawaiians are underrepresented;

"(ii) counseling and support services for students receiving scholarship assistance;

"(iii) counseling and guidance for Native Hawaiian secondary students who have the potential to receive scholarships; and

"(iv) faculty development activities designed to promote the matriculation of Native Hawaiian students;

"(D) activities that address the special needs of Native Hawaiian students who are gifted and talented, including—

"(i) educational, psychological, and developmental activities designed to assist in the educational progress of those students; and

"(ii) activities that involve the parents of those students in a manner designed to assist in the students' educational progress;

"(E) activities to meet the special needs of Native Hawaiian students with disabilities, including—

"(i) the identification of such students, and of their needs;

"(ii) the provision of support services to the families of those students; and

"(iii) other activities consistent with the requirements of the Individuals with Disabilities Education Act.

"(F) the development of academic and vocational curricula to address the needs of Native Hawaiian children and adults, including curriculum materials in the Hawaiian language

and mathematics and science curricula that incorporate Native Hawaiian tradition and culture;

"(G) professional development activities for educators, including—

"(i) the development of programs to prepare prospective teachers to address the unique needs of Native Hawaiian students within the context of Native Hawaiian culture, language, and traditions;

"(ii) in-service programs to improve the ability of teachers who teach in schools with concentrations of Native Hawaiian students to meet those students' unique needs; and

"(iii) recruiting and preparing Native Hawaiians, and other individuals who live in communities with a high concentration of Native Hawaiians, to become teachers;

"(H) the operation of community-based learning centers that address the needs of native Hawaiian families and communities through the coordination of public and private programs and services, including—

"(i) preschool programs;

"(ii) after-school programs; and

"(iii) vocational and adult education programs;

"(I) research and data-collection activities to determine the educational status and needs of Native Hawaiian children and adults;

"(J) other research and evaluation activities related to programs under this part; and

"(K) other activities, consistent with the purposes of this part, to meet the educational needs of Native Hawaiian children and adults.

"(3) PRIORITIES.—In awarding grants or contracts to carry out activities described in paragraphs (2)(F) and (2)(G), the Secretary shall give priority to projects that—

"(A) focus on the needs of at-risk youth; and

"(B) use the Hawaiian language in instruction.

"(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005 to carry out this part.";

(5) in section 9211, by amending subsection (b) to read as follows:

"(b) SPECIAL RULE.—Each applicant for a grant or contract under this part shall submit its application for comment to each local educational agency serving students who will participate in the project and include those comments, if any, with its application to the Secretary.";

(6) in section 9212, by—

(A) striking out paragraphs (3) and (5); and

(B) redesignating paragraphs (4) and (6) as paragraphs (3) and (4), respectively; and

(7) by redesignating section 9211 and section 9212 as section 9205 and section 9206, respectively.

PART C—ALASKA NATIVE EDUCATION

ALASKA NATIVE EDUCATION

SEC. 931. Part C of title IX of the ESEA is amended—

(1) by repealing sections 9304 through 9306 and inserting in lieu thereof a new section 9304 to read as follows:

"PROGRAM AUTHORIZED

"SEC. 9304. (a) GENERAL AUTHORITY.—

"(1) PROGRAM AUTHORIZED.—The Secretary is authorized to make grants to, or enter into contracts with, Alaska Native organizations, educational entities with experience in developing or operating Alaska Native programs or programs of instruction con-

ducted in Alaska Native languages, and consortia of such organizations and entities to carry out programs that meet the purpose of this part.

"(2) PERMISSIBLE ACTIVITIES.—Programs under this part may include—

"(A) the development and implementation of plans, methods, and strategies to improve the education of Alaska Natives;

"(B) the development of curricula and educational programs that address the educational needs of Alaska Native students, including—

"(i) curriculum materials that reflect the cultural diversity or the contributions of Alaska Natives;

"(ii) instructional programs that make use of Native Alaskan languages; and

"(iii) networks that introduce successful programs, materials, and techniques to urban and rural schools;

"(C) professional development activities for educators, including—

"(i) programs to prepare teachers to address the cultural diversity and unique needs of Alaska Native students;

"(ii) in-service programs to improve the ability of teachers to meet the unique needs of Alaska Native students; and

"(iii) recruiting and preparing teachers who are Alaska Natives, reside in communities with high concentrations of Alaska Native students, or are likely to succeed as teachers in isolated, rural communities and engage in cross-cultural instruction;

"(D) the development and operation of home instruction programs for Alaska Native preschool children, the purpose of which is to ensure the active involvement of parents in their children's education from the earliest ages;

"(E) the development and operation of student enrichment programs in science and mathematics that—

"(i) are designed to prepare Alaska Native students from rural areas, who are preparing to enter high school, to excel in science and math; and

"(ii) provide appropriate support services to the families of such students that

are needed to enable such students to benefit from the program;

"(F) research and data-collection activities to determine the educational status and needs of Alaska Native children and adults;

"(G) other research and evaluation activities related to programs under this part; and

"(H) other activities, consistent with the purposes of this part, to meet the educational needs of Alaska Native children and adults.

"(3) HOME INSTRUCTION PROGRAMS.—Home instruction programs for Alaska Native preschool children under paragraph (2)(D) may include—

"(A) programs for parents and their infants, from prenatal through age three;

"(B) preschool programs; and

"(C) training, education, and support for parents in such areas as reading readiness, observation, storytelling, and critical thinking.

"(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2001 through 2005 to carry out this part.";

(2) in section 9307—

(A) by amending subsection (b) to read as follows:

"(b) APPLICATIONS.—State and local educational agencies may apply for an award under this part only as part of a consortium involving an Alaska Native organization. This consortium may include other eligible applicants.";

(B) by amending subsection (d) to read as follows:

"(d) LOCAL EDUCATIONAL AGENCY COORDINATION.—Each applicant for an award under this part shall inform each local educational agency serving students who would participate in the project about its application.";

and

(C) by striking out subsection (e); and

(3) by redesignating section 9307 and section 9308 as section 9305 and section 9306, respectively.

TITLE X—PROGRAMS OF NATIONAL SIGNIFICANCE

FUND FOR THE IMPROVEMENT OF EDUCATION

SEC. 1001. Part A of title X of the ESEA is amended—

(1) in section 10101—

(A) in subsection (a)—

(i) by striking out ''National Education Goals'' and inserting in lieu thereof ''America's Education Goals''; and

(ii) by inserting ''elementary and secondary'' immediately after ''improve the quality of'';

(B) by amending subsection (b) to read as follows:

''(b) USE OF FUNDS.—Funds under this section may be used for—

''(1) development, evaluation, and other activities that are designed to—

''(A) improve the quality of elementary and secondary education;

''(B) assist all students to meet challenging State standards; and

''(C) contribute to the achievement of America's Education goals;

''(2) the development, implementation, and evaluation of programs that are designed to foster student community service, encourage responsible citizenship and improve academic learning, and give students the opportunity to apply what they learn in the classroom to meet actual community needs;

"(3) the identification and recognition of exemplary schools and programs, such as Blue Ribbon Schools;

"(4) activities to study and implement strategies for creating smaller learning communities;

"(5) programs under section 10102 and section 10103;

"(6) activities to promote family involvement in education; and

"(7) other programs and projects that meet the purposes of this section.";

(C) by amending subsection (c) to read as follows:

"(c) AWARDS.—(1) The Secretary may—

"(A) make awards under this section on the basis of competitions announced by the Secretary; and

"(B) support meritorious unsolicited proposals.

"(2) An applicant for an award under this section, shall—

"(A) establish clear goals and objectives for its project under this part; and

"(B) describe the activities it will carry out in order to meet the goals and objectives of its project.

"(3) A recipient of an award under this section shall evaluate the effectiveness of its project's activities in achieving the goals and objectives stated in its application.

"(4) A recipient of an award under this section shall report to the Secretary such information as may be required, including evidence of its progress towards meeting the goals and objectives of its project, in order to determine the effectiveness of its project under this section.

"(5) The Secretary may—

"(A) require recipients of awards under this section to provide matching funds from non-Federal sources; and

"(B) limit competitions to particular types of entities, such as State or local educational agencies.

"(6) The Secretary shall use a peer review process in reviewing applications for assistance under this section and may use funds appropriated under subsection (d) for the cost of such peer review."; and

(D) by amending subsection (d) to read as follows:

"(d) AUTHORIZATION OF APPROPRIATIONS.—For the purposes of carrying out this section, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.";

(E) by redesignating subsection (d), as amended by subparagraph D, as subsection (e) and inserting a new subsection (d) to read as follows:

''(d) EVALUATION AND PROGRAM DEVELOPMENT.—(1) Each recipient of a grant under this section shall submit to the Secretary a comprehensive evaluation of the effects of its program assisted under this part, including its impact on students, teachers, administrators, parents and others—

''(A) at the mid-point of the program; and

''(B) not later than one year after completion of the program.

''(2) Evaluations under this subsection shall focus on the effectiveness of the program in achieving its goals and objectives.'';

(2) by repealing section 10102;

(3) by amending section 10103 to read as follows:

''STATE AND LOCAL CHARACTER EDUCATION PROGRAM

''SEC. 10103. (a) PROGRAM AUTHORIZED.—(1) The Secretary may make grants to State educational agencies, local educational agencies, or consortia of such educational agencies for the design and implementation of character education programs.

"(2) Each grant under this section shall be awarded for a period not to exceed five years, of which the recipient shall use not more than one year for planning and program design.

"(b) APPLICATIONS.—(1) Each applicant desiring a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require.

"(2) Each application under this section shall include—

"(A) a description of any partnerships and other collaborative efforts between the applicant and other educational agencies;

"(B) a description of the program's goals and objectives;

"(C) a description of the activities the applicant will carry out, and how these activities are designed to meet the program's goals and objectives under subparagraph (B), including—

"(i) how parents, students, and other members of the community, including members of private and nonprofit organizations, will be involved in the design and implementation of the program;

"(ii) the curriculum and instructional practices that will be used or developed; and

"(iii) the methods of teacher training and parent education that will be used or developed;

"(D) a description of how the program will be linked to other efforts to improve educational outcomes, including—

"(i) broader educational reforms that are being instituted by the applicant or its partners; and

"(ii) applicable State and local standards for student performance;

"(E) a description of how the applicant will evaluate the progress of its program in meeting the goals and objectives under subparagraph (B), including the performance indicators that will be used to measure progress; and

"(F) such other information as the Secretary may require.

"(c) DIVERSITY OF PROJECTS.—The Secretary shall make awards under this section that, to the extent practicable, support programs that serve different geographic areas of the Nation, including urban, suburban, and rural areas.";

(4) by redesignating section 10103, as amended by paragraph (3), as section 10102 and adding a new section 10103 to read as follows:

"CHARACTER EDUCATION RESEARCH, DISSEMINATION, AND EVALUATION

"SEC. 10103. (a) PROGRAM AUTHORIZED.—The Secretary is authorized to make grants, or enter into contracts or cooperative agreements with, State educational agencies, local educational agencies, institutions of higher education, tribal organizations, and other public or private agencies or organizations to carry out research, development, dissemination, technical assistance, and evaluation activities that support or inform character education programs under section 10102.

"(b) USE OF FUNDS.—Consistent with subsection (a), funds under this section may be used—

"(1) to conduct research and development activities that focus on such matters as—

"(A) the effectiveness of instructional models;

"(B) materials and curricula that can be used by programs in character education;

"(C) models of professional development in character education; and

"(D) the development of outcome measures for character education programs;

"(2) to provide technical assistance to the agencies receiving awards under section 10102, particularly on matters of program evaluation;

"(3) to conduct a national evaluation of programs under section 10102; and

"(4) to compile and disseminate, through various approaches, such as a national clearinghouse—

"(A) information on model character education programs;

"(B) character education materials and curricula;

"(C) research findings in the area of character education and character development; and

"(D) any other information that will be useful to character education program participants and other educators and administrators, nationwide."; and

(5) by repealing section 10104, section 10105, section 10106, and section 10107.

GIFTED AND TALENTED CHILDREN

SEC. 1002. Part B of title X of the ESEA is amended—

(1) in section 10201, by striking out "of 1994";

(2) in section 10204(c), by adding at the end thereof a new paragraph (3) to read as follows:

"(3) DISSEMINATION.—The National Center shall focus the dissemination of the results of its activities under subsection (b)(7) to schools with high percentages of economically disadvantaged students.";

(3) by amending section 10206(b) to read as follows:

"(b) REVIEW AND DISSEMINATION.—The Secretary—

"(1) shall use a peer review process in reviewing applications under this part;

"(2) shall ensure that the information on the activities and results of programs and projects funded under this part is disseminated to appropriate State and local agencies and other appropriate organizations, including private nonprofit organizations; and

"(3) may evaluate the effectiveness of programs under this part in accordance with section 11801 of this Act."; and

(4) by amending section 10207 to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 10207.—For the purpose of carrying out this part, there are authorized to be appropriated such sums

as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.''.

INTERNATIONAL EDUCATION PROGRAM

SEC. 1003. Title VI of Goals 2000: Educate America Act (P.L. 103–227) is amended—

(1) in section 601(c)(6) to read as follows:

''(6) DEFINITIONS.—For the purposes of this subsection, the term 'eligible country' means a Central European country, an Eastern European country, Lithuania, Latvia, Estonia, Georgia, the Republic of Ireland, the province of Northern Ireland in the United Kingdom of Great Britain, the Commonwealth of Independent States, any country that formerly was a republic of the Soviet Union whose political independence is recognized by the United States, and any other emerging democracy in a developing country. For the purpose of this definition, the term 'developing country' shall have the same meaning given it in the Education of the Deaf Act.'';

(2) by amending section 601(d) to read as follows:

''(d) AUTHORIZATION OF APPROPRIATIONS.—For the purposes of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.''; and

(3) by redesignating such title and section as part C of title X of the ESEA and section 10301, respectively.

ARTS IN EDUCATION

SEC. 1004. Part D of title X of the ESEA is amended—

(1) by striking out the heading and designation of subpart 1;

(2) in section 10401—

(A) in subsection (d)—

(i) by redesignating paragraphs (9) and (10) as paragraphs (10) and (11), respectively; and

(ii) by inserting immediately after paragraph (8) the following new paragraph:

''(9) supporting model arts and cultural programs for at-risk children and youth, particularly programs that use arts and culture to promote students' academic progress;''; and

(B) by amending subsection (f) to read as follows:

''(f) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal

year 2001 and each of the four succeeding fiscal years.''; and

(3) by repealing subpart 2.

INEXPENSIVE BOOK DISTRIBUTION PROGRAM

SEC. 1005. Section 10501(e) of the ESEA is amended by striking out ''$10,300,000 for fiscal year 1995 and such sums as may be necessary'' and inserting in lieu thereof ''such sums as may be necessary for fiscal year 2001 and''.

CIVIC EDUCATION

SEC. 1006. Part F of title X of the Elementary and Secondary Education Act of 1965 is amended—

(1) by repealing section 10602;

(2) by amending section 10603 to read as follows:

''AUTHORIZATION OF APPROPRIATIONS

''SEC. 10603. For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.''; and

(3) by redesignating section 10603, as amended by paragraph (2), as section 10602.

ALLEN J. ELLENDER FELLOWSHIP PROGRAM

SEC. 1007. Part G of title X of the Elementary and Secondary Education Act of 1965 is repealed.

21ST CENTURY COMMUNITY LEARNING CENTERS

SEC. 1008. Part I of title X of the ESEA is amended—

(1) in section 10902(2), by striking out ''should collaborate'' and inserting in lieu thereof ''must collaborate'';

(2) in section 10903—

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

''(a) GRANTS BY THE SECRETARY.—(1) The Secretary is authorized, in accordance with paragraph (2), to award grants to community-based organizations and local educational agencies, on behalf of public elementary or secondary schools in inner-cities, small cities, and rural areas, that serve communities with a substantial need for expanded learning opportunities because—

''(A) they have a high proportion of low-achieving students;

''(B) they lack resources to establish or expand after-school centers that benefit the educational, health, social service, cultural, and recreational needs of the community; or

''(C) they have other needs consistent with the purposes of this part.

"(2) The Secretary may reserve up to 10 percent of the funds appropriated to carry out this part for any fiscal year to make grants to community-based organizations to carry out projects, consistent with the purposes of this part and with subsection (c).";

(B) by amending subsection (b) to read as follows:

"(b) EQUITABLE DISTRIBUTION.—In awarding grants under this part, the Secretary shall ensure an equitable distribution of assistance among the States and among urban and rural areas of the United States."; and

(C) in subsection (c), by striking out "3 years" and inserting in lieu thereof "5 years";

(3) in section 10904—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking out "an elementary or secondary school or consortium" and inserting in lieu thereof "a local educational agency, on behalf of one or more elementary or secondary schools, or a community-based organization";

(ii) in paragraph (1), by striking out "the school or consortium" and inserting in lieu thereof "the applicant";

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

(iv) in paragraph (3)—

(I) in subparagraph (C),

(aa) by inserting ''schools,'' immediately after ''undertaken by''; and

(bb) by inserting a comma and ''in order to promote community involvement in the planning and implementation of services provided under this part'' immediately after ''appropriate organizations'';

(II) in subparagraph (D), by striking out ''the school or consortium'' and inserting in lieu thereof ''the applicant''; and

(III) in subparagraph (E), by—

(aa) striking out ''the school or consortium'' and inserting in lieu thereof ''the applicant''; and

(bb) striking out the period at the end thereof and inserting in lieu thereof a semi-colon; and

(v) by adding, at the end thereof, the following new paragraphs (4), (5), and (6):

''(4) information demonstrating that the applicant will provide at least 50 percent of the cost of the project from other sources, which may include other Federal funds and may be provided in cash or in-kind, fairly evaluated;

''(5) an assurance that the applicant will, in each year of the project, expend, from non-Federal sources, at least as much for the services under this part as it expended for the preceding year; and

''(6) information demonstrating how the applicant will continue the project after completion of the grant.'';

(B) by amending subsection (b) to read as follows:

''(b) PRIORITY.—The Secretary shall give priority to applications that describe projects that—

''(1) offer a broad selection of services that address the needs of the community; and

''(2) offer significant, expanded learning opportunities for children and youth in the community.''; and

(C) by further amending section 10904 by adding at the end thereof a new subsection (c), to read as follows:

"(c) SPECIAL RULE.—An application submitted by a community-based organization shall contain evidence that affected local educational agencies concur with the proposed project.";

(4) in section 10905, by striking out "may be used to plan, implement, or expand community learning centers which include not less than four" and inserting in lieu thereof "shall be used to establish or expand community learning centers that provide activities that offer significant expanded learning opportunities, such as before and after school, for children and youth in the community, and that may also include any";

(5) by amending section 10906 to read as follows:

"SEC. 10906. (a) COMMUNITY LEARNING CENTER.—For the purpose of this part, the term 'community learning center' means an entity that—

"(1) provides expanded learning opportunities, and may also provide services that address health, social service, cultural, and recreational needs of the community; and

"(2) is operated in conjunction with local governmental agencies, businesses, vocational education programs, institutions of higher education, community colleges, and cultural, recreational, and other community and human service entities.

"(b) SPECIAL RULE.—In the case of a community learning center operated by a local educational agency, the center shall be located within a public elementary or secondary school building.";

(6) by amending section 10907 to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 10907. For the purposes of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.";

(7) by adding at the end thereof the following new section 10908:

"CONTINUATION AWARDS

"SEC. 10908. The Secretary may use funds under this part to make continuation awards for projects that were funded with fiscal year 1999 and 2000 funds, under the terms and conditions that applied to the original awards for those projects."; and

(8) by redesignating—

(A) part I as part G; and

(B) sections 10901 through 10908, as amended by this section, as sections 10701 through 10708, respectively.

URBAN AND RURAL EDUCATION ASSISTANCE

SEC. 1009. Part J of title X of the Elementary and Secondary Education Act of 1965 is repealed.

HIGH SCHOOL REFORM

SEC. 1010. Title X of the ESEA is further amended by inserting after part G, as redesignated by section 1008(8)(A), a new part H to read as follows:

"PART H—HIGH SCHOOL REFORM

"FINDINGS AND PURPOSES

"SEC. 10801. (a) FINDINGS.—The Congress finds as follows:

"(1) All high school students must obtain the academic foundations needed for further education and training, and to succeed in an economy that is increasingly characterized by global competition, evolving technologies, and high demands for a skilled, literate, and adaptable workforce.

"(2) To be effective, high schools must not only prepare students academically, they must also ensure that students are connecting with adults and are receiving the necessary supports to continue their personal and interpersonal growth during this critical transition stage.

"(3) Effective high schools are places where students feel safe, the school is free of drugs, and the classrooms are disciplined environments where all students can learn. High schools are increasingly larger places where students feel increasingly disconnected from adults and often from their peers, particularly in urban and suburban areas. Research shows that when students feel connected to school and to their parents, they are less likely than other adolescents to suffer from emotional distress, have suicidal thoughts and behaviors, use violence, and smoke cigarettes, drink alcohol, or smoke marijuana.

"(4) Research and national data collections indicate that many high schools do not succeed in meeting both the academic and developmental needs of students. For example—

"(A) more than 20 percent of Americans, ages 25 through 29, do not have a regular high school diploma;

"(B) on the most recent international assessment of mathematics and science knowledge, the Third International Mathematics and Science Study (TIMSS), American 12th-graders outperformed students from only two of the 21 other participating Nations. A comparison of

these assessment results with 4th-grade and 8th-grade TIMSS scores indicates that American students lose ground during the high school years;

"(C) recent results from National Assessment of Educational Progress reading assessments for 12th-graders indicate improvement in the performance of higher-achieving students, but no improvement in the scores for the lowest-achieving students;

"(D) the problems facing high schools are particularly prevalent in schools that enroll concentrations of minority students and students from low-income families; and

"(E) relatively few high schools are undertaking serious, standards-based educational reforms. For instance, most of the initiatives carried out through the Comprehensive School Reform Demonstrations program have been at the elementary level.

"(5) Because of changes made by the Improving America's Schools Act of 1994, high schools now receive significantly more title I funding than was the case before, and the number of high schools operating title I schoolwide programs has increased.

However, evaluations indicate that title I, by itself, has not yet resulted in significant reforms in high schools. High schools now have the opportunity to use title I funds to leverage Federal, State, and local funds to implement education reforms.

''(6) High school reforms can be effective. For example, schools participating in the Southern Regional Education Board 'High Schools that Work' program, a whole-school, research-based reform initiative, have shown significant improvement in reading and mathematics scores. The Johns Hopkins University Talent Development model has demonstrated promising results at its initial implementation site. The schools implementing locally based reforms and participating in the Department of Education's 'New American High Schools' initiative have generally achieved improved outcomes in graduation, attendance, and achievement.

''(7) A variety of approaches to high school reform, geared to local conditions and needs, can be effective. These approaches include 'schools within schools' and other innovations that create smaller learning environments and involve adults more fully in the lives of students, 'career academies' and other approaches that structure learning around careers,

partnerships that pair schools with businesses or institutions of higher education, and reforms that reorganize the school day. In addition, most successful reforms include a strong focus on the professional development of participating educators and provision of in-depth academic, career, and college counseling.

"(b) PURPOSES.—The purposes of this part are to—

"(1) support the planning and implementation of educational reforms in high schools, particularly in urban and rural high schools that educate concentrations of students from low-income families, in order to—

"(A) meet the needs of students at risk of failing to achieve to challenging standards, by strengthening curriculum and instruction, offering extended learning opportunities, and providing professional development opportunities to school staff; and

"(B) improve title I schoolwide programs in high schools;

"(2) support the further development of educational reforms, designed specifically for high schools, that—

"(A) help students meet challenging State standards; and

"(B) increase connections between students and adults and provide safe learning environments;

"(3) create positive incentives for serious change in high schools, by offering rewards to participating schools that achieve significant improvements in student achievement;

"(4) increase the national knowledge base on effective high school reforms by identifying the most effective approaches and disseminating information on those approaches so that they can be adopted nationally; and

"(5) support the implementation of reforms in at least 5,000 American high schools by the year 2007.

"GRANTS TO LOCAL EDUCATIONAL AGENCIES

"SEC. 10802. (a) GRANTS AUTHORIZED.—The Secretary may make grants to local educational agencies, on a competitive basis, for activities, consistent with this part, carried out in their high schools.

"(b) DURATION.—Each grant under this section shall be for a period of up to three years.

"(c) LIMITATION.—The Secretary shall not provide assistance under this part to any high school under more than one grant.

"APPLICATIONS

"SEC. 10803. (a) APPLICATIONS REQUIRED.—A local educational agency that desires to receive a grant under this part shall submit an application at such time, in such manner, and containing such information as the Secretary may determine.

"(b) CONTENTS.—Each such application shall, for each high school for which assistance is sought—

"(1) identify the school and describe its need for assistance under this part;

"(2) include—

"(A) a preliminary plan for grades above 8th grade in the school that describes the educational reforms that will take place, as well as the specific activities to be carried out with grant funds; and

"(B) an assurance that the local educational agency will have a final plan for those reforms and activities within six months of receiving a grant under this part; and

"(3) demonstrate that a substantial percentage of administrators, teachers, and students at the school, as well as parents of students and other members of the community, were (and will be) involved in developing and carrying out that plan.

"SELECTION OF GRANTEES

"SEC. 10804. (a) IN GENERAL.—The Secretary shall select grantees, using a peer-review process, on the basis of—

"(1) the relative need of each high school for which assistance is sought, considering such factors as the percentage of students who are from low-income families, student achievement data, dropout rates, and attendance rates; and

"(2) the quality of applications, including the likelihood that the proposed reforms will succeed.

"(b) APPLICATIONS FOR MORE THAN ONE HIGH SCHOOL.—In case of a meritorious application that requests assistance for more than one high school, the Secretary may approve the application for any number of those schools.

"(c) SPECIAL RULES.—In approving applications under this section, the Secretary shall—

"(1) to the extent possible, award a majority of grants under this part to assist high schools that participate in programs under part A of title I of this Act or serve high-poverty school attendance areas; and

"(2) equitably distribute grants among the geographic regions of the Nation and among urban and rural local educational agencies.

"PRINCIPLES AND COMPONENTS OF EDUCATIONAL REFORMS

"SEC. 10805. (a) PRINCIPLES.—Each grantee under this part shall ensure that the reforms it carries out under this part are designed so that that each assisted high school—

"(1) is a place where students receive individual attention and support, through such strategies as creating smaller learning environments, such as 'schools within schools' and career academies and providing students with counselors and mentors;

"(2) provides all students in the school with challenging coursework, aligned with State content and performance standards, through such strategies as the use of technology to enhance academic instruction and the establishment or expansion of international baccalaureate programs or advanced placement programs;

"(3) is a place where students are motivated to learn, through such strategies as applied learning and linking the arts, music, and cultural opportunities with the school, both during and after the normal school day;

"(4) enables students to receive an education that is continuous and integrated, through such strategies as partnerships with middle schools and institutions of higher education;

"(5) helps students achieve their educational and career goals, through such strategies as integrated academic and vocational instruction that connects students with career opportunities; and

"(6) functions as a center for the community, through such strategies as increasing the involvement of parents, employers, and others in the community.

"(b) REQUIRED COMPONENTS.—In order to institutionalize the principles described in subsection (a), each grantee under this part shall use funds that are provided on behalf of a high school to implement (and, if necessary, to use not more than six months to complete the planning and development of) research-based educational reform strategies throughout the entire school that—

"(1) in the case of a school with a schoolwide program under part A of title I, build on and improve the schoolwide reform program;

"(2) address the needs of students who are at risk of failing to be promoted to the next grade or to graduate, including—

"(A) covering material that students need to master in order to pass State-mandated exit exams; and

"(B) strengthening curriculum, instruction, and assessments and by offering extended learning opportunities such as after-school, weekend, and summer programs;

"(3) are implemented at the school level, but include strong support and assistance from the local educational agency, as documented in its application;

"(4) make full and effective use of the resources that the school receives under other Federal programs;

"(5) make use of outside experts in high-school reform, unless the local educational agency demonstrates in its application, to the Secretary's satisfaction, that the school's reform strategy can be implemented effectively without outside assistance;

"(6) include professional development of school staff, including development of the skills needed to use student achievement and other outcome data to refine and improve the educational reform strategy; and

"(7) provide for collecting data on, and evaluating, the reforms and for reporting to the Secretary on the results of those evaluations.

"PRIVATE SCHOOLS

"SEC. 10806. (a) PROFESSIONAL DEVELOPMENT.—Each grantee under section 10804 shall, in accordance with sections 11803 through 11806, provide for the equitable participation of private school personnel in the professional development activities it carries out with grant funds.

"(b) INFORMATION.—If a grantee uses grant funds to develop curricular materials, it shall make information about those materials available to private schools at their request.

"ADDITIONAL ACTIVITIES

"SEC. 10807. From the amount available to carry out this part for any fiscal year under section 10809, the Secretary shall reserve the amount he finds appropriate to carry out one or more of the following:

"(1) INCENTIVE AWARDS.—(A)(i) The Secretary shall select a random sample of schools from each of the first two years' cohorts of grantees, along with a similarly selected control group of comparable schools, to participate in an incentive-based experiment, under which the Secretary makes incentive payments to teachers and administrators in the

grantee schools if, after three years of program participation, their students demonstrate significant gains in student educational outcomes compared to the gains made in the schools in the control group.

"(ii) If those significant gains continue, the Secretary may make further incentive payments to those teachers and administrators for up to two additional years.

"(B) The Secretary shall base determinations of student educational outcomes on multiple measures, including scores on State assessments.

"(C) The maximum amount of an incentive award under this paragraph is $3,000 per teacher and administrator per year, which may be used by those individuals for any purpose.

"(2) RECOGNITION, DISSEMINATION, NETWORKS, AND PEER REVIEW.—The Secretary may—

"(A) recognize high schools and high school reforms that show outstanding results;

"(B) disseminate information on those schools and reforms;

"(C) carry out other activities to encourage the spread and adoption of successful high school reform strategies;

"(D) facilitate the creation of networks among participating schools and local educational agencies, which may include schools and local educational agencies interested in meeting the purpose of this part; and

"(E) pay the costs of the peer review of applications under this part.

"(3) EVALUATION.—The Secretary may reserve funds, consistent with section 11911, to evaluate activities carried out under this part.

"DEFINITION

"SEC. 10808. For the purpose of this part, the term 'high school' means any school that serves students in 12th grade.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 10809. For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.".

FOREIGN LANGUAGE ASSISTANCE PROGRAM

SEC. 1011. Title X of the ESEA is further amended by inserting after part H, as added by section 1010, a new part I to read as follows:

"PART I—FOREIGN LANGUAGE ASSISTANCE PROGRAM

"FINDINGS; PURPOSE

"SEC. 10901. (a) FINDINGS.—The Congress finds that:

"(1) Increased fluency in languages other than English is necessary if the United States is to compete effectively in a global economy.

"(2) Four out of five new jobs in the United States are created from foreign trade.

"(3) The optimum time to begin learning a second language is in elementary school, when children have the greatest ability to learn and excel in foreign languages.

"(4) Foreign language study can increase children's capacity for critical and creative thinking, and children who study a second language show greater cognitive development in such areas as mental flexibility, creativity, tolerance, and higher-order thinking skills.

"(5) Children who have studied a foreign language in elementary school score higher on standardized tests of reading, language arts, and mathematics than children who have not studied a foreign language.

"(6) The United States lags behind other developed countries in offering foreign language study to elementary and secondary school students.

"(7) While research suggests that students more easily acquire foreign languages when instruction begins in the early grades, fewer than one-third of elementary schools in the United States offer foreign language instruction.

"(8) Of those elementary schools that do offer foreign language instruction, most offer only an introductory exposure to the foreign language.

"(9) Few elementary school foreign language programs are coordinated with secondary school foreign language programs to promote transitions that build on student knowledge of the foreign language.

"(10) Foreign language teachers have a continuing need for professional development that provides opportunities to improve their language competence and their teaching skills in the language they teach. This need is particularly important for elementary school teachers, most of whom have no specialized training or certification to teach languages at that level.

"(11) The next generation of advanced computers and telecommunications technology has a tre-

mendous potential for improving access to foreign language instruction and the quality of that instruction at the elementary level.

"(12) It is a national goal that 25 percent of all public elementary schools offer high-quality, comprehensive foreign language programs by 2005, and that 50 percent offer such programs by 2010. Such programs should be designed to achieve language proficiency, aligned with State foreign language standards, and available to all students (including students with limited English proficiency and students with disabilities), and should ensure effective coordination between elementary and secondary school foreign language instruction.

"(b) PURPOSE.—It is the purpose of this part to expand, improve the quality of, and enhance foreign language programs at the elementary school level, including programs that recruit and train qualified elementary school foreign language teachers, by supporting—

"(1) State efforts to encourage and support such programs;

"(2) local implementation of innovative programs that meet local needs; and

"(3) the identification and dissemination of information on best practices in elementary school foreign language education.

"ELEMENTARY SCHOOL FOREIGN LANGUAGE ASSISTANCE PROGRAM

"SEC. 10902. (a) AUTHORITY.—(1) From funds appropriated under subsection (g) for any fiscal year, the Secretary is authorized to make grants to State educational agencies and to local educational agencies for the Federal share of the cost of the activities set forth in subsection (b).

"(2) Each grant under paragraph (1) shall be awarded for a period of three years.

"(3) A State educational agency may receive a grant under paragraph (1) if it—

"(A) has established, or is establishing, State standards for foreign language instruction; or

"(B) requires the public elementary schools of the State to provide foreign language instruction.

"(4) A local educational agency may receive a grant under paragraph (1) if the program proposed in its application under subsection (c)—

"(A) shows promise of being continued beyond the grant period;

"(B) would demonstrate approaches that can be disseminated to, and duplicated by, other local educational agencies;

"(C) would include performance measurements and assessment systems that measure students' proficiency in a foreign language; and

"(D) would use a curriculum that is aligned with State standards, if the State has such standards.

"(b) AUTHORIZED ACTIVITIES.—(1) Grants to State educational agencies under this section shall be used to support programs that promote the implementation of high-quality foreign language programs in the elementary schools of the State, which may include—

"(A) developing foreign language standards and assessments that are aligned with those standards;

"(B) supporting the efforts of institutions of higher education within the State to develop programs to prepare the elementary school foreign language teachers needed in schools within the State and to recruit candidates to prepare for, and assume, such teaching positions;

"(C) developing new certification requirements for elementary school foreign language teachers, in-

cluding requirements that allow for alternative routes to certification;

''(D) providing technical assistance to local educational agencies in the State in developing, implementing, or improving elementary school foreign language programs, including assistance to ensure effective coordination with, and transition of students among, elementary, middle, and secondary schools;

''(E) disseminating information on promising or effective practices in elementary school foreign language instruction and supporting educator networks that help improve that instruction;

''(F) stimulating the development and dissemination of information on instructional programs that use educational technologies and technology applications (including such technologies and applications as multimedia software, web-based resources, digital television, and virtual reality and wireless technologies) to deliver instruction or professional development, or to assess students' foreign language proficiency; and

''(G) collecting data on and evaluating the elementary school foreign language programs in the State and activities carried out with the grant.

"(2) Grants to local educational agencies under this section shall be used for activities to develop and implement high-quality, standards-based elementary school foreign language programs, which may include—

"(A) curriculum development and implementation;

"(B) professional development for teachers and other staff;

"(C) partnerships with institutions of higher education to provide for the preparation of the teachers needed to implement programs under this section;

"(D) efforts to coordinate elementary school foreign language instruction with secondary-level foreign language instruction, and to provide students with a smooth transition from elementary to secondary programs;

"(E) implementation of instructional approaches that make use of advanced educational technologies; and

"(F) collection of data on, and evaluation of, the activities carried out under the grant, including assessment, at regular intervals, of participating students' proficiency in the foreign language studied.

"(3) SPECIAL RULE.—Efforts under paragraph (2)(D) may include support for the expansion of secondary school instruction, so long as that instruction is part of an articulated elementary-through-secondary school foreign language program that is designed to result in student fluency in a foreign language.

"(c) APPLICATIONS.—(1) Any State educational agency or local educational agency desiring to receive a grant under this section shall submit an application to the Secretary at such time, in such form, and containing such information and assurances, as the Secretary may require.

"(2) Each application shall include descriptions of—

"(A) the goals that the applicant intends to accomplish through the project, including—

"(i) for applications submitted by State educational agencies, the goal of ensuring the availability of qualified elementary school foreign language teachers throughout the State; and

"(ii) for applications submitted by local educational agencies, the goal of enabling all participating students to become proficient in a foreign language;

"(B) the activities to be carried out through the project; and

"(C) how the applicant will determine the extent to which its project meets its goals.

"(d) PRIORITIES.—In awarding grants under this section, the Secretary may establish one or more priorities consistent with the purpose of this part, including priorities for projects carried out by local educational agencies that—

"(1) provide immersion programs in which instruction is in the foreign language for a major portion of the day; or

"(2) promote the sequential study of a foreign language for students, beginning in elementary schools.

"(e) REPORTS.—(1) A State educational agency or local educational agency that receives a grant under this section shall submit to the Secretary an annual report that provides information on the project's progress in reaching its goals.

"(2) A local educational agency that receives a grant under this section shall include in its report under paragraph (1), information on students' gains in comprehending, speaking, reading, and writing a foreign language, and shall compare such educational outcomes to the State's foreign language standards, if such State standards exist.

"(f) FEDERAL SHARE.—(1) The Federal share for each fiscal year of a program under this section shall be not more than 50 percent.

"(2) The Secretary may waive the requirement of paragraph (1) for any local educational agency that the Secretary determines does not have adequate resources to pay the non-Federal share of the cost of the activities assisted under this section.

"(g) AUTHORIZATION OF APPROPRIATIONS.—(1) For the purpose of carrying out this section, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years.

"(2) For any fiscal year, the Secretary may reserve up to five percent of the amount appropriated under paragraph (1) to—

"(A) conduct independent evaluations of the activities assisted under this section;

"(B) provide technical assistance to recipients of awards under this section; and

"(C) disseminate findings and methodologies from evaluations required by, or funded under, this section and other information obtained from such programs.".

NATIONAL WRITING PROJECT

SEC. 1012. Part K of title X of the ESEA is amended—

(1) in section 10991—

(A) in paragraph (15)—

(i) by striking ''154 regional sites'' and inserting in lieu thereof ''157 regional sites''; and

(ii) by striking ''45 States'' and inserting in lieu thereof ''46 States'';

(B) in paragraph (17) by adding ''and'' at the end thereof;

(C) in paragraph (18) by striking out at the end thereof the semicolon and ''and'' and inserting in lieu thereof a period; and

(D) by striking out paragraph (19);

(2) in section 10992—

(A) by striking out subsection (e);

(B) by amending subsection (g) to read as follows:

''(g) EVALUATION.—The Secretary may conduct an independent evaluation, by grant or contract, of the program administered pursuant to this part.''; and

(C) by amending subsection (i) to read as follows:

"(i) AUTHORIZATION OF APPROPRIATIONS.—For the purposes of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years."; and

(3) by redesignating—

(A) part K, as amended by this section, as part J; and

(B) section 10991 and section 10992 as section 10951 and section 10952, respectively.

TITLE XI—GENERAL PROVISIONS, DEFINITIONS AND ACCOUNTABILITY

DEFINITIONS

SEC. 1101. Part A of title XIV of the ESEA is amended—

(1) in section 14101—

(A) in paragraphs (5), (6), (7), and (8), by striking out "section 14302" and inserting in lieu thereof "section 11502";

(B) by amending paragraph (10) to read as follows:

"(10) COVERED PROGRAM.—The term 'covered program' means each of the programs authorized by—

"(A) part A of title I,

"(B) part C of title I;

"(C) part A of title II;

"(D) subpart 1 of part D of title III;

"(E) part A of title IV (other than section 4115);

"(F) the Comprehensive School Reform Demonstration Program; and

"(G) title VI.";

(C) in paragraph (11)(B), by striking out "and title VI";

(D) in paragraph (24), by striking out "section 602(a)(17)" and inserting in lieu thereof "section 602(22)";

(E) by redesignating paragraphs (15) through (29) as paragraphs (16) through (30), respectively; and

(F) by inserting after paragraph (14) a new paragraph (15) to read as follows:

"(15) FAMILY LITERARY SERVICES.—The term 'family literacy services' means services provided to eligible participants on a voluntary basis that are of sufficient intensity, both in hours and duration, to make sustainable changes in a family, and that integrate all of the following activities:

"(A) Interactive literacy activities between parents and their children.

"(B) Training for parents on how to be the primary teachers for their children and full partners in the education of their children.

"(C) Parent literacy training that leads to economic self-sufficiency.

"(D) An age-appropriate education to prepare children for success in school and life experiences."; and

(2) in section 14102, by striking out "Parts B, C, D, E, and F" and inserting in lieu thereof "Parts D, E, F, and G".

ADMINISTRATIVE FUNDS

SEC. 1102. Part B of title XIV of the ESEA is amended—

(1) in section 14201—

(A) by amending subsection (a)(2) to read as follows:

"(2) APPLICABILITY.—This section applies to—

"(A) programs under title I and those programs described in subparagraphs (C), (D), and (E) of section 11101(10);

"(B) the Comprehensive School Reform Demonstration Program;

"(C) title VI;

"(D) the Carl D. Perkins Vocational and Technical Education Act of 1998; and

"(E) such other programs as the Secretary may designate.";

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

"(2) ADDITIONAL USES.—A State educational agency may also use the funds available under this section for administrative activities designed to enhance the effective and coordinated use of funds under the programs included in the consolidation under subsection (a), such as—

"(A) State-level activities designed to carry out this title, including part B;

"(B) the coordination of those programs with other Federal and non-Federal programs;

"(C) the establishment and operation of peer-review mechanisms under this Act;

"(D) collaborative activities with other State educational agencies to improve administration under this Act;

"(E) the dissemination of information regarding model programs and practices;

"(F) technical assistance under the programs specified in subsection (a)(2);

"(G) training personnel engaged in audit and other monitoring activities; and

"(H) implementation of the Cooperative Audit Resolution and Oversight Initiative."; and

(C) by striking out subsection (f);

(2) in section 14203—

(A) in subsection (b), by striking out "Improving America's Schools Act of 1994" and inserting in lieu thereof "Educational Excellence for All Children Act of 1999"; and

(B) in subsection (d), by striking out "the uses described in section 14201(b)(2)" and inserting in lieu thereof "for uses, at the school district and school levels, comparable to those described in section 11401(b)(2)";

(3) by repealing section 14204;

(4) in section 14205(a)(2)(B)(i), by striking out "National Education Goals" and inserting in lieu thereof "America's Education Goals"; and

(5) in section 14206—

(A) by amending the section heading to read: "MOST EFFECTIVE USE OF PROGRAM FUNDS.";

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

"(a) MOST EFFECTIVE USE.—With the approval of its State educational agency, a local educational agency that determines for any fiscal year that funds under a covered program (other than part A of title I) would be more effective in helping all its students achieve the State's challenging standards if used under another covered program, may use those funds, not to exceed five percent of the local educational agency's total allotment for that fiscal year, to carry out programs and activities under that other covered program."; and

(C) in subsection (b), by striking out "title XI of this Act" and inserting in lieu thereof "part I of this title".

COORDINATION OF PROGRAMS

SEC. 1103. Part C of title XIV of the Act is amended—

(1) in the heading thereof, by striking out "AND APPLICATIONS";

(2) by amending section 14302 to read as follows:

"OPTIONAL CONSOLIDATED STATE PLANS

"SEC. 14302. (a) GENERAL.—

(1) PURPOSE AND AUTHORITY.—In order to promote continuing, standards-based education reform, encourage the integration and coordination of resources, and simplify application requirements and

reduce burden for State educational agencies under this Act, the Secretary, in accordance with subsection (b), shall establish procedures and criteria under which a State educational agency may submit a consolidated State plan meeting the requirements of this section for any or all of—

"(A) the covered programs in which the State participates; and

"(B) the additional programs described in paragraph (2).

"(2) ADDITIONAL PROGRAMS.—A State educational agency may also include in its consolidated State plan—

"(A) the Even Start program under part B of title I;

"(B) the State Agency Programs for Children and Youth Who Are Neglected or Delinquent under part D of title I;

"(C) programs under part A of title II of the Carl D. Perkins Vocational and Technical Education Act of 1998; and

"(D) such other programs as the Secretary may designate.

"(3) STATE DEVELOPMENT AND SUBMISSION.—(A) A State educational agency desiring to receive a

grant under two or more of the programs to which this section applies may submit a consolidated State plan for those programs that satisfies the procedures and criteria established under this section.

"(B) A State educational agency that submits a consolidated State plan shall not be required to submit separate State plans or applications for the programs included in the consolidated State plan.

"(C) A State educational agency that submits a consolidated State plan shall comply with all the requirements applicable to the programs in the consolidated State plan as if it had submitted separate State plans.

"(4) CONSOLIDATED STATE PLANS.—A State educational agency that desires to receive funds under a program to which this section applies for the fiscal year 2001 and the succeeding four fiscal years shall submit to the Secretary a new consolidated plan that meets the requirements of this section within the time specified by the Secretary.

"(b) PLAN CONTENTS.—

"(1) COLLABORATIVE PROCESS.—(A) In establishing criteria and procedures under this section, the Secretary shall collaborate with State educational agencies and, as appropriate, with other

State agencies, local educational agencies, public and private nonprofit agencies, organizations, and institutions, private schools, and representatives of parents, students, and teachers.

"(B)(i) Through the collaborative process described in paragraph (1), the Secretary shall establish, for each program under the Act to which this section applies, the descriptions and information that must be included in a consolidated State plan.

"(ii) In carrying out clause (i), the Secretary shall ensure that a consolidated State plan contains, for each program included in the plan, the descriptions and information needed to ensure proper and effective administration of that program in accordance with its purposes.

"(2) INTEGRATION AND COORDINATION OF RESOURCES.—In its consolidated plan under this section, a State educational agency shall describe how—

"(A) funds under the programs included in the plan will be integrated to best serve the students and teachers intended to benefit from those programs; and

"(B) those programs will be coordinated at the State, school district, and school levels with—

"(i) other covered programs not included in the plan; and

"(ii) related programs, such as programs under the Reading Excellence Act under part E of title I, the 21st Century Community Learning Centers program and the High School Reform program under parts G and H of title X, respectively, and the Teacher Quality Enhancement Programs, and the Gaining Early Awareness and Readiness for Undergraduate Programs under title II and chapter 2 of subpart 2 of part A of title IV, of the Higher Education Act of 1965, respectively.

"(c) INDICATORS.—In order to evaluate its performance under its consolidated State plan, a State educational agency shall include in its plan—

"(1) any information required by the Secretary under section 11912 regarding performance indicators, benchmarks, and targets; and

"(2) any other indicators or measures the State determines are appropriate for evaluating its performance under its consolidated State plan.

"(d) MONITORING AND DATA INTEGRITY.—A State educational agency shall include in its consolidated State plan a description of the strategies it will use to meet the requirements of section 11503(a)(4) and (5).

"(e) PEER REVIEW AND SECRETARIAL APPROVAL.—(1) The Secretary shall—

"(A) establish a peer-review process to assist in the review, and provide recommendations for the revision, of consolidated State plans under this section; and

"(B) to the extent practicable, appoint individuals to the peer-review process who—

"(i) are knowledgeable about the programs, and the populations they serve, included in the plans;

"(ii) are representative of State educational agencies, local educational agencies, teachers, and parents of students served under those programs; and

"(iii) have expertise on educational standards, assessments, and accountability.

"(2)(A) Following such peer review, the Secretary shall approve a consolidated State plan if the Secretary determines that the plan meets the requirements of this section.

"(B) The Secretary may accompany such approval with one or more conditions that the State educational agency shall meet.

"(3) If the Secretary determines that the plan does not meet the requirements of this section, the Secretary shall notify the State of that determination and the reasons for it.

"(4) The Secretary shall not finally disapprove a consolidated State plan before—

"(A) offering the State an opportunity to revise its plan;

"(B) providing technical assistance to assist the State to meet the requirements; and

"(C) providing a hearing.

"(f) REVISION AND AMENDMENT.—A State educational agency shall periodically review its consolidated State plan to ensure that it accurately reflects its strategies and activities under the programs covered by the plan. If the State educational agency makes significant changes to its strategies and activities, it shall submit an amend-

ment to its plan to the Secretary for approval in accordance with this section.''; (3) in section 14303(a)—

(A) in the matter before paragraph (1)—

(i) by striking out ''or consolidated State application''; and

(ii) by striking out ''section 14302'' and inserting in lieu thereof ''section 11502'';

(B) by redesignating paragraphs (4), (5), (6), and (7) as paragraphs (6), (7), (8), and (9), respectively; and

(C) by inserting after paragraph (3) the following new paragraphs:

''(4) the State will monitor performance by local educational agencies to ensure compliance with the requirements of this Act and—

''(A) maintain proper documentation of monitoring activities;

''(B) provide technical assistance when appropriate and undertake enforcement activities when needed; and

''(C) systematically analyze the results of audits and other monitoring activities to iden-

tify trends in funding and to develop strategies to correct problems;

"(5) the data used by the State to measure its performance (and that of its local educational agencies) under this Act are complete, reliable, and accurate, or, if not, that the State will take such steps as are necessary to make those data complete, reliable, and accurate.";

(4) by repealing section 14304;

(5) by amending section 14305 to read as follows:

"CONSOLIDATED LOCAL PLANS

"SEC. 14305. (a) GENERAL AUTHORITY.—A local educational agency receiving funds under more than one covered program may submit plans to the State educational agency under such programs on a consolidated basis.

"(b) CONSOLIDATED PLANS.—A State educational agency that has an approved consolidated State plan under section 11502 may require local educational agencies that receive funds under more than one program included in the consolidated State plan to submit consolidated local plans for such programs.

"(c) COLLABORATION.—A State educational agency shall collaborate with local educational agencies in the

State in establishing criteria and procedures for the submission of the consolidated local plans under this section.

"(d) CONTENTS.—For each program under this Act that may be included in a plan under this section, the Secretary may designate the descriptions and information that must be included in a local consolidated plan, to ensure that each such program is administered in a proper and effective manner in accordance with its purposes.";

(6) in section 14306, by striking out "section 14304" and inserting in lieu thereof "section 11504";

(7) by repealing section 14307; and

(8) by adding at the end thereof a new section to read as follows:

"CONSOLIDATED REPORTING

"SEC. 14307. In order to encourage integration and coordination of resources, simplify reporting requirements, and reduce reporting burden, the Secretary shall establish procedures and criteria under which a State educational agency must submit a consolidated State annual performance report. Such a report shall contain information about the programs included in the report, including the State's performance under those programs, and other matters, as the Secretary determines, such as information regarding monitoring activities under part I and section 11503(a)(4). Such a report shall take the place of indi-

vidual annual performance reports for the programs subject to it.''.

WAIVERS

SEC. 1104. Part D of title XIV of the Act is amended—

(1) in section 14401(a), by inserting a comma and ''the Carl D. Perkins Vocational and Technical Education Act of 1998, or subtitle B of title VII of the Stewart B. McKinney Homeless Assistance Act'' immediately after ''requirement of this Act'';

(2) in section 14401(b), by amending paragraph (1) to read as follows:

''(1) IN GENERAL.—A State educational agency, local educational agency, or Indian tribe that desires a waiver shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Each such application shall—

''(A) identify each Federal program affected and the statutory or regulatory requirement requested to be waived;

''(B) describe the purpose and expected results of waiving each such requirement;

''(C) describe for each school year specific, measurable, educational goals for the State educational agency and for each local educational

agency, Indian tribe, or school that would be affected by the waiver; and

"(D) explain why the waiver would assist the State educational agency and each affected local educational agency, Indian tribe, or school in reaching those goals.";

(3) in section 14401(c)—

(A) in paragraph (8) by—

(i) striking out "part C of title X" and inserting in lieu thereof "part B of title V"; and

(ii) by striking out "or" at the end thereof;

(B) in paragraph (9)—

(i) by striking out "section 14502" and "section 14507" and inserting in lieu thereof "section 11702" and "section 11707", respectively; and

(ii) at the end thereof, by striking out the period and inserting in lieu thereof a semi-colon and "and"; and

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

"(10) health and safety."; and

(4) in section 14401(e)(4), by—

(A) striking out ''fiscal year 1997'' and inserting in lieu thereof ''fiscal year 2001''; and

(B) striking out ''the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting in lieu thereof ''the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate''.

UNIFORM PROVISIONS

SEC. 1105. Part E of title XIV of the Act is amended—

(1) in section 14501(a), by inserting ''(except part C of title I)'' immediately after ''covered program'';

(2) in section 14503—

(A) in subsection (a)(1), by inserting ''that address their needs'' immediately before the period;

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

''(1) IN GENERAL.—This section applies to programs under—

''(A) part C of title I;

''(B) part E of title I;

"(C) subpart 2 of part A of title II;

"(D) title III;

"(E) part A of title IV, other than section 4115; and

"(F) part A of title VII."; and

(C) in subsection (c)—

(i) in paragraph (1)—

(I) in subparagraph (C), by striking out "and" at the end thereof;

(II) in subparagraph (D), by striking out the period and inserting a semi-colon; and

(III) by adding at the end thereof the following new subparagraphs:

"(E) to the extent applicable, the amount of funds received by such agency that are attributable to private school children; and

"(F) how and when such agency will make decisions about the delivery of services to these children."; and

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

"(2) TIMING.—Such consultation shall include meetings of agency and private school officials, shall occur before the local educational agency makes any

decision that affects the opportunities of eligible private school children, teachers, or other educational personnel to participate in programs under this Act, and shall continue throughout the implementation and assessment of activities under this section.'';

(3) in section 14504, by striking out ''section 14503'' and ''sections 14503, 14505, and 14506'' and inserting in lieu thereof ''section 11703'' and ''sections 11703, 11705, and 11706'', respectively;

(4) in section 14506—

(A) in subsection (a)(1)(A), by striking out ''section 14504'' and inserting in lieu thereof ''section 11704'';

(B) in subsection (b), by striking out ''section 14503'' and inserting in lieu thereof ''section 11703''; and

(C) in subsection (d), by striking out ''Improving America's Schools Act of 1994'' and inserting in lieu thereof ''Educational Excellence for All Children Act of 1999''; and

(5) by repealing section 14513 and section 14514.

REPEAL

SEC. 1106. Part F of title XIV of the Act is repealed.

EVALUATION AND INDICATORS

SEC. 1107. Part G of title XIV of the Act is amended—

(1) by amending the heading thereof to read as follows:

"EVALUATION AND INDICATORS";

(2) in section 14701—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively;

(II) by inserting the following new subparagraph (B):

"(B) conduct evaluations that carry out the purposes of the Government Performance and Results Act of 1993 with respect to programs under this Act;";

(III) in subparagraph (C), as redesignated by clause (i), by striking out "and" at the end thereof;

(IV) in subparagraph (D), as redesignated by clause (i), by striking out the period and inserting in lieu thereof a semi-colon and "and"; and

(V) by adding at the end thereof the following new subparagraph (E):

''(E) to work in partnership with the States to develop information relating to program performance that can be used to help achieve continuous program improvement at the State, school district, and school levels.'';

(B) by striking out subsections (b) and (c); and

(C) by inserting after subsection (a) the following new subsections:

''(b) NATIONAL EVALUATION.—The Secretary shall use funds reserved under subsection (a) to conduct independent studies of programs under this Act and the effectiveness of those programs in achieving their purposes, to determine whether those programs (or the administration of those programs) are—

''(1) contributing to improved student academic performance;

''(2) supporting the development of challenging standards and aligned assessments that guide other elements of school reform, including teacher certification, curriculum frameworks, instruction, and professional development;

"(3) assisting efforts in schools and classrooms to improve teaching and the climate for learning, particularly in high-poverty schools, including efforts related to technology, professional development, school violence and drug prevention, and public school choice;

"(4) promoting flexibility with accountability;

"(5) supporting efforts to strengthen family and community involvement in education;

"(6) targeting their resources effectively;

"(7) contributing to reform efforts and continuous improvement; and

"(8) achieving other goals consistent with the purposes of this Act.

"(c) INDEPENDENT PANEL.—The Secretary shall establish an independent panel to review studies under subsection (b) to advise the Secretary on their progress, and to comment, if the panel chooses, on the final report described in subsection (d).

"(d) REPORTS.—The Secretary shall submit an interim report on the evaluation described in subsection (b) within three years of enactment of the Educational Excellence for All Children Act of 1999 and a final report within four years of its enactment to the Committee on Education and the Workforce of the House of Representatives

and to the Committee on Health, Education, Labor and Pensions of the Senate.

"(e) PARTNERSHIPS TO STRENGTHEN PERFORMANCE INFORMATION FOR IMPROVEMENT.—The Secretary may provide technical assistance to recipients of assistance under this Act in order to strengthen the collection and assessment of information relating to program performance and quality assurance at the State and local levels. Such technical assistance shall be designed to promote the development, measurement, use, and reporting of data on valid, reliable, timely, and consistent performance indicators, within and across programs, and may include one-time grants, from funds reserved under subsection (a), to recipients to develop their data systems with the goal of helping recipients make continuous program improvement."; and

(3) by adding at the end thereof the following new section:

"PERFORMANCE MEASURES

"SEC. 14702. (a) IN GENERAL.—The Secretary is authorized to establish performance indicators, benchmarks, and targets for each program under this Act and subtitle B of title VII of the Stewart B. McKinney Homeless Assistance Act, to assist in measuring program performance. Indicators, benchmarks, and targets under this section shall be consistent with the Government Perform-

ance and Results Act of 1993 (and strategic plans adopted by the Secretary under that Act) and section 11501.

"(b) COLLABORATION.—The Secretary shall collaborate with State educational agencies, local educational agencies, and other recipients under this Act in establishing performance indicators, benchmarks, and targets under this section.

"(c) PLANS AND APPLICATIONS.—The Secretary may require any applicant for funds under this Act or subtitle B of title VII of the Stewart B. McKinney Homeless Assistance Act to—

"(1) include in its plan or application information relating to how it will use performance indicators, benchmarks, and targets under this section to improve its program performance; and

"(2) report data relating to such performance indicators, benchmarks, and targets to the Secretary.".

COORDINATED SERVICES

SEC. 1108. (a) REPEALS AND REDESIGNATIONS.—The ESEA is further amended by—

(1) repealing sections 11003 and 11007; and

(2) redesignating—

(A) title XI of the ESEA as part I of title XI of the ESEA; and

(B) sections 11001, 11002, 11004, 11005, and 11006 as sections 11901, 11902, 11903, 11904, and 11905, respectively.

(b) MISCELLANEOUS.—Part I of title XI of the ESEA, as redesignated by subsection (a)(2), is amended—

(1) by amending section 11903, as redesignated by subsection (a)(2)(B), to read as follows:

"PROJECT DEVELOPMENT AND IMPLEMENTATION

"SEC. 11903. (a) APPLICATIONS.—Each eligible entity desiring to use funds made available under section 11405(b) shall submit an application to the appropriate State educational agency at such time, in such manner, and accompanied by such information as that agency may reasonably require.

"(b) PROJECT ACTIVITIES.—An eligible entity that wishes to conduct a coordinated services project shall—

"(1) maintain on file—

"(i) the results of its assessment of the economic, social, and health barriers to educational achievement experienced by children and families, including foster children and their foster families, in the community, and of the local, State, Federal, and privately funded services available to meet those needs;

"(ii) a description of the entities operating the coordinated services project;

"(iii) a description of its coordinated services project, the objectives of that project, where the project will be located, the community-wide partnership that will link public and private agencies providing services to children and their families, the staff that will be used to carry out the project, and how the project will meet the requirements in this part; and

"(iv) an annual budget that indicates the sources and amounts of funds under this Act that will be used for the project, consistent with section 11405(b), and the purposes, by budget category, for which those funds will be used;

"(2) evaluate annually the success of the coordinated services project under this section in meeting its goals and objectives;

"(3) train teachers and appropriate personnel on the purposes, activities, and services of the coordinated services project, and how children and families may obtain those activities and services; and

"(4) ensure that the coordinated services project addresses the health and welfare needs of migratory families.

"(c) SPECIAL RULE.—A State educational agency need not require eligible entities to submit an application under subsection (a) in order to permit them to carry out coordinated services projects under this section.";

(2) in section 11904(a)—

(A) in paragraph (1), by striking out "section 14206(b)" and "section 11004(b)(1)" and inserting in lieu thereof "section 11405(b) for a coordinated services project" and "section 11903(b)(1)(i)", respectively; and

(B) in paragraph (2), by striking out "section 14206(b)" and inserting in lieu thereof "section 11405(b)"; and

(3) in section 11905—

(A) by striking out "Secretary" each place it appears and inserting in lieu thereof "State educational agency"; and

(B) by striking out "section 14206(b)" and inserting in lieu thereof "section 11405(b)".

REDESIGNATIONS

SEC. 1109. Title XIV of the ESEA is further amended—

(1) by redesignating such title as title XI;

(2) by redesignating sections 14101, 14102, and 14103 as sections 11101, 11102, and 11103, respectively;

(3) by redesignating—

(A) part B as part D; and

(B) sections 14201, 14202, 14203, 14205, and 14206 as sections 11401, 11402, 11403, 11404, and 11405, respectively;

(4) by redesignating—

(A) part C as part E; and

(B) sections 14301, 14302, 14303, 14305, 14306, and 14307 as sections 11501, 11502, 11503, 11504, 11505, and 11506, respectively;

(5) by redesignating—

(A) part D as part F; and

(B) section 14401 as section 11601;

(6) by redesignating—

(A) part E as part H; and

(B) sections 14501, 14502, 14503, 14504, 14505, 14506, 14507, 14508, 14509, 14510, 14511, and 14512 as sections 11801, 11802, 11803, 11804, 11805, 11806, 11807, 11808, 11809, 11810, 11811, and 11812, respectively;

(7) by redesignating—

(A) part G as part J; and

(B) sections 14701 and 14702 as sections 11911 and 11912, respectively; and

(8) by redesignating—

(A) part H as part K and

(B) sections 14801 and 14802 as sections 11921 and 11922, respectively.

ED-FLEX PARTNERSHIPS

SEC. 1110. (a) IN GENERAL.—The Education Flexibility Partnership Act of 1999 (P.L. 106–25) is amended—

(1) by striking out everything before section 1;

(2) in section 1, by—

(A) striking out ''Act'' and inserting in lieu thereof ''part''; and

(B) striking out ''of 1999'';

(3) in section (2), by—

(A) striking out paragraph (5);

(B) redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively; and

(C) in paragraph (5), as redesignated by subparagraph (B), by—

(i) striking out ''Expansion of waiver authority will allow for the waiver of'' and inserting ''States should be allowed to waive''; and

(ii) striking out the comma after ''affected programs'' and everything that follows through ''and maintaining'' and inserting ''and maintaining'';

(4) by amending section 3 to read as follows:

''DEFINITIONS

''SEC. 3. As used in this part, the terms 'eligible school attendance area' and 'school attendance area' have the meanings given those terms in section 1113(a)(2) of this Act.'';

(5) in section 4—

(A) in subsection (a)—

(i) in paragraph (2)—

(I) in the matter before subparagraph (A), by inserting a comma after ''section'';

(II) by amending subparagraph (A) to read as follows:

''(A) has an approved educational accountability plan under section 11208 of this Act and is making satisfactory progress, as determined by the Secretary, in implementing its policies under sections 11204 and 11205 of this Act;''; and

(III) by amending subparagraph (B) to read as follows:

"(B) has developed and implemented challenging State content standards, challenging State student performance standards, and aligned assessments described in section 1111(b) of this Act; and";

(ii) in paragraph (3)(B)—

(I) in the matter before clause (i), by striking out "such application" and inserting "it"; and

(II) in clause (iv)(I), by striking out "have the ability to" and inserting "can";

(iii) in paragraph (4)(A)—

(I) in the matter before clause (i), by inserting a comma immediately after "paragraph (1)(A)" and immediately after "regulatory requirement", the second time that phrase appears, respectively; and

(II) in clause (iv), by striking out "why" and inserting "how";

(iv) in paragraph (5)—

(I) in subparagraph (B)(ii), by striking out "each such State" and inserting in lieu thereof "it"; and

(II) in subparagraph (C), by striking out ''2 years after the date of the enactment of this Act'' and inserting ''May 1, 2001'';

(v) in paragraph (6), by amending subparagraph (A) to read as follows:

''(A) IN GENERAL.—The Secretary shall not approve the application of a State educational agency under paragraph (3) for a period exceeding 5 years, except that the Secretary may, in accordance with subparagraph (C), extend that period if the Secretary determines that—

''(i) the State educational agency's authority to grant waivers has been effective in enabling that State or affected local educational agencies or schools to carry out their State or local reform plans and to continue to meet the accountability requirement described in paragraph (2)(B); and

''(ii) the State has made significant statewide gains in student achievement and in closing the achievement gap between low- and high-performing students.''; and

(vi) in paragraph (7), by striking out "1999" and inserting "2000";

(B) by amending subsection (b) to read as follows:

"(b) INCLUDED PROGRAMS.—The statutory and regulatory requirements referred to in subsection (a)(1)(A) are any requirements for programs carried out under the following provisions:

"(1) Title I of this Act (other than subsection (a) and (c) of section 1116).

"(2) Part A of title II of this Act.

"(3) Subpart 1 of part D of title III of this Act.

"(4) Part A of title IV of this Act.

"(5) Title VI of this Act.

"(6) Part B of title VII of this Act.

"(7) The Carl D. Perkins Vocational and Technical Education Act of 1998.

"(8) Subtitle B of title VII of the Stewart B. McKinney Homeless Assistance Act.";

(C) in subsection (c)—

(i) in subparagraph (G), by striking out "such Act" and inserting "this Act";

(ii) by redesignating subparagraphs (H) and (I) as subparagraphs (I) and (J), respectively; and

(iii) by inserting a new subparagraph (H) to read as follows:

"(H) the eligibility of a school for a schoolwide program under section 1114 of this Act, except that a State educational agency may grant a waiver to allow a local educational agency to conduct a schoolwide program in a school that serves an attendance area in which not less than 40 percent of the children are from low-income families or in which not less than 40 percent of the children enrolled are from such families;";

(D) in subsection (d)—

(i) in paragraph (1), by striking out "the waiver authority" and inserting "that waiver authority"; and

(ii) in paragraph (4), by—

(I) striking out "date of the enactment of this Act" and inserting "effective date of this part"; and

(II) striking out "subpart 2 of part A of title III of the Elementary and Secondary Education Act of 1965 (other than section 3136 of such

Act)'' and inserting ''subpart 1 of part D of title III of this Act''; and

(E) at the end thereof, by adding a new subsection (f) to read as follows:

''(f) TRANSITION.—Waivers granted under applicable ED-Flex authority prior to the effective date of this part shall remain in effect in accordance with the terms and conditions that applied to those waivers when they were granted. Waivers granted on or after the effective date of this part shall be subject to the provisions of this part.'';

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

(7) by repealing sections 5 and 6.

(b) REDESIGNATIONS.—Title XI of the ESEA is further amended—

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

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

ACCOUNTABILITY

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

"PART B—IMPROVING EDUCATION THROUGH ACCOUNTABILITY

"SHORT TITLE

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

"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.

"STUDENT PROGRESS AND PROMOTION POLICY

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

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

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

"(2) As used in this part, the term—

"(A) 'social promotion' means the unsound educational practice of promoting students who have not demonstrated mastery of challenging State academic standards without affording those students continuing intensive and comprehensive interventions by educational authorities to enable them to master such standards; and

"(B) 'retention' means the unsound educational practice of requiring students who have not demonstrated mastery of challenging academic standards to repeat a grade or part of a grade rather than placing such students in age-appropriate settings

and affording them continuing intensive and comprehensive interventions by educational authorities to enable them to master such standards.

"(b) POLICY.—In order to ensure that students will progress through school and graduate having mastered the challenging material needed for them to meet high standards of performance, a State policy under subsection (a) shall—

"(1) require—

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

"(B) whatever steps are necessary by States, local educational agencies, parents and students to ensure that all students will meet the challenging academic performance standards required under section 1111(b)(1)(A) at three key transition points as determined by the state, consistent with section 1111(b)(2)(D) so that students will progress through school and graduate having mastered the challenging mate-

rial needed for them to meet high standards of performance.

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

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

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

''(5) provide, with respect to students who have not demonstrated mastery of challenging State academic standards on a timely basis—

''(A) for continuing, intensive, and age-appropriate interventions, including extended instruction and learning time, such as after-

school and summer programs that are designed to help students master such material;

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

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

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

"(E) for full communication between the school and parents, including a description and analysis of the students' performance, how it will be improved, and how parents will be involved in the process; and

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

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

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

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

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

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

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

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

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

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

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

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

"(2) the strategies and steps (including timelines and performance indicators) that the State will take to ensure that its policy is fully imple-

mented no later than four years from the date of the approval of its accountability plan; and

"(3) the steps that the State will take to ensure that the policy is disseminated to all local educational agencies and schools in the State and to the general public.

"ENSURING TEACHER QUALITY

"SEC. 11205. (a) IN GENERAL.—A State that receives assistance under this Act shall, at the time it submits its accountability plan under section 11208, have in effect a policy that—

"(1) is designed to ensure that there are qualified teachers in every classroom in the State; and

"(2) meets the requirements of this section.

"(b) POLICY.—A policy to ensure teacher quality under this section shall include the strategies that the State will carry out to ensure that, within four years from the date of the approval of its accountability plan—

"(1) not less than 95 percent of the teachers in public schools in the State are certified or—

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

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

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

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

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

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

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

"(B) increasing the percentage of secondary school classes in core academic subject areas taught by teachers who—

"(i) have a postsecondary-level academic major or minor in the subject area they teach or a related field; or

"(ii) otherwise demonstrate a high level of competence through rigorous tests in their academic subject.

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

"SOUND DISCIPLINE POLICY

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

"(b) POLICY.—A State discipline policy under this section shall require local educational agencies and schools to have in place and implement disciplinary policies that—

"(1) focus on prevention and are coordinated with prevention strategies and programs under title IV of this Act;

"(2) apply to all students and are enforced consistently and equitably;

"(3) are clear and understandable;

"(4) are developed with the participation of school staff, students, and parents;

"(5) are broadly disseminated;

"(6) ensure that due process is provided;

"(7) are consistent with applicable Federal, State and local laws, including the Individuals With Disabilities Education Act;

"(8) ensure that teachers are adequately trained to manage their classrooms effectively; and

"(9) in case of students who are suspended or expelled from school, provide for appropriate supervision, counseling, and educational services that will help those students continue to meet the State's challenging standards.

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

"EDUCATION REPORT CARDS

"SEC. 11207. (a) IN GENERAL.—(1) A State that receives assistance under this Act shall, at the time it submits its accountability plan under section 11208, have in effect a policy that requires the development and dissemination of annual report cards, regarding the status of education and educational progress in the State and in its

local educational agencies and schools, that meet the requirements of this section.

"(2) Report cards under this section shall—

"(A) be concise;

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

"(C) focus on educational results.

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

"(A) student performance on statewide assessments, set forth on an aggregated basis, in both reading (or language arts) and mathematics, as well as any other subject area for which the State requires assessments;

"(B) attendance and graduation rates in the public schools of the State;

"(C) average class size in each of the school districts in the State;

"(D) school safety, including the incidence of school violence and drug and alcohol abuse and the number of instances in which a student has possessed a firearm at school, subject to the Gun-Free Schools Act; and

"(E) the professional qualifications of teachers in the State, including the number of teachers teaching with emergency credentials and the number of teachers teaching out of their field of expertise.

"(2) Student achievement data in the report card shall contain statistically sound, disaggregated results for the following categories:

"(A) Gender.

"(B) Racial and ethnic group.

"(C) Migrant status.

"(D) Students with disabilities, as compared to students who are not disabled.

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

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

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

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

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

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

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

"(c) CONTENT OF LOCAL EDUCATIONAL AGENCY AND SCHOOL REPORT CARDS.—(1) The State shall ensure that each local educational agency and each school in the State includes in its annual report card, at a minimum—

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

"(B)(i) in the case of a local educational agency—

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

"(II) information that shows how students in its schools performed on statewide assessments compared to students in the rest of the

State (including such comparisons over time, if the information is available); or

''(ii) in the case of a school—

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

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

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

''(d) DISSEMINATION AND ACCESSIBILITY OF REPORT CARDS.—(1) State-level report cards under subsection (b) shall be posted on the Internet, disseminated to all schools and local educational agencies in the State, and made broadly available to the public.

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

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

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

"EDUCATION ACCOUNTABILITY PLANS

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

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

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

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

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

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

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

"(c) REPORTS.—(1) A State shall report annually to the Secretary, in such form and containing such information as the Secretary may require, on its progress in carrying out the requirements of this part, and shall include such report in its consolidated State performance report under section 11506.

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

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

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

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

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

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

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

"AUTHORITY OF SECRETARY TO ENSURE ACCOUNTABILITY

"SEC. 11209. (a) REMEDIES FOR SUBSTANTIAL FAILURE.—If the Secretary determines that a State has failed substantially to carry out a requirement of this part or a provision in its approved accountability plan under section 11208, or that its performance has failed substantially to meet a performance indicator in such plan, the Secretary shall take, consistent with applicable due process procedures, one or more of the following steps to ensure that the purpose of this part is carried out promptly:

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

"(2) Requiring a plan for corrective action.

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

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

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

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

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

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

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

"(b) EFFECTIVE ENFORCEMENT.—If remedial steps taken by the Secretary under subsection (a) fail to correct the State's non-compliance, the Secretary shall take one

or more additional steps under subsection (a) to bring the State into compliance.

"RECOGNITION AND REWARDS

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

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

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

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

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

"(c) AUTHORIZATION.—There are authorized to be appropriated for fiscal year 2001 and each of the four succeeding fiscal years, such sums as may be necessary to carry out subsection (b)(3).

"BEST PRACTICES AND MODELS

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

"CONSTRUCTION

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

AMERICA'S EDUCATION GOALS PANEL

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

"PART C—AMERICA'S EDUCATION GOALS PANEL

"PURPOSE

"SEC. 11301. It is the purpose of this part to establish a bipartisan mechanism for—

"(1) building a national consensus for education improvement; and

"(2) reporting on progress toward achieving America's Education Goals.

"AMERICA'S EDUCATION GOALS PANEL

"SEC. 11302. (a) ESTABLISHMENT.—There is established an America's Education Goals Panel (hereinafter in this part referred to as the 'Goals Panel') to advise the President, the Secretary, and the Congress.

"(b) COMPOSITION.—The Goals Panel shall be composed of 18 members (hereinafter in this part referred to as 'members'), including—

"(1) 2 members appointed by the President;

"(2) 8 members who are Governors, 3 of whom shall be from the same political party as the President and 5 of whom shall not be from the same political party as the President, appointed by the Chairperson and Vice Chairperson of the National Governors' Association, with the Chairperson and Vice Chairperson each appointing representatives of such Chairperson's or Vice Chairperson's respective political party, in consultation with each other;

"(3) 4 Members of the Congress, of whom—

"(A) 1 member shall be appointed by the Majority Leader of the Senate from among the Members of the Senate;

"(B) 1 member shall be appointed by the Minority Leader of the Senate from among the Members of the Senate;

"(C) 1 member shall be appointed by the Majority Leader of the House of Representatives from among the Members of the House of Representatives; and

"(D) 1 member shall be appointed by the Minority Leader of the House of Representatives from among the Members of the House of Representatives; and

"(4) 4 members of State legislatures appointed by the President of the National Conference of State Legislatures, of whom 2 shall be of the same political party as the President of the United States.

"(c) SPECIAL APPOINTMENT RULES.—

(1) IN GENERAL.—The members appointed pursuant to subsection (b)(2) shall be appointed as follows:

"(A) If the Chairperson of the National Governors" Association is from the same political party as the President, the Chairperson shall appoint 3 individuals and the Vice Chairperson of such association shall appoint 5 individuals.

"(B) If the Chairperson of the National Governors" Association is not from the same political party as the President, the Chairperson shall appoint 5 individuals and the Vice Chairperson of such association shall appoint 3 individuals.

"(3) REPRESENTATION.—To the extent feasible, the membership of the Goals Panel shall be geographically representative and reflect the racial, ethnic, and gender diversity of the United States.

"(d) TERMS. The terms of service of members shall be as follows:

"(1) PRESIDENTIAL APPOINTEES.—Members appointed under subsection (b)(1) of this section shall serve at the pleasure of the President.

"(2) GOVERNORS.—Members appointed under paragraph (2) of subsection (b) of this section shall serve for 2-year terms, except that the initial appointments under such paragraph shall be made to ensure staggered terms with one-half of such members' terms concluding every 2 years.

"(3) CONGRESSIONAL APPOINTEES AND STATE LEGISLATORS.—Members appointed under paragraphs (3) and (4) of subsection (b) shall serve for 2-year terms.

"(e) VACANCIES.—A vacancy on the Goals Panel shall not affect its powers, but shall be filled in the same manner as the original appointment.

"(f) TRAVEL.—Each member may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for each day the member is engaged in the performance of duties for the Goals Panel away from the home or regular place of business of the member.

"(g) CHAIRPERSON.—

(1) IN GENERAL. Subject to paragraph (3), the members shall select a Chairperson from among themselves.

"(2) TERM.—The Chairperson of the Goals Panel shall serve a 1-year term.

"(3) POLITICAL AFFILIATION. The duties of the Chairperson shall alternate between political parties.

"(h) CONFLICT OF INTEREST. A member of the Goals Panel who is an elected official of a State that has developed content or student performance standards may not participate in Goals Panel consideration of that State's standards.

"(i) EX OFFICIO MEMBER.—If the President has not appointed the Secretary as 1 of the 2 members the President appoints pursuant to subsection (b)(1), then the Sec-

retary shall serve as a nonvoting ex officio member of the Goals Panel.

"DUTIES

"SEC. 11303. (a) IN GENERAL.—The Goals Panel shall—"(1) report to the President, the Secretary, and the Congress regarding the progress the Nation and the States are making toward achieving America's Education Goals established under section 2 of this Act, including issuing an annual report;

"(2) report on promising or effective actions being taken at the national, State, and local levels, and in the public and private sectors, to achieve America's Education Goals; and

"(3) help build a nationwide, bipartisan consensus for the reforms necessary to achieve America's Education Goals.

"(b) REPORT.—

(1) IN GENERAL. The Goals Panel shall annually prepare and submit to the President, the Secretary, the appropriate committees of Congress, and the Governor of each State a report that shall—

"(A) report on the progress of the United States toward achieving America's Education Goals; and

"(B) identify actions that should be taken by Federal, State, and local governments to en-

hance progress toward achieving America's Education Goals and to provide all students with a fair opportunity to learn.

"(2) FORM; DATA.—Reports under this subsection shall be presented in a form, and include data, that is understandable to parents and the general public.

"POWERS OF THE GOALS PANEL

"SEC. 11304. (a) HEARINGS.—

"(1) IN GENERAL.—The Goals Panel shall, for the purpose of carrying out this part, conduct such hearings, sit and act at such times and places, take such testimony, and receive such evidence, as the Goals Panel considers appropriate.

"(2) REPRESENTATION.—In carrying out this part, the Goals Panel shall conduct hearings to receive reports, views, and analyses of a broad spectrum of experts and the public on the establishment of voluntary national content standards, voluntary national student performance standards, and State assessments.

"(b) INFORMATION.—The Goals Panel may secure directly from any department or agency of the United States information necessary to enable the Goals Panel to carry out this part. Upon request of the Chairperson of the Goals Panel, the head of a department or agency shall

furnish such information to the Goals Panel to the extent permitted by law.

"(c) POSTAL SERVICES.—The Goals Panel may use the United States mail in the same manner, and under the same conditions, as other departments and agencies of the United States.

"(d) USE OF FACILITIES.—The Goals Panel may, with or without reimbursement, and with the consent of any agency or instrumentality of the United States, or of any State or political subdivision thereof, use the research, equipment, services, and facilities of such agency, instrumentality, State, or political subdivision, as the case may be.

"(e) ADMINISTRATIVE ARRANGEMENTS AND SUPPORT.—

"(1) IN GENERAL.—The Secretary shall provide to the Goals Panel, on a reimbursable basis, such administrative support services as the Goals Panel may request.

"(2) CONTRACTS AND OTHER ARRANGEMENTS.—The Secretary, to the extent appropriate, and on a reimbursable basis, shall make contracts and other arrangements that are requested by the Goals Panel to help it compile and analyze data or

carry out other functions necessary to the performance of its responsibilities.

"(f) GIFTS.—The Goals Panel may accept, administer, and utilize gifts or donations of services, money, or property, whether real or personal, tangible or intangible.

"ADMINISTRATIVE PROVISIONS

"SEC. 11305. (a) MEETINGS.—The Goals Panel shall meet on a regular basis, as necessary, at the call of the Chairperson of the Goals Panel or a majority of its members.

"(b) QUORUM.—A majority of the members shall constitute a quorum for the transaction of business.

"(c) VOTING AND FINAL DECISIONS.—

"(1) VOTING.—No individual may vote, or exercise any of the powers of a member, by proxy.

"(2) FINAL DECISIONS.—(A) In making final decisions of the Goals Panel with respect to the exercise of its duties and powers, the Goals Panel shall operate on the principle of consensus among the members of the Goals Panel.

"(B) Except as otherwise provided in this part, if a vote of the membership of the Goals Panel is required to reach a final decision with respect to the exercise of its duties and powers, then such final decision shall be made by a three-fourths vote of the

members of the Goals Panel who are present and voting.

"(d) PUBLIC ACCESS.—The Goals Panel shall ensure public access to its proceedings (other than proceedings, or portions of proceedings, relating to internal personnel and management matters) and make available to the public, at reasonable cost, transcripts of such proceedings.

"DIRECTOR AND STAFF; EXPERTS AND CONSULTANTS

"SEC. 11306. (a) DIRECTOR.—The Chairperson of the Goals Panel, without regard to the provisions of title 5 of the United States Code relating to the appointment and compensation of officers or employees of the United States, shall appoint a Director to be paid at a rate not to exceed the rate of basic pay payable for level V of the Executive Schedule.

"(b) APPOINTMENT AND PAY OF EMPLOYEES.—

"(1) IN GENERAL.—(A) The Director may appoint not more than 4 additional employees to serve as staff to the Goals Panel without regard to the provisions of title 5 of the United States Code governing appointments in the competitive service.

"(B) The employees appointed under subparagraph (A) may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, but shall not be paid a rate that

exceeds the maximum rate of basic pay payable for GS–15 of the General Schedule.

"(2) ADDITIONAL EMPLOYEES.—The Director may appoint additional employees to serve as staff to the Goals Panel in accordance with title 5 of the United States Code.

"(c) FEDERAL EMPLOYEES.—Any individual appointed to serve as the Director of, or as staff to, the Goals Panel on or after March 31, 1994, is an 'employee' within the definition of section 2105 of title 5, United States Code.

"(d) EXPERTS AND CONSULTANTS.—The Goals Panel may procure temporary and intermittent services of experts and consultants under section 3109(b) of title 5 of the United States Code.

"(e) STAFF OF FEDERAL AGENCIES.—Upon the request of the Goals Panel, the head of any department or agency of the United States may detail any of the personnel of such agency to the Goals Panel to assist the Goals Panel in its duties under this part.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 11307. For purposes of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and for each of the four succeeding fiscal years.".

REPEAL

SEC. 1113. Title XII of the ESEA is repealed.

TITLE XII—AMENDMENTS TO OTHER LAWS; REPEALS

PART A—AMENDMENTS TO OTHER LAWS

AMENDMENTS TO THE STEWART B. MC KINNEY HOMELESS ASSISTANCE ACT

SEC. 1201. (a) POLICY.—Section 721(3) of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11421 et seq.; hereinafter referred to in this section as ''the Act'') is amended by striking out ''should not be'' and inserting in lieu thereof ''is not''.

(b) GRANTS TO STATES FOR STATE AND LOCAL ACTIVITIES.—Section 722 of the Act is amended—

(1) in subsection (c)—

(A) in paragraph (2)(A)—

(i) by inserting ''and'' before ''the Commonwealth of''; and

(ii) by striking out ''and Palau (until the effective date of the Compact of Free Association with the Government of Palau),''; and

(B) in paragraph (3)—

(i) by inserting ''and'' before ''the Commonwealth of''; and

(ii) by striking out ", or Palau";

(2) in subsection (e), by adding at the end thereof the following new paragraph:

"(3) PROHIBITION ON SEGREGATING HOMELESS STUDENTS.—In providing a free, appropriate public education to a homeless child or youth, no State receiving funds under this subtitle shall segregate such child or youth, either in a separate school, or in a separate program within a school, based on such child or youth's status as homeless, except in accordance with section 723(a)(2)(B)(ii).";

(3) in subsection (f)—

(A) by striking out paragraph (1);

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

"(4) collect and transmit to the Secretary, at such time and in such manner as the Secretary may require, such information as the Secretary deems necessary to assess the educational needs of homeless children and youth within the State;";

(C) by amending paragraph (6) to read as follows:

"(6) in order to improve the provision of comprehensive education and related services to home-

less children and youth and their families, coordinate and collaborate with—

"(A) educators, including child development and preschool program personnel;

"(B) providers of services to homeless and runaway children and youth and homeless families (including domestic violence agencies, shelter operators, transitional housing facilities, runaway and homeless youth centers, and transitional living programs for homeless youth);

"(C) local educational agency liaisons for homeless children and youth; and

"(D) community organizations and groups representing homeless children and youth and their families."; and

(D) by redesignating paragraphs (2) through (6) as paragraphs (1) through (5), respectively; and

(4) in subsection (g)—

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

"(H) contain assurances that—

"(i) State and local educational agencies will adopt policies and practices to ensure that homeless children and youth are

not segregated on the basis of their status as homeless or stigmatized; and

"(ii) local educational agencies in which homeless children and youth reside or attend school will—

"(I) post public notice of the educational rights of such children and youth where such children and youth receive services under this Act (such as family shelters, and soup kitchens); and

"(II) designate an appropriate staff person, who may also be a coordinator for other Federal programs, as a liaison for homeless children and youth.";

(B) by amending paragraph (3)(B) to read as follows:

"(B) In determining the best interest of the child or youth under subparagraph (A), the local educational agency shall—

"(i) to the extent feasible, keep a homeless child or youth in his or her school of origin, except when doing so is contrary

to the wishes of his or her parent or guardian; and

"(ii) provide a written explanation to the homeless child or youth's parent or guardian when the local educational agency sends such child or youth to a school other than the school of origin or a school requested by the parent or guardian.";

(C) by amending paragraph (6) to read as follows:

"(6) COORDINATION.—(A) Each local educational agency serving homeless children and youth that receives assistance under this subtitle shall coordinate the provision of services under this part with local services agencies and other agencies or programs providing services to homeless children and youth and their families, including services and programs funded under the Runaway and Homeless Youth Act.

"(B) Where applicable, each State and local educational agency that receives assistance under this subtitle shall coordinate with State and local housing agencies responsible for developing the comprehensive housing affordability strategy described in section 105 of the Cranston-Gonzales National

Affordable Housing Act to minimize educational disruption for children and youth who become homeless.

''(C) The coordination required in subparagraphs (A) and (B) shall be designed to—

''(i) ensure that homeless children and youth have access to available education and related support services; and

''(ii) raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homeless children and youth.'';

(D) in paragraph (7)(A)—

(i) in the matter before clause (i), by striking out ''local educational agency that receives assistance under this subtitle shall designate a homelessness liaison to ensure that'' and inserting in lieu thereof ''local liaison for homeless children and youth, designated pursuant to subsection (g)(1)(H)(ii)(II), shall ensure that'';

(ii) by amending clause (i) to read as follows:

"(i) homeless children and youth enroll in, and have a full and equal opportunity to succeed in, schools of that agency;";

(iii) in clause (ii), by striking out the period at the end thereof and inserting in lieu thereof a semicolon and "and";

(iv) by adding a new clause (iii) to read as follows:

"(iii) the parents or guardians of homeless children and youth are informed of the education and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children."; and

(v) by adding a new subparagraph (C) to read as follows:

"(C) Local educational agency liaisons for homeless children and youth shall, as a part of their duties, coordinate and collaborate with State coordinators and community and school personnel responsible for the provision of education and related services to homeless children and youth."; and

(E) by striking out paragraph (9).

(c) LOCAL EDUCATIONAL AGENCY GRANTS.—Section 723 of the Act is amended—

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

"(2) SERVICES.—(A) Services under paragraph (1)—

"(i) may be provided through programs on school grounds or at other facilities;

"(ii) shall, to the maximum extent practicable, be provided through existing programs and mechanisms that integrate homeless individuals with non-homeless individuals; and

"(iii) shall be designed to expand or improve services provided as part of a school's regular academic program, but not replace that program.

"(B) Where services under paragraph (1) are provided on school grounds, schools—

"(i) may use funds under this Act to provide the same services to other children and youth who are determined by the local educational agency to be at risk of failing in, or dropping out of, schools, subject to the require-

ments of clause (ii) as applied to such other children and youth; and

"(ii) shall not provide services in settings within a school that segregate homeless children and youths from other children and youths, except as is necessary for short periods of time—

"(I) because of health and safety emergencies; or

"(II) to provide temporary, special, supplementary services to meet the unique needs of homeless children and youth."; and

(2) in subsection (b)—

(A) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively; and

(B) by adding a new paragraph (1) to read as follows:

"(1) an assessment of the educational and related needs of homeless children and youth in their district (which may be undertaken as a part of needs assessments for other disadvantaged groups);"; and

(3) in subsection (c)—

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

"(1) IN GENERAL.—The State educational agency shall, in accordance with the requirements of this subtitle and from amounts made available to it under section 726, make competitive subgrants to local educational agencies that submit applications under subsection (b). Such subgrants shall be awarded on the basis of the need of such agencies for assistance under this subtitle and the quality of the applications submitted.";

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting immediately after paragraph (2) the following new paragraph:

"(3) QUALITY.—In determining the quality of applications under paragraph (1), the State educational agency shall consider—

"(A) the applicant's needs assessment under subsection (b)(1) and the likelihood that the program presented in the application will meet those needs;

"(B) the types, intensity, and coordination of the services to be provided under the program;

"(C) the involvement of parents or guardians;

"(D) the extent to which homeless children and youth will be integrated within the regular education program;

"(E) the quality of the applicant's evaluation plan for the program;

"(F) the extent to which services provided under this subtitle will be coordinated with other available services; and

"(G) such other measures as the State educational agency deems indicative of a high-quality program.".

(d) COLLECTION AND DISSEMINATION OF INFORMATION; REPORT.—Section 724 of the Act is amended—

(1) by striking out subsection (f); and

(2) adding at the end thereof the following new subsections:

"(f) INFORMATION.—(1) From funds appropriated under section 726, the Secretary shall, either directly or through grants, contracts, or cooperative agreements, periodically collect and disseminate data and information on:

"(A) the number and location of homeless children and youth;

"(B) the education and related services such children and youth receive;

"(C) the extent to which such needs are being met; and

"(D) such other data and information as the Secretary deems necessary and relevant to carry out this subtitle.

"(2) The Secretary shall coordinate such collection and dissemination with the other agencies and entities that receive assistance and administer programs under this subtitle.

"(g) REPORT.—Not later than four years after the date of the enactment of the Educational Excellence for All Children Act of 1999, the Secretary shall prepare and submit to the President and appropriate committees of the House of Representatives and the Senate a report on the status of education of homeless youth and children, which may include information on—

"(1) the education of homeless children and youth; and

"(2) the actions of the Department and the effectiveness of the programs supported under this subtitle.".

(e) Section 726 of the Act is amended to read:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 726. For the purpose of carrying out this subtitle, there are authorized to be appropriated such sums

as may be necessary for each of the fiscal years 2001 through 2005.''.

AMENDMENTS TO OTHER LAWS

SEC. 1202. (a) PERKINS ACT.—Section 116(a) of the Carl D. Perkins Vocational and Technical Education Act of 1998 (20 U.S.C. 2326(a)) is amended by striking out paragraph (5).

(b) HIGHER EDUCATION ACT OF 1965.—Section 317(b)(1) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)(10)) is amended by striking out ''9308'' and inserting in lieu thereof ''9306''.

(c) PRO-CHILDREN ACT OF 1994.—The Pro-Children Act of 1994 (20 U.S.C. 6081 et seq.) is amended—

(1) in section 1042(2)—

(A) by striking out ''education''; and

(B) in subparagraph (A)(i), by striking out ''or the Secretary of Education''; and

(2) in section 1043—

(A) in subsection (a), by striking out ''kindergarten, elementary, or secondary education or''; and

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the heading thereof, by striking out ''KINDERGARTEN, ELE-

MENTARY, OR SECONDARY EDUCATION OR''; and

(II) by striking out kindergarten, elementary, or secondary education or''; and

(ii) in paragraph (3), by striking out ''kindergarten, elementary, or secondary education or''.

PART B—REPEALS

REPEALS

SEC. 1211. (a) Title XIII of the ESEA is repealed.

(b) The Goals 2000: Educate America Act (Public Law 103–227) is amended—

(1) by repealing titles I, II, III, IV, VII, and VIII; and

(2) in title X, by repealing part B.

(b) The Educational Research, Development, Dissemination, and Improvement Act of 1994 (title IX of Public Law 103–227) is amended by repealing parts F, G, and H.

(c) Title III of the Education for Economic Security Act (20 U.S.C 3901 et seq.) is repealed.

○