105TH CONGRESS, 2d Session | HOUSE OF REPRESENTATIVES | REPORT 105–710

DOLLARS TO THE CLASSROOM ACT

SEPTEMBER 14, 1998.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GOODLING, from the Committee on Education and the Workforce, submitted the following

R E P O R T

together with

Dissenting and Minority Views

[To accompany H.R. 3248]

[Including cost estimate of the Congressional Budget Office]

The Committee on Education and the Workforce, to whom was referred the bill (H.R. 3248) to provide dollars to the classroom, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Dollars to the Classroom Act".

TITLE I—IMPROVEMENT OF CLASSROOM SERVICES AND ACTIVITIES

SEC. 101. GRANTS TO STATES.

The Secretary is authorized to award grants in accordance with this title to States for use by States and local educational agencies to improve classroom services and activities for students.

SEC. 102. GRANT AWARD.

(a) RESERVATION OF FUNDS.—From the amount appropriated to carry out this title for any fiscal year, the Secretary shall reserve—

(1) ½ of 1 percent for the outlying areas, to be distributed among the outlying areas on the basis of their relative need, as determined by the Secretary in accordance with the purposes of this section; and

(2) ½ of 1 percent for the Secretary of the Interior for programs under this title in schools operated or funded by the Bureau of Indian Affairs.

(b) STATE ALLOCATIONS.—Funds appropriated to carry out this title for any fiscal year, which are not reserved under subsection (a), shall be allocated among the States as follows:

(1) HOLD HARMLESS.—If the amount of funds appropriated to carry out this title in any fiscal year equals or exceeds the aggregate amount all States received in fiscal year 1998 under—

(A) title III of the Goals 2000: Educate America Act (20 U.S.C. 5881 et seq.);

(B) section 1002(g)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6302(g));

(C) section 1502 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6492);

(D) part B of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6641 et seq.);

(E) section 3132 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6842 et seq.);

(F) title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7311 et seq.); and

(G) part B of title VII of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11421 et seq.),

as such provisions were in effect on the day preceding the date of the enactment of this Act, the Secretary shall allocate to each State the aggregate amount such State received for fiscal year 1998 under such provisions.

(2) INSUFFICIENT FUNDS.—If the amount of appropriations to carry out this title for any fiscal year is insufficient to pay the full amounts that all States are eligible to receive under paragraph (1) for such year, the Secretary shall ratably reduce such amounts for such year.

(3) REMAINING FUNDS.—If funds remain after meeting the requirements of paragraph (1), such remaining funds shall be allocated among the States in the following manner:

(A) 50 percent of such remaining funds shall be allocated to States in proportion to their grants under part A of title I of the Elementary and Secondary Education Act of 1965 for the preceding fiscal year; and

(B) 50 percent of such remaining funds shall be allocated to States in proportion to the number of children ages 5 through 17, inclusive, according to the most recent available data that are satisfactory to the Secretary.

(c) DEFINITION OF STATE.—For purposes of this section, the term "State" includes the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(d) DEFINITION OF OUTLYING AREA.—For purposes of this section, the term "outlying area" includes American Samoa, Guam, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

(e) PAYMENTS.—Funds awarded to a State under this section shall be paid to the individual or entity in the State that is responsible for the State administration of Federal education funds pursuant to State law.

(f) USE OF STATE AWARDS.—

(1) IN GENERAL.—From the amount made available to a State under subsection (b) for a fiscal year, the State—

(A) shall use not more than 5 percent of the total amount to support programs or activities, for children ages 5 through 17, that the State determines appropriate, of which the State shall distribute 20 percent of the 5 percent to local educational agencies in the State to pay the administrative expenses of the local educational agencies that are associated with the activities and services assisted under this section; and

(B) shall distribute, pursuant to section 103(a), not less than 95 percent of the amount to local educational agencies in the State for the fiscal year to enable the local educational agencies to pay the costs of activities or services provided in the classroom, for children ages 5 through 17, that the local educational agencies determine appropriate subject to the requirements of section 103(b).

(2) ADMINISTRATIVE EXPENSES.—For the purpose of paragraph (1)(B), the costs of activities and services provided in the classroom exclude the administrative expenses associated with the activities and services.

(g) SUPPLEMENT NOT SUPPLANT.—A State or local educational agency shall use funds received under this title only to supplement the amount of funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the education of pupils participating in programs assisted under this title, and not to supplant such funds.

(h) ANNUAL REPORTS.—

(1) IN GENERAL.—Each State receiving assistance under this part shall issue a report on an annual basis, not later than April 1 of each year beginning the year after the date of the enactment of this Act, to the Secretary, the Committee on Education and the Workforce of the House of Representatives, the Committee on Labor and Human Resources of the Senate, and the Committees on Appropriations of the Senate and the House of Representatives that describes how funds under this title have been used to improve student performance in that State.

(2) CERTIFICATION.—The report must also include a certification by the State that 95 percent of funding provided under this title during the preceding fiscal year has been expended by local educational agencies within that State for classroom activities and services pursuant to subsection (f)(1)(B).

(3) MEASURES OF PERFORMANCE.—In determining student academic performance within the State, the State shall use such measures of student academic performance as it deems appropriate. The State may disaggregate data by poverty, subject area, race, gender, geographic location, or other criteria as the State deems appropriate.

(4) AVAILABILITY OF REPORT.—Each State shall make the report described in this subsection available to parents and members of the public throughout that State.

SEC. 103. LOCAL AWARDS.

(a) DETERMINATION OF AMOUNT OF FUNDS.—

(1) IN GENERAL.—The individual or entity in the State that is responsible for the State administration of Federal education funds pursuant to State law of each State receiving assistance under this title, in consultation with the Governor of such State, the chief State school officer of such State, representatives from the State legislature, and representatives from local educational agencies within such State, shall develop a formula for the allocation of funds described in section 102, to local educational agencies, taking into consideration—

(A) poverty rates within each local educational agency;

(B) children living in sparsely populated areas;

(C) an equitable distribution of funds among urban, rural, and suburban areas;

(D) children whose education imposes a higher than average cost per child; and

(E) such other factors as considered appropriate.

(2) HOLD HARMLESS.—No local educational agency shall receive an award under this subsection for any fiscal year in an amount that is less than the amount the local educational agency received to carry out programs or activities for fiscal year 1998 for title III of the Goals 2000: Educate America Act (20 U.S.C. 5881 et seq.), part B of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6641 et seq.), section 3132 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6842 et seq.), title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7311 et seq.), and part B of title VII of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11421 et seq.) as in effect on the day preceding the date of the enactment of this Act plus amounts the local educational agency is eligible to receive during fiscal years 1999 through 2003 pursuant to all multiyear awards made prior to the date of enactment of this Act under any program that is repealed by section 107 that is not listed in this sentence.

(3) INSUFFICIENT FUNDS.—If the amount allocated to a State to carry out this title for any fiscal year is insufficient to pay the full amounts that all local educational agencies in such State are eligible to receive under paragraph (2) for such year, the State shall ratably reduce such amounts for such year.

(b) LOCAL USES OF FUNDS.—Funds made available under this section to a local educational agency shall be used for the following classroom services and activities:

(1) Programs for the acquisition and use of instructional and educational materials, including library services and materials (including media materials), assessments, reference materials, and other curricular materials which are tied to high academic standards and which will be used to improve student achievement and which are part of an overall education reform program.

(2) Professional development for instructional staff.

(3) Programs to improve the higher order thinking skills of disadvantaged elementary and secondary school students and to prevent students from dropping out of school.

(4) Efforts to lengthen the school day or the school year.

(5) Programs to combat illiteracy in the student population.

(6) Programs to provide for the educational needs of gifted and talented children.

(7) Promising education reform projects that are tied to State student content and performance standards.

(8) Carrying out comprehensive school reform programs that are based on reliable research.

(9) Programs for homeless children and youth.

(10) Programs that are built upon partnerships between local educational agencies and institutions of higher education, educational service agencies, libraries, businesses, regional educational laboratories, or other educational entities, for the purpose of providing educational services consistent with this section.

(11) The acquisition of books, materials and equipment, payment of compensation of instructional staff, and instructional activities that are necessary for the conduct of programs in magnet schools.

(12) Programs to promote academic achievement among women and girls.

(13) Programs to provide for the educational needs of children with limited English proficiency or who are American Indian, Alaska Native, or Native Hawaiian.

(14) Activities to provide the academic support, enrichment, and motivation to enable all students to reach high State standards.

(15) Efforts to reduce the pupil-teacher ratio.

(16) Projects and programs which assure the participation in mainstream settings in arts and education programs of individuals with disabilities.

(17) Projects and programs to integrate arts education into the regular elementary and secondary school curriculum.

(18) Programs designed to educate students about the history and principles of the Constitution of the United States, including the Bill of Rights, and to foster civic competence and responsibility.

(19) Mathematics and science education instructional materials.

(20) Programs designed to improve the quality of student writing and learning and the teaching of writing as a learning process.

(21) Technology related to the implementation of school-based reform programs, including professional development to assist teachers and other school officials regarding how to effectively use such equipment and software.

(22) Computer software and hardware for instructional use.

(23) Developing, adapting, or expanding existing and new applications of technology.

(24) Acquiring connectivity linkages, resources, and services, including the acquisition of hardware and software, for use by teachers, students, and school library media personnel in the classroom or in school library media centers, in order to improve student learning.

(25) After-school programs designed to engage children in a constructive manner and to promote their academic, developmental, and personal growth;

(26) Developing, constructing, acquiring, maintaining, operating, and obtaining technical assistance in the use of telecommunications audio and visual facilities and equipment for use in the classroom.

(27) Developing, acquiring, and obtaining technical assistance in the use of educational and instructional video programming for use in the classroom.

(c) PARENT INVOLVEMENT.—Each local educational agency receiving assistance under this section shall involve parents and members of the public in planning for the use of funds provided under this section.

SEC. 104. PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS.

Each local educational agency that receives funds under this title shall provide for the participation of children enrolled in private schools, and their teachers or other educational personnel, in the activities and services assisted under such section in the same manner as private school children, and their teachers or other educational personnel, participate in activities and services under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) pursuant to sections 14503, 14504, 14505, and 14506 of such Act (20 U.S.C. 8893, 8894, 8895, and 8896).

SEC. 105. DEFINITIONS.

In this title—

(1) the term "local educational agency" has the meaning given the term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801);

(2) the term "educational service agency" has the meaning given the term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801);

(3) the term "Secretary" means the Secretary of Education; and

(4) except as otherwise provided, the term "State" means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands.

SEC. 106. GENERAL PROVISIONS.

(a) RULE OF CONSTRUCTION.—Nothing in this title shall be construed to authorize an officer or employee of the Federal Government to require, direct, or control a State, local educational agency or school's specific instructional content of pupil performance standards and assessments, curriculum, or program of instruction as a condition of eligibility to receive funds under this title.

(b) STATE AND LOCAL DETERMINATION.—

(1) IN GENERAL.—The Secretary shall not issue any regulation regarding the type of classroom activities or services that may be assisted under this title.

(2) INSTRUCTIONAL METHOD AND SETTING.—No local educational agency shall be required to provide services under this title through a particular instructional method or in a particular instructional setting in order to receive funding under this title.

SEC. 107. REPEALS.

The following provisions are repealed:

(1) Title III of the Goals 2000: Educate America Act (20 U.S.C. 5881 et seq.).

(2) Title IV of the Goals 2000: Educate America Act (20 U.S.C. 5911 et seq.).

(3) Title VI of the Goals 2000: Educate America Act (20 U.S.C. 5951).

(4) Titles II, III, and IV of the School-to-Work Opportunities Act of 1994 (20 U.S.C. 6121 et seq., 6171 et seq., and 6191 et seq.).

(5) Section 1502 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6492).

(6) Section 1503 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6493).

(7) Section 1002(g)(2) of the Elementary and Secondary Education Act of 1965.

(8) Part A of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6621 et seq.).

(9) Part B of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6641 et seq.).

(10) Title III of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6801 et seq.).

(11) Part A of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7201 et seq.).

(12) Part B of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7231 et seq.).

(13) Title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7311 et seq.).

(14) Part B of title IX of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7901 et seq.).

(15) Part C of title IX of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7931 et seq.).

(16) Part A of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8001 et seq.).

(17) Part B of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8031 et seq.).

(18) Part D of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8091 et seq.).

(19) Part F of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8141 et seq.).

(20) Part G of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8161 et seq.).

(21) Part I of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8241 et seq.).

(22) Part J of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8271 et seq.).

(23) Part K of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8331 et seq.).

(24) Part L of title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8351 et seq.).

(25) Part A of title XIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8621 et seq.).

(26) Part C of title XIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8671 et seq.).

(27) Subtitle B of title VII of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11421 et seq.).

SEC. 108. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title, $2,740,000,000 for fiscal year 1999; $2,800,000,000 for fiscal year 2000; $2,870,000,000 for fiscal year 2001; $2,940,000,000 for fiscal year 2002; and $3,001,000,000 for fiscal year 2003.

TITLE II—MISCELLANEOUS PROVISIONS

SEC. 201. EXPANSION OF ED-FLEX DEMONSTRATIONS.

(a) WAIVER AUTHORITY.—

(1) IN GENERAL.—Except as provided in subsection (c), the Secretary may waive any statutory or regulatory requirement applicable to any program or Act described in subsection (b) for a State educational agency, local educational agency, or school if—

(A) and only to the extent that, the Secretary determines that such requirement impedes the ability of the State, or of a local educational agency or school in the State, to carry out the State or local improvement plan;

(B) the State educational agency has waived, or agrees to waive, similar requirements of State law;

(C) in the case of a statewide waiver, the State educational agency—

(i) provides all local educational agencies and parent organizations in the State with notice and an opportunity to comment on the State educational agency's proposal to seek a waiver; and

(ii) submits the local educational agencies' comments to the Secretary; and

(D) in the case of a local educational agency waiver, the local educational agency provides parents, community groups, and advocacy or civil rights groups with the opportunity to comment on the proposed waiver.

(2) APPLICATION.—(A)(i) To request a waiver under paragraph (1), a local educational agency or school that receives funds under this title, or a local educational agency or school shall transmit an application for such a waiver to the State educational agency. The State educational agency then shall submit approved applications for waivers under paragraph (1) to the Secretary.

(ii) A State educational agency may request a waiver under paragraph (1) by submitting an application for such waiver to the Secretary.

(B) Each application submitted to the Secretary under subparagraph (A) shall—

(i) identify the statutory or regulatory requirements that are requested to be waived and the goals that the State educational agency or local educational agency or school intends to achieve;

(ii) describe the action that the State educational agency has undertaken to remove State statutory or regulatory barriers identified in the application of local educational agencies;

(iii) describe the goals of the waiver and the expected programmatic outcomes if the request is granted;

(iv) describe the numbers and types of students to be impacted by such waiver;

(v) describe a timetable for implementing a waiver; and

(vi) describe the process the State educational agency will use to monitor, on a biannual basis, the progress in implementing a waiver.

(3) TIMELINESS.—The Secretary shall act promptly on a request for a waiver under paragraph (1) and shall provide a written statement of the reasons for granting or denying such request.

(4) DURATION.—Each waiver under paragraph (1) shall be for a period not to exceed 4 years. The Secretary may extend such period if the Secretary deter-

mines that the waiver has been effective in enabling the State or affected local educational agencies to carry out reform plans.

(b) INCLUDED PROGRAMS.—The statutory or regulatory requirements subject to the waiver authority of this section are any such requirements under the following programs or Acts:

(1) Title I of the Elementary and Secondary Education Act of 1965.

(2) Part A of title II of the Elementary and Secondary Education Act of 1965.

(3) Part A of title V of the Elementary and Secondary Education Act of 1965.

(4) Title VIII of the Elementary and Secondary Education Act of 1965.

(5) Part B of title IX of the Elementary and Secondary Education Act of 1965.

(6) The Carl D. Perkins Vocational and Applied Technology Education Act.

(c) WAIVERS NOT AUTHORIZED.—The Secretary may not waive any statutory or regulatory requirement of the programs or Acts described in subsection (b)—

(1) relating to—

(A) maintenance of effort;

(B) comparability of services;

(C) the equitable participation of students and professional staff in private schools;

(D) parental participation and involvement; and

(E) the distribution of funds to States or to local educational agencies; and

(2) unless the underlying purposes of the statutory requirements of each program or Act for which a waiver is granted continue to be met to the satisfaction of the Secretary.

(d) TERMINATION OF WAIVERS.—The Secretary shall periodically review the performance of any State, local educational agency, or school for which the Secretary has granted a waiver under subsection (a)(1) and shall terminate the waiver if the Secretary determines that the performance of the State, the local educational agency, or the school in the area affected by the waiver has been inadequate to justify a continuation of the waiver.

(e) FLEXIBILITY DEMONSTRATION.—

(1) SHORT TITLE.—This subsection may be cited as the "Education Flexibility Partnership Demonstration Act".

(2) PROGRAM AUTHORIZED.—

(A) IN GENERAL.—The Secretary may carry out an education flexibility demonstration program under which the Secretary authorizes not more than 50 State educational agencies serving eligible States to waive statutory or regulatory requirements applicable to 1 or more programs or Acts described in subsection (b), other than requirements described in subsection (c), for the State educational agency or any local educational agency or school within the State.

(B) AWARD RULE.—In carrying out subparagraph (A), the Secretary shall select for participation in the demonstration program described in subparagraph (A) three State educational agencies serving eligible States that each have a population of 3,500,000 or greater and three State educational agencies serving eligible States that each have a population of less than 3,500,000, determined in accordance with the most recent decennial census of the population performed by the Bureau of the Census.

(C) DESIGNATION.—Each eligible State participating in the demonstration program described in subparagraph (A) shall be known as an "Ed-Flex Partnership State".

(3) ELIGIBLE STATE.—For the purpose of this subsection the term "eligible State" means a State that waives State statutory or regulatory requirements relating to education while holding local educational agencies or schools within the State that are affected by such waivers accountable for the performance of the students who are affected by such waivers.

(4) STATE APPLICATION.—(A) Each State educational agency desiring to participate in the education flexibility demonstration program under this subsection 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 demonstrate that the eligible State has adopted an educational flexibility plan for the State that includes—

(i) a description of the process the State educational agency will use to evaluate applications from local educational agencies or schools requesting waivers of—

(I) Federal statutory or regulatory requirements described in paragraph (2)(A); and

(II) State statutory or regulatory requirements relating to education; and

(ii) a detailed description of the State statutory and regulatory requirements relating to education that the State educational agency will waive.

(B) The Secretary may approve an application described in subparagraph (A) only if the Secretary determines that such application demonstrates substantial promise of assisting the State educational agency and affected local educational agencies and schools within such State in carrying out comprehensive educational reform, after considering—

(i) the comprehensiveness and quality of the educational flexibility plan described in subparagraph (A);

(ii) the ability of such plan to ensure accountability for the activities and goals described in such plan;

(iii) the significance of the State statutory or regulatory requirements relating to education that will be waived; and

(iv) the quality of the State educational agency's process for approving applications for waivers of Federal statutory or regulatory requirements described in paragraph (2)(A) and for monitoring and evaluating the results of such waivers.

(5) LOCAL APPLICATION.—(A) Each local educational agency or school requesting a waiver of a Federal statutory or regulatory requirement described in paragraph (2)(A) and any relevant State statutory or regulatory requirement from a State educational agency shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require. Each such application shall—

(i) indicate each Federal program affected and the statutory or regulatory requirement that will be waived;

(ii) describe the purposes and overall expected results of waiving each such requirement;

(iii) describe for each school year specific, measurable, educational goals for each local educational agency or school affected by the proposed waiver; and

(iv) explain why the waiver will assist the local educational agency or school in reaching such goals.

(B) A State educational agency shall evaluate an application submitted under subparagraph (A) in accordance with the State's educational flexibility plan described in paragraph (4)(A).

(C) A State educational agency shall not approve an application for a waiver under this paragraph unless—

(i) the local educational agency or school requesting such waiver has developed a local reform plan that is applicable to such agency or school, respectively; and

(ii) the waiver of Federal statutory or regulatory requirements described in paragraph (2)(A) will assist the local educational agency or school in reaching its educational goals.

(6) MONITORING.—Each State educational agency participating in the demonstration program under this subsection shall annually monitor the activities of local educational agencies and schools receiving waivers under this subsection and shall submit an annual report regarding such monitoring to the Secretary.

(7) DURATION OF FEDERAL WAIVERS.—(A) The Secretary shall not approve the application of a State educational agency under paragraph (4) for a period exceeding 5 years, except that the Secretary may extend such period if the Secretary determines that such agency's authority to grant waivers has been effective in enabling such State or affected local educational agencies or schools to carry out their local reform plans.

(B) The Secretary shall periodically review the performance of any State educational agency granting waivers of Federal statutory or regulatory requirements described in paragraph (2)(A) and shall terminate such agency's authority to grant such waivers if the Secretary determines, after notice and opportunity for hearing, that such agency's performance has been inadequate to justify continuation of such authority.

(f) ACCOUNTABILITY.—In deciding whether to extend a request for a waiver under subsection (a)(1), or a State educational agency's authority to issue waivers under subsection (e), the Secretary shall review the progress of the State educational agency, local educational agency, or school affected by such waiver or authority to determine if such agency or school has made progress toward achieving the desired re-

sults described in the application submitted pursuant to subsection (a)(2)(B)(iii) or (e)(5)(A)(ii).

(g) PUBLICATION.—A notice of the Secretary's decision to grant waivers under subsection (a)(1) and to authorize State educational agencies to issue waivers under subsection (e) shall be published in the Federal Register and the Secretary shall provide for the dissemination of such notice to State educational agencies, interested parties, including educators, parents, students, advocacy and civil rights organizations, other interested parties, and the public.

SEC. 202. EXPANSION OF SCHOOLWIDE PROGRAMS.

Section 1114(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6314) is amended by striking "if, for the initial year of the schoolwide program" and all that follows through the end and inserting a period.

SUMMARY

H.R. 3248 consolidates and streamlines 31 elementary and secondary education programs into a single formula grant to the states. No state will lose money under the bill. H.R. 3248 permits schools and school districts to continue to use the new grant money for the same purposes as under the 31 programs. At the same time, a structure is implemented which shifts power from the hands of Washington bureaucrats, to state and local decision-makers. State and local decision-makers are given broad authority to develop their own formula for how to distribute Federal education funds within the state, taking into account poverty rates within school districts, children living in sparsely populated areas, geographic equity factors, and children whose education imposes a higher than average cost per child. H.R. 3248 also requires ninety-five (95) cents of every dollar be directed to the classroom. The bill extends the broad "ed-flex" statutory and regulatory waiver authority—-currently provided to only twelve states—-to all 50 states. Finally, H.R. 3248 removes the 50% threshold requirement for a school to participate in a Title I schoolwide project under the Elementary and Secondary Education Act.

PURPOSE

The purpose of the Dollars to the Classroom Act is to consolidate and streamline 31 Federal elementary and secondary education programs; to give state and local decision-makers increased authority and flexibility in the use of Federal education dollars; and, to send more dollars to the classroom. This bill will provide local schools with more resources to implement strategies to improve academic achievement in a more effective and efficient manner, and thereby strengthen schools across the Nation.

COMMITTEE ACTION

During the first session of the 105th Congress, Congressman Joseph Pitts (R-PA), Congressman Roy Blunt (R-MO), Congressman Lindsey Graham (R-SC) and Congressman Peter Hoekstra (R-MI) introduced House Resolution 139, "The Dollars to the Classroom Resolution." H. Res. 139 expressed the sense of the House of Representatives that Congress, the U.S. Department of Education, States and school districts should work toward the goal of getting 90 percent of U.S. Department of Education elementary and secondary education program funds into the classroom.

The Subcommittee on Early Childhood, Youth and Families favorably reported H. Res. 139, with amendments, to the full Committee on Education and the Workforce on June 12, 1997 by a voice vote. On June 25, 1997, the full Committee on Education and the Workforce favorably reported H. Res. 139, with amendments, by a vote of 20 to 16. On October 29, 1997, H. Res. 139 passed the House of Representatives under suspension of the rules by a vote of 310 to 99. A similar resolution passed the Senate as an amendment offered by Senator Tim Hutchinson (R-AR) to H.R. 2646, the "Education Savings and School Excellence Act of 1998" by a vote of 99 to 0.

Congressman Joseph Pitts (R-PA) introduced H.R. 3248, the "Dollars to the Classroom Act" on February 24, 1998. H.R. 3248, through the changes it makes in statutory law, builds upon the underlying intent expressed in H. Res. 139, the Dollars to the Classroom resolution.

HEARINGS

The full Committee on Education and the Workforce, as well as the Subcommittee on Oversight and Investigations, have each held a hearing on the extent to which Federal education dollars actually make it to the classroom. Both hearings consisted of expert witnesses representing many different dimensions of the education community. Witnesses testified about the many hindrances faced by educators in getting dollars into the classroom and improving academic achievement of students. Witnesses also offered suggestions to the Committee on easing the Federal burden placed on schools and teachers.

On May 8, 1997, the Subcommittee on Oversight and Investigations of the Committee on Education and the Workforce held a hearing in Washington, D.C. on the extent to which Federal education dollars actually make it into the classroom. At the hearing, the Subcommittee received testimony from the Honorable Joseph Pitts of Pennsylvania; the Honorable Roy Blunt of Missouri; the Honorable Lindsey Graham of South Carolina; Christine Olson, Heritage Foundation Policy Analyst; Dr. Barbara Stock Nielsen, State Superintendent of Education in South Carolina; Dr. Charles Garris, Superintendent of Unionville-Chadds Ford School District in Pennsylvania; and Helen Martin, a Unionville High School Teacher. This hearing focused on the lack of existing information to document how much money is currently reaching the classroom and how much gets siphoned-off by the Washington bureaucracy and other non-classroom personnel. The Subcommittee also examined the potential for improvements in teaching strategies and academic achievement so that more Federal education dollars could reach the classroom.

On May 5, 1998, the full Committee on Education and the Workforce held a hearing in Washington, D.C. on H.R. 3248, the Dollars to the Classroom Act. At the hearing, the Committee received testimony from the Honorable Joseph Pitts of Pennsylvania; the Honorable Tim Hutchinson of Arkansas; the Honorable John Tierney of Massachusetts; the Honorable Rosa DeLauro of Connecticut; Linda Schrenko, State Superintendent of Schools in Georgia; Frank Brogan, Commissioner of Education in Florida; Paul Sousa, Super-

intendent of Mobile County Schools in Alabama; Edward Spang, Principal of Unionville High School in Kennett Square, Pennsylvania; Brian Waltman, Cultural Geography Teacher at Smith Middle School in Pennsylvania; and Dr. Robert Bartman, Commissioner of Education in Missouri. The hearing focused on the positive impact H.R. 3248 would have upon local schools and the improvement of academic achievement among students.

Testimony on the paperwork and bureaucracy burdens associated with participation in Federal education programs has also been received in the context of the twelve field hearings held as a part of the "Education at a Crossroads: What Works? What's Wasted?" oversight project initiated by the Subcommittee on Oversight and Investigations during 1997. The "Education at a Crossroads" project has involved meetings and hearings with numerous Americans from all walks of life about what they think is working in education and what is not.

LEGISLATIVE ACTION

The Committee on Education and the Workforce considered H.R. 3248 in legislative session on June 24, 1998. The bill was favorably reported, as amended, by a vote of 19 to 18. Congressman Mike Castle (R-DE) offered two amendments, which were adopted by voice vote. The first amendment added 'after school programs' to the list of uses of funds explicitly authorized by the legislation. The second amendment clarified the authorization of appropriations section to include figures for Fiscal Year 1999 through 2003, which include a cost of living inflationary adjustment. A third amendment, offered by Congressman Fred Upton (R-MI), and adopted by voice vote guarantees that school districts which have received a multi-year competitive grant prior to the date of enactment, will continue to receive a commensurate level of funding for such award through 2003.

COMMITTEE VIEWS

For over thirty years, Federal involvement in education has largely consisted of an entrenched structure of top-down, Washington-controlled, categorical grant education programs. It is a structure which concentrates power in the hands of bureaucrats at all levels, rather than parents, teachers, principals and others at the state and local levels. It is a system that substitutes the judgment of Washington bureaucrats for that of state and local decision-makers. It is a system with a one-size-fits-all mentality. It is a system that has become sluggish and resistant to change. It is a system that provides little flexibility to those at the local level who best know the education needs of their communities. It is a system in need of change.

Consolidation and local flexibility

H.R. 3248, the Dollars to the Classroom Act, offers a break from the past—a fresh start. It consolidates and streamlines 31 of the 760 Federal education programs into a single, flexible $2.74 billion education grant to the states. Through consolidation, the process for distribution of Federal education dollars is greatly simplified.

Rather than requiring state and local officials to submit 31 separate applications for Federal education dollars, states will receive one single allocation based upon a formula grant. Under the state formula grant, one half of the funds would go to the states based upon the 5–17 year old population and one half of the funds would go out based upon Title I of the Elementary and Secondary Education Act. Each state's allocation is then distributed within the state to school districts based upon a separate within-state formula that state and local education decision-makers develop, taking into account poverty rates within school districts, children living in sparsely populated areas, geographic equity factors, and children whose education imposes a higher than average cost per child.

The Dollars to the Classroom Act represents a step forward in deregulating 31 tightly restricted Federal education programs, some of which have had applications that have taken up to 487 steps to process at the Federal level alone. Interestingly, this does not even include the extra time and money spent by officials at the state and local levels to fill out applications for grants. Through deregulation and simplification, state and local decision-makers will no longer be required to spend multiple man-hours filling out mounds of paperwork associated with the 31 separate Federal programs. In testimony on May 5, 1998 before the Committee on Education and the Workforce, Frank Brogan, the Florida Commissioner of Education and Chairman of the Education Leaders Council, a national organization of reform-minded state education chiefs, spoke of the extent of the Federal regulatory burden. He said,

> We at the state and local level feel the crushing burden caused by too many federal regulations, procedures and mandates. Florida spends millions of dollars every year to administer inflexible, categorical federal programs that divert precious dollars away from the classroom and fulfilling our most important purpose, improving student achievement.

Consolidation represents a big step toward eliminating these burdens. The programs which would be consolidated and their FY1998 funding levels are:

FY1998 funding

[In millions]

Goals 2000 State Grants	$466
Goals 2000 Parental Assistance	25
International Education Exchange	5
School to Work	400
Comprehensive School Reform	120
Eisenhower Professional Development State Grants	335
Eisenhower Professional Development National Programs	23.3
Technology Literacy Challenge Fund	425
Technology Innovation Grants	106
Regional Technology Consortia	10
Star Schools	34
Ready to Learn Television	7
Telecommunications Demonstration Project	2
Magnet Schools	101
Women's Educational Equity	3
Title VI (Chapter 2) Block Grants	350
Native Hawaiians	18
Alaska Native Education	8

Fund for the Improvement of Education	108
Gifted and Talented Education	6.5
21st Century Community Learning Centers	40
Comprehensive Regional Assistance Centers	27
Eisenhower Math and Science Regional Consortia	15
Education for Homeless Children	28.8
Arts in Education	10.5
Civics Education	5.5
Close-Up	1.5
National Writing Project	5
Urban and Rural Education Assistance	unfunded
Extended Time for Learning	unfunded
Innovative Elementary School Transition Projects	unfunded

Total: 31 Programs; $2.68 billion.

The authorization level in the bill for the Dollars to the Classroom grant is $2.74 billion. This represents the $2.68 billion funding level in FY1998 for the 31 programs plus an inflation factor adjustment.

As earlier alluded to, the Dollars to the Classroom Act shifts power from Washington to teachers, principals, parents and others at the state and local levels who know best the education needs of their communities. State and local decision-makers will not only determine a formula of how to distribute funds within their own states, but local decision-makers will also make the decisions on how to spend the funds among competing uses of funds. These local decision-makers may use the funds for any of the uses of funds under the 31 programs that were consolidated. For example, funds could be used for instructional materials, library services, assessments, standards, professional development for instructional staff, efforts to lengthen the school day or year, education reform, programs for homeless children and youth, academic enrichment programs, reduction of pupil to teacher ratios, technology, computer software, computer hardware, and many other purposes.

The beauty of such flexibility is that state and local decision-makers may target resources toward the particular needs of their states and communities. Needs vary from state to state and community to community. What receives priority in one state may or may not be what receives priority in another state. Such an approach wisely recognizes the unique features and advantages of power sharing between Federal, State and local governments.

While the Dollars to the Classroom Act does represent a break with the past, the $2.74 billion that would go into the consolidated grant represents only one percent (1%) of all education spending—Federal, State and local. The current Washington education establishment and other naysayers who argue that the bill will wreak havoc upon all of public education ignore this fact. One can only conclude that they do not trust state and local decision-makers with how Federal education dollars should be used or distributed within states. The fact is these proponents of the status quo have no desire to share power with state and local decision-makers. They wish to keep the power in Washington. Yet, we all know that local educators and parents are better equipped than Washington to make funding decisions about their students.

Frank Brogan, the Florida Commissioner of Education, noted the extent of the command and control approach of Washington bureaucrats. In testimony on May 5, 1998, he stated,

> In practice, most federal education programs typify the misguided, one size fits all command and control approach that we in the states are abandoning. Most have the requisite focus on inputs like more regulation, increasing budgets and fixed options and processes. Conceptualized in Washington, with all good intentions, federal education programs often get translated into the growing bureaucratic thicket and prove counterproductive.

Brogan further noted that in Florida, because of Federal requirements, there are 297 state employees to oversee and administer approximately $1 billion in Federal funds. By contrast, 374 state-funded positions oversee and administer over $8 billion in state funds. Thus, six (6) times as many people are required to administer a Federal dollar as a state dollar.

Georgia is similar. Georgia State Superintendent Linda Schrenko, who has spent eighteen (18) years as a public school teacher and principal, testified about the excessive administrative requirements of Federal programs. She noted that about 6.4 percent of the $9.45 billion total education budget in Georgia (from all sources—Federal, state and local) in 1996-97 came from the Federal government. In that same year, the Georgia Department of Education had 322 employees, of whom 93 worked full-time filling out paperwork and administering the federal programs. In effect, this amounted to 29 percent of their employees administering the 6.4 percent of funds that came from Washington.

95% of Federal education dollars to the classroom

Another way in which H.R. 3248 breaks with the past is it ensures that ninety-five percent (95%) of all the Federal dollars a school district receives under this bill will be spent on children in the classroom, just as the title to the bill suggests. It is the teachers, rather than the bureaucrats and administrators, who interact with children directly on a daily basis and know the children by name. Accordingly, H.R. 3248 directs 95 cents of each Federal dollar to the classroom—-to those who best understand their students' backgrounds and educational needs and can respond to them. For too long, money has been siphoned off by non-classroom activities and personnel. Information from the Congressional Research Service, the General Accounting Office, the Heritage Foundation, the U.S. Department of Education, and other finance experts indicates that less than ninety (90) cents of every Federal education dollar is currently reaching the classroom. H.R. 3248 brings change, by making sure that substantially all Federal education dollars under this bill make it to the classroom.

The testimony of Edward Spang, a principal from Unionville High School in Kennett Square, Pennsylvania speaks of the need for more Federal dollars to actually get into the classroom. At a hearing of the Committee on Education and the Workforce on May 5, 1998 he said,

> We do not need several layers of state and regional control removing portions of the money meant for teachers and students. * * * I encourage you to develop a system which drastically increases the percentage of monies allo-

cated to schools for teachers and/or supplies which will benefit the children in the classroom.

Furthermore, classrooms across America will receive over $400 more per classroom under the bill, according to estimates based upon Congressional Research Service analysis. The reason for the increase is that the legislation lifts scores of restrictions that have kept many school districts from even applying for grants in the existing 31 programs. And of the $2.68 billion tied to the 31 grant programs, as much as $800 million never made its way into the classroom.

Education at a crossroads: What works? What's wasted?

H.R. 3248's threefold emphasis upon consolidation, local flexibility, and getting ninety-five percent (95%) of every Federal dollar into the classroom is independently supported by the findings of the "Education at a Crossroads: What Works? What's Wasted?" oversight project. Under the direction of Rep. Peter Hoekstra (R-MI), Chairman of the Subcommittee on Oversight and Investigations, this 18-month project has involved multiple hearings, testimony from more than 225 witnesses, and travel to 15 states. Teachers, principals, parents and state and local school administrators from around the country recommended that a greater percentage of Federal education funds need to reach classrooms without burdensome requirements that hamper their ability to address the unique needs of their students.

The Crossroads Project also researched the nature of the current Federal role in education. The Subcommittee found a system fraught with failure and bureaucracy. There is little evidence that children are benefiting by sending local tax dollars to Washington to fund "one-size-fits-all" Federal education programs. The Subcommittee has found little evidence proving the effectiveness of Federal programs, or that Federal programs are more effective than local efforts.

The Subcommittee did, however, see examples of effective instruction in schools that focused on basic academics. The non-sectarian Marva Collins Prep School in Cincinnati has been described by many as a "miracle school." Children at this school are primarily from disadvantaged backgrounds and are 99 percent minority. And they score two to six grade levels above their entrance level scores.

According to Mrs. Mims, the school's CEO, it should not be seen as a "miracle" when:

Three and four-year olds know their multiplication tables;

Kindergartners read "The Secret Garden"; and

Third and fourth-graders read and understand Homer's "Odyssey."

One of the most successful stories the Subcommittee heard was that of Dr. Yvonne Chan, Principal of the Vaughn Learning Center in Los Angeles, California. In their first year as a charter school she saved $1.2 million by cutting waste and putting children first. Dr. Chan told us, "Don't swamp us with the paperwork and we can have a lot more money going to the kids."

Dr. Chan concluded her testimony by saying, "We are the poorest school in the district and yet the test scores continue to rise and there is almost perfect attendance."

Changing the way they spent their resources as a school was fundamental to turning Vaughn into a school that focused on children and learning. Eliminating waste and spending dollars on the classroom changed the climate of Vaughn into one of parental involvement and learning.

More than 760 Federal education programs: For the first time in the history of Federal education funding, the Subcommittee assembled the most comprehensive list of Federal education programs to date. Using the Office of Management and Budget's definition of "education programs," at least thirty-nine (39) Federal agencies oversee more than 760 education programs, at a cost of $100 billion a year to taxpayers. The Congressional Research Service has confirmed that this number is accurate, and even added additional programs to the 760 originally found by the committee.

The leviathan of Federal education programs has actually led to a cottage industry in selling information on program descriptions, application deadlines and filing instructions for each of the myriad of Federal education programs. The Education Funding Research Council identifies potential sources of funds for local school districts, and sells a publication entitled a "Guide to Federal Funding for Education" for almost $400 dollars. The company promises to steer its subscribers to "a wide range of Federal programs," and offers these subscribers timely updates on "500 education programs." More recently, the "Aid for Education Report" published by CD Publications advertised that "huge sums are available * * * in the federal government alone, there are nearly 800 different education programs that receive authorization totaling almost a hundred billion dollars."

Burdensome Paperwork Requirements: Even after accounting for recent reductions, the U.S. Department of Education still requires over 48.6 million hours worth of paperwork per year—or the equivalent of 25,000 employees working full-time.[1] The Subcommittee attempted to quantify the number of pages required by recipients of Federal funds in order to qualify for assistance. Without fully accounting for all the attachments and supplemental submissions required with each application, the committee counted over 20,000 pages of applications states must fill out to receive Federal education funds each year.

Thousands of Federally-funded employees at the state level: The Department of Education is one of the smallest Federal agencies. Yet, to administer all the Federal education programs within the states, there are nearly three times as many Federally funded employees working in state education agencies, as there are within the Federal Department of Education itself. According to GAO, there are about 13,400 FTEs (full-time equivalents) funded with Federal dollars to administer these programs.[2]

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[1] Marshall Smith, "Paper Reduction Act Accomplishments and Plans for Future," U.S. Department of Education, October 31, 1996.

[2] U.S. General Accounting Office, Education Finance: The Extent of Federal Funding in State Education Agencies GAO/HEHS–95–3, October 1995, p. 11.

Less than ninety (90) cents to the Classroom: Taking dollars from taxpayers and returning them in the form of Federal programs through several layers of bureaucracy means that there is less money overall for education. A recent study found that for every tax dollar sent to Washington for elementary and secondary education, eighty-five (85) cents is returned to local school districts. The remaining fifteen (15) cents is spent on bureaucracy and national and research programs of unknown effectiveness.[3] The Department of Education has since released a study, which also found that about eighty-five (85) cents of certain Federal dollars reach school districts for use in the classroom.[4]

Both of the above studies were limited in scope. To date, no comprehensive definitive study exists to enable us to determine what portion of Federal education dollars actually reach the classroom, or what schools and state education agencies must spend to apply for Federal education dollars and to comply with their requirements. However, audits of school district spending indicate just how little in general reaches the classroom. A recent audit of the New York City School District found that only forty-three (43%) percent of the district's total funds were spent on direct classroom expenditures.[5]

The 487 Step Discretionary Grant Process: In 1993, Vice-President Gore's National Performance Review discovered that the Department of Education's discretionary grant process lasted 26 weeks and took 487 steps from start to finish. It was not until three years later in 1996 that the Department finally took steps to begin "streamlining" their long and protracted grant review process, a process which has yet to be completed and fully implemented. After the streamlining is complete it will only take an average of twenty 20 weeks and 216 steps to complete a review.[6]

Programs for Every Problem: The massive array of Federal education programs was not created overnight, but developed slowly, as an attempt to address specific problems. Each program received minimal funding at the outset, and most have received additional funds from one year to the next. The current arrangement of Federal education funding is as follows: local tax dollars go to Washington, where they are allocated to a variety of purposes, usually to address what someone in the Federal government sees as a problem. The money is then returned to states and school districts in the form of categorical programs. This process puts smaller school districts at a disadvantage: States and local school districts are highly dependent on administrators and skilled grant writers to obtain these Federal dollars and comply with their requirements,

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[3] Christine L. Olson, "U.S. Department of Education Financing of Elementary and Secondary Education: Where the Money Goes," (Washington, DC: The Heritage Foundation), December 30, 1996.

[4] U.S. Department of Education, Planning and Evaluation Service, The Use of Federal Education Funds for Administrative Costs, 1998, p. 28.

[5] Jacques Steinberg, "NYC School System Budget Analysis Shows 43% Goes to Classroom" The New York Times, November 21, 1996. See also: Speakman, Cooper, Sampiere, May, Holsomback, Glass, Bringing Money to the Classroom: A systemic Resource Model Applied to the New York City Public Schools," in "Where Does the Money Go? Resource Allocation in Elementary and Secondary Schools," Lawrence O. Picus and James L. Wattenberger, eds. (Thousand Oaks, CA: Corwin Press, 1995).

[6] U.S. Department of Education Report, "A Redesigned Discretionary Grant Process"—Vice President Gore's National performance Review 1995. Redesignated process is due to be in place in 1998.

which places a greater burden on poorer and smaller school systems. Consolidating discretionary grant programs, many of which grant a large portion of their funds to private organizations and associations, not schools, will allow for greater equity in the distribution of Federal funds.

More options for urban and rural districts

In addition to the Crossroads findings, the Committee notes that the Dollars to the Classroom Act will give poor urban and rural districts more funding options. Districts that previously could only apply for a few of the categorical programs because of tight restrictions now have 31 programs open to them in one single grant. And the playing field is leveled. H.R. 3248 enables urban and rural school districts to capture more Federal funds—funds that often are only available to districts that can afford to hire grant writers to apply for the multiple grants.

Hold harmless

No state will lose money under H.R. 3248. The Dollars to the Classroom Act provides a 100 percent hold harmless for all States and school districts for the formula grant programs included in the block grant (Goals 2000; Comprehensive School Reform; Eisenhower Professional Development State Grants; Title VI (Chapter 2) Block Grant; Education Technology Challenge Grants; and Education for Homeless Children). Additional funds above the hold harmless level would be distributed to States based on a formula in which half of the funds would be sent out based upon the 5–17 year old population in the state and half of the funds would go out based on Title I formula factors (which include the most recent child poverty data as well as a state per pupil expenditure factor).

The Committee has also included language to protect school districts that have successfully competed for and been awarded multi-year competitive grants under the 31 programs. School districts would continue to be able to receive funding at levels commensurate with the multi-year competitive grant awards through the year 2003.

Accountability

The defenders of the status quo argue H.R. 3248 is weak on accountability. Yet, they conveniently ignore the fact that the last 30 years of top-down, Washington-controlled Federal education programs have, to a large extent, been unaccountable and lacking in solid academic results. While the accountability measures in the Dollars to the Classroom Act are not rigid and overbearing, the measures require states to report to the Secretary of Education, the Committee on Education and the Workforce of the House of Representatives, the Committee on Labor and Human Resources of the Senate, and the Committees on Appropriations of the House and Senate on how funds have been used to improve student performance. And the report must include a certification by the state that ninety-five percent (95%) of funding has been expended for classroom activities and services. By comparison, there has been no similar accountability for classroom dollars over the last 30 years.

Participation of children enrolled in private schools

Under H.R. 3248, local educational agencies that receive funding under the grant are required to provide for the participation of private school children in the activities and services assisted under the bill in the same manner as currently provided under the Elementary and Secondary Education Act of 1965.

Education flexibility in all 50 States

Separate from the grant that consolidates the 31 education programs, the Dollars to the Classroom Act also expands the waiver authority under the "Education Flexibility Partnership Demonstration Act" to all 50 states. Under the "Education Flexibility Partnership Demonstration Act," the Department of Education, through a demonstration program, grants to State Educational Agencies in up to 12 states, "blanket" authority to waive certain statutory and regulatory requirements on behalf of school districts and schools in that state. This statewide waiver authority, frequently referred to as "ed-flex", was originally granted to a maximum of six states when first enacted in 1994. It was later expanded to a maximum of 12 states in 1996. The current 12 ed-flex states are Colorado, Illinois, Iowa, Kansas, Maryland, Massachusetts, Michigan, New Mexico, Ohio, Oregon, Texas, and Vermont.

Opponents of H.R. 3248 argue that the ed-flex language eviscerates civil rights and health and safety protections. Not true. Civil rights and health and safety laws cannot be waived under ed-flex. The reason is that civil rights and health and safety laws are not a part of the programs to which the waiver applies, and therefore cannot be waived. They are independent free-standing statutes. Indeed, the exact language of what can and cannot be waived was enacted during a Democrat Congress in 1994 and is preserved word-for-word in this bill. And under that language waiver authority only applies to the Title I compensatory education program, Federal activities under the Eisenhower Professional Development Program, the Magnet Schools Assistance Program, the Impact Aid program, the Native Hawaiian Education Act, and the Carl Perkins Vocational and Applied Technology Education Act. The only difference is that now 50 states may participate, rather than just 12 states.

A distinguishing feature of ed-flex is that the State educational agency, rather than the Federal Department of Education, is the entity provided with the authority to decide what shall be waived. Though the State educational agency makes the decision, there are other major requirements that must be met, such as: (1) the waivers may only apply to the Title I compensatory education program, Federal activities under the Eisenhower Professional Development Program, the Magnet Schools Assistance Program, the Impact Aid program, the Native Hawaiian Education Act, and the Carl Perkins Vocational and Applied Technology Education Act; and (2) the intent and purpose of the underlying Federal program would have to continue to be met through the waivers.

Information on the 12 states currently participating in ed-flex indicates waivers are most often sought for Title I school targeting, Title I schoolwide program eligibility, and Eisenhower professional development subject-area targeting requirements.

The Committee finds it quite odd that while the President has endorsed extending ed-flex authority to all 50 states, the Department of Education has, on the other hand, recommended a veto of the very bill which would extend ed-flex authority to all states. On February 23, 1998, President Clinton, in a speech to the National Governors Association, advocated extending ed-flex authority to all 50 states. The President stated,

> * * * I will also send to Congress this year legislation to expand the Ed-Flex program. * * * There are I think a dozen of you now who are part of the Ed-Flex program. The legislation that I will send would make every state in the country eligible to be a part of it, which would dramatically reduce the regulatory burden of the federal government on the states in the area of education.

No bill has yet been sent to Congress by the Administration. Furthermore, Secretary of Education Dick Riley, in a January 27, 1997 speech before the National School Boards Association endorsed ed-flex. He said "Under Ed-Flex, I have given nine states the authority to waive burdensome federal regulations, and three more states will be added to the list. Everybody likes Ed-Flex. It improves education and it sounds like a very healthy exercise program, too."

Yet, just a few weeks ago on June 24, 1998, Secretary Riley, in a letter to Chairman Bill Goodling (R–PA) of the Committee on Education and the Workforce, recommended a veto of the very bill that would expand ed flex to all 50 states. Secretary Riley wrote, "If H.R. 3248 were presented to the President, I would recommend that he veto it."

Schoolwide projects under Title I of the Elementary and Secondary Education Act

In keeping with the overall theme of giving more flexibility to state and local decision-makers, section 202 of the committee bill lifts the 50% threshold requirement for a school to participate in a schoolwide program under Title I of the Elementary and Secondary Education Act.

Under current law, schools must have at least 50% of their pupils from low-income families in order to be able to participate in a schoolwide program. Generally, schoolwide programs refer to the ability of schools to operate their Title I programs on a schoolwide basis to improve services and increase academic achievement for all pupils, rather than limiting services to particular pupils deemed to be the most disadvantaged at a given school. Schoolwide programs are also exempted from burdensome regulations under Title I and other federal programs, and may combine funds from various categorical grant programs, provided that the underlying intent and purposes of the programs are met.

H.R. 3248 would remove the 50% requirement, and thus give all Title I schools more flexibility in deciding how to best utilize Federal education dollars, and free them from significant regulatory burdens so they can focus on increasing student achievement.

CONCLUSION

Through program consolidation, the Dollars to the Classroom Act replaces an entrenched structure of 31 top-down, Washington-controlled, categorical programs with a single grant to the states. Power is shifted to parents, teachers, principals, and other state and local decision-makers. Dollars are moved into the classroom. And State and local decision-makers are given broader flexibility in the administration of Federal education dollars. These are the things through which real change can come to elementary and secondary education.

Myth v. Reality

As sometimes happens, misinformation and distortions about legislative proposals circulate widely. Such is the case with the Dollars to the Classroom Act. To ensure a clear record, the Committee has included in this report a list of the seven (7) most common myths about the bill, followed by responses to each myth.

Myth #1: The Dollars to the Classroom Act is another back door attempt to cut funding to education and to eliminate the Department of Education.

Reality: H.R. 3248 is not a cut. Nor is it a back door attempt to eliminate anything. It's a front door attempt to send $2.74 billion directly to local communities for public schools. Approximately $800 million more will be available for classroom activities and services under this bill than currently reaches the classroom. Those additional dollars mean $9,300 per school or $425 per classroom. Each state will receive increases ranging from $1.6 million to $89 million.

Additionally, each of the last two Congresses have increased funding for education, and special education funding, in particular, has increased by $1.5 billion over the past two years.

Myth #2: Poor children won't get services.

Reality: Disadvantaged students will lose nothing under the bill. In fact, their classrooms and teachers will see more Federal funds. More money will go to the classroom and less to the bureaucracy. States will be required to develop within-state funding formulas that take into account children living in poverty, children living in rural areas, and children who require more that the average expenditures to educate.

Myth #3: Money won't really reach the classroom.

Reality: More money will reach classrooms through this bill than under the current 31 programs where a third of the money is often tied up in bureaucracy, not in teaching and learning. Ninety-five percent (95%) of each dollar under the grant is required to be spent in the classroom. And at the end of the year, states are required to certify that ninety-five percent (95%) of the funds were indeed spent in this manner.

Myth #4. There will be no accountability.

Reality: The Washington education establishment and supporters of the status quo do not seem to trust state and local decision-makers with Federal education dollars. The Committee does. Local schools and school districts will be accountable to parents and communities for how funds are spent. And each state must certify that

ninety-five percent (95%) of every dollar is being spent in the classroom. The fact is the last 30 years have had very little accountability. By cutting administrative costs and red tape, H.R. 3248 provides more money for targeting funds toward the most pressing needs.

Myth #5: Existing programs are already flexible enough. The expansion of ed-flex is not needed.

Reality: Unfortunately, current law only limits ed-flex to 12 states. H.R. 3248 would expand ed-flex to all 50 states, thereby permitting all states to waive burdensome Federal requirements, and better meet the needs of their students.

Myth #6: National education priorities set by Congress and the Administration will be eliminated.

Reality: Such an argument falsely assumes that Washington knows best. The naysayers and supporters of the status quo do not seem to trust local educators to set their own priorities. The fact is the supporters of the status quo do not want to share power with state and local decision-makers. H.R. 3248 puts power in the hands of those closest to the people—those in local communities who know the needs of their school districts. School districts will be able to continue to use funds for the same purposes as under the 31 separate programs.

Myth #7: Programs are being repealed before they even get started.

Reality: Substantially all of the 31 programs have been on the books for years. If school districts determine that they want to continue with the activities and services they carried out under the previous programs, such as comprehensive school reform, they can use the consolidated grant for these exact same purposes.

SECTION BY SECTION

Section 1 contains the short title of the bill.

TITLE I—IMPROVEMENT OF CLASSROOM SERVICES AND ACTIVITIES

Section 101 authorizes the Secretary to award grants under Title I to States for certain purposes.

Section 102(a)(e) contains the formula for distribution by the Secretary of the U.S. Department of Education to States, including a hold harmless provision for formula grant programs.

Section 102(f) requires States to distribute not less than 95 percent of allotted funds to local educational agencies in the State.

Section 102(g) requires States and local educational agencies to use funds under Title I to supplement and not to supplant funds from non-Federal sources.

Section 102(h) requires States to issue an annual report to the Secretary of the U.S. Department of Education and Congress that accounts for the use of funds under Title I.

Section 103(a) directs the States to consider certain factors when distributing funds within the State and contains a hold harmless provision for local educational agencies for the formula grant programs. It also includes a hold harmless provision for funds the LEA is eligible to receive during fiscal years 1999 through 2000, in ac-

cordance with multiyear awards that were made prior to the enactment of this Act.

Section 103(b) contains a list of appropriate uses of funds made available under Title I, including the activity for which each program included in the block grant was designed.

Section 103(c) requires local educational agencies to involve parents and members of the public in planning for the use of funds under Title I.

Section 104 requires local educational agencies to include private schools in certain activities and services.

Section 105 defines the terms, local educational agency, educational service agency, Secretary, and State.

Section 106 contains general provisions that clarify limitations placed on federal governmental involvement.

Section 107 repeals the following programs: GOALS 2000 State Grants; GOALS 2000 Parental Assistance; International Education Exchange; School to Work; Comprehensive School Reform; Innovative Elementary School Transition Projects; Eisenhower Professional Development National Programs; Eisenhower Professional Development State Grants; Technology Literacy Challenge Fund; Technology Innovation Grants; Regional Technology Consortia; Star Schools; Ready to Learn Television; Telecommunications Demonstration Project; Magnet Schools; Women's Educational Equity; Chapter 2 Block Grants; Native Hawaiians; Alaska Native Education; Fund for the Improvement of Education; Gifted and Talented Education; Arts in Education; Civic Education; Allen J. Ellender Fellowship (Close-Up); 21st Century Community Learning Centers; Urban and Rural Education Assistance; National Writing Project; Extended Time for Learning; Comprehensive Regional Assistance Centers; Eisenhower Math and Science Regional Consortia; and, Education for Homeless Children.

Section 108 authorizes funds for fiscal year 1999 through fiscal year 2003, including a cost of living adjustment.

TITLE II—MISCELLANEOUS PROVISIONS

Section 201(a)(d) authorizes the Secretary of the U.S. Department of Education to waive statutory or regulatory requirements under certain conditions for specific programs.

Section 201(e) authorizes the Education Flexibility Partnership Demonstration Act.

Section 201(f) requires the Secretary of the U.S. Department of Education to review the progress of agencies or schools affected by waivers under Title II.

Section 201(g) requires that the Secretary's decision to grant waivers be printed in the Federal Register and disseminated to certain State organizations and parties.

Section 202 amends the Elementary and Secondary Education Act by eliminating the criteria a school is required to meet in order to use funds for school wide programs, thereby allowing all schools to be designated as school wide programs.

EXPLANATION OF AMENDMENTS

The Amendment in the Nature of a Substitute is explained in the body of this report.

APPLICATION OF LAW TO THE LEGISLATIVE BRANCH

Section 102(b)(3) of Public Law 104–1 requires a description of the application of this bill to the legislative branch. This bill consolidates and streamlines 31 elementary and secondary education programs into a single formula grant to the states. The bill does not prevent legislative branch employees from receiving the benefits of this legislation.

CONSTITUTIONAL AUTHORITY STATEMENT

The establishment of this block grant is within Congress's authority under the spending clause of the Constitution, Article I, section 8, clause 1.

UNFUNDED MANDATE STATEMENT

Section 423 of the Congressional Budget and Impoundment Control Act requires a statement of whether the provisions of the reported bill include unfunded mandates. This bill consolidates and streamlines 31 elementary and secondary education programs into a single formula grant to the states. This bill permits schools and school districts to continue to use the new grant money for the same purposes as under the 31 programs. As such, the bill does not contain any unfunded mandates.

STATEMENT OF OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE

In compliance with clause 2(l)(3)(A) of rule XI and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the body of this report.

STATEMENT OF OVERSIGHT FINDINGS OF THE COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

With respect to the requirement of clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 3248.

COMMITTEE ESTIMATE

Clause 7 of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs that would be incurred in carrying out H.R. 3248. However, clause 7(d) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act.

BUDGET AUTHORITY AND CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

With respect to the requirements of clause 2(l)(3)(B) of rule XI of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of 2(l)(3)(C) of rule XI of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 3248 from the Director of the Congressional Budget Act:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 16, 1998.

Hon. WILLIAM F. GOODLING,
Chairman, Committee on Education and the Workforce, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3248, the Dollars for the Classroom Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Josh O'Harra.

Sincerely,

JUNE E. O'NEILL, *Director.*

Enclosure.

H.R. 3248—Dollars for the Classroom Act

Summary: H.R. 3248 would repeal 29 elementary and secondary education programs (3 of which did not receive appropriations in 1998) and replace them with a single block grant to states. This act would authorize appropriations of $2.7 billion in 1999, $2.8 billion in 2000, $2.9 billion in 2001, $2.9 billion in 2002 and $3.0 billion in 2003. Most programs that would be repealed are currently authorized through 1999. The General Education Provisions Act (GEPA) extends authorizations through 2000. CBO estimates that the bill would provide additional authorizations of $9.5 billion over the 1999–2003 period. Because H.R. 3248 would not affect direct spending or receipts, pay-as-you-go procedures would not apply.

This bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). Although the bill would impose requirements on states and local education agencies as a condition for receiving funding under the new block grant, these requirements would generally be similar to, or less stringent than, requirements under current law.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 3248 is shown in the following tables.

TABLE 1.—ESTIMATED BUDGETARY IMPACT OF H.R. 3248, SUMMARY

	By fiscal years, in million of dollars—					
	1998	1999	2000	2001	2002	2003
SUBJECT TO APPROPRIATION						
Without Adjustments for Inflation						
Spending Under Current Law:						
Estimated Authorization Level [1]	2,686	2,686	2,190	0	0	0
Estimated Outlays	1,786	2,427	2,623	2,223	672	107
Proposed Changes:						
Estimated Authorization Levels	0	54	610	2,870	2,940	3,001
Estimated Outlays	0	−4	82	895	2,307	2,838
Total Spending Under H.R. 3248:						
Estimated Authorization Levels [1]	2,686	2,740	2,800	2,870	2,940	3,001
Estimated Outlays	1,786	2,423	2,705	3,118	2,980	2,945
With Adjustments for Inflation						
Spending Under Current Law:						
Estimated Authorization Level [1]	2,686	2,745	2,291	0	0	0
Estimated Outlays	1,786	2,430	2,667	2,303	700	112
Proposed Changes:						
Estimated Authorization Levels	0	−5	509	2,870	2,940	3,001
Estimated Outlays	0	−7	39	830	2,285	2,835
Total Spending Under H.R. 3248:						
Estimated Authorization Levels [1]	2,686	2,740	2,800	2,870	2,940	3,001
Estimated Outlays	1,786	2,423	2,706	3,134	2,985	2,946

[1] The 1998 level is the amount appropriated for that year.

Note.—Components may not sum to totals due to rounding.

TABLE 2.—ESTIMATED IMPACT OF H.R. 3248 ON SPENDING SUBJECT TO APPROPRIATION, WITHOUT ADJUSTMENTS FOR INFLATION

	By fiscal years, in millions of dollars—				
	1999	2000	2001	2002	2003
Goals 2000: Educate America Act:					
Title III—Systematic Reform Grants:					
Estimated Authorization Levels	−466	0	0	0	0
Estimated Outlays	−23	−303	−117	−23	0
Title IV—Parental Assistance:					
Estimated Authorization Levels	−25	0	0	0	0
Estimated Outlays	−1	−16	−6	−1	0
Title VI—International Education:					
Estimated Authorization Levels	−5	0	0	0	0
Estimated Outlays	(1)	−3	−1	(1)	0
School to Work Opportunity Act:					
Estimated Authorization Levels	−400	−400	0	0	0
Estimated Outlays	−20	−260	−100	−20	0
Elementary and Secondary Education Act (ESEA):					
Title I, Sec. 1502—Comprehensive School Reform:					
Estimated Authorization Levels	−120	−120	0	0	0
Estimated Outlays	−6	−78	−30	−6	0
Title II, Part A—Eisenhower Professional Development Program:					
Estimated Authorization Levels	−23	−23	0	0	0
Estimated Outlays	−3	−19	−20	−5	(1)
Title II, Part B—Eisenhower Professional Development Program:					
Estimated Authorization Levels	−335	−335	0	0	0
Estimated Outlays	−17	−235	−302	−101	−17
Title III, Section 3132—School Technology Resource Grants:					
Estimated Authorization Levels	−541	−541	0	0	0
Estimated Outlays	−27	−379	−487	−162	−27
Title III, Part B—Star Schools					
Estimated Authorization Levels	−34	−34	0	0	0

TABLE 2.—ESTIMATED IMPACT OF H.R. 3248 ON SPENDING SUBJECT TO APPROPRIATION, WITHOUT ADJUSTMENTS FOR INFLATION—Continued

	By fiscal years, in millions of dollars—				
	1999	2000	2001	2002	2003
Estimated Outlays	−2	−24	−31	−10	−2
Title III, Part C—Ready-to-Learn Television:					
Estimated Authorization Levels	−7	−7	0	0	0
Estimated Outlays	(1)	−5	−6	−2	0
Title III, Part D—Telecommunications Project for Math:					
Estimated Authorization Levels	−2	−2	0	0	0
Estimated Outlays	(1)	−1	−2	−1	(1)
Title V, Part A—Magnet Schools:					
Estimated Authorization Levels	−101	−101	0	0	0
Estimated Outlays	−5	−71	−91	−30	−5
Title V, Part B—Woman's Education Equity:					
Estimated Authorization Levels	−3	−3	0	0	0
Estimated Outlays	(1)	−2	−3	−1	(1)
Title VI—Innovative Education Program Strategy:					
Estimated Authorization Levels	−350	−350	0	0	0
Estimated Outlays	−18	−245	−315	−105	−18
Title IX, Part B—Native Hawaiian Education:					
Estimated Authorization Levels	−18	−18	0	0	0
Estimated Outlays	−1	−13	−16	−5	−1
Title IX, Part C—Alaska Native Education:					
Estimated Authorization Levels	−8	−8	0	0	0
Estimated Outlays	(1)	−6	−7	−2	0
Title X, Part A—Fund for the Improvement of Education:					
Estimated Authorization Levels	−108	−108	0	0	0
Estimated Outlays	−5	−76	−97	−32	−5
Title X, Part B—Javits Gifted and Talented Program:					
Estimated Authorization Levels	−7	−7	0	0	0
Estimated Outlays	−1	−5	−6	−1	(1)
Title X, Part D—Arts in Education:					
Estimated Authorization Levels	−11	−11	0	0	0
Estimated Outlays	−1	−7	−9	−3	−1
Title X, Part F—Civic Education:					
Estimated Authorization Levels	−6	−6	0	0	0
Estimated Outlays	−1	−4	−5	−1	0
Title X, Part G—Ellender Fellowships:					
Estimated Authorization Levels	−2	−2	0	0	0
Estimated Outlays	(1)	−1	−1	(1)	(1)
Title X, Part I—21st Century Community Learning Centers:					
Estimated Authorization Levels	−40	−40	0	0	0
Estimated Outlays	−5	−32	−34	−8	−1
Title X, Part K—National Writing Project:					
Estimated Authorization Levels	−5	−5	0	0	0
Estimated Outlays	−1	−4	−4	−1	(1)
Title XIII, Part A—Comprehensive Regional Assistance Centers:					
Estimated Authorization Levels	−27	−27	0	0	0
Estimated Outlays	−1	−19	−24	−8	−1
Title XIII, Part C—Eisenhower Regional Consortium:					
Estimated Authorization Levels	−15	−15	0	0	0
Estimated Outlays	−2	−12	−13	−3	(1)
McKinney Act:					
Title VII—Education for Homeless Children:					
Estimated Authorization Levels	−29	−29	0	0	0
Estimated Outlays	−1	−20	−26	−9	−1
Block Grant:					
Estimated Authorization Levels	2,740	2,800	2,870	2,940	3,001
Estimated Outlays	137	1,921	2,649	2,850	2,919
Total Proposed Changes:					
Estimated Authorization Levels	54	610	2,870	2,940	3,001
Estimated Outlays	−4	82	895	2,307	2,838

[1] Less than $500,000.

Note.—Components may not sum to total due to rounding.

TABLE 3.—ESTIMATED IMPACT OF H.R. 3248 ON SPENDING SUBJECT TO APPROPRIATION, WITH ADJUSTMENTS FOR INFLATION

	By fiscal years, in millions of dollars—				
	1999	2000	2001	2002	2003
Goals 2000: Educate America Act:					
Title III—Systematic Reform Grants:					
Estimated Authorization Levels	−476	0	0	0	0
Estimated Outlays	−24	−310	−119	−24	0
Title IV—Parental Assistance:					
Estimated Authorization Levels	−26	0	0	0	0
Estimated Outlays	−1	−17	−6	−1	0
Title VI—International Education:					
Estimated Authorization Levels	−5	0	0	0	0
Estimated Outlays	(1)	−3	−1	(1)	0
School to Work Opportunity Act:					
Estimated Authorization Levels	−409	−418	0	0	0
Estimated Outlays	−20	−257	−102	−20	0
Elementary and Secondary Education Act (ESEA):					
Title I, Sec. 1502—Comprehensive School Reform:					
Estimated Authorization Levels	−123	−126	0	0	0
Estimated Outlays	−6	−80	−31	−6	0
Title II, Part A—Eisenhower Professional Development Program:					
Estimated Authorization Levels	−24	−24	0	0	0
Estimated Outlays	−3	−20	−21	−5	(1)
Title II, Part B—Eisenhower Professional Development Program:					
Estimated Authorization Levels	−342	−350	0	0	0
Estimated Outlays	−17	−240	−313	−105	−18
Title III, Section 3132—School Technology Resource Grants:					
Estimated Authorization Levels	−553	−566	0	0	0
Estimated Outlays	−28	−388	−506	−169	−28
Title III, Part B—Star Schools:					
Estimated Authorization Levels	−35	−36	0	0	0
Estimated Outlays	−2	−24	−32	−11	−2
Title III, Part C—Ready-to-Learn Television:					
Estimated Authorization Levels	−7	−7	0	0	0
Estimated Outlays	(1)	−5	−7	−2	(1)
Title III, Part D—Telecommunications Project for Math:					
Estimated Authorization Levels	−2	−2	0	0	0
Estimated Outlays	(1)	−1	−2	−1	(1)
Title VI, Part A—Magnet Schools:					
Estimated Authorization Levels	−103	−106	0	0	0
Estimated Outlays	−5	−72	−94	−32	−5
Title V, Part B—Woman's Educational Equity:					
Estimated Authorization Levels	−3	−3	0	0	0
Estimated Outlays	(1)	−2	−3	−1	(1)
Title VI—Innovative Education Program Strategy:					
Estimated Authorization Levels	−358	−366	0	0	0
Estimated Outlays	−18	−251	−327	−109	−18
Title IX, Part B—Native Hawaiian Education:					
Estimated Authorization Levels	−18	−19	0	0	0
Estimated Outlays	−1	−13	−17	−6	−1
Title IX, Part C—Alaska Native Education:					
Estimated Authorization Levels	−8	−8	0	0	0
Estimated Outlays	(1)	−6	−7	−3	0
Title X, Part A—Fund for the Improvement of Education:					
Estimated Authorization Levels	−110	−113	0	0	0
Estimated Outlays	−6	−77	−101	−34	−6
Title X, Part B—Javits Gifted and Talented Program:					
Estimated Authorization Levels	−7	−7	0	0	0
Estimated Outlays	−1	−5	−6	−1	(1)
Title X, Part D—Arts in Education:					
Estimated Authorization Levels	−11	−11	0	0	0
Estimated Outlays	−1	−8	−10	−3	−1

TABLE 3.—ESTIMATED IMPACT OF H.R. 3248 ON SPENDING SUBJECT TO APPROPRIATION, WITH ADJUSTMENTS FOR INFLATION—Continued

	By fiscal years, in millions of dollars—				
	1999	2000	2001	2002	2003
Title X, Part F—Civic Education:					
Estimated Authorization Levels	−6	−6	0	0	0
Estimated Outlays	−1	−5	−5	−1	(1)
Title X, Part G—Ellender Fellowships:					
Estimated Authorization Levels	−2	−2	0	0	0
Estimated Outlays	(1)	−1	−1	(1)	(1)
Title X, Part I—21st Century Community Learning Centers:					
Estimated Authorization Levels	−41	−42	0	0	0
Estimated Outlays	−5	−33	−36	−8	−1
Title X, Part K—National Writing Project:					
Estimated Authorization Levels	−5	−5	0	0	0
Estimated Outlays	−1	−4	−4	−1	(1)
Title XIII, Part A—Comprehensive Regional Assistance Centers:					
Estimated Authorization Levels	−28	−28	0	0	0
Estimated Outlays	−1	−19	−25	−8	−1
Title XIII, Part C—Eisenhower Regional Consortium:					
Estimated Authorization Levels	−15	−16	0	0	0
Estimated Outlays	−2	−12	−13	−3	−1
McKinney Act:					
Title VII—Education for Homeless Children:					
Estimated Authorization Levels	−29	−30	0	0	0
Estimated Outlays	−1	−21	−26	−9	−2
Block Grant:					
Authorization Levels	2,740	2,800	2,870	2,940	3,001
Estimated Outlays	137	1,921	2,649	2,850	2,919
Total Proposed Changes:					
Estimated Authorization Levels	−5	509	2,870	2,940	3,001
Estimated Outlays	−7	39	830	2,285	2,835

[1] Less than $500,000.

Note 2.—Components may not sum to totals due to rounding.

Basis of estimate: Under this bill, authorizations would amount to $2.7 billion for fiscal year 1999 and would total $14.3 billion over the 1999–2003 period. CBO estimates the authorization level of the block grant in 1999 would be $54 million higher than the 1998 appropriation for the programs that would be repealed, but $5 million lower than the appropriations adjusted for inflation.

Among the significant legislation that would be repealed by this bill are the School to Work Opportunities Act, various components of the Elementary and Secondary Education Act, and much of the Goals 2000: Educate America Act. Tables 2 and 3 display the spending of the programs that would be repealed.

In replacing the repealed programs with a block grant, H.R. 3248 authorizes an additional $9.5 billion in new spending for the 1999–2003 period, relative to the current authorization without adjustments for inflation. The ends towards which these new funds would be applied are substantively similar to the goals of the programs H.R. 3248 would repeal.

H.R. 3248 would establish explicit authorization levels of the block grant for each fiscal year from 1999 through 2003. CBO estimates that funds appropriated under this bill would be spent out at rates similar to the weighted average of the historical rates for the programs that the block grant would replace.

The costs of this legislation fall within budget function 500 (educational, training, employment, and social services).

Pay-as-you-go considerations: None.

Intergovernmental and private-sector impact: H.R. 3248 contains no intergovernmental or private-sector mandates as defined in UMRA. The bill would consolidate 20 federal education programs into a single block grant for states. CBO estimates that states and local education agencies would receive $14.3 billion in grants for the 1999–2003 period, assuming the appropriation of the necessary funds. Under the new block grant, states would be required to distribute at least 95 percent of the funds to local education agencies, who could generally use them for the same purposes authorized by the programs being consolidated. By restricting funding to nonclassroom activities, including program administration, the bill could change how funds are allocated within a state. Other requirements imposed on states and local education agencies by the block grant would be similar to, or less stringent, than those in current law. Finally, the bill would extend to all states the opportunity to apply for the ED-FLEX program. This program currently allows 12 states to request the authority to waive many federal education requirements.

Esimtate prepared by: Federal Cost: Josh O'Harra. Impact on State, Local, and Tribal Governments: Marc Nicole. Impact on the Private Sector: Kathyrn Rarick.

Estimate approved by: Paul N. Van de Water, Assistant Director for Budget Analysis.

ROLLCALL VOTES

COMMITTEE ON EDUCATION AND THE WORKFORCE

ROLL CALL 1 **BILL** H.R. 3248 **DATE** June 24, 1998

PASSED 19 - 18

SPONSOR/AMENDMENT Mr. Fawell / motion to report the bill to the House with an amendment and with the recommendation that the amendment be agreed to and that the bill as amended do pass

MEMBER	AYE	NO	PRESENT	NOT VOTING
Mr. GOODLING, Chairman	X			
Mr. PETRI, Vice Chairman				X
Mrs. ROUKEMA				X
Mr. FAWELL	X			
Mr. BALLENGER	X			
Mr. BARRETT				X
Mr. HOEKSTRA	X			
Mr. McKEON	X			
Mr. CASTLE	X			
Mr. JOHNSON	X			
Mr. TALENT	X			
Mr. GREENWOOD	X			
Mr. KNOLLENBERG	X			
Mr. RIGGS	X			
Mr. GRAHAM	X			
Mr. SOUDER	X			
Mr. McINTOSH				X
Mr. NORWOOD	X			
Mr. PAUL				X
Mr. SCHAFFER	X			
Mr. PETERSON	X			
Mr. UPTON	X			
Mr. DEAL	X			
Mr. HILLEARY	X			
Mr. PARKER				X
Mr. CLAY		X		
Mr. MILLER		X		
Mr. KILDEE		X		
Mr. MARTINEZ		X		
Mr. OWENS		X		
Mr. PAYNE				X
Mrs. MINK		X		
Mr. ANDREWS		X		
Mr. ROEMER		X		
Mr. SCOTT		X		
Ms. WOOLSEY		X		
Mr. ROMERO-BARCELO				X
Mr. FATTAH		X		
Mr. HINOJOSA		X		
Mrs. McCARTHY		X		
Mr. TIERNEY		X		
Mr. KIND		X		
Ms. SANCHEZ		X		
Mr. FORD		X		
Mr. KUCINICH		X		
TOTALS	19	18		8

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

GOALS 2000: EDUCATE AMERICA ACT

* * * * * * *

[TITLE III—STATE AND LOCAL EDUCATION SYSTEMIC IMPROVEMENT

[SEC. 301. FINDINGS.

[The Congress finds that—

[(1) all students can learn and achieve to high standards and must realize their potential if the United States is to prosper;

[(2) the reforms in education from 1977 through 1992 have achieved some good results, but such reform efforts often have been limited to a few schools or to a single part of the educational system;

[(3) leadership must come from teachers, related services personnel, principals, and parents in individual schools, and from policymakers at the local, State, tribal, and national levels, in order for lasting improvements in student performance to occur;

[(4) simultaneous top-down and bottom-up education reform is necessary to spur creative and innovative approaches by individual schools to help all students achieve internationally competitive standards;

[(5) strategies must be developed by communities and States to support the revitalization of all local public schools by fundamentally changing the entire system of public education through comprehensive, coherent, and coordinated improvement in order to increase student learning;

[(6) parents, teachers, and other local educators, and business, community, and tribal leaders must be involved in developing systemwide improvement strategies that reflect the needs of their individual communities;

[(7) State and local education improvement efforts must incorporate strategies for providing all students and families with coordinated access to appropriate social services, health care, nutrition, and early childhood education, and child care to remove preventable barriers to learning and enhance school readiness for all students;

[(8) States and local educational agencies, working together, must immediately set about developing and implementing such systemwide improvement strategies if our Nation is to educate all children to meet their full potential and achieve the National Education Goals described in title I;

[(9) State and local systemic improvement strategies must provide all students with effective mechanisms and appropriate paths to the work force as well as to higher education;

[(10) businesses should be encouraged—

[(A) to enter into partnerships with schools;

[(B) to provide information and guidance to schools based on the needs of area businesses for properly educated graduates in general and on the need for particular workplace skills that the schools may provide;

[(C) to provide necessary education and training materials and support; and

[(D) to continue the lifelong learning process throughout the employment years of an individual;

[(11) schools should provide information to businesses regarding how the business community can assist schools in meeting the purposes of this Act;

[(12) institutions of higher education should be encouraged to enter into partnerships with schools to provide information and guidance to schools on the skills and knowledge graduates need in order to enter and successfully complete postsecondary education, and schools should provide information and guidance to institutions of higher education on the skills, knowledge, and preservice training teachers need, and the types of professional development educators need in order to meet the purposes of this Act;

[(13) the appropriate and innovative use of technology, including distance learning, can be very effective in helping to provide all students with the opportunity to learn and meet high standards;

[(14) Federal funds should be targeted to support State and local initiatives, and to leverage State and local resources for designing and implementing systemwide education improvement plans;

[(15) all students are entitled to participate in a broad and challenging curriculum and to have access to resources sufficient to address other education needs; and

[(16) quality education management services are being utilized by local educational agencies and schools through contractual agreements among local educational agencies or schools and businesses providing quality education management services.

[SEC. 302. PURPOSE.

[(a) PURPOSE.—It is the purpose of this title to improve the quality of education for all students by improving student learning through a long-term, broad-based effort to promote coherent and coordinated improvements in the system of education throughout the Nation at the State and local levels.

[(b) CONGRESSIONAL INTENT.—This title provides new authorities and funding for the Nation's school systems without replacing or reducing funding for existing Federal education programs. It is the intention of the Congress that no State or local educational agency will reduce its funding for education or for education reform on account of receiving any funds under this title.

[SEC. 303. AUTHORIZATION OF APPROPRIATIONS.

[There are authorized to be appropriated $400,000,000 for the fiscal year 1994, and such sums as may be necessary for each of the fiscal years 1995 through 1998, to carry out this title.

[SEC. 304. ALLOTMENT OF FUNDS.

[(a) RESERVATIONS OF FUNDS.—From funds appropriated under section 303, the Secretary—

[(1) shall reserve a total of one percent to provide assistance, in amounts determined by the Secretary—

[(A) to the outlying areas;

[(B) to the Secretary of the Interior to benefit Indian students in schools operated or funded by the Bureau; and

[(C) to the Alaska Federation of Natives in cooperation with the Alaska Native Education Council to benefit Alaska Native students; and

[(2) may reserve a total of not more than 5 percent for—

[(A) national leadership activities under sections 313 and 314; and

[(B) the costs of peer review of State improvement plans and applications under this title.

[(b) STATE ALLOTMENTS.—From the amount appropriated under section 303 and not reserved under subsection (a) in each fiscal year the Secretary shall make allotments to State educational agencies as follows:

[(1) 50 percent of such amount shall be allocated in accordance with the relative amounts each State would have received under chapter 1 of title I of the Elementary and Secondary Education Act of 1965 for the preceding fiscal year if funds under such chapter in such preceding fiscal year were not reserved for the outlying areas.

[(2) 50 percent of such amount shall be allocated in accordance with the relative amounts each State would have received under part A of chapter 2 of title I of the Elementary and Secondary Education Act of 1965 for the preceding fiscal year if funds under such chapter in such preceding fiscal year were not reserved for the outlying areas.

[(c) REALLOTMENTS.—If the Secretary determines that any amount of a State educational agency's allotment for any fiscal year under subsection (b) will not be needed for such fiscal year by the State, the Secretary shall reallot such amount to other State educational agencies that need additional funds, in such manner as the Secretary determines is appropriate.

[(d) MAINTENANCE OF EFFORT.—Each recipient of funds under this title, in utilizing the proceeds of an allotment received under this title, shall maintain the expenditures of such recipient for the activities assisted under this title at a level equal to not less than the level of such expenditures maintained by such recipient for the fiscal year preceding the fiscal year for which such allotment is received, except that the Secretary may reduce, temporarily or permanently, the level of expenditures required by this subsection if the Secretary determines that such recipient has justifiable reasons for a reduction in the level of expenditures required by this subsection.

[(e) DIRECT GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

[(1) IN GENERAL.—Notwithstanding subsection (c), if a State educational agency was not participating in the program under this section as of October 20, 1995, and the State educational agency approves, the Secretary shall use all or a portion of the allotment that the State would have received under this section for a fiscal year to award grants to local educational agencies in the State that have approved applications under paragraph (2) for such fiscal year.

[(2) APPLICATION.—Any local educational agency that desires to receive a grant under this subsection shall submit an application to the Secretary that is consistent with the provisions of this Act and shall notify the State educational agency of such application in accordance with paragraph (1). The Secretary may establish a deadline for the submission of such applications.

[(3) AWARD BASIS.—The Secretary may use the student enrollment of a local educational agency or other factors as a basis for awarding grants under this subsection.

[SEC. 305. STATE APPLICATIONS.

[(a) APPLICATION.—

[(1) IN GENERAL.—Each State educational agency that desires to receive an allotment under this title shall submit an application to the Secretary at such time and in such manner as the Secretary may determine.

[(2) ADDITIONAL INFORMATION.—In addition to the information described in subsections (b) and (c), each such application shall include—

[(A) an assurance that the State educational agency will cooperate with the Secretary in carrying out the Secretary's responsibilities under section 312, and will comply with reasonable requests of the Secretary for data related to the State's progress in developing and implementing its State improvement plan under section 306;

[(B) an assurance that State law provides adequate authority to carry out each component of the State's improvement plan developed, or to be developed under section 306, or that such authority will be sought;

[(C) an assurance that the State content standards and State student performance standards developed for student achievement are not less rigorous than such standards used prior to the date of enactment of this Act;

[(D) an assurance that the State will provide for broad public participation in the planning process; and

[(E) such other assurances and information as the Secretary may require.

[(b) FIRST YEAR.—A State educational agency's application for the first year of assistance under this title shall—

[(1) describe the process by which the State educational agency will develop a State improvement plan that meets the requirements of section 306; and

[(2) describe how the State educational agency will use funds received under this title for such year, including how such agency will make subgrants to local educational agencies in accordance with section 309(a), and how such agency will

use funds received under this title for education preservice programs and professional development activities in accordance with section 309(b).

[(c) SUBSEQUENT YEARS.—A State educational agency's application for the second year of assistance under this title shall—

[(1) cover the second through fifth years of the State's participation;

[(2) except in the case of a State educational agency submitting the information described in section 306(n)(4), include a copy of the State's improvement plan that meets the requirements of section 306, or if the State improvement plan is not complete, a statement of the steps the State will take to complete the plan and a schedule for doing so; and

[(3) include an explanation of how the State educational agency will use funds received under this title, including how such agency will make subgrants to local educational agencies in accordance with section 309(a), and how such agency will use such funds received under this title for education preservice programs and professional development activities in accordance with section 309(b).

[SEC. 306. STATE IMPROVEMENT PLANS.

[(a) BASIC SCOPE OF PLAN.—Except as provided in section 305(c)(2) and consistent with the requirements of this section, any State educational agency that wishes to receive an allotment under this title after its first year of participation shall develop and implement a State improvement plan for the improvement of elementary and secondary education in the State.

[(b) PLAN DEVELOPMENT.—A State improvement plan under this title shall be developed by a broad-based State panel in cooperation with the State educational agency and the Governor.

[(c) TEACHING, LEARNING, STANDARDS, AND ASSESSMENTS.—Each State educational agency, with broad-based classroom teacher input, shall establish and include in its State improvement plan strategies for meeting the National Education Goals by improving teaching and learning and students' mastery of basic and advanced skills in core content areas, such as English, mathematics, science (including physics), history, geography, foreign languages, the arts, civics and government, and economics. Such strategies—

[(1) shall include—

[(A) a process for developing or adopting State content standards and State student performance standards for all students, which process shall include coordinating the standards developed pursuant to section 115 of the Carl D. Perkins Vocational and Applied Technology Education Act;

[(B) a process for developing and implementing valid, nondiscriminatory, and reliable State assessments—

[(i) which assessments shall—

[(I) be aligned with such State's content standards;

[(II) involve multiple measures of student performance;

[(III) provide for—

[(aa) the participation in such assessments of all students with diverse learning needs; and

[(bb) the adaptations and accommodations necessary to permit such participation;

[(IV) be consistent with relevant, nationally recognized professional and technical standards for such assessments;

[(V) be capable of providing coherent information about student attainments relative to the State content standards; and

[(VI) support effective curriculum and instruction; and

[(ii) which process shall provide for monitoring the implementation of such assessments and the impact of such assessments on improved instruction for all students;

[(C) a process for aligning State or local curricula, instructional materials, and State assessments with the State content standards and State student performance standards; and

[(D) a process for familiarizing teachers with the State content standards and State student performance standards and developing the capability of teachers to provide high quality instruction within the content areas described in the matter preceding paragraph (1) of this subsection;

[(2) may include strategies such as—

[(A) a process for providing assistance and support to local educational agencies and schools to strengthen the capacity of such agencies and schools to provide all students the opportunity to increase educational achievement and meet State content standards and State student performance standards;

[(B) assessing the effectiveness and equity of the school finance program of the State to identify disparities in the resources available to each local educational agency and school in such State and how such disparities affect the ability of the State educational agency and local educational agencies to develop and implement plans under this title;

[(C) a process for developing, selecting, or recommending instructional materials, including gender equitable and multicultural materials, and technology to support and assist local educational agencies and schools to provide all students the opportunity to meet State content standards and State student performance standards;

[(D) a process for providing appropriate and effective professional development, including the use of technology, distance learning, and gender-equitable methods, necessary for teachers, school administrators, and others to help all students meet State content standards and State student performance standards; and

[(E) a process for improving the State's system of teacher and school administrator preparation and licensure, and

of continuing professional development programs, including the use of technology at both the State and local levels, so that all teachers, related services personnel, and administrators develop the subject matter and pedagogical expertise needed to prepare all students to meet State content standards and State student performance standards.

[(e) GOVERNANCE, ACCOUNTABILITY AND MANAGEMENT.—Each State improvement plan shall establish strategies for improved governance, accountability and management of the State's education system, such as—

[(1) aligning responsibility, authority, and accountability throughout the education system, so that decisions regarding the means for achieving State content standards and State student performance standards are made closest to the learners; and

[(2) creating an integrated and coherent approach to recruiting, retaining and supporting the continued professional development of teachers (including vocational teachers), and other educators, giving special attention to the recruitment into and retention of qualified minorities in the education profession.

[(f) PARENTAL AND COMMUNITY SUPPORT AND INVOLVEMENT.—Each State improvement plan shall describe strategies for how the State educational agency will involve parents and other community representatives in planning, designing, and implementing the State improvement plan, including strategies such as—

[(1) focusing public and private community resources and public school resources on prevention and early intervention to address the needs of all students by identifying and removing unnecessary regulations and obstacles to coordination; and

[(2) increasing the access of all students to social services, health care, nutrition, related services, and child care services, and locating such services in schools, cooperating service agencies, community-based centers, or other convenient sites designed to provide "one-stop shopping" for parents and students.

[(g) MAKING THE IMPROVEMENTS SYSTEMWIDE.—To help provide all students throughout the State the opportunity to meet State standards, each State improvement plan shall describe strategies, such as strategies that—

[(1) provide for the availability of curricular materials, learning technologies, including distance learning, and professional development in a manner that ensures equal access by all local educational agencies in the State; and

[(2) develop partnerships with Indian tribes and schools funded by the Bureau, where appropriate, to improve consistency and compatibility in curriculum among public elementary and secondary schools, and such schools funded by the Bureau at all grade levels.

[(h) PROMOTING BOTTOM-UP REFORM.—Each State improvement plan shall include strategies for ensuring that comprehensive, systemic reform is promoted from the bottom up in communities, local educational agencies, and schools, as well as guided by coordination and facilitation from State leaders, including strategies such as—

[(1) providing flexibility to individual schools and local educational agencies to enable such schools and agencies to adapt

and integrate State content standards into courses of study appropriate for individual schools and communities; and

[(2) facilitating the provision of waivers from State rules and regulations that impede the ability of local educational agencies or schools to carry out local improvement plans.

[(i) DROPOUT STRATEGIES.—Each State improvement plan shall include strategies for assisting local educational agencies and schools to enable such agencies and schools—

[(1) to meet the needs of school-aged children who have dropped out of school;

[(2) to bring such children into the education system; and

[(3) to help such students meet State content standards and State student performance standards.

[(j) COORDINATION WITH SCHOOL-TO-WORK PROGRAMS.—If a State has received Federal assistance for the purpose of planning for, expanding, or establishing a school-to-work program, then a State shall include in the State improvement plan a description of how such school-to-work program will be incorporated into the school reform efforts of the State. In particular, the State improvement plan shall include a description of how secondary schools will be modified in order to provide career guidance, the integration of academic and vocational education, and work-based learning, if such programs are proposed in the State's school-to-work plan.

[(k) BENCHMARKS AND TIMELINES.—Each State improvement plan shall include specific benchmarks of improved student performance and of progress in implementing such plan, and timelines against which the progress of the State in carrying out such plan, including the elements described in subsections (c) through (j), can be measured.

[(l) COORDINATING STRATEGIES.—Each State plan shall include strategies for coordinating the integration of academic and vocational instruction pursuant to the Carl D. Perkins Vocational and Applied Technology Education Act.

[(m) PROGRAM IMPROVEMENT AND ACCOUNTABILITY.—Each State improvement plan shall describe—

[(1) how the State will monitor progress towards implementing the State and local improvement plans; and

[(2) procedures the State plans to use, consistent with State law, to improve schools that are not meeting the State content standards voluntarily adopted by the State within the established timelines.

[(n) PEER REVIEW AND SECRETARIAL APPROVAL.—

[(1) IN GENERAL.—(A) The Secretary shall review, within a reasonable period of time, each State improvement plan prepared under this section, and each application submitted under section 305, through a peer review process involving the assistance and advice of State and local education policymakers, educators, classroom teachers, related services personnel, experts on educational innovation and improvement, parents, advocates, and other appropriate individuals. Such peer review process shall be representative of the diversity of the United States with regard to geography, race, ethnicity, gender and disability characteristics. Such peer review process shall in-

clude at least 1 site visit to each State, except during the period when a State improvement plan is being developed.

[(B) Notwithstanding the provisions of subparagraph (A), in the first year that a State educational agency submits an application for development of a State improvement plan under this title the Secretary shall not be required to—

[(i) review such application through a peer review process; and

[(ii) conduct a site visit.

[(2) APPROVAL.—The Secretary shall approve a State improvement plan if such plan is submitted to the Secretary not later than 2 years after the date the State educational agency receives its first allotment under section 304(b), and when the Secretary determines, after considering the peer reviewers' comment, that such plan—

[(A) reflects a widespread commitment within the State;

[(B) holds reasonable promise of helping all students to achieve at the high levels called for by this Act;

[(C) meets the requirements of subsections (a) through (k); and

[(D) allows local schools, local educational agencies and communities the flexibility to implement local improvement plans in a manner which reflects local needs and requirements in order to promote a 'bottom up' system of school reform.

[(3) DISAPPROVAL.—The Secretary shall not disapprove a State improvement plan, or any State application submitted under section 305, before offering the State—

[(A) an opportunity to revise such plan or application; and

[(B) a hearing.

[(4) ALTERNATIVE SUBMISSION.—

[(A) IN GENERAL.—Notwithstanding any other provision of this title, any State educational agency that wishes to receive an allotment under this title after the first year such State educational agency receives such an allotment may, in lieu of submitting its State improvement plan for approval by the Secretary under this subsection and section 305(c)(2), or submitting major amendments to the Secretary under subsection (p), provide the Secretary, as part of an application under section 305(c) or as an amendment to a previously approved application—

[(i) an assurance, from the Governor and the chief State school officer of the State, that—

[(I) the State has a plan that meets the requirements of this section and that is widely available throughout the State; and

[(II) any amendments the State makes to the plan will meet the requirements of this section; and

[(ii) the State's benchmarks of improved student performance and of progress in implementing the plan, and the timelines against which the State's progress in carrying out the plan can be measured.

[(B) ANNUAL REPORT.—Any State educational agency that chooses to use the alternative method described in paragraph (1) shall annually report to the public summary information on the use of funds under this title by the State and local educational agencies in the State, as well as the State's progress toward meeting the benchmarks and timelines described in subparagraph (A)(ii).

[(o) REGULAR REVIEW.—Each State improvement plan shall include a process for periodically reviewing and updating any State content standards, State student performance standards, and State assessments.

[(p) AMENDMENTS TO PLAN.—

[(1) IN GENERAL.—Each State educational agency shall periodically review its State improvement plan and revise such plan, as appropriate, in accordance with the process described in subsection (b).

[(2) REVIEW.—The Secretary shall review any major amendment to a State improvement plan and shall not disapprove any such amendment before offering a State educational agency—

[(A) an opportunity to revise such amendment; and

[(B) a hearing.

[(q) PREEXISTING STATE PLANS AND PANELS.—

[(1) IN GENERAL.—If a State has developed a comprehensive and systemic State improvement plan to help all students meet State standards or any component of such plan, that meets the intent and purposes of this section, then the Secretary may approve such plan or component notwithstanding that such plan was not developed in accordance with subsection (b) if the Secretary determines that such approval would further the purposes of State systemic education improvement.

[(2) SPECIAL RULE.—(A) If, before the date of enactment of this Act, a State has made substantial progress in developing a plan that meets the intent and purposes of this section, but was developed by a panel that does not meet the requirements of paragraphs (1) through (3) of subsection (b), the Secretary may, at the request of the Governor and the State educational agency, treat such panel as meeting the requirements of this title if the Secretary determines that there has been statewide involvement of educators, parents, students, advocacy groups, and other interested members of the public in the development of the plan.

[SEC. 307. SECRETARY'S REVIEW OF APPLICATIONS; PAYMENTS.

[(a) FIRST YEAR.—The Secretary shall approve the State educational agency's first year application under section 305(b) if the Secretary determines that—

[(1) such application meets the requirements of this title; and

[(2) there is a substantial likelihood that the second year application of the State educational agency under section 305(c) will provide for the development and implementation of a State improvement plan that complies with section 306.

[(b) SECOND THROUGH FIFTH YEARS.—The Secretary shall approve the State educational agency's second year application under

section 305(c)(1) for the second through fifth years of participation only if—

[(1)(A) the Secretary has approved the State improvement plan under section 306(n);

[(B) the Secretary determines that the State has made substantial progress in developing its State improvement plan and will implement such plan not later than the end of the second year of participation; or

[(C) the State educational agency has submitted the information described in section 306(n)(4); and

[(2) the application meets the other requirements of this title.

[(c) PAYMENTS.—For any fiscal year for which a State has an approved application under this title, the Secretary shall provide an allotment to the State educational agency in the amount determined under section 304(b).

[SEC. 308. STATE USE OF FUNDS.

[(a) FIRST YEAR.—In the first year for which a State educational agency receives an allotment under this title, such agency—

[(1) if the amount made available under section 303 for such year is equal to or greater than $50,000,000, shall use at least 60 percent of such allotted funds to award subgrants—

[(A) in accordance with section 309(a), to local educational agencies for the development or implementation of local improvement plans; and

[(B) in accordance with section 309(b), to improve educator preservice programs and for professional development activities consistent with the State improvement plan;

[(2) if the amount made available under section 303 for such year is less than $50,000,000, may use such funds for the subgrants described in paragraph (1); and

[(3) shall use any such allotted funds not used in accordance with paragraphs (1) and (2) to develop, revise, expand, or implement a State improvement plan described in section 306.

[(b) SUCCEEDING YEARS.—Each State educational agency that receives an allotment under this title for any year after the first year of such agency receives assistance under this title shall—

[(1) use at least 90 percent of such allotment to make subgrants—

[(A) in accordance with section 309(a), to local educational agencies for the implementation of the State improvement plan and of local improvement plans; and

[(B) in accordance with section 309(b), to improve educator preservice programs and for professional development activities that are consistent with the State improvement plan; and

[(2) use the remainder of such assistance for State activities designed to implement its State improvement plan, such as—

[(A) supporting the development or adoption of State content standards and State student performance standards, and State assessments linked to such standards, including through consortia of States;

[(B) supporting the implementation of high-performance management and organizational strategies, such as site-

based management, shared decisionmaking, or quality management principles, to promote effective implementation of such plan;

[(C) supporting the development and implementation, at the local educational agency and school building level, of improved human resource development systems for recruiting, selecting, mentoring, supporting, evaluating and rewarding educators;

[(D) providing special attention to the needs of minority, limited-English proficient, disabled, and female students, including instructional programs and activities that encourage such students in elementary and secondary schools to aspire to enter and complete post-secondary education or training;

[(E) supporting innovative and proven methods of enhancing a teacher's ability to identify student learning needs, and motivating students to develop higher order thinking skills, discipline, and creative resolution methods;

[(F) supporting the development, at the State or local level, of performance-based accountability and incentive systems for schools;

[(G) outreach to and training for parents, tribal officials, organizations serving young children, classroom teachers, related services personnel, and other educators, and the public, related to education improvement;

[(H) 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 new State assessments, and develop curricula consistent with the State content standards and State student performance standards;

[(I) promoting public magnet schools, public "charter schools", and other mechanisms for increasing choice among public schools, including information and referral programs which provide parents with information on available choices;

[(J) supporting activities relating to the planning of, and evaluation of, projects under which local educational agencies or schools contract with private management organizations to reform a school;

[(K) supporting intergenerational mentoring programs;

[(L) supporting the development, at the State or local level, of school-based programs that restore discipline and reduce violence in schools and communities, such as community mobilization programs; and

[(M) collecting and analyzing data.

[(c) LIMIT ON ADMINISTRATIVE COSTS.—A State educational agency that receives an allotment under this title in any fiscal year shall use not more than 4 percent of such allotment in such year, or $100,000, whichever is greater, for administrative expenses, which administrative expenses shall not include the expenses related to the activities of the panel established under section 306(b).

[(d) SPECIAL RULE.—Any new public school established under this title—

[(1) shall be nonsectarian;

[(2) shall not be affiliated with a nonpublic sectarian school or religious institution; and

[(3) shall operate under the authority of a State educational agency or local educational agency.

[SEC. 309. SUBGRANTS FOR LOCAL REFORM AND PROFESSIONAL DEVELOPMENT.

[(a) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—

[(1) IN GENERAL.—(A) Each State educational agency shall make subgrants, through a competitive process to carry out the authorized activities described in paragraph (4), to local educational agencies (or consortia of such agencies) in accordance with section 308.

[(B) In making such subgrants, the State educational agency shall award not less than 1 subgrant in each fiscal year to an urban local educational agency and not less than 1 subgrant in each fiscal year to a rural local educational agency, where appropriate, except that this provision shall not apply to the District of Columbia. An education service agency may serve as a fiscal agent for a rural local educational agency.

[(C) Each such subgrant shall be for a project of sufficient duration and of sufficient size, scope, and quality to carry out the purpose of this title effectively.

[(2) APPLICATION REQUIRED.—(A) A local educational agency desiring to receive a subgrant under this subsection for the development of a local improvement plan shall submit an application to the State educational agency. Such application shall contain assurances that the local educational agency intends to develop a local improvement plan that meets the requirements of this section.

[(B) A local educational agency only shall be eligible to receive a subgrant under this subsection to develop a local improvement plan for one fiscal year.

[(3) PLAN REQUIRED.—Each local educational agency desiring to receive a subgrant under this subsection to implement a local improvement plan shall submit a local improvement plan to the State educational agency. Each such plan shall—

[(A) be developed by a broad-based panel;

[(B) address districtwide education improvement, directed at enabling all students to meet the State content standards and State student performance standards, including specific goals and benchmarks, reflect the priorities of the State improvement plan (either approved or under development) and include a strategy for—

[(i) ensuring that all students have a fair opportunity to learn;

[(ii) improving teaching and learning;

[(iii) improving governance and management;

[(iv) generating, maintaining, and strengthening parental and community involvement; and

[(v) expanding improvements throughout the local educational agency;

[(C) promote the flexibility of local schools in developing plans which address the particular needs of their school

and community and are consistent with the local improvement plan;

[(D) describe a process of broad-based community participation in the development, implementation, and evaluation of the local improvement plan;

[(E) describe how the local educational agency will encourage and assist schools to develop and implement comprehensive school improvement plans that—

[(i) focus on helping all students reach State content standards and State student performance standards; and

[(ii) address relevant elements of the local improvement plan of the local educational agency identified in subparagraph (B);

[(F) describe how the local educational agency will implement specific programs aimed at ensuring improvements in school readiness and the ability of students to learn effectively at all grade levels by identifying the most pressing needs facing students and their families with regard to social services, health care, nutrition, and child care, and entering into partnerships with public and private nonprofit agencies to increase the access of students and families to coordinated nonsectarian services in a school setting or at a nearby site;

[(G) describe how the subgrant funds will be used by the local educational agency, and the procedures to be used to make funds available to schools in accordance with paragraph (6)(A);

[(H) identify, with an explanation, any State or Federal requirements that the local educational agency believes impede educational improvement and that such agency requests be waived in accordance with section 311, which requests shall promptly be transmitted to the Secretary by the State educational agency; and

[(I) contain such other information as the State educational agency may reasonably require.

[(4) SUBMISSION.—A local educational agency which has approved a local improvement plan shall submit such plan to the State educational agency for approval together with a description of modifications made by the local educational agency to such plan and any comments from the local panel regarding such plan.

[(5) MONITORING.—The panel described in paragraph (3)(A), after approval of the local educational agency's application by the State educational agency, shall be informed of progress on such plan by the local educational agency, and the local educational agency shall monitor the implementation and effectiveness of the local improvement plan in close consultation with teachers, related services personnel, principals, administrators, community members, and parents from schools receiving funds under this title, as well as assure that implementation of the local improvement plan does not result in a significant increase in paperwork for teachers. The panel shall review such plan and based on the progress described in the pre-

ceding sentence, determine if revisions to the local improvement plan should be recommended to the local educational agency. The panel shall periodically report such determination to the public.

[(6) AUTHORIZED ACTIVITIES.—(A) A local educational agency that receives a subgrant under this subsection—

[(i) in the first year such agency receives the subgrant shall use—

[(I) not more than 25 percent of the subgrant funds to develop a local improvement plan or for any local educational agency activities approved by the State educational agency that are reasonably related to carrying out the State or local improvement plans, which may include the establishment of innovative new public schools; and

[(II) not less than 75 percent of the subgrant funds to support individual school improvement initiatives related to providing all students in the school the opportunity to meet State content standards and State student performance standards; and

[(ii) in subsequent years, shall use subgrant funds for any activities approved by the State educational agency which are reasonably related to carrying out the State or local improvement plans which may include the establishment of innovative new public schools and the acquisition of technology and use of technology-enhanced curricula and instruction, except that at least 85 percent of such funds shall be made available to individual schools to develop and implement comprehensive school improvement plans which are designed to meet the needs of their particular student population and help all students meet State content standards and State student performance standards.

[(B) At least 50 percent of the funds made available by a local educational agency to individual schools under this section in any fiscal year shall be made available to schools with a special need for such assistance, as indicated by a high number or percentage of students from low-income families, low student achievement, or other similar criteria developed by the local educational agency.

[(C) A local educational agency may not use more than five percent of the subgrant funds such agency receives in each fiscal year under this title for administrative expenses.

[(7) SPECIAL CONSIDERATION.—The State educational agency shall give special consideration in awarding a subgrant to—

[(A) a consortium of local educational agencies; or

[(B) a local educational agency that provides in the application or local improvement plan described in paragraph (2) or (3), respectively, that such subgrant funds will be used to assist a consortium of schools that has developed a plan for school improvement.

[(b) SUBGRANTS FOR PRESERVICE TEACHER EDUCATION AND PROFESSIONAL DEVELOPMENT ACTIVITIES.—

[(1) IN GENERAL.—(A) Each State educational agency shall make subgrants, through a competitive, peer-reviewed process to a local educational agency, or a consortium of local educational agencies, in cooperation with institutions of higher education, nonprofit organizations, or any combination thereof, in accordance with section 308 to—

[(i) improve preservice teacher education programs consistent with the State improvement plan, including how to work effectively with parents and the community; and

[(ii) support continuing, sustained professional development activities for educators and school administrators or related services personnel working with educators which will increase student learning in accordance with the State improvement plan.

[(B) Each State educational agency awarding subgrants under subparagraph (A) shall give priority to awarding such subgrants to—

[(i) a local educational agency or consortium serving a greater number or percentage of disadvantaged students than the statewide average of such number or percentage;

[(ii) a local educational agency or consortium that forms partnerships with collegiate educators to establish professional development sites; and

[(iii) a local educational agency or consortium that—

[(I) focuses on upgrading teachers' knowledge of content areas; or

[(II) targets preparation and continued professional development of teachers of students with limited-English proficiency and students with disabilities.

[(2) APPLICATION.—Each local educational agency or consortium that desires to receive a subgrant under this subsection shall submit an application to the State educational agency which—

[(A) describes how the applicant will use the subgrant to improve teacher preservice and school administrator education programs or to implement educator professional development activities consistent with the State improvement plan;

[(B) identifies the criteria to be used by the applicant to judge improvements in preservice education or the effects of professional development activities consistent with the State improvement plan; and

[(C) contains any other information that the State educational agency determines is appropriate.

[(3) REQUIRED ACTIVITIES.—A recipient of a subgrant under this subsection shall use the subgrant funds for activities supporting—

[(A) the improvement of preservice teacher education and school administrator programs so that such programs equip educators with the subject matter and pedagogical expertise necessary for preparing all students to meet standards; or

[(B) the development and implementation of new and improved forms of continuing and sustained professional

development opportunities for teachers, principals, and other educators at the school or district level that equip educators with such expertise, and with other knowledge and skills necessary for leading and participating in continuous education improvement.

[(4) PERMISSIVE ACTIVITIES.—A recipient of a subgrant under this subsection may use the subgrant funds for costs related to release time for teachers to participate in professional development activities, which professional development shall include related services personnel as appropriate.

[(c) SPECIAL AWARD RULE.—

[(1) IN GENERAL.—Each State educational agency shall award at least 50 percent of subgrant funds under subsection (a) in each fiscal year to local educational agencies that have a greater percentage or number of disadvantaged children than the statewide average such percentage or number for all local educational agencies in the State.

[(2) WAIVER.—The State educational agency may waive the requirement of paragraph (1) if such agency does not receive a sufficient number of applications to comply with such requirement.

[SEC. 310. AVAILABILITY OF INFORMATION AND TRAINING.

[(a) INFORMATION AND TRAINING.—Proportionate to the number of children in a State or in a local educational agency who are enrolled in private elementary or secondary schools—

[(1) a State educational agency or local educational agency which uses funds under this title to develop goals, State content standards or State student performance standards, curricular materials, and State assessments shall, upon request, make information related to such goals, standards, materials, and assessments available to private schools; and

[(2) a State educational agency or local educational agency which uses funds under this title for teacher and administrator training shall provide in the State improvement plan described in section 306 for the training of teachers and administrators in private schools located in the geographical area served by such agency.

[(b) WAIVER.—If, by reason of any provision of law, a State or local educational agency is prohibited from providing for the equitable participation of teachers and administrators from private schools in training programs assisted with Federal funds provided under this title, or if the Secretary determines that a State or local educational agency has substantially failed or is unwilling to provide for such participation, the Secretary shall waive such requirements and shall arrange for the provision of training consistent with State goals and State content standards for such teachers and administrators. Such waivers shall be subject to consultation, withholding, notice, and judicial review in accordance with sections 1020 and 14503 of the Elementary and Secondary Education Act of 1965.

[SEC. 311. WAIVERS OF STATUTORY AND REGULATORY REQUIREMENTS.

[(a) WAIVER AUTHORITY.—

[(1) IN GENERAL.—Except as provided in subsection (c), the Secretary may waive any statutory or regulatory requirement applicable to any program or Act described in subsection (b) for a State educational agency, local educational agency, or school if—

[(A) and only to the extent that, the Secretary determines that such requirement impedes the ability of the State, or of a local educational agency or school in the State, to carry out the State or local improvement plan;

[(B) the State educational agency has waived, or agrees to waive, similar requirements of State law;

[(C) in the case of a statewide waiver, the State educational agency—

[(i) provides all local educational agencies and parent organizations in the State with notice and an opportunity to comment on the State educational agency's proposal to seek a waiver; and

[(ii) submits the local educational agencies' comments to the Secretary; and

[(D) in the case of a local educational agency waiver, the local educational agency provides parents, community groups, and advocacy or civil rights groups with the opportunity to comment on the proposed waiver.

[(2) APPLICATION.—(A)(i) To request a waiver under paragraph (1), a local educational agency or school that receives funds under this title, or a local educational agency or school that does not receive funds under this title but is undertaking school reform efforts that the Secretary determines are comparable to the activities described in section 306, shall transmit an application for such a waiver to the State educational agency. The State educational agency then shall submit approved applications for waivers under paragraph (1) to the Secretary.

[(ii) A State educational agency that receives funds under this title may request a waiver under paragraph (1) by submitting an application for such waiver to the Secretary.

[(B) Each application submitted to the Secretary under subparagraph (A) shall—

[(i) identify the statutory or regulatory requirements that are requested to be waived and the goals that the State educational agency or local educational agency or school intends to achieve;

[(ii) describe the action that the State educational agency has undertaken to remove State statutory or regulatory barriers identified in the application of local educational agencies;

[(iii) describe the goals of the waiver and the expected programmatic outcomes if the request is granted;

[(iv) describe the numbers and types of students to be impacted by such waiver;

[(v) describe a timetable for implementing a waiver; and

[(vi) describe the process the State educational agency will use to monitor, on a biannual basis, the progress in implementing a waiver.

[(3) TIMELINESS.—The Secretary shall act promptly on a request for a waiver under paragraph (1) and shall provide a written statement of the reasons for granting or denying such request.

[(4) DURATION.—Each waiver under paragraph (1) shall be for a period not to exceed 4 years. The Secretary may extend such period if the Secretary determines that the waiver has been effective in enabling the State or affected local educational agencies to carry out reform plans.

[(b) INCLUDED PROGRAMS.—The statutory or regulatory requirements subject to the waiver authority of this section are any such requirements under the following programs or Acts:

[(1) Title I of the Elementary and Secondary Education Act of 1965.

[(2) Part A of title II of the Elementary and Secondary Education Act of 1965.

[(3) Part A of title V of the Elementary and Secondary Education Act of 1965.

[(4) Title VIII of the Elementary and Secondary Education Act of 1965.

[(5) Part B of title IX of the Elementary and Secondary Education Act of 1965.

[(6) The Carl D. Perkins Vocational and Applied Technology Education Act.

[(c) WAIVERS NOT AUTHORIZED.—The Secretary may not waive any statutory or regulatory requirement of the programs or Acts described in subsection (b)—

[(1) relating to—

[(A) maintenance of effort;

[(B) comparability of services;

[(C) the equitable participation of students and professional staff in private schools;

[(D) parental participation and involvement; and

[(E) the distribution of funds to States or to local educational agencies; and

[(2) unless the underlying purposes of the statutory requirements of each program or Act for which a waiver is granted continue to be met to the satisfaction of the Secretary.

[(d) TERMINATION OF WAIVERS.—The Secretary shall periodically review the performance of any State, local educational agency, or school for which the Secretary has granted a waiver under subsection (a)(1) and shall terminate the waiver if the Secretary determines that the performance of the State, the local educational agency, or the school in the area affected by the waiver has been inadequate to justify a continuation of the waiver.

[(e) FLEXIBILITY DEMONSTRATION.—

[(1) SHORT TITLE.—This subsection may be cited as the "Education Flexibility Partnership Demonstration Act".

[(2) PROGRAM AUTHORIZED.—

[(A) IN GENERAL.—The Secretary may carry out an education flexibility demonstration program under which the Secretary authorizes not more than 6 State educational agencies serving eligible States to waive statutory or regulatory requirements applicable to 1 or more programs or

Acts described in subsection (b), other than requirements described in subsection (c), for the State educational agency or any local educational agency or school within the State.

[(B) AWARD RULE.—In carrying out subparagraph (A), the Secretary shall select for participation in the demonstration program described in subparagraph (A) three State educational agencies serving eligible States that each have a population of 3,500,000 or greater and three State educational agencies serving eligible States that each have a population of less than 3,500,000, determined in accordance with the most recent decennial census of the population performed by the Bureau of the Census.

[(C) DESIGNATION.—Each eligible State participating in the demonstration program described in subparagraph (A) shall be known as an "Ed-Flex Partnership State".

[(3) ELIGIBLE STATE.—For the purpose of this subsection the term "eligible State" means a State that—

[(A) has developed a State improvement plan under section 306 that is approved by the Secretary; and

[(B) waives State statutory or regulatory requirements relating to education while holding local educational agencies or schools within the State that are affected by such waivers accountable for the performance of the students who are affected by such waivers.

[(4) STATE APPLICATION.—(A) Each State educational agency desiring to participate in the education flexibility demonstration program under this subsection 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 demonstrate that the eligible State has adopted an educational flexibility plan for the State that includes—

[(i) a description of the process the State educational agency will use to evaluate applications from local educational agencies or schools requesting waivers of—

[(I) Federal statutory or regulatory requirements described in paragraph (2)(A); and

[(II) State statutory or regulatory requirements relating to education; and

[(ii) a detailed description of the State statutory and regulatory requirements relating to education that the State educational agency will waive.

[(B) The Secretary may approve an application described in subparagraph (A) only if the Secretary determines that such application demonstrates substantial promise of assisting the State educational agency and affected local educational agencies and schools within such State in carrying out comprehensive educational reform and otherwise meeting the purposes of this Act, after considering—

[(i) the comprehensiveness and quality of the educational flexibility plan described in subparagraph (A);

[(ii) the ability of such plan to ensure accountability for the activities and goals described in such plan;

[(iii) the significance of the State statutory or regulatory requirements relating to education that will be waived; and

[(iv) the quality of the State educational agency's process for approving applications for waivers of Federal statutory or regulatory requirements described in paragraph (2)(A) and for monitoring and evaluating the results of such waivers.

[(5) LOCAL APPLICATION.—(A) Each local educational agency or school requesting a waiver of a Federal statutory or regulatory requirement described in paragraph (2)(A) and any relevant State statutory or regulatory requirement from a State educational agency shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require. Each such application shall—

[(i) indicate each Federal program affected and the statutory or regulatory requirement that will be waived;

[(ii) describe the purposes and overall expected results of waiving each such requirement;

[(iii) describe for each school year specific, measurable, educational goals for each local educational agency or school affected by the proposed waiver; and

[(iv) explain why the waiver will assist the local educational agency or school in reaching such goals.

[(B) A State educational agency shall evaluate an application submitted under subparagraph (A) in accordance with the State's educational flexibility plan described in paragraph (4)(A).

[(C) A State educational agency shall not approve an application for a waiver under this paragraph unless—

[(i) the local educational agency or school requesting such waiver has developed a local reform plan that is applicable to such agency or school, respectively; and

[(ii) the waiver of Federal statutory or regulatory requirements described in paragraph (2)(A) will assist the local educational agency or school in reaching its educational goals.

[(6) MONITORING.—Each State educational agency participating in the demonstration program under this subsection shall annually monitor the activities of local educational agencies and schools receiving waivers under this subsection and shall submit an annual report regarding such monitoring to the Secretary.

[(7) DURATION OF FEDERAL WAIVERS.—(A) The Secretary shall not approve the application of a State educational agency under paragraph (4) for a period exceeding 5 years, except that the Secretary may extend such period if the Secretary determines that such agency's authority to grant waivers has been effective in enabling such State or affected local educational agencies or schools to carry out their local reform plans.

[(B) The Secretary shall periodically review the performance of any State educational agency granting waivers of Federal statutory or regulatory requirements described in paragraph

(2)(A) and shall terminate such agency's authority to grant such waivers if the Secretary determines, after notice and opportunity for hearing, that such agency's performance has been inadequate to justify continuation of such authority.

[(f) ACCOUNTABILITY.—In deciding whether to extend a request for a waiver under subsection (a)(1), or a State educational agency's authority to issue waivers under subsection (e), the Secretary shall review the progress of the State educational agency, local educational agency, or school affected by such waiver or authority to determine if such agency or school has made progress toward achieving the desired results described in the application submitted pursuant to subsection (a)(2)(B)(iii) or (e)(5)(A)(ii).

[(g) PUBLICATION.—A notice of the Secretary's decision to grant waivers under subsection (a)(1) and to authorize State educational agencies to issue waivers under subsection (e) shall be published in the Federal Register and the Secretary shall provide for the dissemination of such notice to State educational agencies, interested parties, including educators, parents, students, advocacy and civil rights organizations, other interested parties, and the public.

[SEC. 312. PROGRESS REPORTS.

[(a) STATE REPORTS TO THE SECRETARY.—Except in the case of a State educational agency submitting the information described in section 306(n)(4), each State educational agency that receives funds under this title shall annually report to the Secretary regarding—

[(1) progress in meeting State goals and plans;

[(2) proposed State activities for the succeeding year; and

[(3) in summary form, the progress of local educational agencies in meeting local goals and plans and increasing student learning.

[(b) SECRETARY'S REPORTS TO CONGRESS.—By April 30, 1996, and every 2 years thereafter, the Secretary shall submit a report to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate describing—

[(1) the activities assisted under, and outcomes of, allotments under this title; and

[(2) the effect of waivers granted under section 311, including—

[(A) a listing of all State educational agencies, local educational agencies and schools seeking and receiving waivers;

[(B) a summary of the State and Federal statutory or regulatory requirements that have been waived, including the number of waivers sought and granted under each such statutory or regulatory requirement;

[(C) a summary of waivers that have been terminated, including a rationale for the terminations; and

[(D) recommendations to the Congress regarding changes in statutory or regulatory requirements, particularly those actions that should be taken to overcome Federal statutory or regulatory impediments to education reform.

[SEC. 313. TECHNICAL AND OTHER ASSISTANCE REGARDING SCHOOL FINANCE EQUITY.

[(a) TECHNICAL ASSISTANCE.—

[(1) IN GENERAL.—From funds reserved in each fiscal year under section 304(a)(2)(A), the Secretary is authorized to make grants to, and enter into contracts and cooperative agreements with, State educational agencies and other public and private agencies, institutions, and organizations to provide technical assistance to State and local educational agencies to assist such agencies in achieving a greater degree of equity in the distribution of financial resources for education among local educational agencies in the State.

[(2) ACTIVITIES.—A grant, contract or cooperative agreement under this section may support technical assistance activities, such as—

[(A) the establishment and operation of a center or centers for the provision of technical assistance to State and local educational agencies;

[(B) the convening of conferences on equalization of resources within local educational agencies, within States, and among States; and

[(C) obtaining advice from experts in the field of school finance equalization.

[(b) DATA.—Each State educational agency or local educational agency receiving assistance under the Elementary and Secondary Education Act of 1965 shall provide such data and information on school finance as the Secretary may require to carry out this section.

[(c) MODELS.—The Secretary is authorized, directly or through grants, contracts, or cooperative agreements, to develop and disseminate models and materials useful to States in planning and implementing revisions of the school finance systems of such States.

[SEC. 314. NATIONAL LEADERSHIP.

[(a) TECHNICAL ASSISTANCE AND INTEGRATION OF STANDARDS.—From funds reserved in each fiscal year under section 304(a)(2)(A), the Secretary may, directly or through grants or contracts—

[(1) provide technical assistance to States, local educational agencies, and tribal agencies developing or implementing school improvement plans, in a manner that ensures that such assistance is broadly available;

[(2) gather data on, conduct research on, and evaluate systemic education improvement and how such improvement affects student learning, including the programs assisted under this title;

[(3) disseminate research findings and other information on outstanding examples of systemic education improvement in States and local communities through existing dissemination systems within the Department of Education, including through publications, electronic and telecommunications mediums, conferences, and other means;

[(4) provide grants to tribal divisions of education for coordination efforts between school reform plans developed for schools funded by the Bureau and public schools described in

section 306(g)(2), including tribal activities in support of such plans;

[(5) support national demonstration projects that unite local and State educational agencies, institutions of higher education, government, business, and labor in collaborative arrangements in order to make educational improvements systemwide; and

[(6) support model projects to integrate multiple content standards, if—

[(A) such standards are approved by the National Goals Panel for different subject areas, in order to provide balanced and coherent instructional programs for all students; and

[(B) such projects are appropriate for a wide range of diverse circumstances, localities (including both urban and rural communities), and populations.

[(b) RESERVATION OF FUNDS.—

[(1) IN GENERAL.—The Secretary shall use at least 50 percent of the funds reserved each year under section 304(a)(2)(A) to make grants, in accordance with the provisions of section 309(a) that the Secretary determines appropriate, and provide technical and other assistance to urban and rural local educational agencies with large numbers or concentrations of students who are economically disadvantaged or who have limited English proficiency, to assist such agencies in developing and implementing local school improvement plans, except that any school that received funds under section 309(a) shall not receive assistance pursuant to this paragraph other than technical assistance.

[(2) SURVEY.—The Secretary shall use not less than $1,000,000 of the funds reserved for fiscal year 1994 under section 304(a)(2)(A) to replicate coordinated services programs that have been found to be successful in helping students and families and improving student outcomes, and shall disseminate information about such programs to schools that plan to develop coordinated services programs.

[(c) ADMINISTRATION.—Any activities assisted under this section that involve research shall be administered through the Office of Educational Research and Improvement.

[SEC. 315. ASSISTANCE TO THE OUTLYING AREAS AND TO THE SECRETARY OF THE INTERIOR.

[(a) OUTLYING AREAS.—

[(1) IN GENERAL.—Funds reserved for outlying areas under section 304(a)(1)(A) shall be distributed among such areas by the Secretary according to relative need of such areas.

[(2) INAPPLICABILITY OF PUBLIC LAW 95–134.—The provisions of Public Law 95–134, permitting the consolidation of grants to the insular areas, shall not apply to funds received by such areas under this title.

[(b) SECRETARY OF THE INTERIOR.—

[(1) IN GENERAL.—The funds reserved for the Secretary of the Interior under section 304(a)(1)(B) shall be made in a payment which shall be pursuant to an agreement between the Secretary and the Secretary of the Interior containing such as-

surances and terms as the Secretary determines shall best achieve the provisions of this section and this Act. The agreement shall, at a minimum, contain assurances that—

[(A) a panel, as set forth in paragraph (3), shall be established;

[(B) a reform and improvement plan, designed to increase student learning and assist students in meeting the National Education Goals, meeting the requirements pertaining to State improvement plans required in section 306 and providing for the fundamental restructuring and improvement of elementary and secondary education in schools funded by the Bureau, shall be developed by such panel; and

[(C) the provisions and activities required under such State improvement plans shall be carried out in the same time frames and under the same conditions stipulated for the States in sections 305 and 306, provided that for these purposes, the term "local educational agencies" shall be interpreted to mean "schools funded by the Bureau".

[(2) PLAN SPECIFICS.—The reform and improvement plan shall include, in addition to the requirements described above, specific provisions for—

[(A) review and incorporation of the National Education Goals and the voluntary national content standards and voluntary national student performance standards, provided that such review shall include the issues of cultural and language differences; and

[(B) provision for coordination of the efforts of the Bureau with the efforts for school improvement of the States and local educational agencies in which the schools funded by the Bureau are located, including the development of the partnerships outlined in section 306(g)(2) of the Act.

[(3) PANEL.—(A) To carry out the provisions of this section, and to develop the plan for system-wide reform and improvement required under the agreement required under paragraph (1), the Secretary of the Interior shall establish a panel coordinated by the Assistant Secretary of the Interior for Indian Affairs. Such panel shall consist of—

[(i) the Director of the Office of Indian Education Programs of the Bureau and two heads of other divisions of such Bureau as the Assistant Secretary shall designate;

[(ii) a designee of the Secretary of Education; and

[(iii) a representative nominated by each of the following:

[(I) The organization representing the majority of teachers and professional personnel in schools operated by the Bureau.

[(II) The organization representing the majority of nonteaching personnel in schools operated by the Bureau, if not the same organization as in subclause (I).

[(III) School administrators of schools operated by the Bureau.

[(IV) Education line officers located in Bureau area or agency offices serving schools funded by the Bureau.

[(V) The organization representing the majority of contract or grant schools funded by the Bureau not serving students on the Navajo reservation.

[(VI) The organization representing the majority of contract or grant schools funded by the Bureau serving students on the Navajo reservation.

[(VII) The organization representing the school boards required by statute for schools operated by the Bureau not serving students on the Navajo reservation.

[(VIII) The organization representing the school boards required by statute for schools funded by the Bureau serving students on the Navajo reservation.

[(B) Including the additional members required by paragraph (4), a majority of the members of such panel shall be from the entities designated under subparagraph (A)(iii).

[(4) ADDITIONAL MEMBERS.—In addition, the members of the panel described in paragraph (3) shall designate for full membership on the panel four additional members—

[(A) one of whom shall be a representative of a national organization which represents primarily national Indian education concerns; and

[(B) three of whom shall be chairpersons (or their designees) of Indian tribes with schools funded by the Bureau on their reservations (other than those specifically represented by organizations referred to in paragraph (3)), provided that preference for no less than two of these members shall be given to Indian tribes with a significant number of schools funded by the Bureau on their reservations, or with a significant percentage of their children enrolled in schools funded by the Bureau.

[(c) BUREAU OF INDIAN AFFAIRS COST ANALYSIS AND STUDIES.—

[(1) IN GENERAL.—The Secretary of the Interior shall reserve from the funds received pursuant to section 304(a)(1)(B) in the first and second fiscal year for which the Secretary of the Interior receives such funds an amount not to exceed $500,000 for each such year to provide, through a contract executed, after open solicitation, with an organization or institution having extensive experience in school finance, for an analysis of—

[(A) the costs associated with meeting the academic, home-living, and residential standards of the Bureau for each Bureau funded school and annual projections of such costs; and

[(B) the feasibility and desirability of changing the method of financing for Bureau funded schools from the weighted student unit formula method in effect on the date of enactment of this Act to a school-based budget system or other alternative system of financial support.

[(2) COST ANALYSIS PURPOSE.—The purpose of the cost analysis provided for in paragraph (1)(A) shall be to provide the Bureau and the panel described in subsection (b)(3) with baseline

data regarding the current state of operations funded by the Bureau. Such analysis shall evaluate the costs of providing a program in each school operated or supported by the Bureau for the next succeeding academic year and shall be based on—

[(A) the standards either published in the Federal Register and effective for schools funded by the Bureau on the date of enactment of the Improving America's Schools Act of 1994, or the State or regional standards in effect on such date for a Bureau funded school;

[(B) the best projections of student counts and demographics as provided by the Bureau and as independently reviewed by the organization or institution selected by the Secretary to perform the analysis described in this section; and

[(C) the pay and benefit schedules and other personnel requirements for each school operated by the Bureau, as such pay and benefit schedules and requirements existed on the date of enactment of the Improving America's Schools Act of 1994.

[(3) FEASIBILITY STUDY PURPOSE.—(A) The purpose of the feasibility analysis provided for in paragraph (1)(B) shall be to determine whether it is feasible and desirable for the Bureau to replace or modify the weighted student unit formula system in effect on the date of enactment of this Act.

[(B) For the purposes of the feasibility analysis described in paragraph (1)(B), the term "school-based budget system" means a system based upon an initial determination, at each school site, of the number of students who shall be served at the site, the needs of those students, the standards which will best meet those needs (including any standards or conditions reflecting local community input and such community's program), the personnel profile necessary to establish such program and the cost (determined on an actual basis) of funding such a program. Such a system shall include procedures to aggregate the determinations for each school site to determine the amount needed to fund all Bureau funded schools, to prepare a budget submission based upon such aggregate, and to provide for a mechanism for distributing such sums as may be appropriated based upon the determination at each school site.

[(4) RESULTS REPORT.—The contractor selected shall be required to report the results of analyses provided for in this section, in aggregate and school-specific form to the chairpersons and ranking minority members of the Committee on Education and Labor and the Committee on Appropriations of the House of Representatives and the Committee on Indian Affairs and the Committee on Appropriations of the Senate, and to the Secretary of the Interior, not later than six months after the date of enactment of the Improving America's Schools Act of 1994. The contractor shall also be required to provide an estimate of the costs of meeting the academic and residential standards of the Bureau for each Bureau funded school for each of the three succeeding forward-funded fiscal years following the date of submission of such report. The contractor shall

provide an estimate of such costs to such persons and members not later than January 1 of each succeeding fiscal year.

[(d) SECRETARY OF DEFENSE.—The Secretary shall consult with the Secretary of Defense to ensure that, to the extent practicable, the purposes of this title are applied to the Department of Defense schools.

[SEC. 317. STATE PLANNING FOR IMPROVING STUDENT ACHIEVEMENT THROUGH INTEGRATION OF TECHNOLOGY INTO THE CURRICULUM.

[(a) PURPOSE.—It is the purpose of this section to assist each State to plan effectively for improved student learning in all schools through the use of technology as an integral part of the State improvement plan described in section 306.

[(b) PROGRAM AUTHORIZED.—

[(1) AUTHORITY.—The Secretary shall award grants in accordance with allocations under paragraph (2) to each State educational agency that, as part of its application under section 305, requests a grant to develop (or continue the development of), and submits as part of the State improvement plan described in section 306, a systemic statewide plan to increase the use of state-of-the-art technologies that enhance elementary and secondary student learning and staff development in support of the National Education Goals and State content standards and State student performance standards.

[(2) FORMULA.—From the amount appropriated pursuant to the authority of subsection (f) in each fiscal year, each State educational agency with an application approved under section 305 shall receive a grant under paragraph (1) in such year in an amount determined on the same basis as allotments are made to State educational agencies under subsections (b) and (c) of section 304 for such year, except that each such State shall receive at least $75,000.

[(3) OUTLYING AREAS.—(A) From the amount appropriated pursuant to the authority of subsection (f) for fiscal year 1995, the Secretary shall reserve a total of 1 percent to provide assistance under this section—

[(i) to the outlying areas; and

[(ii) for the Secretary of the Interior to conduct directly or through a contract, systemic technology planning for Bureau-funded schools.

[(B) The funds reserved under subparagraph (A) shall be distributed among the outlying areas and the Secretary of the Interior by the Secretary according to the relative need of such areas and schools for assistance under this section.

[(c) PLAN OBJECTIVES.—Each State educational agency shall use funds received under this section to develop and, if the Secretary has approved the systemic statewide plan, to implement such plan. Such plan shall have as its objectives—

[(1) the promotion of higher student achievement through the use of technology in education;

[(2) the participation of all schools and school districts in the State, especially those schools and districts with a high percentage or number of disadvantaged students;

[(3) the development and implementation of a cost-effective, high-speed, statewide, interoperable, wide-area-communication educational technology support system for elementary and secondary schools within the State, particularly for such schools in rural areas; and

[(4) the promotion of shared usage of equipment, facilities, and other technology resources by adult learners during after-school hours.

[(d) PLAN REQUIREMENTS.—At a minimum, each systemic statewide plan shall—

[(1) be developed by a task force that—

[(A) includes among its members experts in the educational use of technology and representatives of the State panel described in section 306(b); and

[(B) ensures that such plan is integrated into the State improvement plan described in section 306;

[(2) be developed in collaboration with the Governor, representatives of the State legislature, the State board of education, institutions of higher education, appropriate State agencies, local educational agencies, public and private telecommunication entities, parents, public and school libraries, students, adult literacy providers, and leaders in the field of technology, through a process of statewide grassroots outreach to local educational agencies and schools in the State;

[(3) identify and describe the requirements for introducing state-of-the-art technologies into the classroom and school library in order to enhance educational curricula, including the installation and ongoing maintenance of basic connections, hardware and the necessary support materials;

[(4) describe how the application of advanced technologies in the schools will enhance student learning, provide greater access to individualized instruction, and help make progress toward the achievement of the National Education Goals;

[(5) describe how the ongoing training of educational personnel will be provided;

[(6) describe the resources necessary, and procedures, for providing ongoing technical assistance to carry out such plan;

[(7) provide for the dissemination on a statewide basis of exemplary programs and practices relating to the use of technology in education;

[(8) establish a funding estimate (including a statement of likely funding sources) and a schedule for the development and implementation of such plan;

[(9) describe how the State educational agency will assess the impact of implementing such plan on student achievement and aggregate achievement for schools;

[(10) describe how the State educational agency and local educational agencies in the State will coordinate and cooperate with business and industry, and with public and private telecommunications entities;

[(11) describe how the State educational agency will promote the purchase of equipment by local educational agencies that, when placed in schools, will meet the highest possible level of interoperability and open system design;

[(12) describe how the State educational agency will consider using existing telecommunications infrastructure and technology resources;

[(13) describe how the State educational agency will apply the uses of technology to meet the needs of children from low-income families;

[(14) describe the process through which such plan will be reviewed and updated periodically; and

[(15) describe how the State educational agency will facilitate collaboration between State literacy resource centers, local educational agencies, and adult and family literacy providers, to ensure that technology can be used by adult and family literacy providers during after school hours.

[(e) REPORTS.—Each State educational agency receiving a grant under this section shall submit a report to the Secretary within 1 year of the date such agency submits to the Secretary its systemic statewide plan under this section. Such report shall—

[(1) describe the State's progress toward implementation of the provisions of such plan;

[(2) describe any revisions to the State's long-range plans for technology; and

[(3) include any other information the Secretary deems appropriate.

[(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for fiscal year 1994 to carry out this section.

[SEC. 318. PROHIBITION ON FEDERAL MANDATES, DIRECTION, AND CONTROL.

[Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, or allocation of State or local resources or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.

[SEC. 319. STATE AND LOCAL GOVERNMENT CONTROL OF EDUCATION.

[(a) FINDINGS.—The Congress finds as follows:

[(1) Congress is interested in promoting State and local government reform efforts in education.

[(2) In Public Law 96–88 the Congress found that education is fundamental to the development of individual citizens and the progress of the Nation.

[(3) In Public Law 96–88 the Congress found that in our Federal system the responsibility for education is reserved respectively to the States and the local school systems and other instrumentalities of the States.

[(4) In Public Law 96–88 the Congress declared the purpose of the Department of Education was to supplement and complement the efforts of States, the local school systems, and other instrumentalities of the States, the private sector, public and private educational institutions, public and private nonprofit educational research institutions, community based organizations, parents and schools to improve the quality of education.

[(5) With the establishment of the Department of Education, Congress intended to protect the rights of State and local governments and public and private educational institutions in the areas of educational policies and administration of programs and to strengthen and improve the control of such governments and institutions over their own educational programs and policies.

[(6) Public Law 96–88 specified that the establishment of the Department of Education shall not increase the authority of the Federal Government over education or diminish the responsibility for education which is reserved to the States and local school systems and other instrumentalities of the States.

[(7) Public Law 96–88 specified that no provision of a program administered by the Secretary or by any other officer of the Department of Health, Education, and Welfare shall be construed to authorize the Secretary or any such officer to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, school, or school system, over any accrediting agency or association or over the selection or content of library resources, textbooks, or other instructional materials by any educational institution or school system.

[(b) REAFFIRMATION.—The Congress agrees and reaffirms that the responsibility for control of education is reserved to the States and local school systems and other instrumentalities of the States and that no action shall be taken under the provisions of this Act by the Federal Government which would, directly or indirectly, impose standards or requirements of any kind through the promulgation of rules, regulations, provision of financial assistance and otherwise, which would reduce, modify, or undercut State and local responsibility for control of education.

[SEC. 320. LIMITATIONS.

[(a) PROHIBITED CONDITIONS.—Nothing in this Act shall be construed to require a State, a local educational agency, or a school, as a condition of receiving assistance under this title—

[(1) to provide outcomes-based education; or

[(2) to provide school-based health clinics or any other health or social service.

[(b) LIMITATION ON GOVERNMENT OFFICIALS.—Nothing in this Act shall be construed to require or permit any Federal or State official to inspect a home, judge how parents raise their children, or remove children from their parents, as a result of the participation of a State, local educational agency, or school in any program or activity carried out under this Act.

[TITLE IV—PARENTAL ASSISTANCE

[SEC. 401. PARENTAL INFORMATION AND RESOURCE CENTERS.

[(a) PURPOSE.—The purpose of this title is—

[(1) to increase parents' knowledge of and confidence in child-rearing activities, such as teaching and nurturing their young children;

[(2) to strengthen partnerships between parents and professionals in meeting the educational needs of children aged birth through 5 and the working relationship between home and school;

[(3) to enhance the developmental progress of children assisted under this title; and

[(4) to fund at least 1 parental information and resource center in each State before September 30, 1998.

[(b) GRANTS AUTHORIZED.—

[(1) IN GENERAL.—The Secretary is authorized to award grants in each fiscal year to nonprofit organizations, and nonprofit organizations in consortia with local educational agencies, to establish parental information and resource centers that provide training, information, and support to—

[(A) parents of children aged birth through 5 years;

[(B) parents of children enrolled in elementary and secondary schools; and

[(C) individuals who work with the parents described in subparagraphs (A) and (B).

[(2) AWARD RULE.—In awarding grants under this title, the Secretary shall ensure that such grants are distributed, to the greatest extent possible, to all geographic regions of the United States.

[SEC. 402. APPLICATIONS.

[(a) GRANTS APPLICATIONS.—

[(1) IN GENERAL.—Each nonprofit organization and nonprofit organization in consortium with a local educational agency which desires a grant under this title 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 assurances that a grantee will—

[(A)(i) be governed by a board of directors the membership of which includes parents; or

[(ii) be an organization that represents the interests of parents;

[(B) establish a special advisory committee the membership of which—

[(i) includes—

[(I) parents described in subparagraphs (A) and (B) of section 401(b)(1); and

[(II) representatives of education professionals with expertise in improving services for disadvantaged children; and

[(ii) is broadly representative of minority, low-income, and other individuals and groups that have an interest in compensatory education and family literacy;

[(C) use at least one-half of the funds provided under this Act in each fiscal year to serve areas with high concentrations of low-income families in order to serve parents who are severely educationally or economically disadvantaged;

[(D) operate a center of sufficient size, scope, and quality to ensure that the center is adequate to serve the parents in the area;

[(E) serve both urban and rural areas;

[(F) design a center that meets the unique training, information, and support needs of parents described in subparagraphs (A) and (B) of section 401(b)(1), particularly parents who are educationally or economically disadvantaged;

[(G) demonstrate the capacity and expertise to conduct the effective training information and support activities for which assistance is sought;

[(H) network with—

[(i) clearinghouses;

[(ii) parent centers for the parents of infants, toddlers, children, and youth with disabilities served under section 631(e) of the Individuals with Disabilities Education Act;

[(iii) other organizations and agencies;

[(iv) established national, State, and local parent groups representing the full range of parents of children, aged birth through 5 years; and

[(v) parents of children enrolled in elementary and secondary schools;

[(I) focus on serving parents described in subparagraphs (A) and (B) of section 401(b) who are parents of low-income, minority, and limited-English proficient, children; and

[(J) use part of the funds received under this title to establish, expand, or operate Parents as Teachers programs or Home Instruction for Preschool Youngsters programs.

[(b) GRANT RENEWAL.—In each fiscal year after the first fiscal year a grantee receives assistance under this title, the grantee shall demonstrate in the application submitted for each fiscal year after such first year that a portion of the services provided by such grantee is supported through non-Federal contributions, which contributions may be in cash or in kind.

[SEC. 403. USES OF FUNDS.

[Grant funds received under this title may be used—

[(1) for parent training, information, and support programs that assist parents to—

[(A) better understand their children's educational needs;

[(B) provide followup support for their children's educational achievement;

[(C) communicate more effectively with teachers, counselors, administrators, and other professional educators and support staff;

[(D) participate in the design and provision of assistance to students who are not making adequate educational progress;

[(E) obtain information about the range of options, programs, services, and resources available at the national,

State, and local levels to assist parents described in subparagraphs (A) and (B) of section 401(b);

[(F) seek technical assistance regarding compliance with the requirements of this title and of other Federal programs relevant to achieving the National Education Goals;

[(G) participate in State and local decisionmaking;

[(H) train other parents; and

[(I) plan, implement, and fund activities that coordinate the education of their children with other Federal programs that serve their children or their families; and

[(2) to include State or local educational personnel where such participation will further the activities assisted under the grant.

[SEC. 404. TECHNICAL ASSISTANCE.

[The Secretary shall provide technical assistance, by grant or contract, for the establishment, development, and coordination of parent training, information and support programs and parental information and resource centers.

[SEC. 405. DEFINITIONS.

[For purposes of this title—

[(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 activities 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;

[(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.

[SEC. 406. REPORTS.

[Each organization receiving a grant under this title shall submit to the Secretary, on an annual basis, information concerning the parental information and resource centers assisted under this title, including—

[(1) the number of parents, including the number of minority and limited-English-proficient parents, who receive information and training;

[(2) the types and modes of training, information, and support provided under this title;

[(3) the number of Parents as Teachers programs and Home Instruction for Preschool Youngsters programs which have been assisted under this title; and

[(4) the strategies used to reach and serve parents of minority and limited-English-proficient children, parents with limited literacy skills, and other parents in need of the services provided under this title.

[SEC. 407. GENERAL PROVISION.

[Notwithstanding any other provision of this title—

[(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 title;

[(2) no program assisted under this title 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 438(c) of the General Education Provision Act shall apply to organizations awarded grants under this title.

[SEC. 408. AUTHORIZATION OF APPROPRIATIONS.

[There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1995 through 1998 to carry out this title.]

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[TITLE VI—INTERNATIONAL EDUCATION PROGRAM

[SEC. 601. INTERNATIONAL EDUCATION PROGRAM.

[(a) PROGRAM ESTABLISHED.—The Secretary, with the concurrence of the Director of the United States Information Agency and with the foreign policy guidance of the Secretary of State, shall

carry out an International Education Program in accordance with this section that shall provide for—

[(1) the study of international education programs and delivery systems; and

[(2) an international education exchange program.

[(b) ASSESSMENT AND INFORMATION.—The Secretary shall award grants for the study, evaluation, and analysis of education systems in other nations, particularly Great Britain, France, Germany and Japan. Such studies shall focus upon a comparative analysis of curriculum, methodology, and organizational structure, including the length of the school year and school day. In addition, the studies shall provide an analysis of successful strategies employed by other nations to improve student achievement, with a specific focus upon application to schooling and the National Education Goals.

[(c) INTERNATIONAL EDUCATION EXCHANGE.—

[(1) REQUIREMENT.—

[(A) IN GENERAL.—The Secretary, in consultation with the Director of the United States Information Agency, shall carry out a program to be known as the International Education Exchange Program. Under such program the Secretary shall award grants to or enter into contracts with organizations with demonstrated effectiveness or expertise in international achievement comparisons, in order to—

[(i) make available to educators from eligible countries exemplary curriculum and teacher training programs in civics and government education and economic education developed in the United States;

[(ii) assist eligible countries in the adaptation and implementation of such programs or joint research concerning such programs;

[(iii) create and implement educational programs for United States students which draw upon the experiences of emerging constitutional democracies;

[(iv) provide a means for the exchange of ideas and experiences in civics and government education and economic education among political, educational, and private sector leaders of participating eligible countries; and

[(v) provide support for—

[(I) research and evaluation to determine the effects of educational programs on students' development of the knowledge, skills, and traits of character essential for the preservation and improvement of constitutional democracy; and

[(II) effective participation in and the preservation and improvement of an efficient market economy.

[(B) PROGRAM ADMINISTRATION.—The Secretary and the Director of the United States Information Agency, or their designees, shall be jointly responsible for the design of the program described in subparagraph (A). The Secretary and the Director of the United States Information Agency shall name to an oversight committee an equal number of rep-

resentatives. Such committee shall determine the specifications for requests for proposals, the eligibility and review criteria for proposals, and the review process for proposals, for grants or contracts under this section. The Director of the United States Information Agency shall have particular responsibility for ensuring that programs assisted under this section are not duplicative of other efforts in the target countries and that foreign partner institutions are creditable.

[(C) RESERVATIONS.—In carrying out the program described in subparagraph (A), there shall be reserved in each fiscal year—

[(i) 50 percent of the amount available to carry out this subsection for civics and government education activities; and

[(ii) 50 percent of such amount available to carry out this subsection for economic education activities.

[(2) CONTRACT AUTHORIZED.—

[(A) IN GENERAL.—The Secretary, in consultation with the Director of the United States Information Agency, is authorized to contract with independent nonprofit educational organizations to carry out the provisions of this subsection.

[(B) NUMBER.—The Secretary, in consultation with the Director of the United States Information Agency, shall award at least 1 but not more than 3 contracts described in subparagraph (A) in each of the areas described in clauses (i) and (ii) of paragraph (1)(B).

[(C) AVOIDANCE OF DUPLICATION.—The Secretary, in consultation with the Director of the United States Information Agency, shall award contracts described in subparagraph (A) so as to avoid duplication of activities in such contracts.

[(D) REQUIREMENTS.—Each organization with which the Secretary enters into a contract pursuant to subparagraph (A) shall—

[(i) be experienced in—

[(I) the development and national implementation of curricular programs in civics and government education and economic education for students from grades kindergarten through 12 in local, intermediate, and State educational agencies, in schools funded by the Bureau, and in private schools throughout the Nation with the cooperation and assistance of national professional educational organizations, colleges and universities, and private sector organizations;

[(II) the development and implementation of cooperative university and school-based inservice training programs for teachers of grades kindergarten through grade 12 using scholars from such relevant disciplines as political science, political philosophy, history, law and economics;

[(III) the development of model curricular frameworks in civics and government education and economic education;

[(IV) the administration of international seminars on the goals and objectives of civics and government education or economic education in constitutional democracies (including the sharing of curricular materials) for educational leaders, teacher trainers, scholars in related disciplines, and educational policymakers; and

[(V) the evaluation of civics and government education or economic education programs; and

[(ii) have the authority to subcontract with other organizations to carry out the provisions of this subsection.

[(3) ACTIVITIES.—The international education program described in this subsection shall—

[(A) provide eligible countries with—

[(i) seminars on the basic principles of United States constitutional democracy and economics, including seminars on the major governmental and economic institutions and systems in the United States, and visits to such institutions;

[(ii) visits to school systems, institutions of higher learning, and nonprofit organizations conducting exemplary programs in civics and government education and economic education in the United States;

[(iii) home stays in United States communities;

[(iv) translations and adaptations regarding United States civics and government education and economic education curricular programs for students and teachers, and in the case of training programs for teachers translations and adaptations into forms useful in schools in eligible countries, and joint research projects in such areas;

[(v) translation of basic documents of United States constitutional government for use in eligible countries, such as The Federalist Papers, selected writings of Presidents Adams and Jefferson and the Anti-Federalists, and more recent works on political theory, constitutional law and economics; and

[(vi) research and evaluation assistance to determine—

[(I) the effects of educational programs on students' development of the knowledge, skills and traits of character essential for the preservation and improvement of constitutional democracy; and

[(II) effective participation in and the preservation and improvement of an efficient market economy;

[(B) provide United States participants with—

[(i) seminars on the histories, economics, and governments of eligible countries;

[(ii) visits to school systems, institutions of higher learning, and organizations conducting exemplary programs in civics and government education and economic education located in eligible countries;

[(iii) home stays in eligible countries;

[(iv) assistance from educators and scholars in eligible countries in the development of curricular materials on the history, government and economics of such countries that are useful in United States classrooms;

[(v) opportunities to provide on-site demonstrations of United States curricula and pedagogy for educational leaders in eligible countries; and

[(vi) research and evaluation assistance to determine—

[(I) the effects of educational programs on students' development of the knowledge, skills and traits of character essential for the preservation and improvement of constitutional democracy; and

[(II) effective participation in and improvement of an efficient market economy; and

[(C) assist participants from eligible countries and the United States in participating in international conferences on civics and government education and economic education for educational leaders, teacher trainers, scholars in related disciplines, and educational policymakers.

[(4) PARTICIPANTS.—The primary participants in the international education program assisted under this subsection shall be leading educators in the areas of civics and government education and economic education, including curriculum and teacher training specialists, scholars in relevant disciplines, and educational policymakers, from the United States and eligible countries.

[(5) PERSONNEL AND TECHNICAL EXPERTS.—The Secretary is authorized to provide Department of Education personnel and technical experts to assist eligible countries to establish and implement a database or other effective methods to improve educational delivery systems, structure and organization.

[(6) DEFINITIONS.—For the purpose of this subsection the term "eligible country" means a Central European country, an Eastern European country, Lithuania, Latvia, Estonia, Georgia, the Commonwealth of Independent States, and any country that formerly was a republic of the Soviet Union whose political independence is recognized in the United States.

[(d) AUTHORIZATION OF APPROPRIATIONS.—

[(1) ASSESSMENT AND INFORMATION.—There are authorized to be appropriated $1,000,000 for fiscal year 1995, and such sums as may be necessary for each of the fiscal years 1996 through 1999, to carry out subsection (b).

[(2) INTERNATIONAL EDUCATION EXCHANGE.—There are authorized to be appropriated $10,000,000 for fiscal year 1995, and such sums as may be necessary for each of the fiscal years 1996 through 1999, to carry out subsection (c).]

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SCHOOL-TO-WORK OPPORTUNITIES ACT OF 1994

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[TITLE II—SCHOOL-TO-WORK OPPORTUNITIES SYSTEM DEVELOPMENT AND IMPLEMENTATION GRANTS TO STATES

[Subtitle A—State Development Grants

[SEC. 201. PURPOSE.

[The purpose of this subtitle is to assist States in planning and developing comprehensive statewide School-to-Work Opportunities systems.

[SEC. 202. AUTHORIZATION.

[(a) GRANTS TO STATES.—

[(1) IN GENERAL.—On the application of the Governor on behalf of a State in accordance with section 203, the Secretaries may provide a development grant to the State in such amounts as the Secretaries determine to be necessary to enable such State to complete planning and development of a comprehensive statewide School-to-Work Opportunities system.

[(2) AMOUNT.—The amount of a development grant under this section may not exceed $1,000,000 for any fiscal year.

[(3) COMPLETION.—The Secretaries may provide such grant to complete development of a statewide School-to-Work Opportunities systems initiated with funds received under the Job Training Partnership Act (29 U.S.C. 1501 et seq.) or the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.).

[(b) GRANTS TO TERRITORIES.—In providing grants under this section to the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau, the Secretaries shall use amounts reserved under section 605(b)(1).

[SEC. 203. APPLICATION.

[(a) IN GENERAL.—The Secretaries may not provide a development grant under section 202 to a State unless the Governor of the State, on behalf of the State, submits to the Secretaries an application, at such time, in such form, and containing such information as the Secretaries may reasonably require.

[(b) CONTENTS.—Such application shall include—

[(1) a timetable and an estimate of the amount of funding needed to complete the planning and development necessary to implement a comprehensive statewide School-to-Work Opportunities system for all students;

[(2) a description of how—

[(A) the Governor;

[(B) the State educational agency;

[(C) the State agency officials responsible for economic development;

[(D) the State agency officials responsible for employment;

[(E) the State agency officials responsible for job training;

[(F) the State agency officials responsible for postsecondary education;

[(G) the State agency officials responsible for vocational education;

[(H) the State agency officials responsible for vocational rehabilitation;

[(I) the individual assigned by the State under section 111(b)(1) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2321(b)(1));

[(J) other appropriate officials, including the State human resource investment council established in accordance with title VII of the Job Training Partnership Act (29 U.S.C. 1792 et seq.), if the State has established such a council; and

[(K) representatives of the private sector;

will collaborate in the planning and development of the statewide School-to-Work Opportunities system;

[(3) a description of the manner in which the State has obtained and will continue to obtain the active and continued participation, in the planning and development of the statewide School-to-Work Opportunities system, of employers and other interested parties, such as locally elected officials, secondary schools and postsecondary educational institutions (or related agencies), business associations, industrial extension centers, employees, labor organizations or associations of such organizations, teachers, related services personnel, students, parents, community-based organizations, rehabilitation agencies and organizations, Indian tribes, registered apprenticeship agencies, vocational educational agencies, vocational student organizations, and human service agencies;

[(4) a description of the manner in which the State will coordinate planning activities with any local school-to-work programs, including programs funded under title III, if any;

[(5) a designation of a fiscal agent to receive and be accountable for funds provided from a grant under section 202; and

[(6) a description of how the State will provide opportunities for students from low-income families, low-achieving students, students with limited-English proficiency, students with disabilities, students living in rural communities with low population densities, school dropouts, and academically talented students to participate in School-to-Work Opportunities programs.

[(c) COORDINATION WITH GOALS 2000: EDUCATE AMERICA ACT.—A State seeking assistance under both this subtitle and the Goals 2000: Educate America Act may—

[(1) submit a single application containing plans that meet the requirements of such subtitle and such Act and ensure that the plans are coordinated and not duplicative; or

[(2) if such State has already submitted its application for funds under the Goals 2000: Educate America Act, submit its application under this subtitle as an amendment to the Goals 2000: Educate America Act application if such amendment meets the requirements of this subtitle and is coordinated with and not duplicative of the Goals 2000: Educate America Act application.

[SEC. 204. APPROVAL OF APPLICATION.

[The Secretaries may approve an application submitted by a State under section 203 only if the State demonstrates in such application that the activities proposed to be undertaken by the State to develop a statewide School-to-Work Opportunities system are consistent with the State improvement plan for the State, if any, under the Goals 2000: Educate America Act.

[SEC. 205. USE OF AMOUNTS.

[The Secretaries may not provide a development grant under section 202 to a State unless the State agrees that the State will use all amounts received from such grant for activities to develop a statewide School-to-Work Opportunities system, which may include—

[(1) identifying or establishing an appropriate State structure to administer the statewide School-to-Work Opportunities system;

[(2) identifying secondary and postsecondary school-to-work programs in existence on or after the date of the enactment of this Act that might be incorporated into such system;

[(3) identifying or establishing broad-based partnerships among employers, labor, education, government, and other community-based organizations and parent organizations to participate in the design, development, and administration of School-to-Work Opportunities programs;

[(4) developing a marketing plan to build consensus and support for such programs;

[(5) promoting the active involvement of business (including small- and medium-sized businesses) in planning, developing, and implementing local School-to-Work Opportunities programs, and in establishing partnerships between business and elementary schools and secondary schools (including middle schools);

[(6) identifying ways that local school-to-work programs in existence on or after the date of the enactment of this Act could be coordinated with the statewide School-to-Work Opportunities system;

[(7) supporting local planning and development activities to provide guidance, training and technical assistance for teachers, employers, mentors, counselors, administrators, and others in the development of School-to-Work Opportunities programs;

[(8) identifying or establishing mechanisms for providing training and technical assistance to enhance the development of the statewide School-to-Work Opportunities system;

[(9) developing a training and technical support system for teachers, employers, mentors, counselors, related services personnel, and others that includes specialized training and tech-

nical support for the counseling and training of women, minorities, and individuals with disabilities for high-skill, high-wage careers in nontraditional employment;

[(10) initiating pilot programs for testing key components of the program design of programs under the statewide School-to-Work Opportunities system;

[(11) developing a State process for issuing skill certificates that is, to the extent feasible, consistent with the skill standards certification systems endorsed under the National Skill Standards Act of 1994;

[(12) designing challenging curricula, in cooperation with representatives of local partnerships, that take into account the diverse learning needs and abilities of the student population served by the statewide School-to-Work Opportunities system;

[(13) developing a system for labor market analysis and strategic planning for local targeting of industry sectors or broad occupational clusters that can provide students with placements in high-skill workplaces;

[(14) analyzing the post-high school employment experiences of recent high school graduates and school dropouts;

[(15) preparing the plan described in section 213(d);

[(16) working with localities to develop strategies to recruit and retain all students in programs under this Act through collaborations with community-based organizations, where appropriate, and other entities with expertise in working with such students;

[(17) coordinating recruitment of out-of-school, at-risk, and disadvantaged youths with those organizations and institutions that have a successful history of working with such youths; and

[(18) providing technical assistance to rural areas in planning, developing, and implementing local School-to-Work Opportunities programs that meet the needs of rural communities with low population densities.

[SEC. 206. MAINTENANCE OF EFFORT.

[(a) IN GENERAL.—A State may receive a development grant under section 202 for a fiscal year only if the State provides assurances, satisfactory to the Secretaries, that—

[(1) the amount of State funds expended per student by the State for school-to-work activities of the type described in title I for the preceding fiscal year was not less than 90 percent of the amount so expended for the second preceding fiscal year; or

[(2) the aggregate amount of State funds expended by the State for such activities for the preceding fiscal year was not less than 90 percent of the amount so expended for the second preceding fiscal year.

[(b) WAIVER.—

[(1) DETERMINATION.—The Secretaries may jointly waive the requirements described in subsection (a) for a State that requests such a waiver if the Secretaries determine that such a waiver would be equitable due to—

[(A) exceptional or uncontrollable circumstances such as a natural disaster; or

[(B) a precipitous decline in the financial resources of the State.

[(2) REQUEST.—To be eligible to receive such a waiver, a State shall submit a request at such time, in such form, and containing such information as the Secretaries may require.

[SEC. 207. REPORTS.

[The Secretaries may not provide a development grant under section 202 to a State unless the State agrees that the State will submit to the Secretaries such reports as the Secretaries may reasonably require, relating to the use of amounts from such grant, except that the Secretaries may not require more than 1 such report during any 3-month period.

[Subtitle B—State Implementation Grants

[SEC. 211. PURPOSE.

[The purpose of this subtitle is to assist States in the implementation of comprehensive statewide School-to-Work Opportunities systems.

[SEC. 212. AUTHORIZATION.

[(a) GRANTS TO STATES.—On the application of the Governor on behalf of a State in accordance with section 213, the Secretaries may provide an implementation grant to the State in such amounts as the Secretaries determine to be necessary to enable such State to implement a comprehensive statewide School-to-Work Opportunities system.

[(b) GRANTS TO TERRITORIES.—In providing grants under this section to the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the Virgin Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, or the Republic of Palau, the Secretaries shall use amounts reserved under section 605(b)(1).

[(c) PERIOD OF GRANT.—The provision of payments under a grant under subsection (a) shall not exceed 5 fiscal years and shall be subject to the annual approval of the Secretaries and subject to the availability of appropriations for the fiscal year involved to make the payments.

[(d) LIMITATION.—A State shall be eligible to receive only 1 implementation grant under subsection (a).

[SEC. 213. APPLICATION.

[(a) IN GENERAL.—

[(1) SUBMISSION BY GOVERNOR ON BEHALF OF STATE.—Subject to paragraph (2), the Secretaries may not provide an implementation grant under section 212 to a State unless the Governor of the State, on behalf of the State, submits to the Secretaries an application, at such time, in such form, and containing such information as the Secretaries may reasonably require.

[(2) REVIEW AND COMMENT BY CERTAIN INDIVIDUALS AND ENTITIES.—If, after a reasonable effort, the Governor is unable in

accordance with subsection (d)(4) to obtain the support of the individuals and entities described in subparagraphs (A) through (J) of subsection (b)(4) for the State plan described in subsection (d), then the Governor shall—

[(A) provide such individuals and entities with copies of such application;

[(B) allow such individuals and entities to submit to the Governor, not later than the end of the 30-day period beginning on the date on which the Governor provides such individuals and entities with copies of such application under subparagraph (A), comments on those portions of the plan that address matters that, under State or other applicable law, are under the jurisdiction of such individuals or entities; and

[(C) include any such comments in the application in accordance with subsection (b)(5).

[(b) CONTENTS.—Such application shall include—

[(1) a plan for a comprehensive, statewide School-to-Work Opportunities system that meets the requirements of subsection (d);

[(2) a description of the manner in which the State will allocate funds made available through such a grant to local partnerships under section 215(b)(7);

[(3) a request, if the State decides to submit such a request, for 1 or more waivers of certain statutory or regulatory requirements, as provided for under title V;

[(4) a description of the manner in which—

[(A) the Governor;

[(B) the State educational agency;

[(C) the State agency officials responsible for economic development;

[(D) the State agency officials responsible for employment;

[(E) the State agency officials responsible for job training;

[(F) the State agency officials responsible for postsecondary education;

[(G) the State agency officials responsible for vocational education;

[(H) the State agency officials responsible for vocational rehabilitation;

[(I) the individual assigned for the State under section 111(b)(1) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2321(b)(1));

[(J) other appropriate officials, including the State human resource investment council established in accordance with title VII of the Job Training Partnership Act (29 U.S.C. 1792 et seq.), if the State has established such a council; and

[(K) representatives of the private sector;

collaborated in the development of the application;

[(5) the comments submitted to the Governor under subsection (a)(2), where applicable; and

[(6) such other information as the Secretaries may require.

[(c) COORDINATION WITH GOALS 2000: EDUCATE AMERICA ACT.—A State seeking assistance under both this subtitle and the Goals 2000: Educate America Act may—

[(1) submit a single application containing plans that meet the requirements of such subtitle and such Act and ensure that the plans are coordinated and not duplicative; or

[(2) if such State has already submitted its application for funds under the Goals 2000: Educate America Act, submit its application under this subtitle as an amendment to the Goals 2000: Educate America Act application if such amendment meets the requirements of this subtitle and is coordinated with and not duplicative of the Goals 2000: Educate America Act application.

[(d) STATE PLAN.—A State plan referred to in subsection (b)(1) shall—

[(1) designate the geographical areas, including urban and rural areas, to be served by local partnerships that receive grants under section 215(b), which geographic areas shall, to the extent feasible, reflect local labor market areas;

[(2) describe the manner in which the State will stimulate and support local School-to-Work Opportunities programs and the manner in which the statewide School-to-Work Opportunities system will be expanded over time to cover all geographic areas in the State, including urban and rural areas;

[(3) describe the procedure by which the individuals and entities described in subsection (b)(4) will collaborate in the implementation of the School-to-Work Opportunities system;

[(4) demonstrate the support of individuals and entities described in subparagraphs (A) through (J) of subsection (b)(4) for the plan, except in the case where the Governor is unable to obtain the support of such individuals and entities as provided in subsection (a)(2);

[(5) describe the manner in which the State has obtained and will continue to obtain the active and continued involvement, in the statewide School-to-Work Opportunities system, of employers and other interested parties such as locally elected officials, secondary schools and postsecondary educational institutions (or related agencies), business associations, industrial extension centers, employees, labor organizations or associations of such organizations, teachers, related services personnel, students, parents, community-based organizations, rehabilitation agencies and organizations, registered apprenticeship agencies, local vocational educational agencies, vocational student organizations, State or regional cooperative education associations, and human service agencies;

[(6) describe the manner in which the statewide School-to-Work Opportunities system will coordinate with or integrate local school-to-work programs in existence on or after the date of the enactment of this Act, including programs financed from State and private sources, with funds available from such related Federal programs as programs under—

[(A) the Adult Education Act (20 U.S.C. 1201 et seq.);

[(B) the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.);

[(C) the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2701 et seq.);

[(D) the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.);

[(E) part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) relating to work activities;

[(F) the Goals 2000: Educate America Act;

[(G) the National Skills Standards Act of 1994;

[(H) the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

[(I) the Job Training Partnership Act (29 U.S.C. 1501 et seq.);

[(J) the Act of August 16, 1937 (commonly known as the "National Apprenticeship Act"; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.);

[(K) the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.); and

[(L) the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.);

[(7) describe the strategy of the State for providing training for teachers, employers, mentors, counselors, related services personnel, and others, including specialized training and technical support for the counseling and training of women, minorities, and individuals with disabilities for high-skill, high-wage careers in nontraditional employment, and provide assurances of coordination with similar training and technical support under other provisions of law;

[(8) describe how the State will adopt, develop, or assist local partnerships to adopt or develop model curricula and innovative instructional methodologies, to be used in the secondary, and where possible, the elementary grades, that integrate academic and vocational learning and promote career awareness, and that are consistent with academic and skill standards established pursuant to the Goals 2000: Educate America Act and the National Skill Standards Act of 1994;

[(9) describe how the State will expand and improve career and academic counseling in the elementary and secondary grades, which may include linkages to career counseling and labor market information services outside of the school system;

[(10) describe the strategy of the State for integrating academic and vocational education;

[(11) describe the resources, including private sector resources, the State intends to employ in maintaining the statewide School-to-Work Opportunities system when funds under this Act are no longer available;

[(12) describe the extent to which the statewide School-to-Work Opportunities system will include programs that will require paid high-quality, work-based learning experiences, and the steps the State will take to generate such paid experiences;

[(13) describe the manner in which the State will ensure effective and meaningful opportunities for all students in the State to participate in School-to-Work Opportunities programs;

[(14) describe the goals of the State and the methods the State will use, such as awareness and outreach, to ensure op-

portunities for young women to participate in School-to-Work Opportunities programs in a manner that leads to employment in high-performance, high-paying jobs, including nontraditional employment, and goals to ensure an environment free from racial and sexual harassment;

[(15) describe how the State will ensure opportunities for low achieving students, students with disabilities, school dropouts, and academically talented students to participate in School-to-Work Opportunities programs;

[(16) describe the process of the State for assessing the skills and knowledge required in career majors, and the process for awarding skill certificates that is, to the extent feasible, consistent with the skills standards certification systems endorsed under the National Skill Standards Act of 1994;

[(17) describe the manner in which the State will ensure that students participating in the programs are provided, to the greatest extent possible, with flexibility to develop new career goals over time and to change career majors;

[(18) describe the manner in which the State will, to the extent feasible, continue programs funded under title III in the statewide School-to-Work Opportunities system;

[(19) describe how the State will serve students from rural communities with low population densities;

[(20) describe how local School-to-Work Opportunities programs, including those funded under title III, if any, will be integrated into the statewide School-to-Work Opportunities system;

[(21) describe the performance standards that the State intends to meet in establishing and carrying out the statewide School-to-Work Opportunities system, including how such standards relate to those performance standards established under other related programs;

[(22) designate a fiscal agent to receive and be accountable for funds provided from a grant under section 212; and

[(23) describe the procedures to facilitate the entry of students participating in a School-to-Work Opportunities program into additional training or postsecondary education programs, as well as to facilitate the transfer of the students between education and training programs.

[SEC. 214. REVIEW OF APPLICATION.

[(a) CONSIDERATIONS.—In evaluating applications submitted under section 213, the Secretaries shall—

[(1) give priority to applications that describe the highest levels of concurrence by the individuals and entities described in section 213(b)(4) with the State plan for the statewide School-to-Work Opportunities system;

[(2) give priority to applications that require paid, high-quality work-based learning experiences as an integral part of such system; and

[(3) take into consideration the quality of the application, including the replicability, sustainability, and innovation of School-to-Work Opportunities programs described in the application.

[(b) APPROVAL CRITERIA.—The Secretaries—

[(1) shall approve only those applications submitted under section 213 that demonstrate the highest levels of collaboration by the individuals and entities described in section 213(b)(4) in the development and implementation of the statewide School-to-Work system;

[(2) shall approve an application submitted under section 213 only if the State provides the assurances described in section 206(a) (relating to maintenance of effort) in accordance with such section, except that this requirement may be waived in accordance with section 206(b); and

[(3) may approve an application submitted under section 213 only if the State demonstrates in the application—

[(A) that other Federal, State, and local resources will be used to implement the proposed State plan;

[(B) the extent to which such plan would limit administrative costs and increase amounts spent on delivery of services to students enrolled in programs under this Act;

[(C) that the State, where appropriate, will ensure the establishment of a partnership in at least 1 urban and 1 rural area in the State; and

[(D) that the State plan contained in such application is consistent with the State improvement plan for the State, if any, under the Goals 2000: Educate America Act.

[(c) ACTIONS.—

[(1) IN GENERAL.—In reviewing each application submitted under section 213, the Secretaries shall determine whether the application and the plan described in such application meet the approval criteria in subsection (b).

[(2) ACTIONS AFTER AFFIRMATIVE DETERMINATION.—If the determination under paragraph (1) is affirmative, the Secretaries may take 1 or more of the following actions:

[(A) Provide an implementation grant under section 212 to the State submitting the application.

[(B) Approve the request of the State, if any, for a waiver in accordance with the procedures set forth in title V.

[(3) ACTION AFTER NONAFFIRMATIVE DETERMINATION.—If the determination under paragraph (1) is not affirmative, the Secretaries shall inform the State of the opportunity to apply for development funds under subtitle A in accordance with such subtitle.

[(d) USE OF FUNDS FOR REVIEW OF APPLICATIONS.—The Secretaries may use amounts reserved under section 605(b)(4) for the review of applications submitted under section 213.

[SEC. 215. USE OF AMOUNTS.

[(a) IN GENERAL.—The Secretaries may not provide an implementation grant under section 212 to a State unless the State agrees that the State will use all amounts received from such grant to implement the statewide School-to-Work Opportunities system in accordance with this section.

[(b) SUBGRANTS TO LOCAL PARTNERSHIPS.—

[(1) AUTHORITY.—

[(A) IN GENERAL.—Except as provided in subparagraph (B), the State shall provide subgrants to local partnerships, according to criteria established by the State, for the

purpose of carrying out School-to-Work Opportunities programs.

[(B) PROHIBITION.—The State shall not provide subgrants to local partnerships that have received implementation grants under title III, except that this prohibition shall not apply with respect to local partnerships that are located in high poverty areas, as such term is defined in section 307.

[(2) APPLICATION.—A local partnership that seeks a subgrant to carry out a local School-to-Work Opportunities program, including a program initiated under section 302, shall submit an application to the State that—

[(A) describes how the program will include the program components described in sections 102, 103, and 104 and otherwise meet the requirements of this Act;

[(B) sets forth measurable program goals and outcomes;

[(C) describes the local strategies and timetables of the local partnership to provide opportunities for all students in the area served to participate in a School-to-Work Opportunities program;

[(D) describes the extent to which the program will require paid high-quality, work-based learning experiences, and the steps the local partnerships will take to generate such paid experiences;

[(E) describes the process that will be used to ensure employer involvement in the development and implementation of the local School-to-Work Opportunities program;

[(F) provides assurances that, to the extent practicable, opportunities provided to students to participate in a School-to-Work Opportunities program will be in industries and occupations offering high-skill, high-wage employment opportunities;

[(G) provides such other information as the State may require; and

[(H) is submitted at such time and in such form as the State may require.

[(3) DISAPPROVAL OF APPLICATION.—If the State determines that an application submitted by a local partnership does not meet the criteria under paragraph (2), or that the application is incomplete or otherwise unsatisfactory, the State shall—

[(A) notify the local partnership of the reasons for the failure to approve the application; and

[(B) permit the local partnership to resubmit a corrected or amended application.

[(4) ALLOWABLE ACTIVITIES.—A local partnership shall expend funds provided through subgrants under this subsection only for activities undertaken to carry out local School-to-Work Opportunities programs, and such activities may include, for each such program—

[(A) recruiting and providing assistance to employers, including small- and medium-size businesses, to provide the work-based learning components described in section 103;

[(B) establishing consortia of employers to support the School-to-Work Opportunities program and provide access to jobs related to the career majors of students;

[(C) supporting or establishing intermediaries (selected from among the members of the local partnership) to perform the activities described in section 104 and to provide assistance to students or school dropouts in obtaining jobs and further education and training;

[(D) designing or adapting school curricula that can be used to integrate academic, vocational, and occupational learning, school-based and work-based learning, and secondary and postsecondary education for all students in the area served;

[(E) providing training to work-based and school-based staff on new curricula, student assessments, student guidance, and feedback to the school regarding student performance;

[(F) establishing, in schools participating in the School-to-Work Opportunities program, a graduation assistance program to assist at-risk students, low-achieving students, and students with disabilities, in graduating from high school, enrolling in postsecondary education or training, and finding or advancing in jobs;

[(G) providing career exploration and awareness services, counseling and mentoring services, college awareness and preparation services, and other services (beginning at the earliest possible age, but not later than the 7th grade) to prepare students for the transition from school to work;

[(H) providing supplementary and support services, including child care and transportation, when such services are necessary for participation in a local School-to-Work Opportunities program;

[(I) conducting or obtaining an in-depth analysis of the local labor market and the generic and specific skill needs of employers to identify high-demand, high-wage careers to target;

[(J) integrating school-based and work-based learning into job training programs that are for school dropouts and that are in existence on or after the date of the enactment of this Act;

[(K) establishing or expanding school-to-apprenticeship programs in cooperation with registered apprenticeship agencies and apprenticeship sponsors;

[(L) assisting participating employers, including small- and medium-size businesses, to identify and train workplace mentors and to develop work-based learning components;

[(M) promoting the formation of partnerships between elementary schools and secondary schools (including middle schools) and local businesses as an investment in future workplace productivity and competitiveness;

[(N) designing local strategies to provide adequate planning time and staff development activities for teachers, school counselors, related services personnel, and school

site mentors, including opportunities outside the classroom that are at the worksite;

[(O) enhancing linkages between after-school, weekend, and summer jobs, career exploration, and school-based learning; and

[(P) obtaining the assistance of organizations and institutions that have a history of success in working with school dropouts and at-risk and disadvantaged youths in recruiting such school dropouts and youths to participate in the local School-to-Work Opportunities program.

[(5) LOCAL PARTNERSHIP COMPACT.—The State may not provide a subgrant under paragraph (1) to a local partnership unless the partnership agrees that the local partnership will establish a process by which the responsibilities and expectations of students, parents, employers, and schools are clearly established and agreed upon at the point of entry of the student into a career major program of study.

[(6) ADMINISTRATIVE COSTS.—The local partnership may not use more than 10 percent of amounts received from a subgrant under paragraph (1) for any fiscal year for administrative costs associated with activities in carrying out, but not including, activities under paragraphs (4) and (5) for such fiscal year.

[(7) ALLOCATION REQUIREMENTS.—

[(A) FIRST YEAR.—In the 1st fiscal year for which a State receives amounts from a grant under section 212, the State shall use not less than 70 percent of such amounts to provide subgrants to local partnerships under paragraph (1).

[(B) SECOND YEAR.—In the 2d fiscal year for which a State receives amounts from a grant under section 212, the State shall use not less than 80 percent of such amounts to provide subgrants to local partnerships under paragraph (1).

[(C) THIRD YEAR AND SUCCEEDING YEARS.—In the 3d fiscal year for which a State receives amounts from a grant under section 212, and in each succeeding year, the State shall use not less than 90 percent of such amounts to provide subgrants to local partnerships under paragraph (1).

[(c) ADDITIONAL STATE ACTIVITIES.—In carrying out the statewide School-to-Work Opportunities system, the State may also—

[(1) recruit and provide assistance to employers to provide work-based learning for all students;

[(2) conduct outreach activities to promote and support collaboration, in School-to-Work Opportunities programs, by businesses, labor organizations, and other organizations;

[(3) provide training for teachers, employers, workplace mentors, school site mentors, counselors, related services personnel, and other parties;

[(4) provide labor market information to local partnerships that is useful in determining which high-skill, high-wage occupations are in demand;

[(5) design or adapt model curricula that can be used to integrate academic, vocational, and occupational learning, school-

based and work-based learning, and secondary and postsecondary education, for all students in the State;

[(6) design or adapt model work-based learning programs and identify best practices for such programs;

[(7) conduct outreach activities and provide technical assistance to other States that are developing or implementing School-to-Work Opportunities systems;

[(8) reorganize and streamline school-to-work programs in the State to facilitate the development of a comprehensive statewide School-to-Work Opportunities system;

[(9) identify ways that local school-to-work programs in existence on or after the date of the enactment of this Act could be integrated with the statewide School-to-Work Opportunities system;

[(10) design career awareness and exploration activities (beginning at the earliest possible age, but not later than the 7th grade), such as job shadowing, job site visits, school visits by individuals in various occupations, and mentoring;

[(11) design and implement school-sponsored work experiences, such as school-sponsored enterprises and community development projects;

[(12) promote the formation of partnerships between elementary schools and secondary schools (including middle schools) and local businesses as an investment in future workplace productivity and competitiveness;

[(13) obtain the assistance of organizations and institutions that have a history of success in working with school dropouts and at-risk and disadvantaged youths in recruiting such school dropouts and youths to participate in the statewide School-to-Work Opportunities system;

[(14) conduct outreach to all students in a manner that most appropriately meets their needs and the needs of their communities; and

[(15) provide career exploration and awareness services, counseling and mentoring services, college awareness and preparation services, and other services (beginning at the earliest possible age, but not later than the 7th grade) to prepare students for the transition from school to work.

[SEC. 216. ALLOCATION REQUIREMENT.

[The Secretaries shall establish the minimum and maximum amounts available for an implementation grant under section 212, and shall determine the actual amount granted to any State under such section, based on such criteria as the scope and quality of the plan described in section 213(d) and the number of projected participants in programs carried out through the system.

[SEC. 217. LIMITATION ON ADMINISTRATIVE COSTS.

[A State that receives an implementation grant under section 212 may not use more than 10 percent of the amounts received through the grant for any fiscal year for administrative costs associated with implementing the statewide School-to-Work Opportunities system for such fiscal year.

[SEC. 218. REPORTS.

[The Secretaries may not provide an implementation grant under section 212 to a State unless the State agrees that the State will submit to the Secretaries such reports as the Secretaries may reasonably require, relating to the use of amounts from such grant, except that the Secretaries may not require more than 1 such report during any 3-month period.

[Subtitle C—Development and Implementation Grants for School-to-Work Programs for Indian Youths

[SEC. 221. AUTHORIZATION.

[(a) IN GENERAL.—From amounts reserved under section 605(b)(2), the Secretaries shall provide grants to establish and carry out School-to-Work Opportunities programs for Indian youths that involve Bureau funded schools (as defined in section 1139(3) of the Education Amendments of 1978 (25 U.S.C. 2019(3))).

[(b) ADDITIONAL AUTHORITIES.—The Secretaries may carry out subsection (a) through such means as the Secretaries find appropriate, including—

[(1) the transfer of funds to the Secretary of the Interior; and

[(2) the provision of financial assistance to Indian tribes and Indian organizations.

[SEC. 222. REQUIREMENTS.

[In providing grants under section 221, the Secretaries shall require recipients of such grants to comply with requirements similar to those requirements imposed on States under subtitles A and B of this title.

[TITLE III—FEDERAL IMPLEMENTATION GRANTS TO LOCAL PARTNERSHIPS

[SEC. 301. PURPOSES.

[The purposes of this title are—

[(1) to authorize the Secretaries to provide competitive grants directly to local partnerships in order to provide funding for communities that have built a sound planning and development base for School-to-Work Opportunities programs and are ready to begin implementing a local School-to-Work Opportunities program; and

[(2) to authorize the Secretaries to provide competitive grants to local partnerships to implement School-to-Work Opportunities programs in high poverty areas of urban and rural communities to provide support for a comprehensive range of education, training, and support services for youths residing in such areas.

[SEC. 302. AUTHORIZATION.

[(a) GRANTS TO LOCAL PARTNERSHIPS.—

[(1) IN GENERAL.—Subject to paragraph (2), the Secretaries may provide implementation grants, in accordance with competitive criteria established by the Secretaries, directly to local partnerships in States in such amounts as the Secretaries determine to be necessary to enable such partnerships to implement School-to-Work Opportunities programs.

[(2) RESTRICTIONS.—A local partnership—

[(A) shall be eligible to receive only 1 grant under this subsection; and

[(B) shall not be eligible to receive a grant under this subsection if such partnership is located in a State that—

[(i) has been provided an implementation grant under section 212; and

[(ii) has received amounts from such grant for any fiscal year after the 1st fiscal year under such grant.

[(b) GRANTS TO LOCAL PARTNERSHIPS IN HIGH POVERTY AREAS.—

[(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Secretaries shall, from amounts reserved under section 605(b)(3), provide grants to local partnerships that are located in high poverty areas in States in such amounts as the Secretaries determine to be necessary to enable such partnerships to implement School-to-Work Opportunities programs in such areas.

[(2) RESTRICTION.—A local partnership shall be eligible to receive only 1 grant under this subsection.

[(3) PRIORITY.—In providing grants under paragraph (1), the Secretaries shall give priority to local partnerships that have a demonstrated effectiveness in the delivery of comprehensive vocational preparation programs with successful rates in job placement through cooperative activities among local educational agencies, local businesses, labor organizations, and other organizations.

[(c) PERIOD OF GRANT.—The provision of payments under a grant under subsection (a) or (b) shall not exceed 5 fiscal years and shall be subject to the annual approval of the Secretaries and subject to the availability of appropriations for the fiscal year involved to make the payments.

[SEC. 303. APPLICATION.

[(a) IN GENERAL.—A local partnership that desires to receive a Federal implementation grant under section 302 shall submit an application to the Secretaries at such time and in such form as the Secretaries may require. The local partnership shall submit the application to the State for review and comment before submitting the application to the Secretaries.

[(b) TIME LIMIT FOR STATE REVIEW AND COMMENT.—

[(1) IN GENERAL.—The State shall provide for review and comment on the application under subsection (a) not later than 30 days after the date on which the State receives the application from the local partnership.

[(2) SUBMISSION WITHOUT STATE REVIEW AND COMMENT.—If the State does not provide review and comment within the 30-day time period specified in paragraph (1), the local partner-

ship may submit the application to the Secretaries without first obtaining such review and comment.

[(c) CONTENTS.—The application described in subsection (a) shall include a plan for local School-to-Work Opportunities programs that—

[(1) describes the manner in which the local partnership will meet the requirements of this Act;

[(2) includes the comments of the State on the plan, if any;

[(3) contains information that is consistent with the information required to be submitted as part of a State plan in accordance with paragraphs (5) through (17) and paragraph (23) of section 213(d);

[(4) designates a fiscal agent to receive and be accountable for funds under this section; and

[(5) provides such other information as the Secretaries may require.

[(d) USE OF FUNDS FOR REVIEW OF APPLICATIONS.—The Secretaries may use amounts reserved under section 605(b)(4) for the review of applications submitted under subsection (a).

[SEC. 304. USE OF AMOUNTS.

[The Secretaries may not provide an implementation grant under section 302 to a local partnership unless the partnership agrees that it will use all amounts from such grant to carry out activities to implement a School-to-Work Opportunities program, including the activities described in section 215(b)(4).

[SEC. 305. CONFORMITY WITH APPROVED STATE PLAN.

[The Secretaries shall not provide a grant under section 302 to a local partnership in a State that has an approved State plan unless the Secretaries determine, after consultation with the State, that the plan submitted by the partnership is in accordance with such approved State plan.

[SEC. 306. REPORTS.

[The Secretaries may not provide an implementation grant under section 302 to a local partnership unless the partnership agrees that the local partnership will submit to the Secretaries such reports as the Secretaries may reasonably require, relating to the use of amounts from such grant, except that the Secretaries may not require more than 1 such report during any 3-month period.

[SEC. 307. HIGH POVERTY AREA DEFINED.

[For purposes of this title, the term "high poverty area" means an urban census tract, a contiguous group of urban census tracts, a block number area in a nonmetropolitan county, a contiguous group of block number areas in a nonmetropolitan county, or an Indian reservation (as defined in section 403(9) of the Indian Child Protection and Family Violence Prevention Act (25 U.S.C. 3202(9))), with a poverty rate of 20 percent or more among individuals who have not attained the age of 22, as determined by the Bureau of the Census.

[TITLE IV—NATIONAL PROGRAMS

[SEC. 401. RESEARCH, DEMONSTRATION, AND OTHER PROJECTS.

[(a) IN GENERAL.—The Secretaries shall conduct research and development projects and establish a program of experimental and demonstration projects, to further the purposes of this Act.

[(b) ADDITIONAL USE OF FUNDS.—The Secretaries may provide assistance for programs or services authorized under any other provision of this Act that are most appropriately administered at the national level and that will operate in, or benefit, more than 1 State.

[SEC. 402. PERFORMANCE OUTCOMES AND EVALUATION.

[(a) IN GENERAL.—The Secretaries, in collaboration with the States, shall by grant, contract, or otherwise, establish a system of performance measures for assessing State and local programs regarding—

[(1) progress in the development and implementation of State plans described in section 213(d) that include the basic program components described in sections 102, 103, and 104 and otherwise meet the requirements of title I;

[(2) participation in School-to-Work Opportunities programs by employers, schools, students, and school dropouts, including information on the gender, race, ethnicity, socioeconomic background, limited-English proficiency, and disability of all participants and whether the participants are academically talented students;

[(3) progress in developing and implementing strategies for addressing the needs of students and school dropouts;

[(4) progress in meeting the goals of the State to ensure opportunities for young women to participate in School-to-Work Opportunities programs, including participation in nontraditional employment through such programs;

[(5) outcomes for participating students and school dropouts, by gender, race, ethnicity, socioeconomic background, limited-English proficiency, and disability of the participants, and whether the participants are academically talented students, including information on—

[(A) academic learning gains;

[(B) staying in school and attaining—

[(i) a high school diploma, or a general equivalency diploma, or an alternative diploma or certificate for those students with disabilities for whom such alternative diploma or certificate is appropriate;

[(ii) a skill certificate; and

[(iii) a postsecondary degree;

[(C) attainment of strong experience in and understanding of all aspects of the industry the students are preparing to enter;

[(D) placement and retention in further education or training, particularly in the career major of the student; and

[(E) job placement, retention, and earnings, particularly in the career major of the student; and

[(6) the extent to which the program has met the needs of employers.

[(b) EVALUATION.—Not later than September 30, 1998, the Secretaries shall complete a national evaluation of School-to-Work Opportunities programs funded under this Act by grants, contracts, or otherwise, that will track and assess the progress of implementation of State and local programs and their effectiveness based on measures such as those measures described in subsection (a).

[(c) REPORTS TO THE SECRETARIES.—

[(1) IN GENERAL.—Each State shall prepare and submit to the Secretaries periodic reports, at such intervals as the Secretaries may determine, containing information regarding the matters described in paragraphs (1) through (6) of subsection (a).

[(2) FEDERAL PROGRAMS.—Each State shall prepare and submit reports to the Secretaries, at such intervals as the Secretaries may determine, containing information on the extent to which Federal programs that are in existence on the date of submission of the report and that are implemented at the State or local level may be duplicative, outdated, overly restrictive, or otherwise counterproductive to the development of comprehensive statewide School-to-Work Opportunities systems.

[SEC. 403. TRAINING AND TECHNICAL ASSISTANCE.

[(a) PURPOSE.—The Secretaries shall work in cooperation with the States, the individuals assigned under section 111(b)(1) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2321(b)(1)), employers and their associations, secondary schools and postsecondary educational institutions, student and teacher organizations, labor organizations, and community-based organizations, to increase their capacity to develop and implement effective School-to-Work Opportunities programs.

[(b) AUTHORIZED ACTIVITIES.—The Secretaries shall provide, through grants, contracts, or otherwise—

[(1) training, technical assistance, and other activities that will—

[(A) enhance the skills, knowledge, and expertise of the personnel involved in planning and implementing State and local School-to-Work Opportunities programs, such as training of the personnel to assist students; and

[(B) improve the quality of services provided to individuals served under this Act;

[(2) assistance to States and local partnerships involved in carrying out School-to-Work Opportunities programs in order to integrate resources available under this Act with resources available under other Federal, State, and local authorities;

[(3) assistance to States and such local partnerships, including local partnerships in rural communities with low population densities or in urban areas, to recruit employers to provide the work-based learning component, described in section 103, of School-to-Work Opportunities programs; and

[(4) assistance to States and local partnerships involved in carrying out School-to-Work Opportunities programs to design and implement school-sponsored enterprises.

[SEC. 404. CAPACITY BUILDING AND INFORMATION AND DISSEMINATION NETWORK.

[The Secretaries, acting through such mechanisms as the Capacity Building and Information and Dissemination Network established under section 453(b) of the Job Training Partnership Act (29 U.S.C. 1733(b)), the Educational Resources Information Center Clearinghouses referred to in the Educational Research, Development, Dissemination, and Improvement Act of 1994, and the National Network for Curriculum Coordination in Vocational and Technical Education under section 402(c) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2402(c)), shall—

[(1) collect and disseminate information—

[(A) on successful School-to-Work Opportunities programs and innovative school- and work-based curricula;

[(B) on research and evaluation conducted concerning school-to-work activities;

[(C) that will assist States and local partnerships in undertaking labor market analysis, surveys, or other activities related to economic development;

[(D) on skill certificates, skill standards, and related assessment technologies; and

[(E) on methods for recruiting and building the capacity of employers to provide work-based learning opportunities; and

[(2) facilitate communication and the exchange of information and ideas among States and local partnerships carrying out School-to-Work Opportunities programs.

[SEC. 405. REPORTS TO CONGRESS.

[(a) IN GENERAL.—Not later than 24 months after the date of the enactment of this Act, and every 12 months thereafter, the Secretaries shall prepare and submit a report to the Congress on all activities carried out pursuant to this Act.

[(b) CONTENTS.—The Secretaries shall, at a minimum, include in each such report—

[(1) information concerning the programs that receive assistance under this Act;

[(2) a summary of the information contained in the State and local partnership reports submitted under titles II and III and section 402(c); and

[(3) information regarding the findings and actions taken as a result of any evaluation conducted by the Secretaries.

[SEC. 406. FUNDING.

[The Secretaries shall use funds reserved under section 605(b)(4) to carry out activities under this title.]

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ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

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TITLE I—HELPING DISADVANTAGED CHILDREN MEET HIGH STANDARDS

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SEC. 1002. AUTHORIZATION OF APPROPRIATIONS.

(a) * * *

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(g) FEDERAL ACTIVITIES.—

(1) * * *

[(2) SECTIONS 1502 AND 1503.—For the purpose of carrying out sections 1502 and 1503, there are authorized to be appropriated $50,000,000 for fiscal year 1995 and such sums as may be necessary for each of the four succeeding fiscal years.]

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PART A—IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES

Subpart 1—Basic Program Requirements

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SEC. 1114. SCHOOLWIDE PROGRAMS.

(a) USE OF FUNDS FOR SCHOOLWIDE PROGRAMS.—

(1) IN GENERAL.—A local educational agency may use funds under this part, in combination with other Federal, State, and local funds, in order to upgrade the entire educational program in a school described in subparagraph (A) or (B) [if, for the initial year of the schoolwide program, the school meets either of the following criteria:

[(A) For the school year 1995–1996—

[(i) the school serves an eligible school attendance area in which not less than 60 percent of the children are from low-income families; or

[(ii) not less than 60 percent of the children enrolled in the school are from such families.

[(B) For the school year 1996–1997 and subsequent years—

[(i) the school serves an eligible school attendance area in which not less than 50 percent of the children are from low-income families; or

[(ii) not less than 50 percent of the children enrolled in the school are from such families.].

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PART E—FEDERAL EVALUATIONS, DEMONSTRATIONS, AND TRANSITION PROJECTS

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[SEC. 1502. DEMONSTRATIONS OF INNOVATIVE PRACTICES.

[(a) DEMONSTRATION PROGRAMS TO IMPROVE ACHIEVEMENT.—

[(1) IN GENERAL.—From the funds appropriated for any fiscal year under section 1002(g)(2), the Secretary may make grants to State educational agencies, local educational agencies, other public agencies, nonprofit organizations, public or private partnerships involving business and industry organizations, and consortia of such entities to carry out demonstration projects that show the most promise of enabling children served under this title to meet challenging State content standards and challenging State student performance standards. Such projects shall include promising strategies such as—

[(A) accelerated curricula, the application of new technologies to improve teaching and learning, extended learning time, and a safe and enriched full-day environment for children to provide children the opportunity to reach such standards;

[(B) integration of education services with each other and with health, family, and other social services such as mentoring programs, particularly in empowerment zones and enterprise communities;

[(C) effective approaches to whole school reform;

[(D) programs that have been especially effective with limited-English-proficient children, migratory children and other highly mobile students, children leaving institutions for neglected or delinquent children and returning to school, and homeless children and youth;

[(E) programs which are especially effective in recruiting, inducting, and retaining highly qualified teachers for service in schools with low student achievement; and

[(F) programs that are built upon partnerships developed between elementary and middle schools, employers, and the community, which emphasize the integration of high quality academic and vocational learning, stress excellence and high expectations for success in academic subjects, instill responsibility, decisionmaking, problem solving, interpersonal skills, and other compentencies in students, and make school relevant to the workplace and the community, through applied and interactive teaching methodologies, team teaching strategies, learning opportunities connecting school, the workplace, and the community, and career exploration, awareness, and career guidance opportunities.

[(2) EVALUATION.—The Secretary shall evaluate the demonstration projects supported under this title, using rigorous methodological designs and techniques, including control groups and random assignment, to the extent feasible, to produce reliable evidence of effectiveness.

[(b) PARTNERSHIPS.—From funds appropriated under section 1002(g)(2) for any fiscal year, the Secretary may, directly or through grants or contracts, work in partnership with State educational agencies, local educational agencies, other public agencies, and nonprofit organizations to disseminate and use the highest quality research and knowledge about effective practices to improve

the quality of teaching and learning in schools assisted under this title.

[SEC. 1503. INNOVATIVE ELEMENTARY SCHOOL TRANSITION PROJECTS.

[(a) IN GENERAL.—From the amount appropriated under section 1002(g)(2), the Secretary shall provide not less than $10,000,000, but not more than $40,000,000 to support innovative transition projects in elementary schools authorized under this section.

[(b) GRANTS.—

[(1) LOCAL PROGRAMS.—The Secretary shall award grants to local educational agencies (including such agencies that operate Follow Through programs, Even Start, and other comparable programs) that have formed consortia with early childhood programs (including Head Start, where available) for the purpose of supporting projects, for children from low-income families who previously attended a Head Start program, Even Start program, or similar preschool program, which provide education and other services in early elementary grades.

[(2) PURPOSES OF PROJECTS.—The purposes of projects assisted under this section are to—

[(A) assist eligible children and their families in making a successful transition from preschool through the early elementary grades;

[(B) enable eligible children to achieve challenging academic standards through a model, developmentally appropriate, instructional program; and

[(C) support the active involvement of parents in the education of their children.

[(3) COMPONENTS.—A program assisted under this subsection—

[(A) shall provide transition to elementary school activities, such as—

[(i) development of a transition plan for each child which provides for instruction, support, and assistance through the third grade;

[(ii) transfer of each child's preschool records to the elementary school (with parental consent);

[(iii) formal meetings between a child's parent, preschool teacher, and kindergarten or first grade teacher; and

[(iv) kindergarten visits and other orientation activities for preschool children prior to enrollment in elementary school;

[(B) shall use an instructional approach which—

[(i) has been shown to be effective in providing transition services; or

[(ii) shows promise of providing effective transition services;

[(C) shall provide for the direct participation of the parents of such children in the development, operation, and evaluation of such program;

[(D) shall provide directly or through referral comprehensive educational, health, nutritional, social, and

other services that aid in the continued development of eligible children to their full potential;

[(E) shall ensure that each supportive services team developed pursuant to subsection (c)(8) includes a sufficient number of family service coordinators to adequately meet the needs of eligible children and their families; and

[(F) may provide for the use of mentors who are secondary school students to assist elementary and secondary students who were formerly enrolled in Head Start or Even Start programs.

[(c) APPLICATIONS.—An application for a grant under subsection (b) shall—

[(1) describe the goals which the applicant plans to achieve;

[(2) describe the instructional approach the applicant will use, and the manner in which the applicant will implement such approach;

[(3) describe the transition to elementary school activities for which assistance is sought;

[(4) describe the members of the consortium required by subsection (b)(1);

[(5) shall include evidence that the consortium members each have performed assessments of their programs to ensure that such members have the capacity to address the health, immunization, mental health, nutrition, parenting education, literacy, social service (including substance abuse, education, and prevention), and educational needs of low-income students and their families whom the consortium members plan to serve;

[(6) describe how the project will be coordinated with title I, title VII, and other programs under this Act;

[(7) provide evidence that the proposed transition activities, instruction, and other services to be provided by the applicant have been specifically designed to build upon, and coordinate with, the services provided to eligible children and their parents by local Head Start, Even Start, and other similar preschool programs;

[(8) include—

[(A) a plan for the development of a support services team, including a family service coordinator, to—

[(i) assist families, administrators, and teachers to respond to health, immunization, mental health, nutrition, social service, and educational needs of eligible students;

[(ii) conduct home visits and help students and their families to obtain health, immunization, mental health, nutrition, parenting education, literacy, education (including tutoring and remedial services), and social services (including substance abuse treatment, education, and prevention), for which students and their families are eligible;

[(iii) coordinate a family outreach and support program, including a plan for involving parents in the management of the program under subsection (b), in cooperation with parental involvement efforts under-

taken pursuant to this part, the Head Start Act, and the Individuals with Disabilities Education Act, including school-parent compacts, parent volunteer activities, parent education services and training such as the services and training provided through the Even Start program, and regular meetings; and

[(iv) assist families, administrators, and teachers in enhancing developmental continuity between the programs assisted under the Head Start Act, other early childhood development programs, and elementary school classes; or

[(B) a description of the comprehensive, coordinated services currently provided to children eligible for services under this section;

[(9) designate a member of the support services team described in paragraph (8) who will serve as the supervisor of such support services team;

[(10) contain assurances that State agencies, local agencies, and community-based organizations that provide support services to low-income students served by the local educational agency consortium have been consulted in the preparation of the plan described in paragraph (8);

[(11) contain assurances that State agencies, local agencies, and community-based organizations served by the local educational agency consortium will designate an individual who will act as a liaison to the support services team described in paragraph (8);

[(12) describe the target population to be served by the support services team described in paragraph (8), including families previously served under part C of the Head Start Act, or other comparable early childhood development program;

[(13) describe the support services to be provided, directly or through referral;

[(14) describe the Federal and non-Federal resources that will be used to carry out the program;

[(15) contain assurances that the support services described in paragraph (8) will be equipped to assist children and families with limited-English proficiency or with disabilities;

[(16) include a plan describing how the program assisted under this section will be sustained, with funding received under part A or other Federal and non-Federal funding sources, after the grant has expired; and

[(17) contain such other information as the Secretary may reasonably require.

[(d) NATIONAL ACTIVITIES.—

[(1) IN GENERAL.—Of the amount provided under subsection (a) to carry out this section, the Secretary shall use not less than $3,000,000 but not more than $5,000,000 to carry out national activities to evaluate and improve the use of innovative transition programs.

[(2) TECHNICAL ASSISTANCE AND TRAINING.— Of the amount reserved under paragraph (1), the Secretary shall use not less than $3,000,000 to award grants to public and private nonprofit agencies, institutions, and organizations to provide to

consortia which receive grants under subsection (b)(1) and, to the extent feasible, to schools that are designated schoolwide programs under section 1114—

[(A) technical assistance in the implementation and expanded use of model transition and instructional approaches, including the use of appropriate pedagogy, efforts to increase parental involvement and providing access to coordinated services; and

[(B) training in conjunction with the implementation and operation of such model approaches.

[(3) COORDINATION AND DISSEMINATION.—The Secretary, in cooperation with the Secretary of Health and Human Services, may promote coordination of activities assisted under this section with the projects funded under the Head Start Transition Projects Act, including a process to—

[(A) collect information on program activities and results; and

[(B) disseminate information on successful transition programs.

[(4) EVALUATION.—(A) The Secretary, in cooperation with the Secretary of Health and Human Services, is authorized to award grants, or enter into contracts or cooperative agreements, to provide for the evaluation of the programs assisted under this section.

[(B) To the extent practicable, such evaluations shall be conducted jointly with evaluations of Head Start Transition Projects.

[(5) OTHER ACTIVITIES.—The Secretary may undertake other activities to promote the replication of successful transition programs.

[(e) COORDINATION OF REGULATIONS.—The Secretary shall work with the Secretary of Health and Human Services to coordinate regulations promulgated under this section with regulations promulgated under the Head Start Act Amendments of 1994.

[(f) GENERAL PROVISIONS.—

[(1) PRIORITY.—In awarding grants under subsection (b)(1), the Secretary shall give priority to applicants that—

[(A) will operate a project under this section at a school designated as a schoolwide program under section 1114;

[(B) serve local educational agencies that have the highest numbers or percentages of poor children; and

[(C) demonstrate a significant commitment by the community to the proposed program, as evidenced by the level of resources, both cash and in-kind, from other public and private sources available to the consortium.

[(2) SUPPLEMENT.—An application for assistance under this section may not be approved unless the Secretary is satisfied that the services to be provided by the applicant will supplement, and not supplant, services that previously provided other Federal assistance.

[(3) SUFFICIENT SIZE.—A grant under subsection (b)(1) shall be of sufficient size and scope to enable the grantee to operate a project which meets the requirements of this section.

[(4) URBAN AND RURAL GRANTS.—To the extent practicable, the Secretary shall award grants under subsection (b)(1) to consortia in both urban and rural areas.

[(5) RENEWAL GRANT.—To be eligible to renew a grant under the section, an applicant that received assistance under subsection (b)(1) shall demonstrate that the project achieved the purposes described in subsection (b)(2).

[(g) DEFINITIONS.—As used in this section:

[(1) FAMILY SERVICES COORDINATOR.—The term "family services coordinator" means an individual who has the skills necessary to assist families in obtaining support services and may be an existing employee of a local educational agency or Head Start agency.

[(2) HEAD START AGENCY.—The term "Head Start agency" means any agency designated as a Head Start agency under the Head Start Act (42 U.S.C. 9831 et seq.).

[(3) SUPPORT SERVICES.—The term "support services" means services that enhance the physical, social, emotional, and intellectual development of low-income children, including the provision of necessary support to the parents and other family members of such children.]

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TITLE II—DWIGHT D. EISENHOWER PROFESSIONAL DEVELOPMENT PROGRAM

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[PART A—FEDERAL ACTIVITIES

[SEC. 2101. PROGRAM AUTHORIZED.

[(a) IN GENERAL.—The Secretary is authorized to make grants to, and 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 agencies, organizations, and institutions to—

[(1) support activities of national significance that the Secretary determines will contribute to the development and implementation of high-quality professional development activities in the core academic subjects; and

[(2) evaluate activities carried out under this part and parts B and C, in accordance with section 14701.

[(b) REQUIREMENTS.—In carrying out the activities described in subsection (a), the Secretary shall coordinate professional development programs within the Department, particularly with those programs within the Office of Educational Research and Improvement and the Office of Special Education and Rehabilitative Services, and shall consult and coordinate with the National Science Foundation, the National Endowment for the Humanities, the National

Endowment for the Arts, the Institute of Museum and Library Services, and other appropriate Federal agencies and entities.

[SEC. 2102. AUTHORIZED ACTIVITIES.

[(a) ACTIVITIES.—The Secretary shall use funds available to carry out this part for—

[(1) providing seed money to the entities described in section 2101(a) to develop the capacity of such entities to offer sustained and intensive high-quality professional development;

[(2) awarding a grant or contract, in consultation with the Director of the National Science Foundation, to establish an Eisenhower National Clearinghouse for Mathematics and Science Education (hereafter in this section referred to as the "Clearinghouse"); and

[(3) evaluating programs assisted under this part and parts B and C, in accordance with section 14701.

[(b) CLEARINGHOUSE.—

[(1) APPLICATION AND AWARD BASIS.—Each entity desiring to establish and operate the Clearinghouse authorized by subsection (a)(2) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require. The grant or contract awarded pursuant to subsection (a)(2) shall be made on a competitive, merit basis.

[(2) DURATION.—The grant or contract awarded under subsection (a)(2) shall be awarded for a period of five years and shall be reviewed by the Secretary not later than 30 months from the date the grant or contract is awarded.

[(3) USE OF FUNDS.—The grant or contract awarded under subsection (a)(2) shall be used to—

[(A) maintain a permanent repository of mathematics and science education instructional materials and programs for elementary and secondary schools, including middle schools (including, to the extent practicable, all materials and programs developed with Federal and non-Federal funds, such as instructional materials developed by the Department, materials developed by State and national mathematics and science programs assisted under this part, and other instructional materials) for use by the regional consortia established under part C of title XIII and by the general public;

[(B) compile information on all mathematics and science education programs administered by each Federal agency or department;

[(C) disseminate information, programs, and instructional materials to the public, dissemination networks, and the regional consortia established under part C of title XIII;

[(D) coordinate with identifiable and existing data bases containing mathematics and science curriculum and instructional materials, including Federal, non-Federal, and, where feasible, international, data bases;

[(E) participate in collaborative meetings of representatives of the Clearinghouse and the regional consortia established under part C of title XIII to discuss issues of

common interest and concern, to foster effective collaboration and cooperation in acquiring and distributing curriculum materials and programs, and to coordinate computer network access to the Clearinghouse and the resources of the regional consortia, except that not more than 3 percent of the funds awarded under subsection (a)(2) shall be used to carry out this subparagraph; and

[(F) gather qualitative and evaluative data on submissions to the Clearinghouse.

[(4) SUBMISSION TO CLEARINGHOUSE.—Each Federal agency or department which develops mathematics or science education instructional material or programs, including the National Science Foundation and the Department, shall submit to the Clearinghouse copies of such material or programs.

[(5) PEER REVIEW.—The Secretary shall establish a peer review process to select the recipient of the award under subsection (a)(2).

[(6) STEERING COMMITTEE.—The Secretary may appoint a steering committee to recommend policies and activities for the Clearinghouse.

[(7) APPLICATION OF COPYRIGHT LAWS.—Nothing in this subsection shall be construed to allow the use or copying, in any media, 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. The Clearinghouse, in carrying out the provisions of this subsection, shall ensure compliance with title 17, United States Code.

[(8) DISSEMINATION OF INFORMATION.—The Secretary shall disseminate information concerning the grant or contract awarded under this section to State and local educational agencies and institutions of higher education. Such dissemination of information shall include examples of exemplary national programs in mathematics and science instruction and necessary technical assistance for the establishment of similar programs.

[(c) USES OF FUNDS.—The Secretary may use funds available to carry out this part for—

[(1) the development and maintenance of national clearinghouses for core academic subjects as the Secretary determines are needed and which shall be administered as adjunct clearinghouses of the Educational Resources Information Center Clearinghouses system of clearinghouses supported by the Office of Educational Research and Improvement;

[(2) professional development institutes that provide teachers or teams of teachers, and, where appropriate, administrators, pupil services personnel and other staff, from individual schools, with professional development that contains strong and integrated disciplinary and pedagogical components;

[(3) encouraging the development of local and national professional networks, such as the Teacher Research Dissemination Demonstration Program under section 941(j) of the Educational Research, Development, Dissemination, and Improvement Act of 1994, that provide a forum for interaction among

teachers of the core academic subjects and that allow the exchange of information on advances in content and pedagogy;

[(4) efforts to train teachers in the innovative uses and applications of technology to enhance student learning;

[(5) the development and dissemination of model teaching standards in the core academic subjects;

[(6) disseminating standards in the core academic subjects, including information on voluntary national content standards and voluntary national student performance standards and related models of high-quality professional development;

[(7) the dissemination of information about voluntary national content standards, State content standards, voluntary national student performance standards and State student performance standards, and related models of high-quality professional development;

[(8) efforts to train teachers in innovative instructional methodologies designed to meet the diverse learning needs of individual students, including methodologies which integrate academic and vocational learning and applied learning, interactive, interdisciplinary team teaching, and other alternative teaching strategies, such as service learning, experiential learning, career-related education, and environmental education, that integrate real world applications into the core academic subjects;

[(9) disseminating models of high-quality professional development activities that train educators in strategies, techniques, methods, and practices for meeting the educational needs of historically underserved populations, including females, minorities, individuals with disabilities, limited-English-proficient individuals, and economically disadvantaged individuals, in order to ensure that all students have the opportunity to achieve challenging State student performance standards;

[(10) promoting the transferability of licensure and certification of teachers and administrators among State and local jurisdictions;

[(11) supporting the National Board for Professional Teaching Standards;

[(12) developing activities to prepare teachers, and, where appropriate, paraprofessionals, pupil services personnel, and other staff in the collaborative skills needed to appropriately teach children with disabilities in the core academic subjects;

[(13) encouraging the development of innovative models for recruitment, induction, retention, and assessment of new, highly qualified teachers, especially such teachers from historically underrepresented groups; and

[(14) joint activities with other Federal agencies and entities engaged in or supporting similar professional development efforts.

[SEC. 2103. NATIONAL TEACHER TRAINING PROJECT.

[(a) SHORT TITLE; FINDINGS; DEFINITIONS.—

[(1) SHORT TITLE.—This section may be cited as the "National Teacher Training Project Act of 1994".

[(2) FINDINGS.—The Congress finds that—

[(A) teachers must be major players in educational reform in the United States;

[(B) teachers are isolated from their peers and have virtually no time during the school day to consult with other teachers;

[(C) there is a shortage of sustained, year-round professional development programs for teachers;

[(D) successful teaching methods are not adequately shared among teachers;

[(E) teachers are the best teachers of other teachers because practicing classroom teachers have experience that no outside consultant can match;

[(F) it is important for universities and schools to collaborate on teacher development programs if teaching and learning are to be improved;

[(G) pertinent research is not shared among teachers in a professional setting;

[(H) exemplary teachers should be recognized for their abilities and contributions and encouraged to refine their teaching methods;

[(I) each State should support a nationally based teacher training program, that is modeled after the National Writing Project, for teachers of early childhood education, and for teachers of core academic subjects including teachers of mathematics, science, English, civics and government, foreign languages, and arts;

[(J) the National Writing Project is a nationally recognized and honored nonprofit organization that recognizes there are teachers in every region of the United States who have developed successful methods for teaching writing and that such teachers can be trained and encouraged to train other teachers;

[(K) the National Writing Project is a collaborative university-school program which offers summer and school year inservice teacher training programs and a dissemination network to inform and teach teachers regarding developments in the field of writing;

[(L) each year, over 125,000 teachers voluntarily seek training in National Writing Project intensive summer institutes and workshops and school year inservice programs through one of the 155 sites located within the United States, and in 18 sites located outside of the United States;

[(M) in the 20 years of its existence, over 1,100,000 teachers, administrators, and parents have participated in National Writing Project programs;

[(N) less than $16 per teacher was the average cost in Federal dollars for all teacher training at writing projects in academic year 1991–1992;

[(O) for every dollar in Federal support, the National Writing Project provides over $5 in matching funds from States, local universities and schools, and the private sector;

[(P) private foundation resources, although generous in the past concerning National Writing Project programs,

are inadequate to fund all of the National Teacher Training Project sites needed, and the future of the program is in jeopardy without secure financial support;

[(Q) the National Writing Project has become a model for programs in other fields, such as science, mathematics, history, literature, foreign languages, and the performing arts, and the development of programs in other fields should continue with the support of Federal funds; and

[(R) each of the 50 States should participate in the National Teacher Training Project by establishing regional teacher training sites in early childhood development, mathematics, science, English, civics and government, foreign languages, and arts to serve all teachers within the State.

[(3) DEFINITIONS.—For the purpose of this section—

[(A) the term "contractor" means—

[(i) a local educational agency;

[(ii) an educational service agency; or

[(iii) an institution of higher education that awards a bachelor's degree; and

[(B) the term "eligible recipient" means a nonprofit educational organization which has as its primary purpose the improvement of student learning in one of the core academic subjects described in subsection (b)(2).

[(b) GRANTS AUTHORIZED.—

[(1) GRANTS TO ELIGIBLE RECIPIENTS.—The Secretary is authorized to award a grant to an eligible recipient to enable such recipient—

[(A) to support and promote the establishment of teacher training programs in early childhood development and one of the nine core subject areas described in paragraph (2), including the dissemination of effective practices and research findings regarding teacher training, and administrative activities;

[(B) to support classroom research on effective teaching practices in such area; and

[(C) to pay the Federal share of the cost of such programs and research.

[(2) CORE SUBJECT AREAS.—To the extent feasible, the Secretary shall award a grant under paragraph (1) for the establishment of a National Teacher Training Project in early childhood development and each of the following core subject areas:

[(A) Mathematics.

[(B) Science.

[(C) English.

[(D) Civics and government.

[(E) Foreign languages.

[(F) Arts.

[(G) Geography.

[(H) History.

[(I) Economics.

[(3) NUMBER OF GRANTS AND ELIGIBLE RECIPIENTS.—The Secretary shall award not more than ten grants under paragraph (1) to ten different eligible recipients.

[(4) EQUITABLE DISTRIBUTION.—The Secretary shall award grants under paragraph (1) to eligible recipients from different geographic areas of the United States.

[(5) SPECIAL RULE.—Each grant under paragraph (1) shall be of sufficient size, scope, and quality to be effective.

[(6) ADMINISTRATIVE COSTS AND TECHNICAL ASSISTANCE.—Each eligible recipient receiving a grant under paragraph (1) may use not more than a total of 5 percent of the grant funds for administrative costs and the costs of providing technical assistance to a contractor.

[(c) GRANT REQUIREMENTS.—Each eligible recipient receiving a grant under subsection (b) shall—

[(1) enter into a contract with a contractor under which such contractor agrees—

[(A) to establish, operate, and provide the non-Federal share of the cost of teacher training programs in effective approaches and processes for the teaching of the core academic subjects for which such eligible recipient was awarded a grant, including approaches and processes to obtain parental involvement in a child's education; and

[(B) to use funds received from the eligible recipient to pay the Federal share of the cost of establishing and operating teacher training programs described in subparagraph (A);

[(2) to submit annual reports to the Secretary and be responsible for oversight of the funds expended at each teacher training program described in subparagraph (A); and

[(3) meet such other conditions and standards as the Secretary determines to be necessary to ensure compliance with this section and provide such technical assistance as may be necessary to carry out this section.

[(d) TEACHER TRAINING PROGRAMS.—The teacher training programs described in subsection (b) shall—

[(1) be conducted during the school year and during the summer months;

[(2) train teachers who teach grades kindergarten through college;

[(3) select teachers to become members of a National Teacher Training Project, which members shall conduct inservice workshops for other teachers in the area subject matter served by the National Teacher Training Project site;

[(4) use teacher training principles and receive technical assistance from the National Writing Project; and

[(5) encourage teachers from all disciplines to participate in such teacher training programs.

[(e) FEDERAL SHARE.—The term "Federal share" means, with respect to the costs of teacher training programs described in subsection (b), 50 percent of such costs to the contractor.

[(f) APPLICATION.—Each eligible recipient desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

[(g) PARTICIPANTS AND SELECTION PROCESS.—The selection process for participation in a teacher training program described in subsection (b) shall—

[(1) reward exemplary teachers with varying levels of teaching experience who are nominated by other teachers and administrators;

[(2) involve an application process to select participants for a summer program;

[(3) ensure the selection of a geographically and ethnically diverse group of teachers by soliciting applications from teachers of both public and private institutions in rural, urban, and suburban settings in each State; and

[(4) automatically offer a place in a summer program to the "Teacher of the Year" chosen pursuant to a Federal or State teacher recognition program.

[(h) LIMITATION.—A contractor entering into a contract under subsection (c)(1) shall not spend more than 5 percent of funds received under the contract for administrative costs.

[PART B—STATE AND LOCAL ACTIVITIES

[SEC. 2201. PROGRAM AUTHORIZED.

[The Secretary is authorized to make grants to State educational agencies for the improvement of teaching and learning through sustained and intensive high-quality professional development activities in the core academic subjects at the State and local levels.

[SEC. 2202. ALLOCATION OF FUNDS.

[(a) RESERVATION OF FUNDS.—From the amount available to carry out this part for any fiscal year, the Secretary shall reserve—

[(1) ½ of 1 percent for the outlying areas, to be distributed among the outlying areas on the basis of their relative need, as determined by the Secretary in accordance with the purposes of this part; and

[(2) ½ of 1 percent for the Secretary of the Interior for programs under this part for professional development activities for teachers, other staff, and administrators in schools operated or funded by the Bureau of Indian Affairs.

[(b) STATE ALLOCATIONS.—The Secretary shall allocate the amount available to carry out this part and not reserved under subsection (a) to each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico as follows, except that no State shall receive less than ½ of 1 percent of such amount:

[(1) Fifty percent shall be allocated among such jurisdictions on the basis of their relative populations of individuals aged five through 17, as determined by the Secretary on the basis of the most recent satisfactory data.

[(2) Fifty percent shall be allocated among such jurisdictions in accordance with the relative amounts such jurisdictions received under part A of title I for the preceding fiscal year, or for fiscal year 1995 only, such part's predecessor authority.

[(c) REALLOCATION.—If any jurisdiction does not apply for an allotment under subsection (b) for any fiscal year, the Secretary shall

reallocate such amount to the remaining jurisdictions in accordance with such subsection.

[SEC. 2203. WITHIN-STATE ALLOCATIONS.

[Of the amounts received by a State under this part for any fiscal year—

[(1) 84 percent shall be available for local allowable activities under section 2210(b), of which—

[(A) not more than 5 percent may be used for the administrative costs of the State educational agency and for State-level activities described in section 2207; and

[(B) of the remaining amount—

[(i) 50 percent shall be distributed to local educational agencies—

[(I) for use in accordance with section 2210; and

[(II) in accordance with the relative enrollments in public and private nonprofit elementary and secondary schools within the boundaries of such agencies; and

[(ii) 50 percent of such amount shall be distributed to local educational agencies—

[(I) for use in accordance with section 2210; and

[(II) in accordance with the relative amount such agencies received under part A of title I or for fiscal year 1995 for the preceding fiscal year, such part's predecessor authority; and

[(2) 16 percent shall be available to the State agency for higher education for activities under section 2211, of which not more than 5 percent may be used for the administrative costs of the State agency for higher education.

[SEC. 2204. CONSORTIUM REQUIREMENT.

[(a) IN GENERAL.—A local educational agency receiving a grant under this part of less than $10,000 shall form a consortium with another local educational agency or an educational service agency serving another local educational agency to be eligible to participate in programs assisted under this part.

[(b) WAIVER.—The State educational agency may waive the application of paragraph (1) in the case of any local educational agency that demonstrates that the amount of its allocation under this part is sufficient to provide a program of sufficient size, scope, and quality to be effective. In granting waivers under the preceding sentence, the State educational agency shall—

[(1) give special consideration to local educational agencies serving rural areas if distances or traveling time between schools make formation of the consortium more costly or less effective; and

[(2) consider cash or in-kind contributions provided from State or local sources that may be combined with the local educational agency's allocation for the purpose of providing services under this part.

[(c) SPECIAL RULE.—Each consortium shall rely, as much as possible, on technology or other arrangements to provide staff development programs tailored to the needs of each school or school district participating in a consortium described in subsection (a).

[SEC. 2205. STATE APPLICATIONS.

[(a) APPLICATIONS REQUIRED.—Each State educational agency that wishes to receive an allotment under this part for any fiscal year shall submit an application to the Secretary at such time, in such form, and containing such information as the Secretary may require.

[(b) STATE PLAN TO IMPROVE TEACHING AND LEARNING.—

[(1) IN GENERAL.—Each application under this section shall include a State plan that is coordinated with the State's plan under other programs assisted under this Act, the Goals 2000: Educate America Act, and other Acts, as appropriate, consistent with the provisions of section 14306.

[(2) CONTENTS.—Each such State plan shall—

[(A) be developed in conjunction with the State agency for higher education, community-based and other nonprofit organizations of demonstrated effectiveness, institutions of higher education or schools of education, and with the extensive participation of local teachers, administrators and pupil services personnel and show the role of each such entity in implementation of the plan;

[(B) be designed to give teachers, and, where appropriate, administrators and pupil services personnel in the State, the knowledge and skills necessary to provide all students the opportunity to meet challenging State content standards and challenging State student performance standards;

[(C) include an assessment of State and local needs for professional development specifically related to subparagraph (B);

[(D) include a description of how the plan has assessed the needs of local educational agencies serving rural and urban areas, and what actions are planned to meet such needs;

[(E) include a description of how the activities assisted under this part will address the needs of teachers in schools receiving assistance under part A of title I;

[(F) a description of how programs in all core academic subjects, but especially in mathematics and science, will take into account the need for greater access to, and participation in, such disciplines by students from historically underrepresented groups, including females, minorities, individuals with limited English proficiency, the economically disadvantaged, and individuals with disabilities, by incorporating pedagogical strategies and techniques which meet such individuals' educational needs;

[(G) be consistent with the State's needs assessment under subparagraph (C), and describe how the State will work with teachers, including teachers in schools receiving assistance under part A of title I, administrators, parents, local educational agencies, schools, educational service agencies, institutions of higher education, and nonprofit organizations of demonstrated effectiveness, to ensure that such individuals develop the capacity to support sustained

and intensive, high-quality professional development programs in the core academic subjects;

[(H) describe how the State requirements for licensure of teachers and administrators, including certification and recertification, support challenging State content standards and challenging State student performance standards and whether such requirements are aligned with such standards;

[(I) address the need for improving teaching and learning through teacher development beginning with recruitment, preservice, and induction, and continuing throughout the professional teaching career, taking into account the need, as determined by the State, for greater access to and participation in the teaching profession by individuals from historically underrepresented groups;

[(J) describe how the State will prepare all teachers to teach children with diverse learning needs, including children with disabilities;

[(K) describe how the State will prepare teachers, and, where appropriate, paraprofessionals, pupil services personnel, and other staff in the collaborative skills needed to appropriately teach children with disabilities, in the core academic subjects;

[(L) describe how the State will use technology, including the emerging national information infrastructure, to enhance the professional development of teachers, and, where appropriate, administrators and pupil services personnel;

[(M) describe how the State will provide incentives to teachers and administrators to focus their professional development on preparing such teachers and administrators to provide instruction consistent with challenging State content standards and challenging State student performance standards;

[(N) set specific performance indicators for professional development; and

[(O) describe how parents can be involved in professional development programs to enhance the participation of parents in the education of their children.

[(3) DURATION OF THE PLAN.—Each such State plan shall—

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

[(B) be periodically reviewed and revised by the State, as necessary, to reflect changes in the State's strategies and programs under this part.

[(c) ADDITIONAL MATERIAL.—Each State application shall include—

[(1) a description of how the activities assisted under this part will be coordinated, as appropriate, with—

[(A) other activities conducted with Federal funds, especially activities supported under part A of title I of this Act and the Individuals with Disabilities Education Act;

[(B) programs supported by State and local funds;

[(C) resources from business and industry, museums, libraries, educational television stations, and public and private nonprofit organizations of demonstrated experience; and

[(D) funds received from other Federal agencies, such as the National Science Foundation, the Departments of Commerce, Energy, and Health and Human Services, the National Endowment for the Arts, the Institute of Museum and Library Services, and the National Endowment for the Humanities; and

[(2) a description of the activities to be sponsored under the State-level activities under section 2207 and the higher education activities under section 2211.

[(d) PEER REVIEW AND SECRETARIAL APPROVAL.—

[(1) IN GENERAL.—The Secretary shall approve an application of a State educational agency under this section if such application meets the requirements of this section and holds reasonable promise of achieving the purposes of this part.

[(2) REVIEW.—In reviewing applications under this section, the Secretary shall obtain the advice of non-Federal experts on education in the core academic subjects and on teacher education, including teachers and administrators.

[SEC. 2206. PRIORITY FOR PROFESSIONAL DEVELOPMENT IN MATHEMATICS AND SCIENCE.

[(a) APPROPRIATION OF LESS THAN $250,000,000.—In any fiscal year for which the amount appropriated for this title is less than $250,000,000, each State shall ensure that all funds distributed in accordance with section 2203(1)(C) are used for professional development in mathematics and science.

[(b) APPROPRIATION EQUAL TO OR ABOVE $250,000,000.—In any fiscal year for which the amount appropriated for this title is equal to or exceeds $250,000,000, each State and local educational agency shall use for professional development activities in mathematics and science the amount of funds that would have been made available to each such agency in accordance with sections 2202 and 2203 if the amount appropriated was $250,000,000, consistent with subsection (a), and are permitted and encouraged to use the amount of funds in excess of $250,000,000 that is made available in accordance with sections 2202 and 2203 for professional development activities in mathematics and science.

[SEC. 2207. STATE-LEVEL ACTIVITIES.

[Each State may use funds made available under section 2203(1)(A) to carry out activities described in the plan under section 2205(b), such as—

[(1) reviewing and reforming State requirements for teacher and administrator licensure, including certification and recertification, to align such requirements with the State's challenging State content standards and ensure that teachers and administrators have the knowledge and skills necessary to help students meet challenging State student performance standards;

[(2) developing performance assessments and peer review procedures, as well as other methods, for licensing teachers and administrators;

[(3) providing technical assistance to schools and local educational agencies, especially schools and local educational agencies that receive assistance under part A of title I, to help such schools and agencies provide effective professional development in the core academic subjects;

[(4) developing or supporting professional development networks, either within a State or in a regional consortium of States, that provide a forum for interaction among teachers and that allow exchange of information on advances in content and pedagogy;

[(5) supporting partnerships between schools, consortia of schools, or local educational agencies and institutions of higher education, including schools of education, which encourage—

[(A) teachers to participate in intensive, ongoing professional development programs, both academic and pedagogical, at institutions of higher education; and

[(B) students at institutions of higher education studying to become teachers to have direct, practical experience at the schools;

[(6) providing professional development in the effective use of educational technology as an instructional tool for increasing student understanding of the core academic subjects, including efforts to train teachers in methods of achieving gender equity both in students' access to computers and other educational technology and in teaching practices used in the application of educational technology;

[(7) providing incentives for teachers to be involved in assessment, curriculum development, and technical assistance processes for teachers and students;

[(8) providing professional development to enable teachers, and, where appropriate, pupil services personnel, and other school staff, to ensure that girls and young women, minorities, limited English proficient students, individuals with disabilities, and economically disadvantaged students have the full opportunity to achieve challenging State content standards and challenging State student performance standards in the core academic subjects by, for example, encouraging girls and young women and minorities to pursue advanced courses in mathematics and science;

[(9) professional development and recruitment activities designed to increase the numbers of minorities, individuals with disabilities, and women teaching in the core academic subjects in which such individuals are underrepresented;

[(10) providing financial or other incentives for teachers to become certified by nationally recognized professional teacher enhancement organizations;

[(11) providing professional development activities which prepare teachers, and where appropriate, pupil services personnel, paraprofessionals, and other staff in the collaborative skills needed to appropriately teach children with disabilities, in the core academic subjects;

[(12) identifying, developing, or supporting professional development strategies to better equip parents to assist their children in raising their children's achievement in the core academic subjects; and

[(13) professional development activities designed to increase the number of women and other underrepresented groups in the administration of schools.

[SEC. 2208. LOCAL PLAN AND APPLICATION FOR IMPROVING TEACHING AND LEARNING.

[(a) LOCAL APPLICATION.—

[(1) IN GENERAL.—Each local educational agency that wishes to receive a subgrant under this part shall submit an application (singly or as a consortium as described in section 2204) to the State educational agency at such time as the State educational agency shall require, but not less frequently than every three years, that is coordinated with other programs under this Act, the Goals 2000: Educate America Act, or other Acts, as appropriate, consistent with the provisions of section 14306.

[(2) INDICATORS.—A local educational agency shall set specific performance indicators for improving teaching and learning through professional development.

[(b) NEEDS ASSESSMENT.—

[(1) IN GENERAL.—A local educational agency that wishes to receive a subgrant under this part shall include in its application an assessment of local needs for professional development as identified by the local educational agency and school staff.

[(2) REQUIREMENTS.—Such needs assessment shall be carried out with the involvement of teachers, including teachers in schools receiving assistance under part A of title I, and shall take into account what activities need to be conducted in order to give teachers and, where appropriate, administrators, the means, including the knowledge and skills, to provide students with the opportunity to meet challenging State or local student performance standards.

[(c) APPLICATION CONTENTS.—Each application under this section shall include the local educational agency's plan for professional development that—

[(1) focuses on teaching and learning in the core academic subjects; and

[(2) has been developed with the extensive participation of administrators, staff, and pupil services personnel, which teachers shall also be representative of the grade spans within schools to be served and of schools which receive assistance under part A of title I.

[(d) PLAN CONTENTS.—

[(1) IN GENERAL.—Based on the needs assessment required under subsection (b), the local educational agency's plan shall—

[(A) include a description of how the plan contributes to the local educational agency's overall efforts for school reform and educational improvement;

[(B) include a description of how the activities funded under this section will address the needs of teachers in schools receiving assistance under part A of title I;

[(C) be aligned with the State's challenging State content standards and challenging State student performance standards;

[(D) describe a strategy, tied to challenging State content standards and challenging State student performance standards, consistent with the needs assessment under subsection (b);

[(E) be of sufficient intensity and duration to have a positive and lasting impact on the student's performance in the classroom;

[(F) describe how programs in all core academic subjects, but especially in mathematics and science, will take into account the need for greater access to, and participation in, such disciplines by students from historically underrepresented groups, including girls and women, minorities, individuals with limited English proficiency, the economically disadvantaged, and individuals with disabilities, by incorporating pedagogical strategies and techniques which meet such individuals' educational need;

[(G) contain an assurance that the activities conducted with funds received under this part will be assessed at least every three years using the performance indicators;

[(H) describe how the program funded under this part will be coordinated, as appropriate, with—

[(i) activities conducted under section 2131 and other services of institutions of higher education;

[(ii) similar State and local activities;

[(iii) resources provided under part A of title I and other provisions of this Act;

[(iv) resources from business, industry, public and private nonprofit organizations (including museums, libraries, educational television stations, community-based organizations, professional organizations and associations specializing in, or with a demonstrated expertise in the core academic subjects);

[(v) funds or programming from other Federal agencies, such as the National Science Foundation, the Department of Energy, the Department of Health and Human Services, the Institute of Museum and Library Services, the National Endowment for the Humanities, and the National Endowment for the Arts;

[(vi) services of educational service agencies; and

[(vii) resources provided under the Individuals with Disabilities Education Act;

[(I) identify the sources of funding that will provide the local educational agency's contribution under section 2209; and

[(J) describe the professional development strategies to be employed to more fully and effectively involve parents in the education of their children.

[(2) DURATION OF THE PLAN.—Each local plan described in subsection (b)(1) shall—

[(A) remain in effect for the duration of the local educational agency's participation under this part; and

[(B) be periodically reviewed and revised by the local educational agency, as necessary, to reflect changes in the local educational agency's strategies and programs under this part.

[SEC. 2209. LOCAL COST-SHARING.

[(a) IN GENERAL.—Each local educational agency shall provide not less than 33 percent of the cost of the activities assisted under this part, excluding the cost of services provided to private school teachers.

[(b) AVAILABLE RESOURCES FOR COST-SHARING.—

[(1) IN GENERAL.—A local educational agency may meet the requirement of subsection (a) through one or more of the following:

[(A) Cash expenditures from non-Federal sources, including private contributions, directed toward professional development activities.

[(B) Release time for teachers participating in professional development assisted under this part.

[(C) Funds received under one or more of the following programs, so long as such funds are used for professional development activities consistent with this part and the statutes under which such funds were received, and are used to benefit students and teachers in schools that otherwise would have been served with such funds:

[(i) Helping disadvantaged children meet high standards under part A of title I.

[(ii) The Safe and Drug-Free Schools and Communities program under title IV.

[(iii) Bilingual Education Programs under part A of title VII.

[(iv) Programs under the Women's Educational Equity Act of 1994.

[(v) Programs under title III of the Goals 2000: Educate America Act.

[(vi) Programs that are related to the purposes of this Act that are administered by other Federal agencies, including the National Science Foundation, the National Endowment for the Humanities, the National Endowment for the Arts, the Institute of Museum and Library Services, and the Department of Energy.

[(vii) Programs under the Individuals with Disabilities Education Act.

[(2) SPECIAL RULE.—A local educational agency may meet the requirement of subsection (a) through contributions described in paragraph (1) that are provided in cash or in kind, fairly evaluated.

[(c) WAIVER.—The State educational agency may approve an application which has not fully met the requirements of subsection (a) and waive the requirements of subsection (a) if a local educational agency can demonstrate that such agency is unable to meet the re-

quirements of subsection (a) due to economic hardship and that compliance with such requirements would preclude such agency's participation in the program.

[SEC. 2210. LOCAL ALLOCATION OF FUNDS AND ALLOWABLE ACTIVITIES.

[(a) LOCAL ALLOCATION OF FUNDS.—Each local educational agency that receives funds under this part for any fiscal year—

[(1) shall use not less than 80 percent of such funds for professional development of teachers, and, where appropriate, administrators, and, where appropriate, pupil services personnel, parents, and other staff of individual schools in a manner that—

[(A) is determined by such teachers and staff;

[(B) to the extent practicable, takes place at the individual school site; and

[(C) is consistent with the local educational agency's application under section 2208, any school plan under part A of title I, and any other plan for professional development carried out with Federal, State, or local funds that emphasizes sustained, ongoing activities; and

[(2) may use not more than 20 percent of such funds for school district-level professional development activities, including, where appropriate, the participation of administrators, policymakers, and parents, if such activities directly support instructional personnel.

[(b) AUTHORIZED ACTIVITIES.—

[(1) IN GENERAL.—Each local educational agency and school that receives funds under this part shall use such funds for activities that give teachers and administrators the knowledge and skills to provide students with the opportunity to meet challenging State or local content standards and student performance standards.

[(2) PROFESSIONAL DEVELOPMENT ACTIVITIES.—Professional development activities funded under this part shall—

[(A) be tied to challenging State content standards or challenging local content standards, and challenging State student performance standards or challenging local student performance standards;

[(B) take into account recent research on teaching and learning;

[(C) provide professional development which incorporates effective strategies, techniques, methods, and practices for meeting the educational needs of diverse groups of students, including girls and women, minorities, individuals with disabilities, limited English proficient individuals, and economically disadvantaged individuals;

[(D) include strong academic content and pedagogical components; and

[(E) be of sufficient intensity and duration to have a positive and lasting impact on the teacher's performance in the classroom.

[(3) ACTIVITIES.—Funds under this part may be used for professional development activities such as—

[(A) professional development for teams of teachers, and, where appropriate, administrators, pupil services personnel, or other staff from individual schools, to support teaching consistent with challenging State content standards and challenging State student performance standards;

[(B) support and time, which in the case of teachers may include release time with pay, for teachers, and, where appropriate, pupil services personnel and other school staff to enable such teachers, personnel, and staff to participate in professional development in the core academic subjects that are offered through professional associations, universities, community-based organizations, and other providers, such as educational partnership organizations, science centers, and museums;

[(C) activities that provide followup for teachers who have participated in professional development activities that are designed to ensure that the knowledge and skills learned by the teacher are implemented in the classroom;

[(D) support for partnerships between schools, consortia of schools, or local educational agencies, and institutions of higher education, including schools of education, which partnerships shall encourage—

[(i) teachers to participate in intensive, ongoing professional development programs, both academic and pedagogical, at institutions of higher education; and

[(ii) students at institutions of higher education studying to become teachers to have direct, practical experience at schools;

[(E) the establishment and maintenance of local professional networks that provide a forum for interaction among teachers and that allow exchange of information on advances in content and pedagogy;

[(F) preparing teachers in the effective use of educational technology and assistive technology as instructional tools for increasing student understanding of the core academic subjects;

[(G) professional development to enable teachers, and, where appropriate, pupil services personnel and other school staff, to ensure that girls and young women, minorities, limited English proficient students, individuals with disabilities, and the economically disadvantaged have full opportunity to achieve the challenging State content standards and challenging State student performance standards in the core academic subjects;

[(H) professional development and recruitment activities designed—

[(i) to increase the number of minorities, individuals with disabilities, and females teaching in the core academic subjects in which such individuals are underrepresented; and

[(ii) to increase the numbers of women and members of other underrepresented groups who are science and mathematics teachers, through such programs as

career ladder programs that assist educational paraprofessionals to obtain teaching credentials in the core academic subjects;

[(I) providing financial or other incentives for teachers to become certified by nationally recognized professional teacher enhancement programs;

[(J) support and time for teachers, and, where appropriate, pupil services personnel, and other school staff to learn and implement effective collaboration for the instruction of children with disabilities in the core academic subject areas;

[(K) preparing teachers, and, where appropriate, pupil services personnel to work with parents and families on fostering student achievement in the core academic subjects;

[(L) professional development activities and other support for new teachers as such teachers move into the classroom to provide such teachers with practical support and to increase the retention of such teachers;

[(M) professional development for teachers, parents, early childhood educators, administrators, and other staff to support activities and services related to preschool transition programs to raise student performance in the core academic subjects;

[(N) professional development activities to train teachers in innovative instructional methodologies designed to meet the diverse learning needs of individual students, including methodologies which integrate academic and vocational learning and applied learning, interactive and interdisciplinary team teaching, and other alternative teaching strategies such as service learning, experiential learning, career-related education, and environmental education, that integrate real world applications into the core academic subjects;

[(O) developing professional development strategies and programs to more effectively involve parents in helping their children achieve in the core academic subjects;

[(P) professional development activities designed to increase the number of women and other underrepresented groups in the administration of schools; and

[(Q) release time with pay for teachers.

[SEC. 2211. HIGHER EDUCATION ACTIVITIES.

[(a) ACTIVITIES.—

[(1) IN GENERAL.—From amounts made available under section 2203(2), the State agency for higher education, working in conjunction with the State educational agency (if such agencies are separate), shall make grants to, or enter into contracts or cooperative agreements with, institutions of higher education and nonprofit organizations of demonstrated effectiveness, including museums and educational partnership organizations, which must work in conjunction with a local educational agency, consortium of local educational agencies, or schools, for—

[(A) professional development activities in the core academic subjects that contribute to the State plan for professional development;

[(B) developing and providing assistance to local educational agencies, and the teachers and staff of each such agency, for sustained, high-quality professional development activities; and

[(C) improving teacher education programs in order to promote further innovation in teacher education programs within an institution of higher education and to better meet the needs of the local educational agencies for well-prepared teachers.

[(2) COMPETITIVE BASIS.—Each grant, contract, or cooperative agreement described in paragraph (1) shall be awarded on a competitive basis.

[(3) SPECIAL RULE.—No institution of higher education may receive assistance under (a)(1) of this subsection unless the institution enters into an agreement with a local educational agency, or consortium of such agencies, to provide sustained, high-quality professional development for the elementary and secondary school teachers in the schools of each such agency.

[(4) JOINT EFFORTS.—Each activity assisted under this section, where applicable, shall involve the joint effort of the institution of higher education's school or department of education, if any, and the schools or departments in the specific disciplines in which such professional development will be provided.

[(b) ALLOWABLE ACTIVITIES.—A recipient of funds under this section shall use such funds for—

[(1) sustained and intensive high-quality professional development for teams of teachers, or teachers, and, where appropriate, pupil services personnel and administrators from individual schools or school districts;

[(2) other sustained and intensive professional development activities related to achievement of the State plan for professional development; and

[(3) preservice training activities.

[(c) PARTNERSHIPS.—Each institution of higher education receiving a grant under this section may also enter into a partnership with a private industry, museum, library, educational television station, or public or private nonprofit organization of demonstrated experience to carry out professional development activities assisted under this section.]

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[TITLE III—TECHNOLOGY FOR EDUCATION

[SEC. 3101. SHORT TITLE.

[This title may be cited as the "Technology for Education Act of 1994".

[PART A—TECHNOLOGY FOR EDUCATION OF ALL STUDENTS

[SEC. 3111. FINDINGS.

[The Congress finds that—

[(1) technology can produce far greater opportunities for all students to learn to high standards, promote efficiency and effectiveness in education, and help propel our Nation's school systems into very immediate and dramatic reform, without which our Nation will not meet the National Education Goals by the target year 2000;

[(2) the use of technology as a tool in the teaching and learning process is essential to the development and maintenance of a technologically literate citizenry and an internationally competitive workforce;

[(3) the acquisition and use of technology in education throughout the United States has been inhibited by—

[(A) the absence of Federal leadership;

[(B) the inability of many State and local educational agencies to invest in and support needed technologies;

[(C) the limited exposure of students and teachers to the power of technology as a cost-effective tool to improve student learning and achievement;

[(D) the lack of appropriate electrical and telephone connections in the classroom; and

[(E) the limited availability of appropriate technology-enhanced curriculum, instruction, professional development, and administrative support resources and services in the educational marketplace;

[(4) policies at the Federal, State, and local levels concerning technology in education must address disparities in the availability of technology to different groups of students, give priority to serving students in greatest need, and recognize that educational telecommunications and technology can address educational equalization concerns and school restructuring needs by providing universal access to high-quality teaching and programs, particularly in urban and rural areas;

[(5) the increasing use of new technologies and telecommunications systems in business has increased the gap between schooling and work force preparation, and underscores the need for technology policies at the Federal, State, tribal, and local levels that address preparation for school-to-work transitions;

[(6) technology can enhance the ongoing professional development of teachers and administrators by providing constant access to updated research in teaching and learning by means of telecommunications, and, through exposure to technology advancements, keep teachers and administrators excited and knowledgeable about unfolding opportunities for the classroom;

[(7) planned and creative uses of technology, combined with teachers adequately trained in the use of technology, can reshape our Nation's traditional method of providing education and empower teachers to create an environment in which students are challenged through rigorous, rich classroom instruc-

tion provided at a pace suited to each student's learning style, and in which students have increased opportunities to develop higher order thinking and technical skills;

[(8) schools need new ways of financing the acquisition and maintenance of educational technology;

[(9) the needs for educational technology differ from State to State;

[(10) technology can provide students, parents, teachers, other education professionals, communities, and industry with increased opportunities for partnerships and with increased access to information, instruction, and educational services in schools and other settings, including homes, libraries, preschool and child-care facilities, adult and family education programs, and postsecondary institutions;

[(11) the Department, consistent with the overall national technology policy established by the President, must assume a vital leadership and coordinating role in developing the national vision and strategy to infuse advanced technology throughout all educational programs;

[(12) Federal support can ease the burden at the State and local levels by enabling the acquisition of advanced technology and initiating the development of teacher training and support as well as new educational products;

[(13) leadership at the Federal level should consider guidelines to ensure that educational technology is accessible to all users with maximum interoperability nationwide;

[(14) the rapidly changing nature of technology requires coordination and flexibility in Federal leadership; and

[(15) technology has the potential to assist and support the improvement of teaching and learning in schools and other settings.

[SEC. 3112. STATEMENT OF PURPOSE.

[The purpose of this part is to support a comprehensive system for the acquisition and use by elementary and secondary schools in the United States of technology and technology-enhanced curricula, instruction, and administrative support resources and services to improve the delivery of educational services. Such system shall include—

[(1) national leadership with respect to the need for, and the provision of, appropriate technology-enhanced curriculum, instruction, and administrative programs to improve learning in the United States, and to promote equal access for all students to educational opportunities in order to achieve the National Education Goals by the year 2000;

[(2) funding mechanisms which will support the development, interconnection, implementation, improvement, and maintenance of an effective educational technology infrastructure, including activities undertaken by State and local educational agencies to promote and provide equipment, training for teachers and school library and media personnel, and technical support;

[(3) support for technical assistance, professional development, information and resource dissemination, in order to help States, local educational agencies, teachers, school library and

media personnel, and administrators successfully integrate technology into kindergarten through 12th grade classrooms and library media centers;

[(4) support for the development of educational and instructional programming in core subject areas, which shall address the National Education Goals;

[(5) strengthening and building upon, but not duplicating, existing telecommunications infrastructures dedicated to educational purposes;

[(6) development and evaluation of new and emerging educational technologies, telecommunications networks, and state-of-the-art educational technology products that promote the use of advanced technologies in the classroom and school library media center;

[(7) assessment data regarding state-of-the-art uses of technologies in United States education upon which commercial and noncommercial telecommunications entities, and governments can rely for decisionmaking about the need for, and provision of, appropriate technologies for education in the United States;

[(8) ensuring that uses of educational technology are consistent with the overall national technology policy established by the President, and ensuring that Federal technology-related policies and programs will facilitate the use of technology in education;

[(9) ensuring that activities supported under this part will form the basis for sound State and local decisions about investing in, sustaining, and expanding uses of technology in education;

[(10) establishing working guidelines to ensure maximum interoperability nationwide and ease of access for the emerging technologies so that no school system will be excluded from the technological revolution;

[(11) ensuring that, as technological advances are made, the educational uses of these advances are considered and their applications are developed; and

[(12) encouragement of collaborative relationships among the State agency for higher education, the State library administrative agency, the State telecommunications agency, and the State educational agency, in the area of technology support to strengthen the system of education.

[SEC. 3113. DEFINITIONS.

[For purposes of this title—

[(1) the term "adult education" has the same meaning given such term by section 312 of the Adult Education Act;

[(2) the term "all students" means students from a broad range of backgrounds and circumstances, including disadvantaged students, students with diverse racial, ethnic, and cultural backgrounds, students with disabilities, students with limited English proficiency, students who have dropped out of school, and academically talented students;

[(3) the term "information infrastructure" means a network of communication systems designed to exchange information among all citizens and residents of the United States;

[(4) the term "instructional programming" means the full range of audio and video data, text, graphics, or additional state-of-the-art communications, including multimedia based resources distributed through interactive, command and control, or passive methods for the purpose of education and instruction;

[(5) the terms "interoperable" and "interoperability" mean the ability to exchange easily data with, and connect to, other hardware and software in order to provide the greatest accessibility for all students and other users;

[(6) the term "Office" means the Office of Educational Technology;

[(7) the term "public telecommunications entity" has the same meaning given to such term by section 397(12) of the Communications Act of 1934;

[(8) the term "regional educational laboratory" means a regional educational laboratory supported under section 941(h) of the Educational, Research, Development, Dissemination, and Improvement Act of 1994;

[(9) the term "State educational agency" includes the Bureau of Indian Affairs for purposes of serving schools funded by the Bureau of Indian Affairs in accordance with this part;

[(10) the term "State library administrative agency" has the same meaning given to such term in section 3 of the Library Services and Construction Act; and

[(11) the term "technology" means state-of-the-art technology products and services, such as closed circuit television systems, educational television and radio programs and services, cable television, satellite, copper and fiber optic transmission, computer hardware and software, video and audio laser and CD-ROM discs, and video and audio tapes.

[SEC. 3114. AUTHORIZATION OF APPROPRIATIONS; FUNDING RULE.

[(a) AUTHORIZATION OF APPROPRIATIONS.—

[(1) SUBPARTS 1, 2, AND 3.—There are authorized to be appropriated $200,000,000 for fiscal year 1995 and such sums as may be necessary for each of the four succeeding fiscal years to carry out subparts 1, 2, and 3, of which—

[(A)(i) $3,000,000 shall be available to carry out subpart 1 (National Programs for Technology in Education) for any such year for which the amount appropriated under this subsection is less than $75,000,000; and

[(ii) $5,000,000 shall be available to carry out subpart 1 for any such year for which the amount appropriated under this subsection is equal to or greater than $75,000,000;

[(B) $10,000,000 shall be available to carry out subpart 3 (Regional Technical Support and Professional Development) for each such year; and

[(C) the remainder shall be available to carry out subpart 2 (State and Local Programs for School Technology Resources) for each such year.

[(2) SUBPART 4.—For the purpose of carrying out subpart 4, there are authorized to be appropriated $50,000,000 for fiscal

year 1995 and such sums as may be necessary for each of the four succeeding fiscal years.

[(b) FUNDING RULE.—

[(1) APPROPRIATIONS OF LESS THAN $75,000,000.—For any fiscal year for which the amount appropriated under subsection (a)(1) is less than $75,000,000, from the remainder of funds made available under subsection (a)(1)(C) the Secretary shall award grants for the National Challenge Grants in accordance with section 3136.

[(2) APPROPRIATIONS EQUAL TO OR GREATER THAN $75,000,000.—For any fiscal year for which the amount appropriated under subsection (a)(1) is equal to or greater than $75,000,000, from the remainder of funds made available under subsection (a)(1)(C) the Secretary shall award grants to State educational agencies from allotments under section 3131, except that the Secretary may reserve, from such remainder, such funds as the Secretary determines necessary to meet outstanding obligations for such fiscal year to continue the National Challenge Grants for Technology awarded under section 3136.

[SEC. 3115. LIMITATION ON COSTS.

[Not more than 5 percent of the funds under this part that are made available to a recipient of funds under this part for any fiscal year may be used by such recipient for administrative costs or technical assistance.

[Subpart 1—National Programs for Technology in Education

[SEC. 3121. NATIONAL LONG-RANGE TECHNOLOGY PLAN.

[(a) IN GENERAL.—The Secretary shall develop and publish not later than 12 months after the date of the enactment of the Improving America's Schools Act of 1994, and update when the Secretary determines appropriate, a national long-range plan that supports the overall national technology policy and carries out the purposes of this part.

[(b) PLAN REQUIREMENTS.—The Secretary shall—

[(1) develop the national long-range plan in consultation with other Federal departments or agencies, State and local education practitioners and policymakers, experts in technology and the applications of technology to education, representatives of distance learning consortia, representatives of telecommunications partnerships receiving assistance under the Star Schools Act, and providers of technology services and products;

[(2) transmit such plan to the President and to the appropriate committees of the Congress; and

[(3) publish such plan in a form that is readily accessible to the public.

[(c) CONTENTS OF THE PLAN.—The national long-range plan shall describe the Secretary's activities to promote the purposes of this title, including—

[(1) how the Secretary will encourage the effective use of technology to provide all students the opportunity to achieve State content standards and State student performance standards, especially through programs administered by the Department;

[(2) joint activities in support of the overall national technology policy with other Federal departments or agencies, such as the Office of Science and Technology Policy, the National Endowment for the Humanities, the National Endowment for the Arts, the National Institute for Literacy, the National Aeronautics and Space Administration, the National Science Foundation, the Bureau of Indian Affairs, and the Departments of Commerce, Energy, Health and Human Services, and Labor—

[(A) to promote the use of technology in education, training, and lifelong learning, including plans for the educational uses of a national information infrastructure; and

[(B) to ensure that the policies and programs of such departments or agencies facilitate the use of technology for educational purposes, to the extent feasible;

[(3) how the Secretary will work with educators, State and local educational agencies, and appropriate representatives of the private sector to facilitate the effective use of technology in education;

[(4) how the Secretary will promote—

[(A) higher achievement of all students through the integration of technology into the curriculum;

[(B) increased access to the benefits of technology for teaching and learning for schools with a high number or percentage of children from low-income families;

[(C) the use of technology to assist in the implementation of State systemic reform strategies;

[(D) the application of technological advances to use in education;

[(E) increased access to high quality adult and family education services through the use of technology for instruction and professional development; and

[(F) increased opportunities for the professional development of teachers in the use of new technologies;

[(5) how the Secretary will determine, in consultation with appropriate individuals, organizations, industries, and agencies, the feasibility and desirability of establishing guidelines to facilitate an easy exchange of data and effective use of technology in education;

[(6) how the Secretary will promote the exchange of information among States, local educational agencies, schools, consortia, and other entities concerning the effective use of technology in education;

[(7) how the Secretary will utilize the outcomes of the evaluation undertaken pursuant to section 3123 to promote the purposes of this part; and

[(8) the Secretary's long-range measurable goals and objectives relating to the purposes of this part.

[SEC. 3122. FEDERAL LEADERSHIP.

[(a) PROGRAM AUTHORIZED.—In order to provide Federal leadership in promoting the use of technology in education, the Secretary, in consultation with the National Science Foundation, the Department of Commerce, the United States National Commission on Libraries and Information Sciences, and other appropriate Federal agencies, may carry out activities designed to achieve the purposes of this part directly or by awarding grants or contracts competitively and pursuant to a peer review process to, or entering into contracts with, State educational agencies, local educational agencies, institutions of higher education, or other public and private nonprofit or for-profit agencies and organizations.

[(b) ASSISTANCE.—

[(1) IN GENERAL.—The Secretary shall provide assistance to the States to enable such States to plan effectively for the use of technology in all schools throughout the State in accordance with the purpose and requirements of section 317 of the Goals 2000: Educate America Act.

[(2) OTHER FEDERAL AGENCIES.—For the purpose of carrying out coordinated or joint activities consistent with the purposes of this part, the Secretary may accept funds from, and transfer funds to, other Federal agencies.

[(c) USES OF FUNDS.—The Secretary shall use funds made available to carry out this section for activities designed to carry out the purpose of this part, such as—

[(1) providing assistance to technical assistance providers to enable such providers to improve substantially the services such providers offer to educators regarding the uses of technology for education, including professional development;

[(2) providing development grants to technical assistance providers, to enable such providers to improve substantially the services such providers offer to educators on the educational uses of technology, including professional development;

[(3) consulting with representatives of industry, elementary and secondary education, higher education, adult and family education, and appropriate experts in technology and educational applications of technology in carrying out activities under this subpart;

[(4) research on, and the development of, guidelines to facilitate maximum interoperability, efficiency and easy exchange of data for effective use of technology in education;

[(5) research on, and the development of, applications for education of the most advanced and newly emerging technologies which research shall be coordinated, when appropriate, with the Office of Educational Research and Improvement, and other Federal agencies;

[(6) the development, demonstration, and evaluation of the educational aspects of high performance computing and communications technologies and of the national information infrastructure, in providing professional development for teachers, school librarians, and other educators; enriching academic curricula for elementary and secondary schools; facilitating communications among schools, local educational agencies, librar-

ies, parents, and local communities and in other such areas as the Secretary deems appropriate;

[(7) the development, demonstration, and evaluation of applications of existing technology in preschool education, elementary and secondary education, training and lifelong learning, and professional development of educational personnel;

[(8) the development and evaluation of software and other products, including multimedia television programming, that incorporate advances in technology and help achieve the National Education Goals, State content standards and State student performance standards;

[(9) the development, demonstration, and evaluation of model strategies for preparing teachers and other personnel to use technology effectively to improve teaching and learning;

[(10) the development of model programs that demonstrate the educational effectiveness of technology in urban and rural areas and economically distressed communities;

[(11) research on, and the evaluation of, the effectiveness and benefits of technology in education;

[(12) a biennial assessment of, and report to the public regarding, the uses of technology in elementary and secondary education throughout the United States upon which private businesses and Federal, State, tribal, and local governments may rely for decisionmaking about the need for, and provision of, appropriate technologies in schools, which assessment and report shall use, to the extent possible, existing information and resources;

[(13) conferences on, and dissemination of information regarding, the uses of technology in education;

[(14) the development of model strategies to promote gender equity concerning access to, and the use of, technology in the classroom;

[(15) encouraging collaboration between the Department and other Federal agencies in the development, implementation, evaluation and funding of applications of technology for education, as appropriate; and

[(16) such other activities as the Secretary determines will meet the purposes of this subpart.

[(d) NON-FEDERAL SHARE.—

[(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Secretary may require any recipient of a grant or contract under this section to share in the cost of the activities assisted under such grant or contract, which non-Federal share shall be announced through a notice in the Federal Register and may be in the form of cash or in-kind contributions, fairly valued.

[(2) INCREASE.—The Secretary may increase the non-Federal share that is required of a recipient of a grant or contract under this section after the first year such recipient receives funds under such grant or contract.

[(3) MAXIMUM.—The non-Federal share required under this section shall not exceed 50 percent of the cost of the activities assisted pursuant to a grant or contract under this section.

[SEC. 3123. STUDY, EVALUATION AND REPORT OF FUNDING ALTERNATIVES.

[The Secretary, through the Office of Educational Technology, shall conduct a study to evaluate, and report to the Congress on, the feasibility of several alternative models for providing sustained and adequate funding for schools throughout the United States so that such schools are able to acquire and maintain technology-enhanced curriculum, instruction, and administrative support resources and services. Such report shall be submitted to the Congress not later than one year after the date of enactment of the Improving America's Schools Act of 1994.

[Subpart 2—State and Local Programs for School Technology Resources

[SEC. 3131. ALLOTMENT AND REALLOTMENT.

[(a) ALLOTMENT.—

[(1) IN GENERAL.—Except as provided in paragraph (2), each State educational agency shall be eligible to receive a grant under this subpart for a fiscal year in an amount which bears the same relationship to the amount made available under section 3114(a)(1)(C) for such year as the amount such State received under part A of title I for such year bears to the amount received for such year under such part by all States.

[(2) MINIMUM.—No State educational agency shall be eligible to receive a grant under paragraph (1) in any fiscal year in an amount which is less than one-half of one percent of the amount made available under section 3115(a)(1)(C) for such year.

[(b) REALLOTMENT OF UNUSED FUNDS.—

[(1) IN GENERAL.—The amount of any State educational agency's allotment under subsection (a) for any fiscal year which the Secretary determines will not be required for such fiscal year to carry out this subpart shall be available for reallotment from time to time, on such dates during such year as the Secretary may determine, to other State educational agencies in proportion to the original allotments to such State educational agencies under subsection (a) for such year, but with such proportionate amount for any of such other State educational agencies being reduced to the extent such amount exceeds the sum the Secretary estimates such State needs and will be able to use for such year.

[(2) OTHER REALLOTMENTS.—The total of reductions under paragraph (1) shall be similarly reallotted among the State educational agencies whose proportionate amounts were not so reduced. Any amounts reallotted to a State educational agency under this subsection during a year shall be deemed a subpart of such agencies allotment under subsection (a) for such year.

[SEC. 3132. SCHOOL TECHNOLOGY RESOURCE GRANTS.

[(a) GRANTS TO STATES.—

[(1) IN GENERAL.—From amounts made available under section 3131, the Secretary, through the Office of Educational

Technology, shall award grants to State educational agencies having applications approved under section 3133.

[(2) USE OF GRANTS.—(A) Each State educational agency receiving a grant under paragraph (1) shall use such grant funds to award grants, on a competitive basis, to local educational agencies to enable such local educational agencies to carry out the activities described in section 3134.

[(B) In awarding grants under subparagraph (A), each State educational agency shall ensure that each such grant is of sufficient duration, and of sufficient size, scope, and quality, to carry out the purposes of this part effectively.

[(b) TECHNICAL ASSISTANCE.—Each State educational agency receiving a grant under paragraph (1) shall—

[(1) identify the local educational agencies served by the State educational agency that—

[(A) have the highest number or percentage of children in poverty; and

[(B) demonstrate to such State educational agency the greatest need for technical assistance in developing the application under section 3133; and

[(2) offer such technical assistance to such local educational agencies.

[SEC. 3133. STATE APPLICATION.

[To receive funds under this subpart, each State educational agency shall submit a statewide educational technology plan which may include plans submitted under the Goals 2000: Educate America Act or other statewide technology plans which meet the requirements of this section. Such application shall be submitted to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require. Each such application shall contain a systemic statewide plan that—

[(1) outlines long-term strategies for financing technology education in the State and describes how business, industry, and other public and private agencies, including libraries, library literacy programs, and institutions of higher education, can participate in the implementation, ongoing planning, and support of the plan; and

[(2) meets such other criteria as the Secretary may establish in order to enable such agency to provide assistance to local educational agencies that have the highest numbers or percentages of children in poverty and demonstrate the greatest need for technology, in order to enable such local educational agencies, for the benefit of school sites served by such local educational agencies, to carry out activities such as—

[(A) purchasing quality technology resources;

[(B) installing various linkages necessary to acquire connectivity;

[(C) integrating technology into the curriculum in order to improve student learning and achievement;

[(D) providing teachers and library media personnel with training or access to training;

[(E) providing administrative and technical support and services that improve student learning through enriched

technology-enhanced resources, including library media resources;

[(F) promoting in individual schools the sharing, distribution, and application of educational technologies with demonstrated effectiveness;

[(G) assisting schools in promoting parent involvement;

[(H) assisting the community in providing literacy-related services;

[(I) establishing partnerships with private or public educational providers or other entities to serve the needs of children in poverty; and

[(J) providing assurances that financial assistance provided under this part shall supplement, not supplant, State and local funds.

[SEC. 3134. LOCAL USES OF FUNDS.

[Each local educational agency, to the extent possible, shall use the funds made available under section 3132(a)(2) for—

[(1) developing, adapting, or expanding existing and new applications of technology to support the school reform effort;

[(2) funding projects of sufficient size and scope to improve student learning and, as appropriate, support professional development, and provide administrative support;

[(3) acquiring connectivity linkages, resources, and services, including the acquisition of hardware and software, for use by teachers, students and school library media personnel in the classroom or in school library media centers, in order to improve student learning by supporting the instructional program offered by such agency to ensure that students in schools will have meaningful access on a regular basis to such linkages, resources and services;

[(4) providing ongoing professional development in the integration of quality educational technologies into school curriculum and long-term planning for implementing educational technologies;

[(5) acquiring connectivity with wide area networks for purposes of accessing information and educational programming sources, particularly with institutions of higher education and public libraries; and

[(6) providing educational services for adults and families.

[SEC. 3135. LOCAL APPLICATIONS.

[Each local educational agency desiring assistance from a State educational agency under section 3132(a)(2) shall submit an application, consistent with the objectives of the systemic statewide plan, to the State educational agency at such time, in such manner and accompanied by such information as the State educational agency may reasonably require. Such application, at a minimum, shall—

[(1) include a strategic, long-range (three- to five-year), plan that includes—

[(A) a description of the type of technologies to be acquired, including specific provisions for interoperability among components of such technologies and, to the extent practicable, with existing technologies;

[(B) an explanation of how the acquired technologies will be integrated into the curriculum to help the local educational agency enhance teaching, training, and student achievement;

[(C) an explanation of how programs will be developed in collaboration with existing adult literacy services providers to maximize the use of such technologies;

[(D)(i) a description of how the local educational agency will ensure ongoing, sustained professional development for teachers, administrators, and school library media personnel served by the local educational agency to further the use of technology in the classroom or library media center; and

[(ii) a list of the source or sources of ongoing training and technical assistance available to schools, teachers and administrators served by the local educational agency, such as State technology offices, intermediate educational support units, regional educational laboratories or institutions of higher education;

[(E) a description of the supporting resources, such as services, software and print resources, which will be acquired to ensure successful and effective use of technologies acquired under this section;

[(F) the projected timetable for implementing such plan in schools;

[(G) the projected cost of technologies to be acquired and related expenses needed to implement such plan; and

[(H) a description of how the local educational agency will coordinate the technology provided pursuant to this subpart with other grant funds available for technology from State and local sources;

[(2) describe how the local educational agency will involve parents, public libraries, business leaders and community leaders in the development of such plan;

[(3) describe how the acquired instructionally based technologies will help the local educational agency—

[(A) promote equity in education in order to support State content standards and State student performance standards that may be developed; and

[(B) provide access for teachers, parents and students to the best teaching practices and curriculum resources through technology; and

[(4) describe a process for the ongoing evaluation of how technologies acquired under this section—

[(A) will be integrated into the school curriculum; and

[(B) will affect student achievement and progress toward meeting the National Education Goals and any challenging State content standards and State student performance standards that may be developed.

[(d) FORMATION OF CONSORTIA.—A local educational agency for any fiscal year may apply for financial assistance as part of a consortium with other local educational agencies, institutions of higher education, intermediate educational units, libraries, or other educational entities appropriate to provide local programs. The State

educational agency may assist in the formation of consortia among local educational agencies, providers of educational services for adults and families, institutions of higher education, intermediate educational units, libraries, or other appropriate educational entities to provide services for the teachers and students in a local educational agency at the request of such local educational agency.

[(e) COORDINATION OF APPLICATION REQUIREMENTS.—If a local educational agency submitting an application for assistance under this section has developed a comprehensive education improvement plan, in conjunction with requirements under this Act or the Goals 2000: Educate America Act, the State educational agency may approve such plan, or a component of such plan, notwithstanding the requirements of subsection (e) if the State educational agency determines that such approval would further the purposes of this subpart.

[SEC. 3136. NATIONAL CHALLENGE GRANTS FOR TECHNOLOGY IN EDUCATION.

[(a) GRANTS AUTHORIZED.—

[(1) IN GENERAL.—From amounts made available under section 3115(b)(1) for any fiscal year the Secretary is authorized to award grants, on a competitive basis, to consortia having applications approved under subsection (d), which consortia shall include at least one local educational agency with a high percentage or number of children living below the poverty line and may include other local educational agencies, State educational agencies, institutions of higher education, businesses, academic content experts, software designers, museums, libraries, or other appropriate entities.

[(2) DURATION.—Grants under this section shall be awarded for a period of 5 years.

[(b) USE OF GRANTS.—Grants awarded under subsection (a) shall be used for activities similar to the activities described in section 3134.

[(c) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to consortia which demonstrate in the application submitted under subsection (d) that—

[(1) the project for which assistance is sought is designed to serve areas with a high number or percentage of disadvantaged students or the greatest need for educational technology;

[(2) the project will directly benefit students by, for example, integrating the acquired technologies into curriculum to help the local educational agency enhance teaching, training, and student achievement;

[(3) the project will ensure ongoing, sustained professional development for teachers, administrators, and school library media personnel served by the local educational agency to further the use of technology in the classroom or library media center;

[(4) the project will ensure successful, effective, and sustainable use of technologies acquired under this subsection; and

[(5) members of the consortia or other appropriate entities will contribute substantial financial and other resources to achieve the goals of the project.

[(d) APPLICATION.—Each local educational agency desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

[SEC. 3137. FEDERAL ADMINISTRATION.

[(a) EVALUATION PROCEDURES.—The Secretary shall develop procedures for State and local evaluations of the programs under this subpart.

[(b) EVALUATION SUMMARY.—The Secretary shall submit to the Congress four years after the enactment of the Improving America's Schools Act of 1994 a summary of the State evaluations of programs under this subpart in accordance with the provisions of section 14701.

[Subpart 3—Regional Technical Support and Professional Development

[SEC. 3141. REGIONAL TECHNICAL SUPPORT AND PROFESSIONAL DEVELOPMENT.

[(a) GRANTS AUTHORIZED.—

[(1) AUTHORITY.—The Secretary, through the Office of Educational Technology, shall make grants in accordance with the provisions of this section, to regional entities such as the Eisenhower Mathematics and Science Regional Consortia under part C of title XIII, the regional education laboratories, the comprehensive regional assistance centers, or such other regional entities as may be designated or established by the Secretary. In awarding grants under this section, the Secretary shall give priority to such consortia and shall ensure that each geographic region of the United States shall be served by such a consortium.

[(2) REQUIREMENTS.—Each consortium receiving a grant under this section shall—

[(A) be composed of State educational agencies, institutions of higher education, nonprofit organizations, or a combination thereof;

[(B) in cooperation with State and local educational agencies, develop a regional program that addresses professional development, technical assistance, and information resource dissemination, with special emphasis on meeting the documented needs of educators and learners in the region; and

[(C) foster regional cooperation and resource and coursework sharing.

[(b) FUNCTIONS.—

[(1) TECHNICAL ASSISTANCE.—Each consortium receiving a grant under this section shall, to the extent practicable—

[(A) collaborate with State educational agencies and local educational agencies requesting collaboration, particularly in the development of strategies for assisting those schools with the highest numbers or percentages of disadvantaged students with little or no access to technology in the classroom;

[(B) provide information, in coordination with information available from the Secretary, to State educational agencies, local educational agencies, schools and adult education programs, on the types and features of various educational technology equipment and software available, evaluate and make recommendations on equipment and software that support the National Education Goals and are suited for a school's particular needs, and compile and share information regarding creative and effective applications of technology in the classroom and school library media centers in order to support the purposes of this part;

[(C) collaborate with such State educational agencies, local educational agencies, or schools requesting to participate in the tailoring of software programs and other supporting materials to meet challenging State content standards or challenging State student performance standards that may be developed; and

[(D) provide technical assistance to facilitate use of the electronic dissemination networks by State and local educational agencies and schools throughout the region.

[(2) PROFESSIONAL DEVELOPMENT.—Each consortium receiving a grant under this section shall, to the extent practicable—

[(A) develop and implement, in collaboration with State educational agencies and institutions of higher education, technology-specific, ongoing professional development, such as—

[(i) intensive school year and summer workshops that use teachers, school librarians, and school library personnel to train other teachers, school librarians, and other school library media personnel; and

[(ii) distance professional development, including—

[(I) interactive training tele-courses using researchers, educators, and telecommunications personnel who have experience in developing, implementing, or operating educational and instructional technology as a learning tool;

[(II) onsite courses teaching teachers to use educational and instructional technology and to develop their own instructional materials for effectively incorporating technology and programming in their own classrooms;

[(III) methods for successful integration of instructional technology into the curriculum in order to improve student learning and achievement;

[(IV) video conferences and seminars which offer professional development through peer interaction with experts as well as other teachers using technologies in their classrooms; and

[(V) mobile education technology and training resources;

[(B) develop training resources that—

[(i) are relevant to the needs of the region and schools within the region;

[(ii) are relevant to the needs of adult literacy staff and volunteers, including onsite courses on how to—

[(I) use instructional technology; and

[(II) develop instructional materials for adult learning; and

[(iii) are aligned with the needs of teachers and administrators in the region;

[(C) establish a repository of professional development and technical assistance resources;

[(D) identify and link technical assistance providers to State and local educational agencies, as needed;

[(E) ensure that training, professional development, and technical assistance meet the needs of educators, parents, and students served by the region;

[(F) assist colleges and universities within the region to develop and implement preservice training programs for students enrolled in teacher education programs; and

[(G) assist local educational agencies and schools in working with community members and parents to develop support from communities and parents for educational technology programs and projects.

[(3) INFORMATION AND RESOURCE DISSEMINATION.—Each consortium receiving a grant under this section shall, to the extent practicable—

[(A) assist State and local educational agencies in the identification and procurement of financial, technological and human resources needed to implement technology plans;

[(B) provide outreach and, at the request of a State or local educational agency, work with such agency to assist in the development and validation of instructionally based technology education resources; and

[(C) coordinate activities and establish partnerships with organizations and institutions of higher education that represent the interests of the region as such interests pertain to the application of technology in teaching, learning, instructional management, dissemination, collection and distribution of educational statistics, and the transfer of student information.

[(4) COORDINATION.—Each consortium receiving a grant under this section shall work collaboratively, and coordinate the services the consortium provides, with appropriate regional and other entities assisted in whole or in part by the Department.

[Subpart 4—Product Development

[SEC. 3151. EDUCATIONAL TECHNOLOGY PRODUCT DEVELOPMENT.

[(a) PURPOSE.—It is the purpose of this subpart to—

[(1) support development of curriculum-based learning resources using state-of-the-art technologies and techniques designed to improve student learning; and

[(2) support development of long-term comprehensive instructional programming and associated support resources that ensure maximum access by all educational institutions.

[(b) FEDERAL ASSISTANCE AUTHORIZED.—

[(1) IN GENERAL.—The Secretary shall provide assistance, on a competitive basis, to eligible consortia to enable such entities to develop, produce, and distribute state-of-the-art technology-enhanced instructional resources and programming for use in the classroom or to support professional development for teachers.

[(2) GRANTS AND LOANS AUTHORIZED.—In carrying out the purposes of this section, the Secretary is authorized to pay the Federal share of the cost of the development, production, and distribution of state-of-the-art technology enhanced instructional resources and programming—

[(A) by awarding grants to, or entering into contracts or cooperative agreements with, eligible consortia; or

[(B) by awarding loans to eligible consortia which—

[(i) shall be secured in such manner and be repaid within such period, not exceeding 20 years, as may be determined by the Secretary;

[(ii) shall bear interest at a rate determined by the Secretary which shall be not more than the total of one-quarter of 1 percent per annum added to the rate of interest paid by the Secretary on funds obtained from the Secretary of the Treasury; and

[(iii) may be forgiven by the Secretary, in an amount not to exceed 25 percent of the total loan, under such terms and conditions as the Secretary may consider appropriate.

[(3) MATCHING REQUIREMENT.—The Secretary may require any recipient of a grant or contract under this subpart to share in the cost of the activities assisted under such grant or contract, which non-Federal share shall be announced through a notice in the Federal Register and may be in the form of cash or in-kind contributions, fairly valued.

[(4) ELIGIBLE CONSORTIUM.—For the purpose of this subsection, the term "eligible consortium" means a consortium—

[(A) that shall include—

[(i) a State or local educational agency; and

[(ii) a business, industry, or telecommunications entity; and

[(B) that may include—

[(i) a public or private nonprofit organization; or

[(ii) a postsecondary institution.

[(5) PRIORITIES.—In awarding assistance under this section, the Secretary shall give priority to applications describing programs or systems that—

[(A) promote the acquisition of higher-order thinking skills and promise to raise the achievement levels of all students, particularly disadvantaged students who are not realizing their potential;

[(B) are aligned with challenging State content standards and State and local curriculum frameworks;

[(C) may be adapted and applied nationally at a reasonable cost over a broad technology platform;

[(D) convert technology resources developed with support from the Department of Defense and other Federal agencies for effective use in the classroom;

[(E) show promise of reducing the costs of providing high-quality instruction;

[(F) show promise of expanding access to high-quality instruction in content areas which would otherwise not be available to students in rural and urban communities or who are served by other educational agencies with limited financial resources;

[(G) are developed in consultation with classroom teachers;

[(H) are developed through consultation and collaboration with appropriate education entities in designing the product to ensure relevance to the voluntary national content standards, the voluntary national student performance standards and State curriculum frameworks; and

[(I) are developed so that the product can be adapted for use by adults in need of literacy services, including English as a second language and preparation for a secondary school diploma or its recognized equivalent.

[(6) REQUIREMENTS FOR FEDERAL ASSISTANCE.—Each eligible consortium desiring Federal assistance under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may prescribe. Each application shall include—

[(A) a description of how the product will improve the achievement levels of students;

[(B) a description of how the activities assisted under this section will promote professional development of teachers and administrators in the uses and applications of the product, including the development of training materials;

[(C) a description of design, development, field testing, evaluation, and distribution of products, where appropriate;

[(D) an assurance that the product shall effectively serve a significant number or percentage of economically disadvantaged students;

[(E) plans for dissemination of products to a wide audience of learners;

[(F) a description of how the product can be adapted for use by students with disabilities including provisions for closed captioning or descriptive video, where appropriate;

[(G) a description of how ownership and rights to the use and marketing of any product developed by the consortium, including intellectual property rights, will be allocated among consortium participants; and

[(H) a description of the contributions, including services and funds, to be made by each member of the consortium, and how any revenues derived from the sale of any product developed by the consortium shall be distributed.

[(c) CONSUMER REPORT.—The Secretary shall provide for the independent evaluation of products developed under this section and shall disseminate information about products developed pursuant to provisions of this section to State and local educational agencies, and other organizations or individuals that the Secretary determines to be appropriate, through print and electronic media that are accessible to the education community at large.

[(d) PROCEEDS.—The Secretary shall not prohibit an eligible consortium or any of the members of such consortium from receiving financial benefits from the distribution of any products resulting from the assistance received under this section. Notwithstanding any other provision of law, any profits or royalties received by a State educational agency, local educational agency, or other nonprofit member of an eligible consortium receiving assistance under this section shall be used to support further development of curriculum-based learning resources, services, and programming or to provide access to such products for a wider audience.

[PART B—STAR SCHOOLS PROGRAM

[SEC. 3201. SHORT TITLE.

[This part may be cited as the "Star Schools Act".

[SEC. 3202. FINDINGS.

[The Congress finds that—

[(1) the Star Schools program has helped to encourage the use of distance learning strategies to serve multi-State regions primarily by means of satellite and broadcast television;

[(2) in general, distance learning programs have been used effectively to provide students in small, rural, and isolated schools with courses and instruction, such as science and foreign language instruction, that the local educational agency is not otherwise able to provide; and

[(3) distance learning programs may also be used to—

[(A) provide students of all ages in all types of schools and educational settings with greater access to high-quality instruction in the full range of core academic subjects that will enable such students to meet challenging, internationally competitive, educational standards;

[(B) expand professional development opportunities for teachers;

[(C) contribute to achievement of the National Education Goals; and

[(D) expand learning opportunities for everyone.

[SEC. 3203. PURPOSE.

[It is the purpose of this part to encourage improved instruction in mathematics, science, and foreign languages as well as other subjects, such as literacy skills and vocational education, and to serve underserved populations, including the disadvantaged, illiterate, limited-English proficient, and individuals with disabilities, through a star schools program under which grants are made to eligible telecommunication partnerships to enable such partnerships to—

[(1) develop, construct, acquire, maintain and operate telecommunications audio and visual facilities and equipment;

[(2) develop and acquire educational and instructional programming; and

[(3) obtain technical assistance for the use of such facilities and instructional programming.

[SEC. 3204. GRANTS AUTHORIZED.

[(a) AUTHORITY.—The Secretary, through the Office of Educational Technology, is authorized to make grants, in accordance with the provisions of this part, to eligible entities to pay the Federal share of the cost of—

[(1) the development, construction, acquisition, maintenance and operation of telecommunications facilities and equipment;

[(2) the development and acquisition of live, interactive instructional programming;

[(3) the development and acquisition of preservice and inservice teacher training programs based on established research regarding teacher-to-teacher mentoring, effective skill transfer, and ongoing, in-class instruction;

[(4) the establishment of teleconferencing facilities and resources for making interactive training available to teachers;

[(5) obtaining technical assistance; and

[(6) the coordination of the design and connectivity of telecommunications networks to reach the greatest number of schools.

[(b) DURATION.—

[(1) IN GENERAL.—The Secretary shall award grants pursuant to subsection (a) for a period of 5 years.

[(2) RENEWAL.—Grants awarded pursuant to subsection (a) may be renewed for one additional three-year period.

[(c) AUTHORIZATION OF APPROPRIATIONS.—

[(1) IN GENERAL.—There are authorized to be appropriated $35,000,000 for fiscal year 1995, and such sums as may be necessary for each of the four succeeding fiscal years, to carry out this part.

[(2) AVAILABILITY.—Funds appropriated pursuant to the authority of subsection (a) shall remain available until expended.

[(d) LIMITATIONS.—

[(1) IN GENERAL.—A grant under this section shall not exceed—

[(A) five years in duration; and

[(B) $10,000,000 in any one fiscal year.

[(2) INSTRUCTIONAL PROGRAMMING.—Not less than 25 percent of the funds available to the Secretary in any fiscal year under this part shall be used for the cost of instructional programming.

[(3) SPECIAL RULE.—Not less than 50 percent of the funds available in any fiscal year under this part shall be used for the cost of facilities, equipment, teacher training or retraining, technical assistance, or programming, for local educational agencies which are eligible to receive assistance under part A of title I.

[(e) FEDERAL SHARE.—

[(1) IN GENERAL.—The Federal share of the cost of projects funded under this section shall not exceed—

[(A) 75 percent for the first and second years for which an eligible telecommunications partnership receives a grant under this part;

[(B) 60 percent for the third and fourth such years; and

[(C) 50 percent for the fifth such year.

[(2) REDUCTION OR WAIVER.—The Secretary may reduce or waive the requirement of the non-Federal share under paragraph (1) upon a showing of financial hardship.

[(f) AUTHORITY TO ACCEPT FUNDS FROM OTHER AGENCIES.—The Secretary is authorized to accept funds from other Federal departments or agencies to carry out the purposes of this section, including funds for the purchase of equipment.

[(g) COORDINATION.—The Department, the National Science Foundation, the Department of Agriculture, the Department of Commerce, and any other Federal department or agency operating a telecommunications network for educational purposes, shall coordinate the activities assisted under this part with the activities of such department or agency relating to a telecommunications network for educational purposes.

[(h) CLOSED CAPTIONING AND DESCRIPTIVE VIDEO.—Each entity receiving funds under this part is encouraged to provide—

[(1) closed captioning of the verbal content of such program, where appropriate, to be broadcast by way of line 21 of the vertical blanking interval, or by way of comparable successor technologies; and

[(2) descriptive video of the visual content of such program, as appropriate.

[SEC. 3205. ELIGIBLE ENTITIES.

[(a) ELIGIBLE ENTITIES.—

[(1) REQUIRED PARTICIPATION.—The Secretary may make a grant under section 3204 to any eligible entity, if at least one local educational agency is participating in the proposed project.

[(2) ELIGIBLE ENTITY.—For the purpose of this part, the term "eligible entity" may include—

[(A) a public agency or corporation established for the purpose of developing and operating telecommunications networks to enhance educational opportunities provided by educational institutions, teacher training centers, and other entities, except that any such agency or corporation shall represent the interests of elementary and secondary schools that are eligible to participate in the program under part A of title I; or

[(B) a partnership that will provide telecommunications services and which includes 3 or more of the following entities, at least 1 of which shall be an agency described in clause (i) or (ii):

[(i) a local educational agency that serves a significant number of elementary and secondary schools that are eligible for assistance under part A of title I, or elementary and secondary schools operated or funded

for Indian children by the Department of the Interior eligible under section 1121(b)(2);

[(ii) a State educational agency;

[(iii) adult and family education programs;

[(iv) an institution of higher education or a State higher education agency;

[(v) a teacher training center or academy that—

[(I) provides teacher pre-service and in-service training; and

[(II) receives Federal financial assistance or has been approved by a State agency;

[(vi) (I) a public or private entity with experience and expertise in the planning and operation of a telecommunications network, including entities involved in telecommunications through satellite, cable, telephone, or computer; or

[(II) a public broadcasting entity with such experience; or

[(vii) a public or private elementary or secondary school.

[(b) SPECIAL RULE.—An eligible entity receiving assistance under this part shall be organized on a statewide or multistate basis.

[SEC. 3206. APPLICATIONS.

[(a) APPLICATIONS REQUIRED.—Each eligible entity which desires to receive a grant under section 3204 shall submit an application to the Secretary, at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

[(b) STAR SCHOOL AWARD APPLICATIONS.—Each application submitted pursuant to subsection (a) shall—

[(1) describe how the proposed project will assist in achieving the National Education Goals, how such project will assist all students to have an opportunity to learn to challenging State standards, how such project will assist State and local educational reform efforts, and how such project will contribute to creating a high quality system of lifelong learning;

[(2) describe the telecommunications facilities and equipment and technical assistance for which assistance is sought, which may include—

[(A) the design, development, construction, acquisition, maintenance and operation of State or multistate educational telecommunications networks and technology resource centers;

[(B) microwave, fiber optics, cable, and satellite transmission equipment or any combination thereof;

[(C) reception facilities;

[(D) satellite time;

[(E) production facilities;

[(F) other telecommunications equipment capable of serving a wide geographic area;

[(G) the provision of training services to instructors who will be using the facilities and equipment for which assistance is sought, including training in using such facilities

and equipment and training in integrating programs into the classroom curriculum; and

[(H) the development of educational and related programming for use on a telecommunications network;

[(3) in the case of an application for assistance for instructional programming, describe the types of programming which will be developed to enhance instruction and training and provide assurances that such programming will be designed in consultation with professionals (including classroom teachers) who are experts in the applicable subject matter and grade level;

[(4) describe how the eligible entity has engaged in sufficient survey and analysis of the area to be served to ensure that the services offered by the eligible entity will increase the availability of courses of instruction in English, mathematics, science, foreign languages, arts, history, geography, or other disciplines;

[(5) describe the professional development policies for teachers and other school personnel to be implemented to ensure the effective use of the telecommunications facilities and equipment for which assistance is sought;

[(6) describe the manner in which historically underserved students (such as students from low-income families, limited English proficient students, students with disabilities, or students who have low literacy skills) and their families, will participate in the benefits of the telecommunications facilities, equipment, technical assistance, and programming assisted under this part;

[(7) describe how existing telecommunications equipment, facilities, and services, where available, will be used;

[(8) provide assurances that the financial interest of the United States in the telecommunications facilities and equipment will be protected for the useful life of such facilities and equipment;

[(9) provide assurances that a significant portion of any facilities and equipment, technical assistance, and programming for which assistance is sought for elementary and secondary schools will be made available to schools or local educational agencies that have a high number or percentage of children eligible to be counted under part A of title I;

[(10) provide assurances that the applicant will use the funds provided under this part to supplement and not supplant funds otherwise available for the purposes of this part;

[(11) if any member of the consortia receives assistance under subpart 3 of part A, describe how funds received under this part will be coordinated with funds received for educational technology in the classroom under such section;

[(12) describe the activities or services for which assistance is sought, such as—

[(A) providing facilities, equipment, training services, and technical assistance;

[(B) making programs accessible to students with disabilities through mechanisms such as closed captioning and descriptive video services;

[(C) linking networks around issues of national importance (such as elections) or to provide information about employment opportunities, job training, or student and other social service programs;

[(D) sharing curriculum resources between networks and development of program guides which demonstrate cooperative, cross-network listing of programs for specific curriculum areas;

[(E) providing teacher and student support services including classroom and training support materials which permit student and teacher involvement in the live interactive distance learning telecasts;

[(F) incorporating community resources such as libraries and museums into instructional programs;

[(G) providing professional development for teachers, including, as appropriate, training to early childhood development and Head Start teachers and staff and vocational education teachers and staff, and adult and family educators;

[(H) providing programs for adults to maximize the use of telecommunications facilities and equipment;

[(I) providing teacher training on proposed or established voluntary national content standards in mathematics and science and other disciplines as such standards are developed; and

[(J) providing parent education programs during and after the regular school day which reinforce a student's course of study and actively involve parents in the learning process;

[(13) describe how the proposed project as a whole will be financed and how arrangements for future financing will be developed before the project expires;

[(14) provide an assurance that a significant portion of any facilities, equipment, technical assistance, and programming for which assistance is sought for elementary and secondary schools will be made available to schools in local educational agencies that have a high percentage of children counted for the purpose of part A of title I;

[(15) provide an assurance that the applicant will provide such information and cooperate in any evaluation that the Secretary may conduct under this part; and

[(16) include such additional assurances as the Secretary may reasonably require.

[(c) PRIORITIES.—The Secretary, in approving applications for grants authorized under section 3204, shall give priority to applications describing projects that—

[(1) propose high-quality plans to assist in achieving one or more of the National Education Goals, will provide instruction consistent with State content standards, or will otherwise provide significant and specific assistance to States and local educational agencies undertaking systemic education reform;

[(2) will provide services to programs serving adults, especially parents, with low levels of literacy;

[(3) will serve schools with significant numbers of children counted for the purposes of part A of title I;

[(4) ensure that the eligible entity will—

[(A) serve the broadest range of institutions, programs providing instruction outside of the school setting, programs serving adults, especially parents, with low levels of literacy, institutions of higher education, teacher training centers, research institutes, and private industry;

[(B) have substantial academic and teaching capabilities, including the capability of training, retraining, and inservice upgrading of teaching skills and the capability to provide professional development;

[(C) provide a comprehensive range of courses for educators to teach instructional strategies for students with different skill levels;

[(D) provide training to participating educators in ways to integrate telecommunications courses into existing school curriculum;

[(E) provide instruction for students, teachers, and parents;

[(F) serve a multistate area; and

[(G) give priority to the provision of equipment and linkages to isolated areas; and

[(5) involve a telecommunications entity (such as a satellite, cable, telephone, computer, or public or private television stations) participating in the eligible entity and donating equipment or in-kind services for telecommunications linkages.

[(d) GEOGRAPHIC DISTRIBUTION.—In approving applications for grants authorized under section 3204, the Secretary shall, to the extent feasible, ensure an equitable geographic distribution of services provided under this part.

[SEC. 3207. LEADERSHIP AND EVALUATION ACTIVITIES.

[(a) RESERVATION.—From the amount appropriated pursuant to the authority of section 3204(c)(1) in each fiscal year, the Secretary may reserve not more than 5 percent of such amount for national leadership, evaluation, and peer review activities.

[(b) METHOD OF FUNDING.—The Secretary may fund the activities described in subsection (a) directly or through grants, contracts, and cooperative agreements.

[(c) USES OF FUNDS.—

[(1) LEADERSHIP.—Funds reserved for leadership activities under subsection (a) may be used for—

[(A) disseminating information, including lists and descriptions of services available from grant recipients under this part; and

[(B) other activities designed to enhance the quality of distance learning activities nationwide.

[(2) EVALUATION.—Funds reserved for evaluation activities under subsection (a) may be used to conduct independent evaluations of the activities assisted under this part and of distance learning in general, including—

[(A) analyses of distance learning efforts, including such efforts that are assisted under this part and such efforts that are not assisted under this part; and

[(B) comparisons of the effects, including student outcomes, of different technologies in distance learning efforts.

[(3) PEER REVIEW.—Funds reserved for peer review activities under subsection (a) may be used for peer review of—

[(A) applications for grants under this part; and

[(B) activities assisted under this part.

[SEC. 3208. DEFINITIONS.

[As used in this part—

[(1) the term "educational institution" means an institution of higher education, a local educational agency, or a State educational agency;

[(2) the term "instructional programming" means courses of instruction and training courses for elementary and secondary students, teachers, and others, and materials for use in such instruction and training that have been prepared in audio and visual form on tape, disc, film, or live, and presented by means of telecommunications devices; and

[(3) the term "public broadcasting entity" has the same meaning given such term in section 397 of the Communications Act of 1934.

[SEC. 3209. ADMINISTRATIVE PROVISIONS.

[(a) CONTINUING ELIGIBILITY.—

[(1) IN GENERAL.—In order to be eligible to receive a grant under section 3204 for a second 3-year grant period an eligible entity shall demonstrate in the application submitted pursuant to section 3206 that such partnership shall—

[(A) continue to provide services in the subject areas and geographic areas assisted with funds received under this part for the previous 5-year grant period; and

[(B) use all grant funds received under this part for the second 3-year grant period to provide expanded services by—

[(i) increasing the number of students, schools or school districts served by the courses of instruction assisted under this part in the previous fiscal year;

[(ii) providing new courses of instruction; and

[(iii) serving new populations of underserved individuals, such as children or adults who are disadvantaged, have limited-English proficiency, are individuals with disabilities, are illiterate, or lack secondary school diplomas or their recognized equivalent.

[(2) SPECIAL RULE.—Grant funds received pursuant to paragraph (1) shall be used to supplement and not supplant services provided by the grant recipient under this part in the previous fiscal year.

[(b) FEDERAL ACTIVITIES.—The Secretary may assist grant recipients under section 3204 in acquiring satellite time, where appropriate, as economically as possible.

[SEC. 3210. OTHER ASSISTANCE.

[(a) SPECIAL STATEWIDE NETWORK.—

[(1) IN GENERAL.—The Secretary, through the Office of Educational Technology, may provide assistance to a statewide

telecommunications network under this subsection if such network—

[(A) provides 2-way full motion interactive video and audio communications;

[(B) links together public colleges and universities and secondary schools throughout the State; and

[(C) meets any other requirements determined appropriate by the Secretary.

[(2) STATE CONTRIBUTION.—A statewide telecommunications network assisted under paragraph (1) shall contribute, either directly or through private contributions, non-Federal funds equal to not less than 50 percent of the cost of such network.

[(b) SPECIAL LOCAL NETWORK.—

[(1) IN GENERAL.—The Secretary may provide assistance, on a competitive basis, to a local educational agency or consortium thereof to enable such agency or consortium to establish a high technology demonstration program.

[(2) PROGRAM REQUIREMENTS.—A high technology demonstration program assisted under paragraph (1) shall—

[(A) include 2-way full motion interactive video, audio and text communications;

[(B) link together elementary and secondary schools, colleges, and universities;

[(C) provide parent participation and family programs;

[(D) include a staff development program; and

[(E) have a significant contribution and participation from business and industry.

[(3) SPECIAL RULE.—Each high technology demonstration program assisted under paragraph (1) shall be of sufficient size and scope to have an effect on meeting the National Education Goals.

[(4) MATCHING REQUIREMENT.—A local educational agency or consortium receiving a grant under paragraph (1) shall provide, either directly or through private contributions, non-Federal matching funds equal to not less than 50 percent of the amount of the grant.

[(c) TELECOMMUNICATIONS PROGRAMS FOR CONTINUING EDUCATION.—

[(1) AUTHORITY.—The Secretary is authorized to award grants, on a competitive basis, to eligible entities to enable such partnerships to develop and operate one or more programs which provide on-line access to educational resources in support of continuing education and curriculum requirements relevant to achieving a secondary school diploma or its recognized equivalent. The program authorized by this section shall be designed to advance adult literacy, secondary school completion and the acquisition of specified competency by the end of the 12th grade, as envisioned by the Goals 2000: Educate America Act.

[(2) APPLICATION.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary. Each such application shall—

[(A) demonstrate that the applicant will use publicly funded or free public telecommunications infrastructure to

deliver video, voice and data in an integrated service to support and assist in the acquisition of a secondary school diploma or its recognized equivalent;

[(B) assure that the content of the materials to be delivered is consistent with the accreditation requirements of the State for which such materials are used;

[(C) incorporate, to the extent feasible, materials developed in the Federal departments and agencies and under appropriate federally funded projects and programs;

[(D) assure that the applicant has the technological and substantive experience to carry out the program; and

[(E) contain such additional assurances as the Secretary may reasonably require.

[PART C—READY-TO-LEARN TELEVISION

[SEC. 3301. READY-TO-LEARN.

[(a) IN GENERAL.—The Secretary is authorized to award grants to or enter into contracts or cooperative agreements with eligible entities described in section 3302(b) to develop, produce, and distribute educational and instructional video programming for preschool and elementary school children and their parents in order to facilitate the achievement of the National Education Goals.

[(b) AVAILABILITY.—In making such grants, contracts, or cooperative agreements, the Secretary shall ensure that recipients make programming widely available with support materials as appropriate to young children, their parents, child care workers, and Head Start providers to increase the effective use of such programming.

[SEC. 3302. EDUCATIONAL PROGRAMMING.

[(a) AWARDS.—The Secretary shall award grants, contracts, or cooperative agreements to eligible entities to—

[(1) facilitate the development directly or through contracts with producers of children and family educational television programming, educational programming for preschool and elementary school children, and accompanying support materials and services that promote the effective use of such programming; and

[(2) enable such entities to contract with entities (such as public telecommunications entities and those funded under the Star Schools Act) so that programs developed under this section are disseminated and distributed to the widest possible audience appropriate to be served by the programming by the most appropriate distribution technologies.

[(b) ELIGIBLE ENTITIES.—To be eligible to receive a grant, contract, or cooperative agreement under subsection (a), an entity shall be—

[(1) a nonprofit entity (including a public telecommunications entity) able to demonstrate a capacity for the development and distribution of educational and instructional television programming of high quality for preschool and elementary school children; and

[(2) able to demonstrate a capacity to contract with the producers of children's television programming for the purpose of developing educational television programming of high quality for preschool and elementary school children.

[(c) CULTURAL EXPERIENCES.—Programming developed under this section shall reflect the recognition of diverse cultural experiences and the needs and experiences of both boys and girls in engaging and preparing young children for schooling.

[SEC. 3303. DUTIES OF SECRETARY.

[The Secretary is authorized—

[(1) to establish and administer a Special Projects of National Significance program to award grants, contracts, or cooperative agreements to public and nonprofit private entities, or local public television stations or such public television stations that are part of a consortium with one or more State educational agencies, local educational agencies, local schools, institutions of higher education, or community-based organizations of demonstrated effectiveness, for the purpose of—

[(A) addressing the learning needs of young children in limited English proficient households, and developing appropriate educational and instructional television programming to foster the school readiness of such children;

[(B) developing programming and support materials to increase family literacy skills among parents to assist parents in teaching their children and utilizing educational television programming to promote school readiness; and

[(C) identifying, supporting, and enhancing the effective use and outreach of innovative programs that promote school readiness;

[(2) to establish within the Department a clearinghouse to compile and provide information, referrals and model program materials and programming obtained or developed under this part to parents, child care providers, and other appropriate individuals or entities to assist such individuals and entities in accessing programs and projects under this part; and

[(3) to develop and disseminate training materials, including—

[(A) interactive programs and programs adaptable to distance learning technologies that are designed to enhance knowledge of children's social and cognitive skill development and positive adult-child interactions; and

[(B) support materials to promote the effective use of materials developed under paragraph (2);

among parents, Head Start providers, in-home and center based day care providers, early childhood development personnel, and elementary school teachers, public libraries, and after school program personnel caring for preschool and elementary school children;

[(4) coordinate activities with the Secretary of Health and Human Services in order to—

[(A) maximize the utilization of quality educational programming by preschool and elementary school children, and make such programming widely available to federally funded programs serving such populations; and

[(B) provide information to recipients of funds under Federal programs that have major training components for early childhood development, including Head Start, Even Start, and State training activities funded under the Child Care Development Block Grant Act of 1990 regarding the availability and utilization of materials developed under paragraph (3) to enhance parent and child care provider skills in early childhood development and education.

[SEC. 3304. APPLICATIONS.

[Each eligible entity desiring a grant, contract, or cooperative agreement under section 3301 or 3303 shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

[SEC. 3305. REPORTS AND EVALUATION.

[(a) ANNUAL REPORT TO SECRETARY.—An entity receiving funds under section 3301 shall prepare and submit to the Secretary an annual report which contains such information as the Secretary may require. At a minimum, the report shall describe the program activities undertaken with funds received under this section, including—

[(1) the programming that has been developed directly or indirectly by the entity, and the target population of the programs developed;

[(2) the support materials that have been developed to accompany the programming, and the method by which such materials are distributed to consumers and users of the programming;

[(3) the means by which programming developed under this section has been distributed, including the distance learning technologies that have been utilized to make programming available and the geographic distribution achieved through such technologies; and

[(4) the initiatives undertaken by the entity to develop public-private partnerships to secure non-Federal support for the development and distribution and broadcast of educational and instructional programming.

[(b) REPORT TO CONGRESS.—The Secretary shall prepare and submit to the relevant committees of Congress a biannual report which includes—

[(1) a summary of the information made available under section 3302(a); and

[(2) a description of the training materials made available under section 3303(3), the manner in which outreach has been conducted to inform parents and child care providers of the availability of such materials, and the manner in which such materials have been distributed in accordance with such section.

[SEC. 3306. ADMINISTRATIVE COSTS.

[With respect to the implementation of section 3302, entities receiving a grant, contract, or cooperative agreement from the Secretary may use not more than 5 percent of the amounts received under such section for the normal and customary expenses of administering the grant, contract, or cooperative agreement.

[SEC. 3307. DEFINITION.

[For the purposes of this part, the term "distance learning' means the transmission of educational or instructional programming to geographically dispersed individuals and groups via telecommunications.

[SEC. 3308. AUTHORIZATION OF APPROPRIATIONS.

[(a) IN GENERAL.—There are authorized to be appropriated to carry out this part, $30,000,000 for fiscal year 1995, and such sums as may be necessary for each of the four succeeding fiscal years. Not less than 60 percent of the amounts appropriated under this subsection for each fiscal year shall be used to carry out section 3302.

[(b) SPECIAL PROJECTS.—Of the amount appropriated under subsection (b) for each fiscal year, at least 10 percent of such amount shall be used for each such fiscal year for activities under section 3303(1)(C).

[PART D—TELECOMMUNICATIONS DEMONSTRATION PROJECT FOR MATHEMATICS

[SEC. 3401. PROJECT AUTHORIZED.

[The Secretary is authorized to make grants to a nonprofit telecommunications entity, or partnership of such entities, for the purpose of carrying out a national telecommunications-based demonstration project to improve the teaching of mathematics. The demonstration project authorized by this part shall be designed to assist elementary and secondary school teachers in preparing all students for achieving State content standards.

[SEC. 3402. APPLICATION REQUIRED.

[(a) IN GENERAL.—Each nonprofit telecommunications entity, or partnership of such entities, desiring a grant under this part shall submit an application to the Secretary. Each such application shall—

[(1) demonstrate that the applicant will use the existing publicly funded telecommunications infrastructure to deliver video, voice and data in an integrated service to train teachers in the use of new standards-based curricula materials and learning technologies;

[(2) assure that the project for which assistance is sought will be conducted in cooperation with appropriate State educational agencies, local educational agencies, State or local nonprofit public telecommunications entities, and a national mathematics education professional association that has developed content standards;

[(3) assure that a significant portion of the benefits available for elementary and secondary schools from the project for which assistance is sought will be available to schools of local educational agencies which have a high percentage of children counted for the purpose of part A of title I; and

[(4) contain such additional assurances as the Secretary may reasonably require.

[(b) APPROVAL OF APPLICATIONS; NUMBER OF DEMONSTRATION SITES.—In approving applications under this section, the Secretary

shall assure that the demonstration project authorized by this part is conducted at elementary and secondary school sites in at least 15 States.

[SEC. 3403. AUTHORIZATION OF APPROPRIATIONS.

[There are authorized to be appropriated to carry out this part, $5,000,000 for the fiscal year 1995, and such sums as may be necessary for each of the four succeeding fiscal years.

[PART E—ELEMENTARY MATHEMATICS AND SCIENCE EQUIPMENT PROGRAM

[SEC. 3501. SHORT TITLE.

[This part may be cited as the "Elementary Mathematics and Science Equipment Act".

[SEC. 3502. STATEMENT OF PURPOSE.

[It is the purpose of this part to raise the quality of instruction in mathematics and science in the Nation's elementary schools by providing equipment and materials necessary for hands-on instruction through assistance to State and local educational agencies.

[SEC. 3503. PROGRAM AUTHORIZED.

[The Secretary is authorized to make allotments to State educational agencies under section 3504 to enable such agencies to award grants to local educational agencies for the purpose of providing equipment and materials to elementary schools to improve mathematics and science education in such schools.

[SEC. 3504. ALLOTMENTS OF FUNDS.

[(a) IN GENERAL.—From the amount appropriated under section 3509 for any fiscal year, the Secretary shall reserve—

[(1) not more than one-half of 1 percent for allotment among Guam, American Samoa, the Virgin Islands, and the Northern Mariana Islands according to their respective needs for assistance under this part; and

[(2) one-half of 1 percent for programs for Indian students served by schools funded by the Secretary of the Interior which are consistent with the purposes of this part.

[(b) ALLOTMENT.—

[(1) IN GENERAL.—The remainder of the amount so appropriated (after meeting requirements in subsection (a)) shall be allotted among State educational agencies so that—

[(A) one-half of such remainder shall be distributed by allotting to each State educational agency an amount which bears the same ratio to such one-half of such remainder as the number of children aged 5 to 17, inclusive, in the State bears to the number of such children in all States; and

[(B) one-half of such remainder shall be distributed according to each State's share of allocations under part A of title I.

[(2) MINIMUM.—Except as provided in paragraph (3), no State educational agency shall receive an allotment under this subsection for any fiscal year in an amount that is—

[(A) less than one-half of 1 percent of the amount made available under this subsection for such fiscal year; or

[(B) less than the amount allotted to such State for fiscal year 1988 under title II of the Education for Economic Security Act.

[(3) RATABLE REDUCTIONS.—(A) If the sums made available under this part for any fiscal year are insufficient to pay the full amounts that all State educational agencies are eligible to receive under paragraph (2)(B) for such year, the Secretary shall ratably reduce the allotment to such agencies for such year.

[(B) If additional funds become available for making payments under paragraph (2)(B) for such fiscal year, allotments that were reduced under subparagraph (A) shall be increased on the same basis as such allotments were reduced.

[(c) REALLOTMENT OF UNUSED FUNDS.—The amount of any State educational agency's allotment under subsection (b) for any fiscal year to carry out this part which the Secretary determines will not be required for that fiscal year to carry out this part shall be available for reallotment from time to time, on such dates during that year as the Secretary may determine, to other State educational agencies in proportion to the original allotments to those State educational agencies under subsection (b) for that year but with such proportionate amount for any of those other State educational agencies being reduced to the extent it exceeds the sum the Secretary estimates that the State educational agency needs and will be able to use for that year, and the total of those reductions shall be similarly reallotted among the State educational agencies whose proportionate amounts were not so reduced. Any amounts reallotted to a State educational agency under this subsection during a year shall be deemed a part of the State educational agency's allotment under subsection (b) for that year.

[(d) DEFINITION.—For the purposes of this part the term "State" means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

[(e) DATA.—The number of children aged 5 to 17, inclusive, in the State and in all States shall be determined by the Secretary on the basis of the most recent satisfactory data available to the Secretary.

[SEC. 3505. STATE APPLICATION.

[(a) APPLICATION.—Each State educational agency desiring to receive an allotment under this part shall file an application with the Secretary which covers a period of 5 fiscal years. Such application shall be filed at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

[(b) CONTENTS OF APPLICATION.—Each application described in subsection (a) shall—

[(1) provide assurances that—

[(A) the State educational agency shall use the allotment provided under this part to award grants to local educational agencies within the State to enable such local educational agencies to provide assistance to schools

served by such agency to carry out the purpose of this part;

[(B) the State educational agency will provide such fiscal control and funds accounting as the Secretary may require;

[(C) every public elementary school in the State is eligible to receive assistance under this part once over the 5-year duration of the program assisted under this part;

[(D) funds provided under this part will supplement, not supplant, State and local funds made available for activities authorized under this part;

[(E) during the 5-year period described in the application, the State educational agency will evaluate its standards and programs for teacher preparation and inservice professional development for elementary mathematics and science;

[(F) the State educational agency will take into account the needs for greater access to and participation in mathematics and science by students and teachers from historically underrepresented groups, including females, minorities, individuals with limited English proficiency, the economically disadvantaged, and individuals with disabilities; and

[(G) that the needs of teachers and students in areas with high concentrations of low-income students and sparsely populated areas will be given priority in awarding assistance under this part;

[(2) provide, if appropriate, a description of how funds paid under this part will be coordinated with State and local funds and other Federal resources, particularly with respect to programs for the professional development and inservice training of elementary school teachers in science and mathematics; and

[(3) describe procedures—

[(A) for submitting applications for programs described in section 3506 for distribution of assistance under this part within the State; and

[(B) for approval of applications by the State educational agency, including appropriate procedures to assure that such agency will not disapprove an application without notice and opportunity for a hearing.

[(c) STATE ADMINISTRATION.—Not more than 5 percent of the funds allotted to each State educational agency under this part shall be used for the administrative costs of such agency associated with carrying out the program assisted under this part.

[SEC. 3506. LOCAL APPLICATION.

[(a) APPLICATION.—A local educational agency that desires to receive a grant under this part shall submit an application to the State educational agency. Each such application shall contain assurances that each school served by the local educational agency shall be eligible for assistance under this part only once.

[(b) CONTENTS OF APPLICATION.—Each application described in subsection (a) shall—

[(1) describe how the local educational agency plans to set priorities on the use and distribution among schools of grant funds received under this part to meet the purpose of this part;

[(2) include assurances that the local educational agency has made every effort to match on a dollar-for-dollar basis from private or public sources the funds received under this part, except that no such application shall be penalized or denied assistance under this part based on failure to provide such matching funds;

[(3) describe, if applicable, how funds under this part will be coordinated with State, local, and other Federal resources, especially with respect to programs for the professional development and inservice training of elementary school teachers in science and mathematics; and

[(4) describe the process which will be used to determine different levels of assistance to be awarded to schools with different needs.

[(c) PRIORITY.—In awarding grants under this part, the State educational agency shall give priority to applications that—

[(1) assign highest priority to providing assistance to schools which—

[(A) are most seriously underequipped; or

[(B) serve large numbers or percentages of economically disadvantaged students;

[(2) are attentive to the needs of underrepresented groups in science and mathematics;

[(3) demonstrate how science and mathematics equipment will be part of a comprehensive plan of curriculum planning or implementation and teacher training supporting hands-on laboratory activities; and

[(4) assign priority to providing equipment and materials for students in grades 1 through 6.

[SEC. 3507. PROGRAM REQUIREMENTS.

[(a) COORDINATION.—Each State educational agency receiving an allotment under this part shall—

[(1) disseminate information to school districts and schools, including private nonprofit elementary schools, regarding the program assisted under this part;

[(2) evaluate applications of local educational agencies;

[(3) award grants to local educational agencies based on the priorities described in section 3506(c); and

[(4) evaluate local educational agencies' end-of-year summaries and submit such evaluation to the Secretary.

[(b) LIMITATIONS ON USE OF FUNDS.—

[(1) IN GENERAL.—Except as provided in paragraph (2), grant funds and matching funds under this part only shall be used to purchase science equipment, science materials, or mathematical manipulative materials and shall not be used for computers, computer peripherals, software, textbooks, or staff development costs.

[(2) CAPITAL IMPROVEMENTS.—Grant funds under this part may not be used for capital improvements. Not more than 50 percent of any matching funds provided by the local educational agency may be used for capital improvements of class-

room science facilities to support the hands-on instruction that this part is intended to support, such as the installation of electrical outlets, plumbing, lab tables or counters, or ventilation mechanisms.

[SEC. 3508. FEDERAL ADMINISTRATION.

[(a) TECHNICAL ASSISTANCE AND EVALUATION PROCEDURES.—The Secretary shall provide technical assistance and, in consultation with State and local representatives of the program assisted under this part, shall develop procedures for State and local evaluations of the programs assisted under this part.

[(b) REPORT.—The Secretary shall report to the Congress each year on the program assisted under this part in accordance with section 10701.

[SEC. 3509. AUTHORIZATION OF APPROPRIATIONS.

[There are authorized to be appropriated $30,000,000 for fiscal year 1995, and such sums as may be necessary for each of the four succeeding fiscal years, to carry out this part.

[PART F—ELEMENTARY AND SECONDARY SCHOOL LIBRARY MEDIA RESOURCES PROGRAM

[SEC. 3601. PROGRAM AUTHORIZED.

[The Secretary shall award grants or make allocations in accordance with section 3602 for the acquisition of school library media resources for the use of students, library media specialists, and teachers in elementary and secondary schools in accordance with this part.

[SEC. 3602. ALLOCATION TO STATES.

[(a) From the amount appropriated pursuant to section 3605 in each fiscal year, the Secretary shall award funds to each State having an approved plan under section 3603 as follows:

[(1) AMOUNTS BELOW $50,000,000.—If the amount made available under subsection (a) for a fiscal year is less than $50,000,000, then the Secretary shall award grants to States, on a competitive basis, taking into account such factors as age and condition of existing school library media collections and the relative economic need of the students to be served.

[(2) AMOUNTS EQUAL TO OR EXCEEDING $50,000,000.—If the amount made available under subsection (a) for a fiscal year equals or exceeds $50,000,000, then the Secretary shall allocate to each State an amount which bears the same relationship to such amount as the amount such State received under title II for such year bears to the amount all States received under such title for such year.

[SEC. 3603. STATE PLANS.

[(a) IN GENERAL.—In order for a State to receive a grant or an allocation of funds under this part for any fiscal year, such State shall have in effect for such fiscal year a State plan. Such plan shall—

[(1) designate the State educational agency as the State agency responsible for the administration of the program assisted under this part;

[(2) set forth a program under which funds paid to the State in accordance with section 3602 will be expended solely for—

[(A) acquisition of school library media resources, including books and foreign language resources, for the use of students, school library media specialists, and teachers in elementary and secondary schools in the United States; and

[(B) administration of the State plan, including development and revision of standards, relating to school library media resources, except that the amount used for administration of the State plan in any fiscal year shall not exceed three percent of the amount available to such State under section 3602 for such fiscal year; and

[(3) set forth criteria to be used in allotting funds for school library media resources among the local educational agencies of the State, which allotment shall take into consideration the relative need of the students, school media specialists, and teachers to be served.

[(b) PLAN SUBMISSION.—The State plan may be submitted as part of a consolidated application under section 14302.

[SEC. 3604. DISTRIBUTION OF ALLOCATION TO LOCAL EDUCATIONAL AGENCIES.

[From the funds allocated to a State under section 3602(2) in each fiscal year, such State shall distribute not less than 97 percent of such funds in such year to local educational agencies within such State according to the relative enrollment of students in elementary and secondary schools within the school districts of such State, adjusted to provide higher per pupil allotments to local educational agencies that have the greatest number or percentages of students whose education imposes a higher than average cost per child, such as those students—

[(1) living in areas with high concentrations of low-income families;

[(2) from low-income families; and

[(3) living in sparsely populated areas.

[SEC. 3605. AUTHORIZATION OF APPROPRIATIONS.

[There are authorized to be appropriated to carry out this part $200,000,000 for fiscal year 1995 and such sums as may be necessary for each of the four succeeding fiscal years.]

* * * * * * *

TITLE V—PROMOTING EQUITY

[PART A—MAGNET SCHOOLS ASSISTANCE

[SEC. 5101. FINDINGS.

[The Congress finds that—

[(1) magnet schools are a significant part of our Nation's effort to achieve voluntary desegregation in our Nation's schools;

[(2) the use of magnet schools has increased dramatically since the date of enactment of the Magnet Schools Assistance program, with approximately 1,400,000 students nationwide now attending such schools, of which more than 60 percent of the students are nonwhite;

[(3) magnet schools offer a wide range of distinctive programs that have served as models for school improvement efforts;

[(4) 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 such agencies have more flexibility in the administration of such program in order to serve students attending a school who are not enrolled in the magnet school program;

[(C) local educational agencies must be creative in designing magnet schools for students at all academic levels, so that school districts do not skim off only the highest achieving students to attend the magnet schools;

[(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; and

[(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 to operate magnet schools at a high level of performance; and

[(5) it is in the best interest of the Federal Government to—

[(A) continue the Federal Government's 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 such students' education;

[(B) ensure that all students have equitable access to quality education that will prepare such students to function well in a culturally diverse, technologically oriented, and highly competitive, global community; and

[(C) 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.

[SEC. 5102. STATEMENT OF PURPOSE.

[The purpose of this part is to assist in the desegregation of schools served by local educational agencies by providing financial assistance to eligible local educational agencies for—

[(1) the elimination, reduction, or prevention of minority group isolation in elementary and secondary schools with substantial proportions of minority students;

[(2) the development and implementation of magnet school projects that will assist local educational agencies in achieving systemic reforms and providing all students the opportunity to meet challenging State content standards and challenging State student performance standards;

[(3) the development and design of innovative educational methods and practices; and

[(4) courses of instruction within magnet schools that will substantially strengthen the knowledge of academic subjects and the grasp of tangible and marketable vocational skills of students attending such schools.

[SEC. 5103. PROGRAM AUTHORIZED.

[The Secretary, in accordance with this part, is authorized to make grants to eligible local educational agencies, and consortia of such agencies where appropriate, to carry out the purpose of this part for magnet schools that are—

[(1) part of an approved desegregation plan; and

[(2) designed to bring students from different social, economic, ethnic, and racial backgrounds together.

[SEC. 5104. DEFINITION.

[For the purpose of this part, the term "magnet school" means a public elementary or secondary school or public elementary or secondary education center that offers a special curriculum capable of attracting substantial numbers of students of different racial backgrounds.

[SEC. 5105. ELIGIBILITY.

[A local educational agency, or consortium of such agencies where appropriate, is eligible to receive assistance under this part to carry out the purposes of this part if such agency or consortium—

[(1) is implementing a plan undertaken pursuant to a final order issued by a court of the United States, or a court of any State, or any other State agency or official of competent jurisdiction, that requires the desegregation of minority-group-segregated children or faculty in the elementary and secondary schools of such agency; or

[(2) without having been required to do so, has adopted and is implementing, or will, if assistance is made available to such local educational agency or consortium of such agencies under this part, adopt and implement a plan that has been approved by the Secretary as adequate under title VI of the Civil Rights Act of 1964 for the desegregation of minority-group-segregated children or faculty in such schools.

[SEC. 5106. APPLICATIONS AND REQUIREMENTS.

[(a) APPLICATIONS.—An eligible local educational agency or consortium of such agencies desiring to receive assistance under this part shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may reasonably require.

[(b) INFORMATION AND ASSURANCES.—Each such application shall include—

[(1) a description of—

[(A) how assistance made available under this part will be used to promote desegregation, including how the proposed magnet school project will increase interaction among students of different social, economic, ethnic, and racial backgrounds;

[(B) the manner and extent to which the magnet school project will increase student achievement in the instructional area or areas offered by the school;

[(C) how an applicant will continue the magnet school project after assistance under this part is no longer available, including, if applicable, an explanation of why magnet schools established or supported by the applicant with funds under this part cannot be continued without the use of funds under this part;

[(D) how funds under this part will be used to implement services and activities that are consistent with other programs under this Act, the Goals 2000: Educate America Act, and other Acts, as appropriate, in accordance with the provisions of section 14306; and

[(E) the criteria to be used in selecting students to attend the proposed magnet school projects; and

[(2) assurances that the applicant will—

[(A) use funds under this part for the purposes specified in section 5102;

[(B) employ State certified or licensed teachers in the courses of instruction assisted under this part to teach or supervise others who are teaching the subject matter of the courses of instruction;

[(C) not engage in discrimination based on race, religion, color, national origin, sex, or disability in—

[(i) the hiring, promotion, or assignment of employees of the agency or other personnel for whom the agency has any administrative responsibility;

[(ii) the assignment of students to schools, or to courses of instruction within the school, of such agency, except to carry out the approved plan; and

[(iii) designing or operating extracurricular activities for students;

[(D) carry out a high-quality education program that will encourage greater parental decisionmaking and involvement; and

[(E) give students residing in the local attendance area of the proposed magnet school projects equitable consideration for placement in those projects.

[(c) SPECIAL RULE.—No application may be approved under this section unless the Assistant Secretary of Education for Civil Rights determines that the assurances described in subsection (b)(2)(C) will be met.

[SEC. 5107. PRIORITY.

[In approving applications under this part, the Secretary shall give priority to applicants that—

[(1) demonstrate the greatest need for assistance, based on the expense or difficulty of effectively carrying out an approved desegregation plan and the projects for which assistance is sought;

[(2) propose to carry out new magnet school projects, or significantly revise existing magnet school projects;

[(3) propose to select students to attend magnet school projects by methods such as lottery, rather than through academic examination;

[(4) propose to implement innovative educational approaches that are consistent with the State's and local educational agency's approved systemic reform plans, if any, under title III of the Goals 2000: Educate America Act; and

[(5) propose to draw on comprehensive community involvement plans.

[SEC. 5108. USE OF FUNDS.

[(a) IN GENERAL.—Grant funds made available under this part may be used by an eligible local educational agency or consortium of such agencies—

[(1) for planning and promotional activities directly related to the development, expansion, continuation, or enhancement of academic programs and services offered at magnet schools;

[(2) for the acquisition of books, materials, and equipment, including computers and the maintenance and operation thereof, necessary for the conduct of programs in magnet schools;

[(3) for the payment, or subsidization of the compensation, of elementary and secondary school teachers who are certified or licensed by the State, and instructional staff where applicable, who are necessary for the conduct of programs in magnet schools; and

[(4) with respect to a magnet school program offered to less than the entire student population of a school, for instructional activities that—

[(A) are designed to make available the special curriculum that is offered by the magnet school project to students who are enrolled in the school but who are not enrolled in the magnet school program; and

[(B) further the purposes of this part.

[(b) SPECIAL RULE.—Grant funds under this part may be used in accordance with paragraphs (2) and (3) of subsection (a) only if the activities described in such paragraphs are directly related to improving the students' reading skills or knowledge of mathematics, science, history, geography, English, foreign languages, art, or music, or to improving vocational skills.

[SEC. 5109. PROHIBITIONS.

[(a) TRANSPORTATION.—Grants under this part may not be used for transportation or any activity that does not augment academic improvement.

[(b) PLANNING.—A local educational agency shall not expend funds under this part after the third year that such agency receives funds under this part for such project.

[SEC. 5110. LIMITATIONS.

[(a) DURATION OF AWARDS.—A grant under this part shall be awarded for a period that shall not exceed three fiscal years.

[(b) LIMITATION ON PLANNING FUNDS.—A local educational agency may expend for planning not more than 50 percent of the funds received under this part for the first year of the project, 15 percent of such funds for the second such year, and 10 percent of such funds for the third such year.

[(c) AMOUNT.—No local educational agency or consortium awarded a grant under this part shall receive more than $4,000,000 under this part in any one fiscal year.

[(d) TIMING.—To the extent practicable, the Secretary shall award grants for any fiscal year under this part not later than June 1 of the applicable fiscal year.

[SEC. 5111. INNOVATIVE PROGRAMS.

[(a) IN GENERAL.—From amounts reserved under subsection (d) for each fiscal year, the Secretary shall award grants to local educational agencies or consortia of such agencies described in section 5105 to enable such agencies or consortia to conduct innovative programs that—

[(1) carry out the purpose of this part; and

[(2) involve strategies other than magnet schools, such as neighborhood or community model schools—

[(A) organized around a special emphasis, theme or concept; and

[(B) involving extensive parent and community involvement.

[(b) APPLICABILITY.—Sections 5103, 5106, 5107, and 5108, shall not apply to grants awarded under subsection (a).

[(c) APPLICATIONS.—Each local educational agency or consortia of such agencies desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may reasonably require.

[(d) INNOVATIVE PROGRAMS.—The Secretary shall reserve not more than 5 percent of the funds appropriated under section 5113(a) for each fiscal year to award grants under this section.

[SEC. 5112. EVALUATIONS.

[(a) RESERVATION.—The Secretary may reserve not more than two percent of the funds appropriated under section 5113(a) for any fiscal year to carry out evaluations of projects assisted under this part.

[(b) CONTENTS.—Each evaluation described in subsection (a), at a minimum, shall address—

[(1) how and the extent to which magnet school programs lead to educational quality and improvement;

[(2) the extent to which magnet school programs enhance student access to quality education;

[(3) 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; and

[(4) the extent to which magnet school programs differ from other school programs in terms of the organizational characteristics and resource allocations of such magnet school programs.

[SEC. 5113. AUTHORIZATION OF APPROPRIATIONS; RESERVATION.

[(a) AUTHORIZATION.—For the purpose of carrying out this part, there are authorized to be appropriated $120,000,000 for fiscal year 1995 and such sums as may be necessary for each of the 4 succeeding fiscal years.

[(b) AVAILABILITY OF FUNDS FOR GRANTS TO AGENCIES NOT PREVIOUSLY ASSISTED.—In any fiscal year for which the amount appropriated pursuant to subsection (a) exceeds $75,000,000, the Secretary shall give priority to using such amounts in excess of $75,000,000 to award grants to local educational agencies or consortia of such agencies that did not receive a grant under this part in the preceding fiscal year.

[PART B—WOMEN'S EDUCATIONAL EQUITY

[SEC. 5201. SHORT TITLE; FINDINGS.

[(a) SHORT TITLE.—This part may be cited as the "Women's Educational Equity Act of 1994".

[(b) FINDINGS.—The Congress finds that—

[(1) since the enactment of title IX of the Education Amendments of 1972, women and girls have made strides in educational achievement and in their ability to avail themselves of educational opportunities;

[(2) because of funding provided under the Women's Educational Equity Act, more curricula, training, and other educational materials concerning educational equity for women and girls are available for national dissemination;

[(3) teaching and learning practices in the United States are frequently inequitable as such practices relate to women and girls, for example—

[(A) sexual harassment, particularly that experienced by girls, undermines the ability of schools to provide a safe and equitable learning or workplace environment;

[(B) classroom textbooks and other educational materials do not sufficiently reflect the experiences, achievements, or concerns of women and, in most cases, are not written by women or persons of color;

[(C) girls do not take as many mathematics and science courses as boys, girls lose confidence in their mathematics and science ability as girls move through adolescence, and there are few women role models in the sciences; and

[(D) pregnant and parenting teenagers are at high risk for dropping out of school and existing dropout prevention programs do not adequately address the needs of such teenagers;

[(4) efforts to improve the quality of public education also must include efforts to ensure equal access to quality education programs for all women and girls;

[(5) Federal support should address not only research and development of innovative model curricula and teaching and

learning strategies to promote gender equity, but should also assist schools and local communities implement gender equitable practices;

[(6) Federal assistance for gender equity must be tied to systemic reform, involve collaborative efforts to implement effective gender practices at the local level, and encourage parental participation; and

[(7) excellence in education, high educational achievements and standards, and the full participation of women and girls in American society, cannot be achieved without educational equity for women and girls.

[SEC. 5202. STATEMENT OF PURPOSES.

[It is the purpose of this part—

[(1) to promote gender equity in education in the United States;

[(2) to provide financial assistance to enable educational agencies and institutions to meet the requirements of title IX of the Educational Amendments of 1972; and

[(3) to promote equity in education for women and girls who suffer from multiple forms of discrimination based on sex, race, ethnic origin, limited-English proficiency, disability, or age.

[SEC. 5203. PROGRAMS AUTHORIZED.

[(a) IN GENERAL.—The Secretary is authorized—

[(1) to promote, coordinate, and evaluate gender equity policies, programs, activities and initiatives in all Federal education programs and offices;

[(2) to develop, maintain, and disseminate materials, resources, analyses, and research relating to education equity for women and girls;

[(3) to provide information and technical assistance to assure the effective implementation of gender equity programs;

[(4) to coordinate gender equity programs and activities with other Federal agencies with jurisdiction over education and related programs;

[(5) to assist the Assistant Secretary of the Office of Educational Research and Improvement in identifying research priorities related to education equity for women and girls; and

[(6) to perform any other activities consistent with achieving the purposes of this part.

[(b) GRANTS AUTHORIZED.—

[(1) IN GENERAL.—The Secretary is authorized to make grants to, and enter into contracts and cooperative agreements with, public agencies, private nonprofit agencies, organizations, institutions, student groups, community groups, and individuals, for a period not to exceed four years, to—

[(A) provide grants to develop model equity programs; and

[(B) provide funds for the implementation of equity programs in schools throughout the Nation.

[(2) SUPPORT AND TECHNICAL ASSISTANCE.—To achieve the purposes of this part, the Secretary is authorized to provide support and technical assistance—

[(A) to implement effective gender-equity policies and programs at all educational levels, including—

[(i) assisting educational agencies and institutions to implement policies and practices to comply with title IX of the Education Amendments of 1972;

[(ii) training for teachers, counselors, administrators, and other school personnel, especially preschool and elementary school personnel, in gender equitable teaching and learning practices;

[(iii) leadership training for women and girls to develop professional and marketable skills to compete in the global marketplace, improve self-esteem, and benefit from exposure to positive role models;

[(iv) school-to-work transition programs, guidance and counseling activities, and other programs to increase opportunities for women and girls to enter a technologically demanding workplace and, in particular, to enter highly skilled, high paying careers in which women and girls have been underrepresented;

[(v) enhancing educational and career opportunities for those women and girls who suffer multiple forms of discrimination, based on sex and on race, ethnic origin, limited-English proficiency, disability, socioeconomic status, or age;

[(vi) assisting pregnant students and students rearing children to remain in or to return to secondary school, graduate, and prepare their preschool children to start school;

[(vii) evaluating exemplary model programs to assess the ability of such programs to advance educational equity for women and girls;

[(viii) introduction into the classroom of textbooks, curricula, and other materials designed to achieve equity for women and girls;

[(ix) programs and policies to address sexual harassment and violence against women and girls and to ensure that educational institutions are free from threats to the safety of students and personnel;

[(x) nondiscriminatory tests of aptitude and achievement and of alternative assessments that eliminate biased assessment instruments from use;

[(xi) programs to increase educational opportunities, including higher education, vocational training, and other educational programs for low-income women, including underemployed and unemployed women, and women receiving assistance under a State program funded under part A of title IV of the Social Security Act;

[(xii) programs to improve representation of women in educational administration at all levels; and

[(xiii) planning, development and initial implementation of—

[(I) comprehensive institution- or districtwide evaluation to assess the presence or absence of gender equity in educational settings;

[(II) comprehensive plans for implementation of equity programs in State and local educational agencies and institutions of higher education; including community colleges; and

[(III) innovative approaches to school-community partnerships for educational equity.

[(B) for research and development, which shall be coordinated with each of the research institutes of the Office of Educational Research and Improvement to avoid duplication of research efforts, designed to advance gender equity nationwide and to help make policies and practices in educational agencies and institutions, and local communities, gender equitable, including—

[(i) research and development of innovative strategies and model training programs for teachers and other education personnel;

[(ii) the development of high quality and challenging assessment instruments that are nondiscriminatory;

[(iii) the development and evaluation of model curricula, textbooks, software, and other educational materials to ensure the absence of gender stereotyping and bias;

[(iv) the development of instruments and procedures that employ new and innovative strategies to assess whether diverse educational settings are gender equitable;

[(v) the development of instruments and strategies for evaluation, dissemination, and replication of promising or exemplary programs designed to assist local educational agencies in integrating gender equity in their educational policies and practices;

[(vi) updating high quality educational materials previously developed through awards made under this part;

[(vii) the development of policies and programs to address and prevent sexual harassment and violence to ensure that educational institutions are free from threats to safety of students and personnel;

[(viii) the development and improvement of programs and activities to increase opportunity for women, including continuing educational activities, vocational education, and programs for low-income women, including underemployed and unemployed women, and women receiving assistance under the State program funded under part A of title IV of the Social Security Act; and

[(ix) the development of guidance and counseling activities, including career education programs, designed to ensure gender equity.

[SEC. 5204. APPLICATIONS.

[An application under this part shall—

[(1) set forth policies and procedures that will ensure a comprehensive evaluation of the activities assisted under this part, including an evaluation of the practices, policies, and materials used by the applicant and an evaluation or estimate of the continued significance of the work of the project following completion of the award period;

[(2) where appropriate, demonstrate how funds received under this part will be used to promote the attainment of one or more of the National Education Goals;

[(3) demonstrate how the applicant will address perceptions of gender roles based on cultural differences or stereotypes;

[(4) where appropriate, describe how funds under this part will be used in a manner that is consistent with programs under the School-to-Work Opportunities Act of 1994;

[(5) for applications for assistance under section 5203(b)(1), demonstrate how the applicant will foster partnerships and, where applicable, share resources with State educational agencies, local educational agencies, institutions of higher education, community-based organizations (including organizations serving women), parent, teacher, and student groups, businesses or other recipients of Federal educational funding which may include State literacy resource centers;

[(6) for applications for assistance under section 5203(b)(1), demonstrate how parental involvement in the project will be encouraged; and

[(7) for applications for assistance under section 5203(b)(1), describe plans for continuation of the activities assisted under this part with local support following completion of the grant period and termination of Federal support under this part.

[SEC. 5205. CRITERIA AND PRIORITIES.

[(a) CRITERIA AND PRIORITIES.—

[(1) IN GENERAL.—The Secretary shall establish separate criteria and priorities for awards under paragraphs (1) and (2) of section 5203(b) to ensure that funds under this part are used for programs that most effectively will achieve the purposes of this part.

[(2) CRITERIA.—The criteria described in subsection (a) may include the extent to which the activities assisted under this part—

[(A) address the needs of women and girls of color and women and girls with disabilities;

[(B) meet locally defined and documented educational equity needs and priorities, including compliance with title IX of the Education Amendments of 1972;

[(C) are a significant component of a comprehensive plan for educational equity and compliance with title IX of the Education Amendments of 1972 in the particular school district, institution of higher education, vocational-technical institution, or other educational agency or institution; and

[(D) implement an institutional change strategy with long-term impact that will continue as a central activity of

the applicant after the grant under this part has terminated.

[(b) PRIORITIES.—In approving applications under this part, the Secretary may give special consideration to applications—

[(1) submitted by applicants that have not received assistance under this part or under part C of title IX of this Act (as such part was in effect on October 1, 1988);

[(2) for projects that will contribute significantly to directly improving teaching and learning practices in the local community; and

[(3) for projects that will—

[(A) provide for a comprehensive approach to enhancing gender equity in educational institutions and agencies;

[(B) draw on a variety of resources, including the resources of local educational agencies, community-based organizations, institutions of higher education, and private organizations;

[(C) implement a strategy with long-term impact that will continue as a central activity of the applicant after the grant under this part has terminated;

[(D) address issues of national significance that can be duplicated; and

[(E) address the educational needs of women and girls who suffer multiple or compound discrimination based on sex and on race, ethnic origin, disability, or age.

[(c) SPECIAL RULE.—To the extent feasible, the Secretary shall ensure that grants awarded under this part for each fiscal year address—

[(1) all levels of education, including preschool, elementary and secondary education, higher education, vocational education, and adult education;

[(2) all regions of the United States; and

[(3) urban, rural, and suburban educational institutions.

[(d) COORDINATION.—Research activities supported under this part—

[(1) shall be carried out in consultation with the Office of Educational Research and Improvement to ensure that such activities are coordinated with and enhance the research and development activities supported by the Office; and

[(2) may include collaborative research activities which are jointly funded and carried out with the Office of Educational Research and Improvement.

[(e) LIMITATION.—Nothing in this part shall be construed as prohibiting men and boys from participating in any programs or activities assisted with funds under this part.

[SEC. 5206. REPORT.

[The Secretary, not later than January 1, 1999, shall submit to the President and the Congress a report on the status of educational equity for girls and women in the Nation.

[SEC. 5207. ADMINISTRATION.

[(a) EVALUATION AND DISSEMINATION.—The Secretary shall evaluate in accordance with section 14701, and disseminate, materials and programs developed under this part and shall report to

the Congress regarding such evaluation materials and programs not later than January 1, 1998.

[(b) PROGRAM OPERATIONS.—The Secretary shall ensure that the activities assisted under this part are administered within the Department by a person who has recognized professional qualifications and experience in the field of gender equity education.

[SEC. 5208. AUTHORIZATION OF APPROPRIATIONS.

[For the purpose of carrying out this part, there are authorized to be appropriated $5,000,000 for fiscal year 1995 and such sums as may be necessary for each of the four succeeding fiscal years, of which not less than two-thirds of the amount appropriated under this section for each fiscal year shall be available to carry out the activities described in section 5203(b)(1).]

* * * * * * *

[TITLE VI—INNOVATIVE EDUCATION PROGRAM STRATEGIES

[SEC. 6001. FINDINGS AND STATEMENT OF PURPOSE.

[(a) FINDINGS.—The Congress finds that chapter 2 of title I of this Act (as such chapter was in effect on the day preceding the date of enactment of the Improving America's Schools Act of 1994) has been successful in achieving the goals of increasing local flexibility, reducing administrative burden, providing services for private school students, encouraging innovation, and contributing to the improvement of elementary and secondary educational programs.

[(b) STATEMENT OF PURPOSE.—It is the purpose of programs under this title—

[(1) to support local education reform efforts which are consistent with and support statewide reform efforts under Goals 2000: Educate America Act;

[(2) to support State and local efforts to accomplish the National Education Goals;

[(3) to provide funding to enable State and local educational agencies to implement promising educational reform programs;

[(4) to provide a continuing source of innovation, and educational improvement, including support for library services and instructional and media materials; and

[(5) to meet the special educational needs of at risk and high cost students.

[(c) STATE AND LOCAL RESPONSIBILITY.—The basic responsibility for the administration of funds made available under this title is within the State educational agencies, but it is the intent of Congress that the responsibility be carried out with a minimum of paperwork and that the responsibility for the design and implementation of programs assisted under this title will be mainly that of local educational agencies, school superintendents and principals, and classroom teachers and supporting personnel, because such agencies and individuals have the most direct contact with students and are most likely to be able to design programs to meet the educational needs of students in their own school districts.

[SEC. 6002. AUTHORIZATION OF APPROPRIATIONS; DURATION OF ASSISTANCE.

[(a) AUTHORIZATION.—To carry out the purposes of this title, there are authorized to be appropriated $370,000,000 for fiscal year 1995 and such sums as may be necessary for each of the four succeeding fiscal years.

[(b) DURATION OF ASSISTANCE.—During the period beginning October 1, 1994, and ending September 30, 1999, the Secretary shall, in accordance with the provisions of this title, make payments to State educational agencies for the purpose of this title.

[SEC. 6003. DEFINITION.

[For the purposes of this title the term "effective schools programs" means school-based programs that may encompass preschool through secondary school levels and that have the objectives of (1) promoting school-level planning, instructional improvement, and staff development, (2) increasing the academic achievement levels of all children and particularly educationally disadvantaged children, and (3) achieving as ongoing conditions in the school the following factors identified through effective schools research as distinguishing effective from ineffective schools:

[(A) Strong and effective administrative and instructional leadership that creates consensus on instructional goals and organizational capacity for instructional problem solving.

[(B) Emphasis on the acquisition of basic and higher order skills.

[(C) A safe and orderly school environment that allows teachers and pupils to focus their energies on academic achievement.

[(D) A climate of expectation that virtually all children can learn under appropriate conditions.

[(E) Continuous assessment of students and programs to evaluate the effects of instruction.

[PART A—STATE AND LOCAL PROGRAMS

[SEC. 6101. ALLOTMENT TO STATES.

[(a) RESERVATIONS.—From the sums appropriated to carry out this title in any fiscal year, the Secretary shall reserve not to exceed one percent for payments to outlying areas to be allotted in accordance with their respective needs.

[(b) ALLOTMENT.—From the remainder of such sums, the Secretary shall allot to each State an amount which bears the same ratio to the amount of such remainder as the school-age population of the State bears to the school-age population of all States, except that no State shall receive less than an amount equal to one-half of one percent of such remainder.

[(c) DEFINITIONS.—For purposes of this part:

[(1) The term "school-age population" means the population aged 5 through 17.

[(2) The term "States" includes the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

[SEC. 6102. ALLOCATION TO LOCAL EDUCATIONAL AGENCIES.

[(a) DISTRIBUTION RULE.—From the sums made available each year to carry out this title, the State educational agency shall distribute not less than 85 percent to local educational agencies within such State according to the relative enrollments in public and private, nonprofit schools within the school districts of such agencies, adjusted, in accordance with criteria approved by the Secretary, to provide higher per pupil allocations to local educational agencies which have the greatest numbers or percentages of children whose education imposes a higher than average cost per child, such as—

[(1) children living in areas with high concentrations of low-income families;

[(2) children from low-income families; and

[(3) children living in sparsely populated areas.

[(b) CALCULATION OF ENROLLMENTS.—

[(1) IN GENERAL.—The calculation of relative enrollments under subsection (a) shall be on the basis of the total of—

[(A) the number of children enrolled in public schools; and

[(B) the number of children enrolled in private nonprofit schools that desire that their children participate in programs or projects assisted under this title, for the fiscal year preceding the fiscal year for which the determination is made.

[(2) CONSTRUCTION.—Nothing in this subsection shall diminish the responsibility of local educational agencies to contact, on an annual basis, appropriate officials from private nonprofit schools within the areas served by such agencies in order to determine whether such schools desire that their children participate in programs assisted under this part.

[(3) ADJUSTMENTS.—(A) Relative enrollments under subsection (a) shall be adjusted, in accordance with criteria approved by the Secretary under subparagraph (B), to provide higher per pupil allocations only to local educational agencies which serve the greatest numbers or percentages of—

[(i) children living in areas with high concentrations of low-income families;

[(ii) children from low-income families; or

[(iii) children living in sparsely populated areas.

[(B) The Secretary shall review criteria submitted by a State educational agency for adjusting allocations under paragraph (1) and shall approve such criteria only if the Secretary determines that such criteria are reasonably calculated to produce an adjusted allocation that reflects the relative needs within the State's local educational agencies based on the factors set forth in subparagraph (A).

[(c) PAYMENT OF ALLOCATIONS.—

[(1) DISTRIBUTION.—From the funds paid to a State educational agency pursuant to section 6002 for a fiscal year, a State educational agency shall distribute to each eligible local educational agency which has submitted an application as required in section 6202 the amount of such local educational agency allocation as determined under subsection (a).

[(2) ADDITIONAL FUNDS.—(A) Additional funds resulting from higher per pupil allocations provided to a local educational agency on the basis of adjusted enrollments of children described in subsection (a), may, at the discretion of the local educational agency, be allocated for expenditures to provide services for children enrolled in public and private nonprofit schools in direct proportion to the number of children described in subsection (a) and enrolled in such schools within the local educational agency.

[(B) In any fiscal year, any local educational agency that elects to allocate such additional funds in the manner described in subparagraph (A) shall allocate all additional funds to schools within the local educational agency in such manner.

[(C) The provisions of subparagraphs (A) and (B) may not be construed to require any school to limit the use of such additional funds to the provision of services to specific students or categories of students.

[PART B—STATE PROGRAMS

[SEC. 6201. STATE USES OF FUNDS.

[(a) AUTHORIZED ACTIVITIES.—A State educational agency may use funds made available for State use under this title only for—

[(1) State administration of programs under this title including—

[(A) supervision of the allocation of funds to local educational agencies;

[(B) planning, supervision, and processing of State funds; and

[(C) monitoring and evaluation of programs and activities under this title; and

[(2) technical assistance and direct grants to local educational agencies and statewide education reform activities including effective schools programs which assist local educational agencies to provide targeted assistance.

[(b) LIMITATIONS AND REQUIREMENTS.—Not more than 25 percent of funds available for State programs under this title in any fiscal year may be used for State administration under subsection (a)(1).

[SEC. 6202. STATE APPLICATIONS.

[(a) APPLICATION REQUIREMENTS.—Any State which desires to receive assistance under this part shall submit to the Secretary an application which—

[(1) designates the State educational agency as the State agency responsible for administration and supervision of programs assisted under this title;

[(2)(A) provides for a biennial submission of data on the use of funds, the types of services furnished, and the students served under this title; and

[(B) in fiscal year 1998 provides for an evaluation of the effectiveness of programs assisted under this title;

[(3) sets forth the allocation of such funds required to implement section 6402;

[(4) provides that the State educational agency will keep such records and provide such information to the Secretary as may be required for fiscal audit and program evaluation (consistent with the responsibilities of the Secretary under this section);

[(5) provides assurance that, apart from technical and advisory assistance and monitoring compliance with this title, the State educational agency has not exercised and will not exercise any influence in the decisionmaking processes of local educational agencies as to the expenditure made pursuant to an application under section 6303;

[(6) contains assurances that there is compliance with the specific requirements of this title; and

[(7) provides for timely public notice and public dissemination of the information provided pursuant to paragraph (2).

[(b) PERIOD OF APPLICATION.—An application filed by the State under subsection (a) shall be for a period not to exceed three years, and may be amended annually as may be necessary to reflect changes without filing a new application.

[(c) AUDIT RULE.—Local educational agencies receiving less than an average of $5,000 each under this title shall not be audited more frequently than once every five years.

[PART C—LOCAL INNOVATIVE EDUCATION PROGRAMS

[SEC. 6301. TARGETED USE OF FUNDS.

[(a) GENERAL RULE.—Funds made available to local educational agencies under section 6102 shall be used for innovative assistance described in subsection (b).

[(b) INNOVATIVE ASSISTANCE.—The innovative assistance programs referred to in subsection (a) include—

[(1) technology related to the implementation of school-based reform programs, including professional development to assist teachers and other school officials regarding how to use effectively such equipment and software;

[(2) programs for the acquisition and use of instructional and educational materials, including library services and materials (including media materials), assessments, reference materials, computer software and hardware for instructional use, and other curricular materials which are tied to high academic standards and which will be used to improve student achievement and which are part of an overall education reform program;

[(3) promising education reform projects, including effective schools and magnet schools;

[(4) programs to improve the higher order thinking skills of disadvantaged elementary and secondary school students and to prevent students from dropping out of school;

[(5) programs to combat illiteracy in the student and adult population, including parent illiteracy;

[(6) programs to provide for the educational needs of gifted and talented children;

[(7) school reform activities that are consistent with the Goals 2000: Educate America Act; and

[(8) school improvement programs or activities under sections 1116 and 1117.

[SEC. 6302. ADMINISTRATIVE AUTHORITY.

[In order to conduct the activities authorized by this title, each State or local educational agency may use funds reserved for this title to make grants to and to enter into contracts with local educational agencies, institutions of higher education, libraries, museums, and other public and private nonprofit agencies, organizations, and institutions.

[SEC. 6303. LOCAL APPLICATIONS.

[(a) CONTENTS OF APPLICATION.—A local educational agency or consortium of such agencies may receive an allocation of funds under this title for any year for which an application is submitted to the State educational agency and such application is certified to meet the requirements of this section. The State educational agency shall certify any such application if such application—

[(1)(A) sets forth the planned allocation of funds among innovative assistance programs described in section 6301 and describes the programs, projects, and activities designed to carry out such innovative assistance which the local educational agency intends to support, together with the reasons for the selection of such programs, projects, and activities; and

[(B) sets forth the allocation of such funds required to implement section 6402;

[(2) describes how assistance under this title will contribute to meeting the National Education Goals and improving student achievement or improving the quality of education for students;

[(3) provide assurances of compliance with the provisions of this title, including the participation of children enrolled in private, nonprofit schools in accordance with section 6402;

[(4) agrees to keep such records, and provide such information to the State educational agency as reasonably may be required for fiscal audit and program evaluation, consistent with the responsibilities of the State agency under this title; and

[(5) provides in the allocation of funds for the assistance authorized by this title, and in the design, planning and implementation of such programs, for systematic consultation with parents of children attending elementary and secondary schools in the area served by the local educational agency, with teachers and administrative personnel in such schools, and with other groups involved in the implementation of this title (such as librarians, school counselors, and other pupil services personnel) as may be considered appropriate by the local educational agency.

[(b) PERIOD OF APPLICATION.—An application filed by a local educational agency under subsection (a) shall be for a period not to exceed three fiscal years, may provide for the allocation of funds to programs for a period of three years, and may be amended annually as may be necessary to reflect changes without filing a new application.

[(c) LOCAL EDUCATIONAL AGENCY DISCRETION.—Subject to the limitations and requirements of this title, a local educational agency shall have complete discretion in determining how funds under this part shall be divided among the areas of targeted assistance. In exercising such discretion, a local educational agency shall ensure that expenditures under this part carry out the purposes of this title and are used to meet the educational needs within the schools of such local educational agency.

[PART D—GENERAL ADMINISTRATIVE PROVISIONS

[SEC. 6401. MAINTENANCE OF EFFORT; FEDERAL FUNDS SUPPLEMENTARY.

[(a) MAINTENANCE OF EFFORT.—

[(1) IN GENERAL.—Except as provided in paragraph (2), a State is entitled to receive its full allocation of funds under this part for any fiscal year if the Secretary finds that either the combined fiscal effort per student or the aggregate expenditures within the State with respect to the provision of free public education for the fiscal year preceding the fiscal year for which the determination is made was not less than 90 percent of such combined fiscal effort or aggregate expenditures for the second fiscal year preceding the fiscal year for which the determination is made.

[(2) REDUCTION OF FUNDS.—The Secretary shall reduce the amount of the allocation of funds under this part in any fiscal year in the exact proportion to which the State fails to meet the requirements of paragraph (1) by falling below 90 percent of both the fiscal effort per student and aggregate expenditures (using the measure most favorable to the State), and no such lesser amount shall be used for computing the effort required under paragraph (1) for subsequent years.

[(3) WAIVERS.—The Secretary may waive, for one fiscal year only, the requirements of this section if the Secretary determines that such a waiver would be equitable due to exceptional or uncontrollable circumstances such as a natural disaster or a precipitous and unforeseen decline in the financial resources of the State.

[(b) FEDERAL FUNDS SUPPLEMENTARY.—A State or local educational agency may use and allocate funds received under this part only so as to supplement and, to the extent practical, increase the level of funds that would, in the absence of Federal funds made available under this part, be made available from non-Federal sources, and in no case may such funds be used so as to supplant funds from non-Federal sources.

[SEC. 6402. PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS.

[(a) PARTICIPATION ON EQUITABLE BASIS.—

[(1) IN GENERAL.—To the extent consistent with the number of children in the school district of a local educational agency which is eligible to receive funds under this title or which serves the area in which a program or project assisted under this title is located who are enrolled in private nonprofit ele-

mentary and secondary schools, or with respect to instructional or personnel training programs funded by the State educational agency from funds made available for State use, such agency, after consultation with appropriate private school officials, shall provide for the benefit of such children in such schools secular, neutral, and nonideological services, materials, and equipment, including the participation of the teachers of such children (and other educational personnel serving such children) in training programs, and the repair, minor remodeling, or construction of public facilities as may be necessary for their provision (consistent with subsection (c) of this section), or, if such services, materials, and equipment are not feasible or necessary in one or more such private schools as determined by the local educational agency after consultation with the appropriate private school officials, shall provide such other arrangements as will assure equitable participation of such children in the purposes and benefits of this title.

[(2) OTHER PROVISIONS FOR SERVICES.—If no program or project is carried out under paragraph (1) in the school district of a local educational agency, the State educational agency shall make arrangements, such as through contracts with nonprofit agencies or organizations, under which children in private schools in such district are provided with services and materials to the extent that would have occurred if the local educational agency had received funds under this title.

[(3) APPLICATION OF REQUIREMENTS.—The requirements of this section relating to the participation of children, teachers, and other personnel serving such children shall apply to programs and projects carried out under this title by a State or local educational agency, whether directly or through grants to or contracts with other public or private agencies, institutions, or organizations.

[(b) EQUAL EXPENDITURES.—Expenditures for programs pursuant to subsection (a) shall be equal (consistent with the number of children to be served) to expenditures for programs under this title for children enrolled in the public schools of the local educational agency, taking into account the needs of the individual children and other factors which relate to such expenditures, and when funds available to a local educational agency under this title are used to concentrate programs or projects on a particular group, attendance area, or grade or age level, children enrolled in private schools who are included within the group, attendance area, or grade or age level selected for such concentration shall, after consultation with the appropriate private school officials, be assured equitable participation in the purposes and benefits of such programs or projects.

[(c) FUNDS.—

[(1) ADMINISTRATION OF FUNDS AND PROPERTY.—The control of funds provided under this title, and title to materials, equipment, and property repaired, remodeled, or constructed with such funds, shall be in a public agency for the uses and purposes provided in this title, and a public agency shall administer such funds and property.

[(2) PROVISION OF SERVICES.—The provision of services pursuant to this title shall be provided by employees of a public agency or through contract by such public agency with a person, an association, agency, or corporation who or which, in the provision of such services, is independent of such private school and of any religious organizations, and such employment or contract shall be under the control and supervision of such public agency, and the funds provided under this title shall not be commingled with State or local funds.

[(d) STATE PROHIBITION WAIVER.—If by reason of any provision of law a State or local educational agency is prohibited from providing for the participation in programs of children enrolled in private elementary and secondary schools, as required by this section, the Secretary shall waive such requirements and shall arrange for the provision of services to such children through arrangements which shall be subject to the requirements of this section.

[(e) WAIVER AND PROVISION OF SERVICES.—

[(1) FAILURE TO COMPLY.—If the Secretary determines that a State or a local educational agency has substantially failed or is unwilling to provide for the participation on an equitable basis of children enrolled in private elementary and secondary schools as required by this section, the Secretary may waive such requirements and shall arrange for the provision of services to such children through arrangements which shall be subject to the requirements of this section.

[(2) WITHHOLDING OF ALLOCATION.—Pending final resolution of any investigation or complaint that could result in a determination under this subsection or subsection (d), the Secretary may withhold from the allocation of the affected State or local educational agency the amount estimated by the Secretary to be necessary to pay the cost of those services.

[(f) DETERMINATION.—Any determination by the Secretary under this section shall continue in effect until the Secretary determines that there will no longer be any failure or inability on the part of the State or local educational agency to meet the requirements of subsections (a) and (b).

[(g) PAYMENT FROM STATE ALLOTMENT.—When the Secretary arranges for services pursuant to this section, the Secretary shall, after consultation with the appropriate public and private school officials, pay the cost of such services, including the administrative costs of arranging for those services, from the appropriate allotment of the State under this title.

[(h) REVIEW.—

[(1) WRITTEN OBJECTIONS.—The Secretary shall not take any final action under this section until the State educational agency and the local educational agency affected by such action have had an opportunity, for not less than 45 days after receiving written notice thereof, to submit written objections and to appear before the Secretary or the Secretary's designee to show cause why that action should not be taken.

[(2) COURT ACTION.—If a State or local educational agency is dissatisfied with the Secretary's final action after a proceeding under paragraph (1), such agency may, not later than 60 days after notice of such action, file with the United States court of

appeals for the circuit in which such State is located a petition for review of that action. A copy of the petition shall be transmitted by the clerk of the court to the Secretary. The Secretary thereupon shall file in the court the record of the proceedings on which the Secretary based this action, as provided in section 2112 of title 28, United States Code.

[(3) REMAND TO SECRETARY.—The findings of fact by the Secretary, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Secretary to take further evidence and the Secretary may make new or modified findings of fact and may modify the Secretary's previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

[(4) COURT REVIEW.—Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Secretary or to set such action aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

[(i) PRIOR DETERMINATION.—Any bypass determination by the Secretary under chapter 2 of title I of this Act (as such chapter was in effect on the day preceding the date of enactment of the Improving America's Schools Act of 1994) shall, to the extent consistent with the purposes of this title, apply to programs under this title.

[SEC. 6403. FEDERAL ADMINISTRATION.

[(a) TECHNICAL ASSISTANCE.—The Secretary, upon request, shall provide technical assistance to State and local educational agencies under this title.

[(b) RULEMAKING.—The Secretary shall issue regulations under this title only to the extent that such regulations are necessary to ensure that there is compliance with the specific requirements and assurances required by this title.

[(c) AVAILABILITY OF APPROPRIATIONS.—Notwithstanding any other provision of law, unless expressly in limitation of this subsection, funds appropriated in any fiscal year to carry out activities under this title shall become available for obligation on July 1 of such fiscal year and shall remain available for obligation until the end of the subsequent fiscal year.]

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

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[PART B—NATIVE HAWAIIANS

[SEC. 9201. SHORT TITLE.

[This part may be cited as the "Native Hawaiian Education Act".

[SEC. 9202. FINDINGS.

[The Congress finds and declares as follows:

[(1) Native Hawaiians are a distinct and unique indigenous people with a historical continuity to the original inhabitants of the Hawaiian archipelago, whose society was organized as a nation and internationally recognized as such by the United States, Britain, France, and Japan, as evidenced by treaties governing friendship, commerce, and navigation.

[(2) At the time of the arrival of the first non-indigenous people in Hawai'i in 1778, the Native Hawaiian people lived in a highly organized, self-sufficient subsistence social system based on a communal land tenure system with a sophisticated language, culture, and religion.

[(3) A unified monarchial government of the Hawaiian Islands was established in 1810 under Kamehameha I, the first King of Hawai'i.

[(4) From 1826 until 1893, the United States recognized the sovereignty and independence of the Kingdom of Hawai'i, which was established in 1810 under Kamehameha I, extended full and complete diplomatic recognition to the Kingdom of Hawai'i, and entered into treaties and conventions with the Kingdom of Hawai'i to govern friendship, commerce and navigation in 1826, 1842, 1849, 1875, and 1887.

[(5) In 1893, the sovereign, independent, internationally recognized, and indigenous government of Hawai'i, the Kingdom of Hawai'i, was overthrown by a small group of non-Hawaiians, including United States citizens, who were assisted in their efforts by the United States Minister, a United States naval representative, and armed naval forces of the United States. Because of the participation of United States agents and citizens in the overthrow of the Kingdom of Hawai'i, the Congress, on behalf of the people of the United States, apologized to Native Hawaiians for the overthrow and the deprivation of the rights of Native Hawaiians to self-determination through Public Law 103–150 (107 Stat. 1510).

[(6) In 1898, the joint resolution entitled "A Joint Resolution to provide for annexing the Hawaiian Islands to the United States", approved July 7, 1898 (30 Stat. 750), ceded absolute title of all lands held by the Republic of Hawai'i, including the government and crown lands of the former Kingdom of Hawai'i, to the United States, but mandated that revenue generated from these lands be used "solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes".

[(7) By 1919, the Native Hawaiian population had declined from an estimated 1,000,000 in 1778 to an alarming 22,600, and in recognition of this severe decline, the Congress in 1921 enacted the Hawaiian Homes Commission Act, 1920, which designated approximately 200,000 acres of ceded public lands for homesteading by Native Hawaiians.

[(8) Through the enactment of the Hawaiian Homes Commission Act, 1920, the Congress affirmed the special relationship between the United States and the Native Hawaiians, as expressed by then Secretary of the Interior Franklin K. Lane,

who was quoted in the committee report for the Hawaiian Homes Commission Act, 1920, as saying: "One thing that impressed me . . . was the fact that the natives of the island who are our wards, I should say, and for whom in a sense we are trustees, are falling off rapidly in numbers and many of them are in poverty.".

[(9) In 1938, the United States Congress again acknowledged the unique status of the Hawaiian people by including in the Act of June 20, 1938 (52 Stat. 781 et seq.), a provision to lease lands within the National Parks extension to Native Hawaiians and to permit fishing in the area "only by native Hawaiian residents of said area or of adjacent villages and by visitors under their guidance.".

[(10) Under the Act entitled "An Act to provide for the admission of the State of Hawai'i into the Union" approved March 18, 1959 (73 Stat. 4), the United States transferred responsibility for the administration of the Hawaiian Home Lands to the State of Hawai'i but reaffirmed the trust relationship which existed between the United States and the Hawaiian people by retaining the exclusive power to enforce the trust, including the power to approve land exchanges and legislative amendments affecting the rights of beneficiaries under such Act.

[(11) In 1959, under the Act entitled "An Act to provide for the admission of the State of Hawai'i into the Union", approved March 18, 1959 (73 Stat. 4), the United States ceded to the State of Hawai'i title to the public lands formerly held by the United States, but mandated that such lands be held by the State "in public trust' and reaffirmed the special relationship which existed between the United States and the Hawaiian people by retaining the legal responsibility to enforce the public trust responsibility of the State of Hawai'i for the betterment of the conditions of Native Hawaiians, as defined in section 201(a) of the Hawaiian Homes Commission Act, 1920.

[(12) The United States assumed special responsibilities for Native Hawaiian lands and resources at the time of the annexation of the Territory in 1898, upon adoption of the Hawaiian Homes Commission Act, 1920, and upon admission of the State of Hawai'i into the Union in 1959, and has retained certain of those responsibilities.

[(13) In recognition of the special relationship which exists between the United States and the Native Hawaiian people, the Congress has extended to Native Hawaiians the same rights and privileges accorded to American Indian, Alaska Native, Eskimo, and Aleut communities under the Native American Programs Act of 1974, the American Indian Religious Freedom Act, the National Museum of the American Indian Act, the Native American Graves Protection and Repatriation Act, the National Historic Preservation Act, and the Native American Languages Act.

[(14) In recognition of the special relationship which exists between the United States and the Native Hawaiian people, the Congress has enacted numerous special provisions of law

for the benefit of Native Hawaiians in the areas of health, education, labor, and housing.

[(15) In 1981, the Senate instructed the Office of Education to submit to the Congress a comprehensive report on Native Hawaiian education. The report, entitled the "Native Hawaiian Educational Assessment Project", was released in 1983 and documented that Native Hawaiians scored below parity with national norms on standardized achievement tests, were disproportionately represented in many negative social and physical statistics, indicative of special educational needs, and had educational needs which were related to their unique cultural situation, such as different learning styles and low self-image.

[(16) In recognition of the educational needs of Native Hawaiians, in 1988, the Congress enacted title IV of the Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988 to authorize and develop supplemental educational programs to benefit Native Hawaiians.

[(17) In 1993, the Kamehameha Schools Bishop Estate released a ten-year update of the Native Hawaiian Educational Assessment Project, which found that despite the successes of the programs established under title IV of the Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988, many of the same educational needs still exist for Native Hawaiians. For example—

[(A) educational risk factors continue to start even before birth for many Native Hawaiian children, including—

[(i) late or no prenatal care;

[(ii) half of Native Hawaiian women who give birth are unmarried; and

[(iii) high rates of births to teenage parents;

[(B) Native Hawaiian students continue to begin their school experience lagging behind other students in terms of readiness factors such as vocabulary test scores;

[(C) Native Hawaiian students continue to score below national norms on standardized education achievement tests at all grade levels;

[(D) both public and private schools continue to show a pattern of lower percentages of Native Hawaiian students in the uppermost achievement levels and in gifted and talented programs;

[(E) Native Hawaiian students continue to be overrepresented among students qualifying for special education programs provided to students with learning disabilities, mild mental retardation, emotional impairment, and other such disabilities;

[(F) Native Hawaiians continue to be underrepresented in institutions of higher education and among adults who have completed four or more years of college;

[(G) Native Hawaiians continue to be disproportionately represented in many negative social and physical statistics, indicative of special educational needs, for example—

[(i) Native Hawaiian students are more likely to be retained in grade level and to be excessively absent in secondary school;

[(ii) Native Hawaiian students are the highest users of drugs and alcohol in the State of Hawai'i; and

[(iii) Native Hawaiian children continue to be disproportionately victimized by child abuse and neglect; and

[(H) Native Hawaiians now comprise over 23 percent of the students served by the State of Hawai'i Department of Education and there are and will continue to be geographically rural, isolated areas with a high Native Hawaiian population density.

[(18) The findings described in paragraphs (1) through (17) are contrary to the high rate of literacy and integration of traditional culture and Western education achieved by Native Hawaiians through a Hawaiian language-based public school system established in 1840 by Kamehameha III.

[(19) After the overthrow of the Kingdom of Hawai'i in 1893, Hawaiian medium schools were banned. After annexation, throughout the territorial and statehood period, and until 1986, use of Hawaiian as a medium of education in public schools was declared unlawful, thereby causing incalculable harm to a culture that placed a very high value on the power of language, as exemplified in the traditional saying: "I ka "ōlelo no ke ola; I ka "ōlelo no ka make. In the language rests life; In the language rests death.".

[(20) Despite the consequences of over 100 years of non-indigenous influence, the Native Hawaiian people are determined to preserve, develop, and transmit to future generations their ancestral territory, and their cultural identity in accordance with their own spiritual and traditional beliefs, customs, practices, language, and social institutions.

[(21) The State of Hawai'i, in the constitution and statutes of the State of Hawai'i—

[(A) reaffirms and protects the unique right of the Native Hawaiian people to practice and perpetuate their culture and religious customs, beliefs, practices, and language; and

[(B) recognizes the traditional language of the Native Hawaiian people as an official language of the State of Hawai'i, which may be used as the language of instruction for all subjects and grades in the public school system.

[SEC. 9203. PURPOSE.

[It is the purpose of this part to—

[(1) authorize and develop supplemental educational programs to assist Native Hawaiians in reaching the National Education Goals;

[(2) provide direction and guidance to appropriate Federal, State, and local agencies to focus resources, including resources made available under this part, on Native Hawaiian education, through the establishment of a Native Hawaiian Education Council, and five island councils;

[(3) supplement and expand existing programs and authorities in the area of education to further the purposes of the title; and

[(4) encourage the maximum participation of Native Hawaiians in planning and management of Native Hawaiian Education Programs.

[SEC. 9204. NATIVE HAWAIIAN EDUCATION COUNCIL AND ISLAND COUNCILS.

[(a) ESTABLISHMENT OF NATIVE HAWAIIAN EDUCATION COUNCIL.—In order to better effectuate the purposes of this part through the coordination of educational and related services and programs available to Native Hawaiians, including those programs receiving funding under this part, the Secretary is authorized to establish a Native Hawaiian Education Council (hereafter in this part referred to as the "Education Council").

[(b) COMPOSITION OF EDUCATION COUNCIL.—The Education Council shall consist of not more than 25 members, including a representative of—

[(1) each recipient of funds from the Secretary under this part;

[(2) the State of Hawai'i Department of Education;

[(3) the State of Hawai'i Office of Hawaiian Affairs;

[(4) Native Hawaiian educational organizations, such as Alu Like, Inc., Kamehameha Schools Bishop Estate, Hawaiian Language Immersion Advisory Council, Aha Punana Leo, and the Queen Lili"uokalani Trust and Children's Center; and

[(5) each Native Hawaiian education island council established under subsection (f).

[(c) CONDITIONS AND TERMS.—At least three-fourths of the members of the Education Council shall be Native Hawaiians. Members of the Education Council shall be appointed for three-year terms.

[(d) ADMINISTRATIVE GRANT FOR THE EDUCATION COUNCIL.—The Secretary shall make a direct grant to the Education Council in order to enable the Education Council to—

[(1) coordinate the educational and related services and programs available to Native Hawaiians, including the programs assisted under this part, and assess the extent to which such services and programs meet the needs of Native Hawaiians; and

[(2) provide direction and guidance, through the issuance of reports and recommendations, to appropriate Federal, State, and local agencies in order to focus and improve the use of resources, including resources made available under this part, on Native Hawaiian education.

[(e) ADDITIONAL DUTIES OF THE EDUCATION COUNCIL.—

[(1) IN GENERAL.—The Education Council shall provide copies of any reports and recommendations issued by the Education Council to the Secretary, the Committee on Indian Affairs of the Senate, and the Committee on Education and Labor of the House of Representatives, including any information that the Education Council provides to the Secretary pursuant to subsection (i).

[(2) ANNUAL REPORT.—The Education Council shall present to the Secretary an annual report on the Education Council's activities.

[(3) ISLAND COUNCIL SUPPORT AND ASSISTANCE.—The Education Council shall provide such administrative support and financial assistance to the island councils established pursuant to subsection (f) as the Secretary deems appropriate.

[(f) ESTABLISHMENT OF ISLAND COUNCILS.—

[(1) IN GENERAL.—In order to better effectuate the purposes of this part and to ensure the adequate representation of island and community interests within the Education Council, the Office of Hawaiian Affairs of the State of Hawai'i is authorized to facilitate the establishment of Native Hawaiian education island councils (hereafter in this part referred to as "island councils") for the following islands:

[(A) Hawai'i.

[(B) Maui and Lana'i.

[(C) Moloka'i.

[(D) Kaua'i and Ni'ihau.

[(E) O'ahu.

[(2) COMPOSITION OF ISLAND COUNCILS.—Each island council shall consist of parents, students, and other community members who have an interest in the education of Native Hawaiians, and shall be representative of the educational needs of all age groups, from preschool through adulthood. At least three-fourths of the members of each island council shall be Native Hawaiians

[(g) ADMINISTRATIVE PROVISIONS RELATING TO EDUCATION COUNCIL AND ISLAND COUNCILS.—The Education Council and each island council shall meet at the call of the chairperson of the respective council, or upon the request of the majority of the members of the respective council, but in any event not less than four times during each calendar year. The provisions of the Federal Advisory Committee Act shall not apply to the Education Council and each island council.

[(h) COMPENSATION.—Members of the Education Council and each island council shall not receive any compensation for services on the Education Council and each island council, respectively.

[(i) REPORT.—Not later than four years after the date of the enactment of the Improving America's Schools Act of 1994, the Secretary shall prepare and submit to the Committee on Indian Affairs of the Senate, and the Committee on Education and Labor of the House of Representatives, a report which summarizes the annual reports of the Education Council, describes the allocation and utilization of funds under this part, and contains recommendations for changes in Federal, State, and local policy to advance the purposes of this part.

[(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $500,000 for fiscal year 1995, and such sums as may be necessary for each of the 4 succeeding fiscal years, to carry out this section. Funds appropriated under the authority of this subsection shall remain available until expended.

[SEC. 9205. NATIVE HAWAIIAN FAMILY-BASED EDUCATION CENTERS.

[(a) GENERAL AUTHORITY.—The Secretary is authorized to make direct grants, to Native Hawaiian educational organizations or educational entities with experience in developing or operating Native Hawaiian programs or programs of instruction conducted in the Native Hawaiian language, to expand the operation of Family-Based Education Centers throughout the Hawaiian Islands. The programs of such centers may be conducted in the Hawaiian language, the English language, or a combination thereof, and shall include—

[(1) parent-infant programs for prenatal through three-year-olds;

[(2) preschool programs for four- and five-year-olds;

[(3) continued research and development; and

[(4) a long-term followup and assessment program, which may include educational support services for Native Hawaiian language immersion programs or transition to English speaking programs.

[(b) ADMINISTRATIVE COSTS.—Not more than 7 percent of the funds appropriated to carry out the provisions of this section for any fiscal year may be used for administrative purposes.

[(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other amount authorized to be appropriated for the centers described in subsection (a), there are authorized to be appropriated $6,000,000 for fiscal year 1995, and such sums as may be necessary for each of the four succeeding fiscal years, to carry out this section. Funds appropriated under the authority of this subsection shall remain available until expended.

[SEC. 9206. NATIVE HAWAIIAN HIGHER EDUCATION PROGRAM.

[(a) GENERAL AUTHORITY.—

[(1) IN GENERAL.—The Secretary is authorized to make direct grants, to Native Hawaiian educational organizations or educational entities with experience in developing or operating Native Hawaiian programs or programs of instruction conducted in the Native Hawaiian language, to enable such organizations or entities to provide a program of baccalaureate and post-baccalaureate fellowship assistance to Native Hawaiian students.

[(2) ACTIVITIES.—Such program may include—

[(A) full or partial fellowship support for Native Hawaiian students enrolled at two- or four-year degree granting institutions of higher education with awards to be based on academic potential and financial need; and

[(B) full or partial fellowship support for Native Hawaiian students enrolled at post-baccalaureate degree granting institutions of higher education with priority given to providing fellowship support for professions in which Native Hawaiians are underrepresented and with fellowship awards to be based on academic potential and financial need;

[(C) counseling and support services for students receiving fellowship assistance under paragraph (1);

[(D) college preparation and guidance counseling at the secondary school level for students who may be eligible for fellowship support pursuant to subsection (a)(2)(A);

[(E) appropriate research and evaluation of the activities authorized by this section; and

[(F) implementation of faculty development programs for the improvement and matriculation of Native Hawaiian students.

[(b) SPECIAL CONDITIONS REQUIRED.—For the purpose of fellowships awarded under subsection (a), fellowship conditions shall be established whereby fellowship recipients obtain an enforceable contract obligation to provide their professional services, either during the fellowship period or upon completion of a baccalaureate or post-baccalaureate degree program, to the Native Hawaiian community.

[(c) SPECIAL RULE.—No policy shall be made in implementing this section to prevent a Native Hawaiian student enrolled at an accredited two- or four-year degree granting institution of higher education outside of the State of Hawai'i from receiving a fellowship pursuant to subsections (a) and (b) of this section.

[(d) ADMINISTRATIVE COSTS.—Not more than 7 percent of the funds appropriated to carry out the provisions of this section for any fiscal year may be used for administrative purposes.

[(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $2,000,000 for fiscal year 1995, and such sums as may be necessary for each of the four succeeding fiscal years, to carry out this section. Funds appropriated under the authority of this subsection shall remain available until expended.

[SEC. 9207. NATIVE HAWAIIAN GIFTED AND TALENTED PROGRAM.

[(a) GENERAL AUTHORITY.—The Secretary is authorized to make a grant, to a Native Hawaiian educational organization or an educational entity with experience in developing or operating Native Hawaiian programs or programs of instruction conducted in the Native Hawaiian language, for a gifted and talented program designed to—

[(1) address the special needs of Native Hawaiian elementary and secondary school students who are gifted and talented students; and

[(2) provide those support services to the families of such students that are needed to enable such students to benefit from the program.

[(b) USES OF FUNDS.—The program funded under this section may include—

[(1) the identification of the special needs of Native Hawaiian gifted and talented students, particularly with respect to—

[(A) the emotional and psychosocial needs of such students; and

[(B) the provision of those support services to the families of such students that are needed to enable such students to benefit from the program;

[(2) the conduct of educational, psychosocial, and developmental activities which hold reasonable promise of resulting in substantial progress toward meeting the educational needs of such students, including demonstrating and exploring the use

of the Native Hawaiian language and exposure to Native Hawaiian cultural traditions;

[(3) leadership programs designed to—

[(A) replicate programs throughout the State of Hawai'i for gifted and talented students who are not served under this section; and

[(B) coordinate with other Native American gifted and talented leadership programs, including the dissemination of information derived from the program conducted under this section; and

[(4) appropriate research, evaluation, and related activities pertaining to—

[(A) the needs of such students; and

[(B) the provision of those support services to the families of such students that are needed to enable such students to benefit from the program.

[(c) INFORMATION PROVISION.—The Secretary is authorized to facilitate the establishment of a national network of Native Hawaiian and American Indian Gifted and Talented Centers, and ensure that the information developed by these centers shall be readily available to the educational community at large.

[(d) ADMINISTRATIVE COSTS.—Not more than 7 percent of the funds appropriated to carry out the provisions of this section for any fiscal year may be used for administrative purposes.

[(e) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other amount authorized to be appropriated for the program described in this section, there are authorized to be appropriated $1,500,000 for fiscal year 1995, and such sums as may be necessary for each of the 4 succeeding fiscal years, to carry out this section. Funds appropriated under the authority of this subsection shall remain available until expended.

[SEC. 9208. NATIVE HAWAIIAN SPECIAL EDUCATION PROGRAM.

[(a) GENERAL AUTHORITY.—The Secretary is authorized to make grants to, or enter into contracts with, Native Hawaiian educational organizations or educational entities with experience in developing or operating Native Hawaiian programs or programs of instruction conducted in the Native Hawaiian language, to operate a program to address the special education needs of Native Hawaiian students. Such program may include—

[(1) the identification of Native Hawaiian students with disabilities or who are otherwise in need of special educational services;

[(2) the identification of the special education needs of such students, particularly with respect to—

[(A) the emotional and psychosocial needs of such students; and

[(B) the provision of those support services to the families of such students that are needed to enable such students to benefit from the program;

[(3) the conduct of educational activities consistent with part B of the Education of Individuals with Disabilities Education Act which hold reasonable promise of resulting in substantial progress toward meeting the educational needs of such students;

[(4) the conduct of educational, psychosocial, and developmental activities which hold reasonable promise of resulting in substantial progress toward meeting the educational needs of such students, including demonstrating and exploring the use of the Native Hawaiian language and exposure to Native Hawaiian cultural traditions; and

[(5) appropriate research, evaluation, and related activities pertaining to—

[(A) the needs of such students;

[(B) the provision of those support services to the families of such students that are needed to enable such student to benefit from the program; and

[(C) the outcomes and benefits of activities assisted under this section upon such students.

[(b) ADMINISTRATIVE COSTS.—Not more than 7 percent of the funds appropriated to carry out the provisions of this section for any fiscal year may be used for administrative purposes.

[(c) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other amount authorized to be appropriated for the program described in this section, there are authorized to be appropriated $2,000,000 for fiscal year 1995, and such sums as may be necessary for each of the four succeeding fiscal years, to carry out this section. Funds appropriated under the authority of this subsection shall remain available until expended.

[SEC. 9209. NATIVE HAWAIIAN CURRICULUM DEVELOPMENT, TEACHER TRAINING AND RECRUITMENT PROGRAM.

[(a) GENERAL AUTHORITY.—The Secretary is authorized to make direct grants, to Native Hawaiian educational organizations or educational entities with experience in developing or operating Native Hawaiian programs or programs of instruction conducted in the Native Hawaiian language, for the following purposes:

[(1) CURRICULA.—The development of curricula to address the needs of Native Hawaiian students, particularly elementary and secondary school students, which may include programs of instruction conducted in the Native Hawaiian language, and mathematics and science curricula incorporating the relevant application of Native Hawaiian culture and traditions.

[(2) PRETEACHER TRAINING.—The development and implementation of preteacher training programs in order to ensure that student teachers within the State of Hawai'i, particularly student teachers who are likely to be employed in schools with a high concentration of Native Hawaiian students, are prepared to better address the unique needs of Native Hawaiian students, within the context of Native Hawaiian culture, language and traditions.

[(3) INSERVICE TEACHER TRAINING.—The development and implementation of inservice teacher training programs, in order to ensure that teachers, particularly teachers employed in schools with a high concentration of Native Hawaiian students, are prepared to better address the unique needs of Native Hawaiian students, within the context of Native Hawaiian culture, language and traditions.

[(4) TEACHER RECRUITMENT.—The development and implementation of teacher recruitment programs to meet the objectives of—

[(A) enhancing teacher recruitment within communities with a high concentration of Native Hawaiian students; and

[(B) increasing the numbers of teachers who are of Native Hawaiian ancestry.

[(b) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to awarding grants for activities described in subsection (a) that—

[(1) focus on the needs of at-risk youth; or

[(2) employ a program of instruction conducted in the Native Hawaiian language, except that entities receiving grants awarded pursuant to subsection (a)(2) shall coordinate in the development of new curricula.

[(c) ADMINISTRATIVE COSTS.—Not more than 7 percent of the funds appropriated to carry out the provisions of this section for any fiscal year may be used for administrative purposes.

[(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $2,000,000 for fiscal year 1995, and such sums as may be necessary for each of the four succeeding fiscal years, to carry out this section. Funds appropriated under the authority of this subsection shall remain available until expended.

[SEC. 9210. NATIVE HAWAIIAN COMMUNITY-BASED EDUCATION LEARNING CENTERS.

[(a) GENERAL AUTHORITY.—The Secretary is authorized to make direct grants, to collaborative efforts between community-based Native Hawaiian organizations and community colleges, to develop, establish, and operate a minimum of three community-based education learning centers.

[(b) PURPOSE.—The learning centers described in subsection (a) shall meet the needs of families and communities through interdepartmental and interagency coordination of new and existing public and private programs and services, which may include—

[(1) preschool programs;

[(2) after-school programs; and

[(3) vocational and adult education programs.

[(c) ADMINISTRATIVE COSTS.—Not more than 7 percent of the funds appropriated to carry out the provisions of this section for any fiscal year may be used for administrative purposes.

[(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $1,000,000 for fiscal year 1995, and such sums as may be necessary for each of the four succeeding fiscal years, to carry out this section. Funds appropriated under the authority of this subsection shall remain available until expended.

[SEC. 9211. ADMINISTRATIVE PROVISIONS.

[(a) APPLICATION REQUIRED.—No grant may be made under this part, nor any contract be entered into under this part, unless an application is submitted to the Secretary in such form, in such manner, and containing such information as the Secretary may determine necessary to carry out the provisions of this title.

[(b) SPECIAL RULE.—Each application submitted under this title shall be accompanied by the comments of each local educational agency serving students who will participate in the project for which assistance is sought.

[SEC. 9212. DEFINITIONS.

[For the purposes of this part—

[(1) The term "Native Hawaiian" means any individual who is—

[(A) a citizen of the United States; and

[(B) a descendant of the aboriginal people, who prior to 1778, occupied and exercised sovereignty in the area that now comprises the State of Hawai'i, as evidenced by—

[(i) genealogical records;

[(ii) Kūpuna (elders) or Kama'āina (long-term community residents) verification; or

[(iii) certified birth records.

[(2) The term "Native Hawaiian educational organization" means a private nonprofit organization that—

[(A) serves the interests of Native Hawaiians;

[(B) has Native Hawaiians in substantive and policy-making positions within the organization;

[(C) has a demonstrated expertise in the education of Native Hawaiian youth; and

[(D) has demonstrated expertise in research and program development.

[(3) The term "Native Hawaiian Organization" means a private nonprofit organization that—

[(A) serves the interests of Native Hawaiians;

[(B) has Native Hawaiians in substantive and policy-making positions within the organizations; and

[(C) is recognized by the Governor of Hawai'i for the purpose of planning, conducting, or administering programs (or portions of programs) for the benefit of Native Hawaiians.

[(4) The term "Native Hawaiian language" means the single Native American language indigenous to the original inhabitants of the State of Hawai'i.

[(5) The term "Office of Hawaiian Affairs" means the Office of Hawaiian Affairs established by the Constitution of the State of Hawai'i.

[(6) The term "Native Hawaiian community-based organization" means any organization which is composed primarily of Native Hawaiians from a specific community and which assists in the social, cultural and educational development of Native Hawaiians in that community.

[PART C—ALASKA NATIVE EDUCATION

[SEC. 9301. SHORT TITLE.

[This part may be cited as the "Alaska Native Educational Equity, Support and Assistance Act".

[SEC. 9302. FINDINGS.

[The Congress finds and declares:

[(1) The attainment of educational success is critical to the betterment of the conditions, long-term well-being and preservation of the culture of Alaska Natives.

[(2) It is the policy of the Federal Government to encourage the maximum participation by Alaska Natives in the planning and the management of Alaska Native education programs.

[(3) Alaska Native children enter and exit school with serious educational handicaps.

[(4) The educational achievement of Alaska Native children is far below national norms. In addition to low Native performance on standardized tests, Native student dropout rates are high, and Natives are significantly underrepresented among holders of baccalaureate degrees in the State of Alaska. As a result, Native students are being denied their opportunity to become full participants in society by grade school and high school educations that are condemning an entire generation to an underclass status and a life of limited choices.

[(5) The programs authorized herein, combined with expanded Head Start, infant learning and early childhood education programs, and parent education programs are essential if educational handicaps are to be overcome.

[(6) The sheer magnitude of the geographic barriers to be overcome in delivering educational services in rural and village Alaska should be addressed through the development and implementation of innovative, model programs in a variety of areas.

[(7) Congress finds that Native children should be afforded the opportunity to begin their formal education on a par with their non-Native peers. The Federal Government should lend support to efforts developed by and undertaken within the Alaska Native community to improve educational opportunity for all students.

[SEC. 9303. PURPOSE.

[It is the purpose of this part to—

[(1) recognize the unique educational needs of Alaska Natives;

[(2) authorize the development of supplemental educational programs to benefit Alaska Natives;

[(3) supplement existing programs and authorities in the area of education to further the purposes of this part; and

[(4) provide direction and guidance to appropriate Federal, State and local agencies to focus resources, including resources made available under this part, on meeting the educational needs of Alaska Natives.

[SEC. 9304. ALASKA NATIVE EDUCATIONAL PLANNING, CURRICULUM DEVELOPMENT, TEACHER TRAINING AND RECRUITMENT PROGRAM.

[(a) GENERAL AUTHORITY.—The Secretary shall make direct grants to Alaska Native organizations or educational entities with experience in developing or operating Alaska Native programs or programs of instruction conducted in Alaska Native languages, or to partnerships involving Alaska Native organizations, for the following purposes:

[(1) EDUCATIONAL PLANNING.—The consolidation of existing educational plans, recommendations and research into implementation methods and strategies to improve schooling for Alaska Natives.

[(2) IMPLEMENTATION OF EDUCATIONAL PLANS.—The adoption and implementation of specific educational plans developed under subsection (1) above.

[(3) CURRICULA.—The development of curricula to address the needs of Alaska Native students, particularly elementary and secondary school students, which may include innovative programs and pilot and demonstration programs to develop and introduce curriculum materials that reflect cultural diversities or the contributions of Alaska Native people, programs of instruction conducted in Native languages, and the development of networks to introduce successful techniques, programs and curriculum materials to rural and urban schools, including:

[(A) multimedia social studies curricula which fully and accurately portray the role of Native Americans historically and contemporarily; and

[(B) curricula and teaching materials for instructions in Native languages.

[(4) PRETEACHER TRAINING.—The development and implementation of preteacher training programs in order to ensure that student teachers within the State of Alaska, particularly student teachers who are likely to be employed in schools with a high concentration of Alaska Native students, are prepared to better address the cultural diversity and unique needs of Alaska Native students;

[(5) TEACHER RECRUITMENT.—The development and implementation of teacher recruitment programs to meet the objectives of—

[(A) increasing the numbers of teachers who are Alaska Natives;

[(B) enhancing teacher recruitment within communities with a high concentration of Alaska Native students; and

[(C) improving the teacher selection processes in order to recruit teachers who are more positively responsive to rural conditions and who are suited for effective cross-cultural instruction.

[(6) INSERVICE TEACHER TRAINING.—The development and implementation of inservice teacher training programs in order to ensure that teachers are prepared to better address the unique needs of Alaska Native students.

[(b) ADMINISTRATIVE COSTS.—Not more than 10 percent of the funds appropriated to carry out the provisions of this section for any fiscal year may be used for administrative purposes.

[(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for fiscal year 1995, and such sums as may be necessary for each of the four succeeding fiscal years, to carry out this section. Funds appropriated under the authority of this subsection shall remain available until expended.

[SEC. 9305. ALASKA NATIVE HOME BASED EDUCATION FOR PRESCHOOL CHILDREN.

[(a) GENERAL AUTHORITY.—The Secretary shall make direct grants to Alaska Native organizations or educational entities with experience in developing or operating Alaska Native programs, or to partnerships involving Alaska Native organizations, to implement home instruction programs for Alaska Native preschool youngsters. The objective of such programs shall be to develop parents as educators for their children and to assure the active involvement of parents in the education of their children from the earliest ages.

[(b) PROGRAM ELEMENTS.—Home based education programs for Alaska Native children shall include—

[(1) parent-infant programs for prenatal through three-year olds;

[(2) preschool programs for four- and five-year olds;

[(3) training, education and support programs to teach parents skills in observation, reading readiness, story telling and critical thinking;

[(4) continued research and development; and

[(5) a long-term followup and assessment program.

[(c) ELIGIBILITY OF HIPPY PROGRAMS.—Programs based on the HIPPY (Home Instruction Program for Preschool Youngsters) model shall be eligible for funding under this section.

[(d) ADMINISTRATIVE COSTS.—Not more than 10 percent of the funds appropriated to carry out the provisions of this section for any fiscal year may be used for administrative purposes.

[(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $2,000,000 for fiscal year 1995, and such sums as may be necessary for each of the four succeeding fiscal years, to carry out this section. Funds appropriated under the authority of this subsection shall remain available until expended.

[SEC. 9306. ALASKA NATIVE STUDENT ENRICHMENT PROGRAMS.

[(a) GENERAL AUTHORITY.—The Secretary shall make a grant or grants to Alaska Native educational organizations or educational entities with experience in developing or operating Alaska Native programs, or to partnerships including Alaska Native organizations, for enrichment programs for Alaska Native students in the areas of science and mathematics education. The programs shall be designed to—

[(1) prepare qualified students from rural areas who are preparing to enter village high schools to excel in science and mathematics; and

[(2) provide those support services to the families of such students that are needed to enable such students to benefit from the program.

[(b) USES OF FUNDS.—The program funded under this section may include—

[(1) the identification of the students eligible to participate in the program;

[(2) the conduct of educational, psychosocial, and developmental activities which hold reasonable promise of resulting in substantial enrichment of the educational performance of the participating students;

[(3) leadership programs designed to provide for the replication of the program in other subject matter areas and the dissemination of information derived from the program; and

[(4) appropriate research, evaluation and related activities pertaining to the benefits of such enrichment programs.

[(c) ADMINISTRATIVE COSTS.—Not more than 10 percent of the funds appropriated to carry out the provisions of this section for any fiscal year may be used for administrative purposes.

[(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $1,000,000 for fiscal year 1995, and such sums as may be necessary for each of the four succeeding fiscal years, to carry out this section. Funds appropriated under the authority of this subsection shall remain available until expended.

[SEC. 9307. ADMINISTRATIVE PROVISIONS.

[(a) APPLICATION REQUIRED.—No grant may be made under this part, nor any contract be entered into under this part, unless an application is submitted to the Secretary in such form, in such manner, and containing such information as the Secretary may determine necessary to carry out the provisions of this part.

[(b) APPLICATIONS BY LOCAL SCHOOL DISTRICTS OR STATE EDUCATIONAL ENTITIES.—Local school districts or State educational entities shall apply for funding under this part in partnership with Alaska Native organizations.

[(c) CONSULTATION REQUIRED.—Each applicant for funding shall provide for ongoing advice from and consultation with representatives of the Alaska Native community.

[(d) LOCAL EDUCATIONAL AGENCY COORDINATION.—Each local educational agency serving students who will participate in the program for which assistance is sought shall be informed regarding each application submitted under this part, except that approval by or concurrence from such local educational agency shall not be required.

[(e) IMPLEMENTATION OF AUTHORITIES.—The Secretary shall expeditiously obligate funds appropriated as provided in this part.

[SEC. 9308. DEFINITIONS.

[For purposes of this part—

[(1) the term "Alaska Native" has the same meaning as the term "Native" has in section 3(b) of the Alaska Native Claims Settlement Act; and

[(2) the term "Alaska Native organization" means a federally recognized tribe, consortium of tribes, regional nonprofit Native association, and other Alaska Native organizations that—

[(A) has or commits to acquire expertise in the education of Alaska Natives; and

[(B) has Alaska Natives in substantive and policy-making positions within the organization.]

TITLE X—PROGRAMS OF NATIONAL SIGNIFICANCE

[PART A—FUND FOR THE IMPROVEMENT OF EDUCATION

[SEC. 10101. FUND FOR THE IMPROVEMENT OF EDUCATION.

[(a) FUND AUTHORIZED.—From funds appropriated under subsection (d), the Secretary is authorized to support nationally significant programs and projects to improve the quality of education, assist all students to meet challenging State content standards and challenging State student performance standards, and contribute to achievement of the National Education Goals. The Secretary is authorized to carry out such programs and projects directly or through grants to, or contracts with, State and local educational agencies, institutions of higher education, and other public and private agencies, organizations, and institutions.

[(b) USES OF FUNDS.—

[(1) IN GENERAL.—Funds under this section may be used for—

[(A) activities that will promote systemic education reform at the State and local levels, such as—

[(i) research and development related to challenging State content and challenging State student performance standards;

[(ii) the development and evaluation of model strategies for—

[(I) assessment of student learning;

[(II) professional development for teachers and administrators;

[(III) parent and community involvement; and

[(IV) other aspects of systemic reform;

[(iii) developing and evaluating strategies for eliminating ability-grouping practices, and developing policies and programs that place all students on a college-preparatory path of study, particularly in academic fields such as mathematics, science, English, and social studies, including comprehensive inservice programs for teachers and pupil services personnel and academic enrichment programs that supplement regular courses for students;

[(iv) developing and evaluating programs that directly involve parents and family members in the academic progress of their children;

[(v) developing and evaluating strategies for integrating instruction and assessment such that teachers and administrators can focus on what students should know and be able to do at particular grade levels, which instruction shall promote the synthesis of knowledge, encourage the development of problem-solving skills drawing on a vast range of disciplines, and promote the development of higher order thinking by all students; and

[(vi) developing and evaluating strategies for supporting professional development for teachers across all disciplines and for pupil services personnel, guidance counselors, and administrators, including inservice training that improves the skills of pupil services personnel, counselors and administrators for working with students from diverse populations;

[(B) demonstrations at the State and local levels that are designed to yield nationally significant results, including approaches to public school choice and school-based decisionmaking;

[(C) joint activities with other agencies to assist the effort to achieve the National Education Goals, including activities related to improving the transition from preschool to school and from school to work, as well as activities related to the integration of education and health and social services;

[(D) activities to promote and evaluate counseling and mentoring for students, including intergenerational mentoring;

[(E) activities to promote and evaluate coordinated pupil services programs;

[(F) activities to promote comprehensive health education;

[(G) activities to promote environmental education;

[(H) activities to promote consumer, economic, and personal finance education, such as saving, investing, and entrepreneurial education;

[(I) activities to promote programs to assist students to demonstrate competence in foreign languages;

[(J) studies and evaluation of various education reform strategies and innovations being pursued by the Federal Government, States, and local educational agencies;

[(K) activities to promote metric education;

[(L) the identification and recognition of exemplary schools and programs, such as Blue Ribbon Schools;

[(M) programs designed to promote gender equity in education by evaluating and eliminating gender bias in instruction and educational materials, identifying, and analyzing gender inequities in educational practices, and implementing and evaluating educational policies and practices designed to achieve gender equity;

[(N) programs designed to reduce excessive student mobility, retain students who move within a school district at the same school, educate parents about the effect of mobility on a child's education and encourage parents to participate in school activities;

[(O) experiential-based learning, such as service-learning;

[(P) the development and expansion of public-private partnership programs which extend the learning experience, via computers, beyond the classroom environment into student homes through such programs as the Buddy System Computer Project;

[(Q) other programs and projects that meet the purposes of this section;

[(R) activities to promote child abuse education and prevention programs;

[(S) activities to raise standards and expectations for academic achievement among all students, especially disadvantaged students traditionally underserved in schools;

[(T) activities to provide the academic support, enrichment and motivation to enable all students to reach such standards;

[(U) demonstrations relating to the planning and evaluations of the effectiveness of projects under which local educational agencies or schools contract with private management organizations to reform a school or schools;

[(V) demonstrations that are designed to test whether prenatal and counseling provided to pregnant students may have a positive effect on pregnancy outcomes, with such education and counseling emphasizing the importance of prenatal care, the value of sound diet and nutrition habits, and the harmful effects of smoking, alcohol, and substance abuse on fetal development;

[(W) programs under section 10102;

[(X) programs under section 10103;

[(Y) programs under section 10104; and

[(Z) programs under section 10105;

[(2) ADDITIONAL USES.—The Secretary may also use funds under this section to complete the project periods for direct grants or contracts awarded under the provisions of this Act, the Fund for the Improvement and Reform of Schools and Teaching Act, or title III of the Education for Economic Security Act, as such Acts were in effect on the day preceding the date of the enactment of the Improving America's Schools Act of 1994.

[(3) SPECIAL RULE.—The Secretary shall not make available more than $1,000,000 to carry out paragraph (1)(R), nor more than $1,000,000 to carry out paragraph (1)(V) during the period beginning on October 1, 1994, through September 30, 1999.

[(c) AWARDS.—

[(1) IN GENERAL.—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) SPECIAL RULE.—The Secretary shall ensure that programs, projects, and activities supported under this section are designed so that the effectiveness of such programs, projects, and activities is readily ascertainable.

[(3) PEER REVIEW.—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.

[(d) AUTHORIZATION.—For the purpose of carrying out this section, there are authorized to be appropriated $50,000,000 for fiscal

year 1995 and such sums as may be necessary for each of the four succeeding fiscal years.

[SEC. 10102. ELEMENTARY SCHOOL COUNSELING DEMONSTRATION.

[(a) COUNSELING DEMONSTRATION.—

[(1) In General.—The Secretary may award grants under this section to establish or expand elementary school counseling programs.

[(2) PRIORITY.—In awarding grants under this section, the Secretary shall give special consideration to applications describing programs that—

[(A) demonstrate the greatest need for new or additional counseling services among the children in the elementary schools served by the applicant;

[(B) propose the most promising and innovative approaches for initiating or expanding elementary school counseling; and

[(C) show the greatest potential for replication and dissemination.

[(3) EQUITABLE DISTRIBUTION.—In awarding grants under this section, the Secretary shall ensure an equitable geographic distribution among the regions of the United States and among urban, suburban, and rural areas.

[(4) DURATION.—A grant under this section shall be awarded for a period not to exceed three years.

[(5) MAXIMUM GRANT.—A grant under this section shall not exceed $400,000 for any fiscal year.

[(b) APPLICATIONS.—

[(1) IN GENERAL.—Each local educational agency desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

[(2) CONTENTS.—Each application for a grant under this section shall—

[(A) describe the elementary school population to be targeted by the program, the particular personal, social, emotional, educational, and career development needs of such population, and the current school counseling resources available for meeting such needs;

[(B) describe the activities, services, and training to be provided by the program and the specific approaches to be used to meet the needs described in subparagraph (A);

[(C) describe the methods to be used to evaluate the outcomes and effectiveness of the program;

[(D) describe the collaborative efforts to be undertaken with institutions of higher education, businesses, labor organizations, community groups, social service agencies, and other public or private entities to enhance the program and promote school-linked services integration;

[(E) describe collaborative efforts with institutions of higher education which specifically seek to enhance or improve graduate programs specializing in the preparation of elementary school counselors, school psychologists, and school social workers;

[(F) document that the applicant has the personnel qualified to develop, implement, and administer the program;

[(G) describe how any diverse cultural populations, if applicable, would be served through the program;

[(H) assure that the funds made available under this part for any fiscal year will be used to supplement and, to the extent practicable, increase the level of funds that would otherwise be available from non-Federal sources for the program described in the application, and in no case supplant such funds from non-Federal sources; and

[(I) assure that the applicant will appoint an advisory board composed of parents, school counselors, school psychologists, school social workers, other pupil services personnel, teachers, school administrators, and community leaders to advise the local educational agency on the design and implementation of the program.

[(c) USE OF FUNDS.—

[(1) IN GENERAL.—Grant funds under this section shall be used to initiate or expand elementary school counseling programs that comply with the requirements in paragraph (2).

[(2) PROGRAM REQUIREMENTS.—Each program assisted under this section shall—

[(A) be comprehensive in addressing the personal, social, emotional, and educational needs of all students;

[(B) use a developmental, preventive approach to counseling;

[(C) increase the range, availability, quantity, and quality of counseling services in the elementary schools of the local educational agency;

[(D) expand counseling services only through qualified school counselors, school psychologists, and school social workers;

[(E) use innovative approaches to increase children's understanding of peer and family relationships, work and self, decisionmaking, academic and career planning, or to improve social functioning;

[(F) provide counseling services that are well-balanced among classroom group and small group counseling, individual counseling, and consultation with parents, teachers, administrators, and other pupil services personnel;

[(G) include inservice training for school counselors, school social workers, school psychologists, other pupil services personnel, teachers, and instructional staff;

[(H) involve parents of participating students in the design, implementation, and evaluation of a counseling program;

[(I) involve collaborative efforts with institutions of higher education, businesses, labor organizations, community groups, social service agencies, or other public or private entities to enhance the program and promote school-linked services integration; and

[(J) evaluate annually the effectiveness and outcomes of the counseling services and activities assisted under this section.

[(3) REPORT.—The Secretary shall issue a report evaluating the programs assisted pursuant to each grant under this subsection at the end of each grant period in accordance with section 14701, but in no case later than January 30, 1998.

[(4) DISSEMINATION.—The Secretary shall make the programs assisted under this section available for dissemination, either through the National Diffusion Network or other appropriate means.

[(5) LIMIT ON ADMINISTRATION.—Not more than five percent of the amounts made available under this section in any fiscal year shall be used for administrative costs to carry out this section.

[(d) DEFINITIONS.—For purposes of this section—

[(1) the term "school counselor" means an individual who has documented competence in counseling children and adolescents in a school setting and who—

[(A) possesses State licensure or certification granted by an independent professional regulatory authority;

[(B) in the absence of such State licensure or certification, possesses national certification in school counseling or a specialty of counseling granted by an independent professional organization; or

[(C) holds a minimum of a master's degree in school counseling from a program accredited by the Council for Accreditation of Counseling and Related Educational Programs or the equivalent;

[(2) the term "school psychologist" means an individual who—

[(A) possesses a minimum of 60 graduate semester hours in school psychology from an institution of higher education and has completed 1,200 clock hours in a supervised school psychology internship, of which 600 hours shall be in the school setting;

[(B) possesses State licensure or certification in the State in which the individual works; or

[(C) in the absence of such State licensure or certification, possesses national certification by the National School Psychology Certification Board;

[(3) the term "school social worker" means an individual who holds a master's degree in social work and is licensed or certified by the State in which services are provided or holds a school social work specialist credential; and

[(4) the term "supervisor" means an individual who has the equivalent number of years of professional experience in such individual's respective discipline as is required of teaching experience for the supervisor or administrative credential in the State of such individual.

[SEC. 10103. PARTNERSHIPS IN CHARACTER EDUCATION PILOT PROJECT.

[(a) PROGRAM AUTHORIZED.—

[(1) IN GENERAL.—The Secretary is authorized to make up to a total of ten grants annually to partnerships of State educational agencies and local educational agencies for the design and implementation of character education programs that incorporate the elements of character listed in subsection (d), as well as other character elements identified by applicants.

[(2) MAXIMUM AMOUNT OF GRANT.—No State educational agency shall receive more than a total of $1,000,000 in grants under this part.

[(3) DURATION.—Each grant under this section shall be awarded for a period not to exceed five years, of which the State educational agency shall not use more than one year for planning and program design.

[(b) STATE EDUCATIONAL AGENCY APPLICATIONS.—

[(1) REQUIREMENT.—Each State educational agency 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) PARTNERSHIPS.—Each State educational agency desiring a grant under this section shall form a partnership with at least one local educational agency to be eligible for funding. The partnership shall pursue State and local initiatives to meet the objectives of this section.

[(3) APPLICATION.—Each application under this section shall include—

[(A) a list of the local educational agencies entering into the partnership with the State educational agency;

[(B) a description of the goals of the partnership;

[(C) a description of activities that will be pursued by the participating local educational agencies, 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) curriculum and instructional practices;

[(iii) methods of teacher training and parent education that will be used or developed; and

[(iv) examples of activities that will be carried out under this part;

[(D) a description of how the State educational agency will provide technical and professional assistance to its local educational agency partners in the development and implementation of character education programs;

[(E) a description of how the State educational agency will evaluate the success of local programs and how local educational agencies will evaluate the progress of their own programs;

[(F) a description of how the State educational agency will assist other interested local educational agencies that are not members of the original partnership in designing and establishing programs;

[(G) a description of how the State educational agency will establish a clearinghouse for information on model

programs, materials, and other information the State and local educational agencies determine to be appropriate;

[(H) an assurance that the State educational agency will annually provide to the Secretary such information as may be required to determine the effectiveness of the program; and

[(I) any other information that the Secretary may require.

[(4) NON-PARTNER LOCAL EDUCATIONAL AGENCIES.—Any local educational agency that was not a partner with the State when the application was submitted may become a partner by submitting an application for partnership to the State educational agency, containing such information that the State educational agency may require.

[(c) EVALUATION AND PROGRAM DEVELOPMENT.—

[(1) REQUIREMENT.—Each State educational agency receiving a grant under this section shall submit to the Secretary a comprehensive evaluation of the program assisted under this part, including the impact on students, teachers, administrators, parents, and others—

[(A) by the mid-term of the program; and

[(B) not later than one year after completion of such program.

[(2) CONTRACTS FOR EVALUATION.—Each State educational agency receiving a grant under this section may contract with outside sources, including institutions of higher education, and private and nonprofit organizations, for purposes of evaluating their program and measuring the success of the program toward fostering in students the elements of character listed in subsection (b).

[(3) FACTORS.—Factors which may be considered in evaluating the success of the program may include—

[(A) discipline problems;

[(B) students' grades;

[(C) participation in extracurricular activities;

[(D) parental and community involvement;

[(E) faculty and administration involvement; and

[(F) student and staff morale.

[(4) MATERIALS AND PROGRAM DEVELOPMENT.—Local educational agencies, after consulting with the State educational agency, may contract with outside sources, including institutions of higher education, and private and nonprofit organizations, for assistance in developing curriculum, materials, teacher training, and other activities related to character education.

[(d) ELEMENTS OF CHARACTER.—

[(1) IN GENERAL.—Applicants desiring funding under this part shall develop character education programs that incorporate the following elements of character:

[(A) Caring.

[(B) Civic virtue and citizenship.

[(C) Justice and fairness.

[(D) Respect.

[(E) Responsibility.

[(F) Trustworthiness.

[(G) Any other elements deemed appropriate by the members of the partnership.

[(2) ADDITIONAL ELEMENTS OF CHARACTER.—A local educational agency participating under this section may, after consultation with schools and communities of such agency, define additional elements of character that the agency determines to be important to the schools and communities of such agency.

[(e) USE OF FUNDS.—Of the total funds received by a State educational agency in any fiscal year under this section—

[(1) not more than 30 percent of such funds may be retained by the State educational agency, of which—

[(A) not more than 10 percent of such funds may be used for administrative purposes; and

[(B) the remainder of such funds may be used for—

[(i) collaborative initiatives with local educational agencies;

[(ii) the establishment of the clearinghouse, preparation of materials, teacher training; and

[(iii) other appropriate activities; and

[(2) the remaining of such funds shall be used to award subgrants to local educational agencies, of which—

[(A) not more than 10 percent of such funds may be retained for administrative purposes; and

[(B) the remainder of such funds may be used to—

[(i) award subgrants to schools within the local educational agency; and

[(ii) pursue collaborative efforts with the State educational agency.

[(f) SELECTION OF GRANTEES.—

[(1) CRITERIA.—The Secretary shall select, through peer review, partnerships to receive grants under this section on the basis of the quality of the applications submitted under subsection (b), taking into consideration such factors as—

[(A) the quality of the activities proposed by local educational agencies;

[(B) the extent to which the program fosters in students the elements of character;

[(C) the extent of parental, student, and community involvement;

[(D) the number of local educational agencies involved in the effort;

[(E) the quality of the plan for measuring and assessing success; and

[(F) the likelihood that the goals of the program will be realistically achieved.

[(2) DIVERSITY OF PROJECTS.—The Secretary shall approve applications under this section in a manner that ensures, to the extent practicable, that programs assisted under this section—

[(A) serve different areas of the Nation, including urban, suburban, and rural areas; and

[(B) serve schools that serve minorities, Native Americans, students of limited-English proficiency, and disadvantaged students.

[SEC. 10104. PROMOTING SCHOLAR-ATHLETE COMPETITIONS.

[(a) IN GENERAL.—The Secretary is authorized to award a grant to a nonprofit organization to reimburse such organizations for the costs of conducting scholar-athlete games to be held in 1995.

[(b) PRIORITY.—In awarding the grant under subsection (a), the Secretary shall give priority to a nonprofit organization that—

[(1) is described in section 501(c)(3) of, and exempt from taxation under section 501(a) of, the Internal Revenue Code of 1986, and is affiliated with a university capable of hosting a large educational, cultural, and athletic event that will serve as a national model;

[(2) has the capability and experience in administering federally funded scholar-athlete games;

[(3) has the ability to provide matching funds, on a dollar-for-dollar basis, from foundations and the private sector for the purpose of conducting a scholar-athlete program;

[(4) has the organizational structure and capability to administer a model scholar-athlete program in the summer of 1995;

[(5) has the organizational structure and expertise to replicate the scholar-athlete program in various venues throughout the United States in 1996 and thereafter, as well as replicate such program internationally; and

[(6) has plans for conducting scholar-athlete games after 1995 without Federal assistance.

[SEC. 10105. SMALLER LEARNING COMMUNITIES.

[(a) IN GENERAL.—Each local educational agency desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Each such application shall describe—

[(1) strategies and methods the applicant will use to create the smaller learning community or communities;

[(2) curriculum and instructional practices, including any particular themes or emphases, to be used in the learning environment;

[(3) the extent of involvement of teachers and other school personnel in investigating, designing, implementing and sustaining the smaller learning community or communities;

[(4) the process to be used for involving students, parents and other stakeholders in the development and implementation of the smaller learning community or communities;

[(5) any cooperation or collaboration among community agencies, organizations, businesses, and others to develop or implement a plan to create the smaller learning community or communities;

[(6) the training and professional development activities that will be offered to teachers and others involved in the activities assisted under this part;

[(7) the goals and objectives of the activities assisted under this part, including a description of how such activities will better enable all students to reach challenging State content standards and State student performance standards;

[(8) the methods by which the applicant will assess progress in meeting such goals and objectives;

[(9) if the smaller learning community or communities exist as a school-within-a-school, the relationship, including governance and administration, of the smaller learning community to the rest of the school;

[(10) a description of the administrative and managerial relationship between the local educational agency and the smaller learning community or communities, including how such agency will demonstrate a commitment to the continuity of the smaller learning community or communities, including the continuity of student and teacher assignment to a particular learning community;

[(11) how the applicant will coordinate or use funds provided under this part with other funds provided under this Act or other Federal laws;

[(12) grade levels or ages of students who will participate in the smaller learning community or communities; and

[(13) the method of placing students in the smaller learning community or communities, such that students are not placed according to ability, performance or any other measure, so that students are placed at random or by their own choice, not pursuant to testing or other judgments.

[(b) AUTHORIZED ACTIVITIES.—Funds under this section may be used—

[(1) to study the feasibility of creating the smaller learning community or communities as well as effective and innovative organizational and instructional strategies that will be used in the smaller learning community or communities;

[(2) to research, develop and implement strategies for creating the smaller learning community or communities, as well as effective and innovative changes in curriculum and instruction, geared to high State content standards and State student performance standards;

[(3) to provide professional development for school staff in innovative teaching methods that challenge and engage students to be used in the smaller learning community or communities; and

[(4) to develop and implement strategies to include parents, business representatives, local institutions of higher education, community-based organizations, and other community members in the smaller learning communities, as facilitators of activities that enable teachers to participate in professional development activities, as well as to provide links between students and their community.

[SEC. 10106. NATIONAL STUDENT AND PARENT MOCK ELECTION.

[(a) IN GENERAL.—The Secretary is authorized to award grants to national nonprofit, nonpartisan organizations that work to promote voter participation in American elections to enable such organizations to carry out voter education activities for students and their parents. Such activities shall—

[(1) be limited to simulated national elections that permit participation by students and parents from all 50 States in the United States; and

[(2) consist of—

[(A) school forums and local cable call-in shows on the national issues to be voted upon in an "issue forum";

[(B) speeches and debates before students and parents by local candidates or stand-ins for such candidates;

[(C) quiz team competitions, mock press conferences and speechwriting competitions;

[(D) weekly meetings to follow the course of the campaign; or

[(E) school and neighborhood campaigns to increase voter turnout, including newsletters, posters, telephone chains, and transportation.

[(b) REQUIREMENT.—Each organization receiving a grant under this section shall present awards to outstanding student and parent mock election projects.

[SEC. 10107. MODEL PROJECTS.

[(a) PROGRAM AUTHORIZED.—The Secretary is authorized to award grants to cultural institutions to enable such institutions to develop and expand model projects of outreach activities for at-risk children in the communities served by such institutions, including activities which integrate such institution's cultural programming with other disciplines, including environmental, mathematics, and science programs.

[(b) PRIORITY.—In awarding grants under this section the Secretary shall give priority to activities that are part of an overall State, local, and private commitment, seek to improve learning for at-risk youth, and are substantially funded by State, local, or private funds.

[PART B—GIFTED AND TALENTED CHILDREN

[SEC. 10201. SHORT TITLE.

[This part may be cited as the "Jacob K. Javits Gifted and Talented Students Education Act of 1994".

[SEC. 10202. FINDINGS AND PURPOSES.

[(a) FINDINGS.—The Congress finds and declares that—

[(1) all students can learn to high standards and must develop their talents and realize their potential if the United States is to prosper;

[(2) gifted and talented students are a national resource vital to the future of the Nation and its security and well-being;

[(3) too often schools fail to challenge students to do their best work, and students who are not challenged will not learn to challenging State content standards and challenging State student performance standards, fully develop their talents, and realize their potential;

[(4) unless the special abilities of gifted and talented students are recognized and developed during such students' elementary and secondary school years, much of such students' special potential for contributing to the national interest is likely to be lost;

[(5) gifted and talented students from economically disadvantaged families and areas, and students of limited-English proficiency are at greatest risk of being unrecognized and of not being provided adequate or appropriate educational services;

[(6) State and local educational agencies and private nonprofit schools often lack the necessary specialized resources to plan and implement effective programs for the early identification of gifted and talented students and for the provision of educational services and programs appropriate to their special needs;

[(7) the Federal Government can best carry out the limited but essential role of stimulating research and development and personnel training and providing a national focal point of information and technical assistance that is necessary to ensure that the Nation's schools are able to meet the special educational needs of gifted and talented students, and thereby serve a profound national interest; and

[(8) the experience and knowledge gained in developing and implementing programs for gifted and talented students can and should be used as a basis to—

[(A) develop a rich and challenging curriculum for all students; and

[(B) provide all students with important and challenging subject matter to study and encourage the habits of hard work.

[(b) STATEMENT OF PURPOSE.—It is the purpose of this part—

[(1) to provide financial assistance to State and local educational agencies, institutions of higher education, and other public and private agencies and organizations, to initiate a coordinated program of research, demonstration projects, personnel training, and similar activities designed to build a nationwide capability in elementary and secondary schools to meet the special educational needs of gifted and talented students;

[(2) to encourage the development of rich and challenging curricula for all students through the appropriate application and adaptation of materials and instructional methods developed under this part; and

[(3) to supplement and make more effective the expenditure of State and local funds, for the education of gifted and talented students.

[SEC. 10203. CONSTRUCTION.

[Nothing in this part shall be construed to prohibit a recipient of funds under this part from serving gifted and talented students simultaneously with students with similar educational needs, in the same educational settings where appropriate.

[SEC. 10204. AUTHORIZED PROGRAMS.

[(a) ESTABLISHMENT OF PROGRAM.—

[(1) IN GENERAL.—From the sums appropriated under section 10207 in any fiscal year the Secretary (after consultation with experts in the field of the education of gifted and talented students) shall make grants to or enter into contracts with State educational agencies, local educational agencies, institu-

tions of higher education, or other public agencies and private agencies and organizations (including Indian tribes and Indian organizations (as such terms are defined by the Indian Self-Determination and Education Assistance Act) and Native Hawaiian organizations) to assist such agencies, institutions, and organizations which submit applications in carrying out programs or projects authorized by this part that are designed to meet the educational needs of gifted and talented students, including the training of personnel in the education of gifted and talented students and in the use, where appropriate, of gifted and talented services, materials, and methods for all students.

[(2) APPLICATION.—Each entity desiring assistance under this part 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 describe how—

[(A) the proposed gifted and talented services, materials, and methods can be adapted, if appropriate, for use by all students; and

[(B) the proposed programs can be evaluated.

[(b) USES OF FUNDS.—Programs and projects assisted under this section may include—

[(1) professional development (including fellowships) for personnel (including leadership personnel) involved in the education of gifted and talented students;

[(2) establishment and operation of model projects and exemplary programs for serving gifted and talented students, including innovative methods for identifying and educating students who may not be served by traditional gifted and talented programs, summer programs, mentoring programs, service learning programs, and cooperative programs involving business, industry, and education;

[(3) training of personnel and parents involved in gifted and talented programs with respect to the impact of gender role socialization on the educational needs of gifted and talented children and in gender equitable education methods, techniques and practices;

[(4) implementing innovative strategies, such as cooperative learning, peer tutoring and service learning;

[(5) strengthening the capability of State educational agencies and institutions of higher education to provide leadership and assistance to local educational agencies and nonprofit private schools in the planning, operation, and improvement of programs for the identification and education of gifted and talented students and the appropriate use of gifted and talented programs and methods to serve all students;

[(6) programs of technical assistance and information dissemination, including how gifted and talented programs and methods, where appropriate, may be adapted for use by all students; and

[(7) carrying out—

[(A) research on methods and techniques for identifying and teaching gifted and talented students, and for using

gifted and talented programs and methods to serve all students; and

[(B) program evaluations, surveys, and the collection, analysis, and development of information needed to accomplish the purposes of this part.

[(c) ESTABLISHMENT OF NATIONAL CENTER.—

[(1) IN GENERAL.—The Secretary (after consultation with experts in the field of the education of gifted and talented students) shall establish a National Center for Research and Development in the Education of Gifted and Talented Children and Youth through grants to or contracts with one or more institutions of higher education or State educational agency, or a combination or consortium of such institutions and agencies, for the purpose of carrying out activities described in paragraph (7) of subsection (b).

[(2) DIRECTOR.—Such National Center shall have a Director. The Secretary may authorize the Director to carry out such functions of the National Center as may be agreed upon through arrangements with other institutions of higher education, State or local educational agencies, or other public or private agencies and organizations.

[(d) LIMITATION.—Not more than 30 percent of the funds available in any fiscal year to carry out the programs and projects authorized by this section may be used to conduct activities pursuant to subsection (b)(7) or (c).

[(e) COORDINATION.—Research activities supported under this section—

[(1) shall be carried out in consultation with the Office of Educational Research and Improvement to ensure that such activities are coordinated with and enhance the research and development activities supported by such Office; and

[(2) may include collaborative research activities which are jointly funded and carried out with such Office.

[SEC. 10205. PROGRAM PRIORITIES.

[(a) GENERAL PRIORITY.—In the administration of this part the Secretary shall give highest priority—

[(1) to the identification of and the provision of services to gifted and talented students who may not be identified and served through traditional assessment methods (including economically disadvantaged individuals, individuals of limited-English proficiency, and individuals with disabilities); and

[(2) to programs and projects designed to develop or improve the capability of schools in an entire State or region of the Nation through cooperative efforts and participation of State and local educational agencies, institutions of higher education, and other public and private agencies and organizations (including business, industry, and labor), to plan, conduct, and improve programs for the identification of and service to gifted and talented students, such as mentoring and apprenticeship programs.

[(b) SERVICE PRIORITY.—In approving applications for assistance under section 10204(a)(2), the Secretary shall assure that in each fiscal year at least one-half of the applications approved under such section address the priority described in subsection (a)(1).

[SEC. 10206. GENERAL PROVISIONS.

[(a) PARTICIPATION OF PRIVATE SCHOOL CHILDREN AND TEACHERS.—In making grants and entering into contracts under this part, the Secretary shall ensure, where appropriate, that provision is made for the equitable participation of students and teachers in private nonprofit elementary and secondary schools, including the participation of teachers and other personnel in professional development programs serving such children.

[(b) REVIEW, DISSEMINATION, AND EVALUATION.—The Secretary shall—

[(1) use a peer review process in reviewing applications under this part;

[(2) ensure that 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 nonprofit private organizations; and

[(3) evaluate the effectiveness of programs under this part in accordance with section 14701, both in terms of the impact on students traditionally served in separate gifted and talented programs and on other students, and submit the results of such evaluation to Congress not later than January 1, 1998.

[(c) PROGRAM OPERATIONS.—The Secretary shall ensure that the programs under this part are administered within the Department by a person who has recognized professional qualifications and experience in the field of the education of gifted and talented students and who shall—

[(1) administer the programs authorized by this part;

[(2) coordinate all programs for gifted and talented students administered by the Department;

[(3) serve as a focal point of national leadership and information on the educational needs of gifted and talented students and the availability of educational services and programs designed to meet such needs; and

[(4) assist the Assistant Secretary of the Office of Educational Research and Improvement in identifying research priorities which reflect the needs of gifted and talented students.

[SEC. 10207. AUTHORIZATION OF APPROPRIATIONS.

[There are authorized to be appropriated $10,000,000 for fiscal year 1995 and such sums as may be necessary for each of the four succeeding fiscal years to carry out the provisions of this part.]

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[PART D—ARTS IN EDUCATION

[Subpart 1—Arts Education

[SEC. 10401. SUPPORT FOR ARTS EDUCATION.

[(a) FINDINGS.—The Congress finds that—

[(1) the arts are forms of understanding and ways of knowing that are fundamentally important to education;

[(2) the arts are important to excellent education and to effective school reform;

[(3) the most significant contribution of the arts to education reform is the transformation of teaching and learning;

[(4) such transformation is best realized in the context of comprehensive, systemic education reform;

[(5) demonstrated competency in the arts for American students is among the National Education Goals;

[(6) participation in performing arts activities has proven to be an effective strategy for promoting the inclusion of persons with disabilities in mainstream settings;

[(7) opportunities in the arts have enabled persons of all ages with disabilities to participate more fully in school and community activities;

[(8) the arts can motivate at-risk students to stay in school and become active participants in the educational process; and

[(9) arts education should be an integral part of the elementary and secondary school curriculum.

[(b) PURPOSES.—The purposes of this subpart are to—

[(1) support systemic education reform by strengthening arts education as an integral part of the elementary and secondary school curriculum;

[(2) help ensure that all students have the opportunity to learn to challenging State content standards and challenging State student performance standards in the arts; and

[(3) support the national effort to enable all students to demonstrate competence in the arts in accordance with the National Education Goals.

[(c) ELIGIBLE RECIPIENTS.—In order to carry out the purposes of this subpart, the Secretary is authorized to award grants to, or enter into contracts or cooperative agreements with—

[(1) State educational agencies;

[(2) local educational agencies;

[(3) institutions of higher education;

[(4) museums and other cultural institutions; and

[(5) other public and private agencies, institutions, and organizations.

[(d) AUTHORIZED ACTIVITIES.—Funds under this subpart may be used for—

[(1) research on arts education;

[(2) the development of, and dissemination of information about, model arts education programs;

[(3) the development of model arts education assessments based on high standards;

[(4) the development and implementation of curriculum frameworks for arts education;

[(5) the development of model preservice and inservice professional development programs for arts educators and other instructional staff;

[(6) supporting collaborative activities with other Federal agencies or institutions involved in arts education, such as the National Endowment for the Arts, the Institute of Museum and Library Services, the John F. Kennedy Center for the Performing Arts, Very Special Arts, and the National Gallery of Art;

[(7) supporting model projects and programs in the performing arts for children and youth through arrangements made with the John F. Kennedy Center for the Performing Arts;

[(8) supporting model projects and programs by Very Special Arts which assure the participation in mainstream settings in arts and education programs of individuals with disabilities;

[(9) supporting model projects and programs to integrate arts education into the regular elementary and secondary school curriculum; and

[(10) other activities that further the purposes of this subpart.

[(e) COORDINATION.—

[(1) IN GENERAL.—A recipient of funds under this subpart shall, to the extent possible, coordinate projects assisted under this subpart with appropriate activities of public and private cultural agencies, institutions, and organizations, including museums, arts education associations, libraries, and theaters.

[(2) SPECIAL RULE.—In carrying out this subpart, the Secretary shall coordinate with the National Endowment for the Arts, the Institute of Museum and Library Services, the John F. Kennedy Center for the Performing Arts, Very Special Arts, and the National Gallery of Art.

[(f) AUTHORIZATION.—

[(1) IN GENERAL.—For the purpose of carrying out this subpart, there are authorized to be appropriated $11,000,000 for fiscal year 1995 and such sums as may be necessary for each of the four succeeding fiscal years.

[(2) SPECIAL RULE.—If the amount appropriated under paragraph (1) for any fiscal year is $9,000,000 or less, then such amount shall only be available to carry out the activities described in paragraphs (7) and (8) of subsection (d).

[Subpart 2—Cultural Partnerships for At-Risk Children and Youth

[SEC. 10411. FINDINGS AND PURPOSE.

[(a) FINDINGS.—The Congress finds:

[(1) With local school budget cuts there are inadequate arts and cultural programs available for children and youth in schools, especially at the elementary school level.

[(2) The arts promote progress in academic subjects as shown by research conducted by the National Endowment for the Arts.

[(3) Children and youth who receive instruction in the arts and humanities, or who are involved in cultural activities, remain in school longer and are more successful than children who do not receive such instruction.

[(4) Learning in the arts and humanities promotes progress in other academic subjects, and generates positive self-esteem and a greater sense of accomplishment in young people.

[(5) School-university and school-cultural institution partnerships that upgrade teacher training in the arts and humanities have significantly contributed to improved instruction and achievement levels of school-aged children.

[(6) Museum outreach, cultural activities and informal education for at-risk children and youth have contributed significantly to the educational achievement and enhanced interest in learning of at-risk children and youth.

[(7) The Goals 2000: Educate America Act, other legislation and local, State and national resources support the integration of the arts and humanities into the regular curriculum and school day for all children.

[(8) While all children benefit from instruction in the arts and the humanities, at-risk children and youth have a special, additional need for arts and cultural programs both in school and after school.

[(b) PURPOSE.—The purpose of this subpart is to make demonstration grants to eligible entities to improve the educational performance and future potential of at-risk children and youth by providing comprehensive and coordinated educational and cultural services.

[SEC. 10412. PROGRAM AUTHORIZED.

[(a) IN GENERAL.—The Secretary is authorized to award grants to eligible entities to pay the Federal share of the costs of the activities described in section 10413.

[(b) SPECIAL REQUIREMENTS.—

[(1) IN GENERAL.—The Secretary shall award grants under this subpart only to programs designed to—

[(A) promote and enhance educational and cultural activities;

[(B) provide multi-year services to at-risk children and youth and to integrate community cultural resources into in-school and after-school educational programs;

[(C) provide integration of community cultural resources into the regular curriculum and school day;

[(D) focus school and cultural resources in the community on coordinated cultural services to address the needs of at-risk children and youth;

[(E) provide effective cultural programs to facilitate the transition from preschool programs to elementary school programs, including programs under the Head Start Act and part H of the Individuals with Disabilities Education Act;

[(F) facilitate school-to-work transition from secondary schools and alternative schools to job training, higher education and employment through educational programs and activities that utilize school resources;

[(G) increase parental and community involvement in the educational, social, and cultural development of at-risk children and youth; or

[(H)(i) develop programs and strategies that provide high-quality coordinated educational and cultural services; and

[(ii) provide a model to replicate such services in other schools and communities.

[(2) PARTNERSHIP.—An interagency partnership comprised of the Secretary of Education, the Chairman of the National Endowment for the Humanities, the Chairman of the National

Endowment for the Arts, and the Director of the Institute of Museum and Library Services, or their designees, shall establish criteria and procedures for awarding grants, including the establishment of panels to review the applications, and shall administer the grants program authorized by this section. The Secretary shall publish such criteria and procedures in the Federal Register.

[(3) COORDINATION.—Grants may only be awarded under this subpart to eligible entities that agree to coordinate activities carried out under other Federal, State, and local grants, received by the members of the partnership for purposes and target populations described in this subpart, into an integrated service delivery system located at a school, cultural, or other community-based site accessible to and utilized by at-risk youth.

[(4) ELIGIBLE ENTITIES.—For purposes of this subpart, the term "eligible entity" means a partnership between—

[(A) a local educational agency or an individual school that is eligible to participate in a schoolwide program under section 1114; and

[(B) at least one institution of higher education, museum, local arts agency, or cultural entity that is accessible to individuals within the school district of such local educational agency or school, and that has a history of providing quality services to the community, which may include—

[(i) nonprofit institutions of higher education, museums, libraries, performing, presenting and exhibiting arts organizations, literary arts organizations, State and local arts organizations, cultural institutions, and zoological and botanical organizations; or

[(ii) private for-profit entities with a history of training children and youth in the arts.

[(5) GEOGRAPHIC DISTRIBUTION.—In awarding grants under this subpart the Secretary, to the extent feasible, shall ensure an equitable geographic distribution of such grants.

[(6) DURATION.—Grants made under this subpart may be renewable for a maximum of five years if the Secretary determines that the eligible recipient has made satisfactory progress toward the achievement of the program objectives described in the application.

[(7) MODELS.—The Secretary, in consultation with the Chairman of the National Endowment for the Humanities, the Chairman of the National Endowment for the Arts and the director of the Institute of Museum and Library Services, or their designees, shall submit successful models under this title to the National Diffusion Network for review.

[(c) TARGET POPULATION.—To be eligible for a grant under this subpart, an eligible entity shall serve—

[(1) students enrolled in schools participating in a schoolwide program under section 1114 and the families of such students to the extent practicable;

[(2) out-of-school children and youth at risk of disadvantages resulting from teenage parenting, substance abuse, recent mi-

gration, disability, limited-English proficiency, illiteracy, being the child of a teenage parent, living in a single parent household, or dropping out of school; or

[(3) any combination of in-school and out-of-school at-risk children and youth.

[SEC. 10413. AUTHORIZED ACTIVITIES.

[(a) IN GENERAL.—Grants awarded under this subpart may be used—

[(1) to plan, develop, acquire, expand, and improve school-based or community-based coordinated educational and cultural programs to strengthen the educational performance and future potential of in-school or out-of-school at-risk children and youth through grants, cooperative agreements, contracts for services, or administrative coordination;

[(2) to provide at-risk students with integrated cultural activities designed to develop a love of learning that fosters the smooth transition of preschool children to elementary school;

[(3) to design collaborative cultural activities for students in secondary or alternative schools that ensure the smooth transition to job training, higher education, or full employment;

[(4) to provide child care for children of at-risk students who would not otherwise be able to participate in the program;

[(5) to provide transportation necessary for participation in the program;

[(6) to work with existing school personnel to develop curriculum materials and programs in the arts;

[(7) to work with existing school personnel on staff development activities that encourage the integration of the arts into the curriculum;

[(8) for stipends that allow local artists to work with at-risk children and youth in schools;

[(9) for training individuals who are not trained to work with children and youth;

[(10) for cultural programs that encourage the active participation of parents in the education of their children;

[(11) for programs that use the arts and culture to reform current school practices, including lengthening the school day or academic year;

[(12) for equipment or supplies that the Secretary determines appropriate; and

[(13) for evaluation, administration, and supervision.

[(b) PLANNING GRANTS.—

[(1) APPLICATION.—An eligible entity may submit an application to the Secretary for a planning grant for an amount not to exceed $50,000. Such grants shall be for periods of not more than one year.

[(2) LIMIT ON PLANNING GRANTS.—Not more than 10 percent of the amounts appropriated in each fiscal year under this subpart shall be used for grants under this subsection, and an eligible entity may receive not more than one such planning grant.

[(c) GENERAL PROVISIONS.—

[(1) IN GENERAL.—Each eligible entity desiring a grant under this subpart shall submit an application to the Secretary

at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

[(2) CONTENTS.—Each application submitted pursuant to paragraph (1) shall—

[(A) describe the cultural entity or entities that will participate in the partnership;

[(B) describe the target population to be served;

[(C) describe the services to be provided;

[(D) describe a plan for evaluating the success of the program;

[(E) in the case of each local educational agency or school participating in the eligible recipient partnership, describe how the activities assisted under this subpart will be perpetuated beyond the duration of the grant;

[(F) describe the manner in which the eligible entity will improve the educational achievement or future potential of at-risk youth through more effective coordination of cultural services in the community;

[(G) describe the overall and operational goals of the program;

[(H) describe the nature and location of all planned sites where services will be delivered and a description of services which will be provided at each site; and

[(I) describe training that will be provided to individuals who are not trained to work with children and youth, and how teachers will be involved.

[SEC. 10414. PAYMENTS; AMOUNTS OF AWARD; COST SHARE; LIMITATIONS.

[(a) PAYMENTS.—

[(1) IN GENERAL.—The Secretary shall pay to each eligible recipient having an application approved under section 10413(c) the Federal share of the cost of the activities described in the application.

[(2) SPECIAL RULE.—(A) Grants awarded under this subpart shall be of sufficient size, scope, and quality to be effective.

[(B) The Secretary shall award grants under this subpart so as to ensure nonduplication of services provided by grant recipients and services provided by—

[(i) the National Endowment for the Humanities;

[(ii) the National Endowment for the Arts; and

[(iii) the Institute of Museum and Library Services.

[(b) COST SHARE.—

[(1) FEDERAL SHARE.—The Federal share of a grant under this subpart shall be 80 percent of the cost of carrying out the activities described in the application.

[(2) NON-FEDERAL SHARE.—The non-Federal share of a grant under this subpart shall be 20 percent of the cost of carrying out the activities described in the application and may be in cash or in kind, fairly evaluated, including the provision of equipment, services, or facilities.

[(c) LIMITATIONS.—

[(1) NONINSTRUCTIONAL SERVICES.—Not more than 25 percent of the grant funds provided in any fiscal year under this subpart may be used for noninstructional activities such as the

activities described in paragraphs (4), (5), and (12) of section 10413(a).

[(2) SUPPLEMENT AND NOT SUPPLANT.—Grant funds awarded under this part shall be used to supplement not supplant the amount of funds made available from non-Federal sources, for the activities assisted under this subpart, in amounts that exceed the amounts expended for such activities in the year preceding the year for which the grant is awarded.

[(3) ADMINISTRATIVE COSTS.—(A) The Secretary may reserve not more than five percent of the grant funds received under this subpart in each fiscal year for the costs of administration.

[(B) Each eligible recipient may reserve not more than 5 percent of any grant funds received under this subpart in each fiscal year for the costs of administration.

[SEC. 10415. AUTHORIZATION OF APPROPRIATIONS.

[There are authorized to be appropriated to carry out this subpart, $45,000,000 for fiscal year 1995, and such sums as may be necessary for each of the four succeeding fiscal years.]

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[PART F—CIVIC EDUCATION

[SEC. 10601. INSTRUCTION ON THE HISTORY AND PRINCIPLES OF DEMOCRACY IN THE UNITED STATES.

[(a) GENERAL AUTHORITY.—

[(1) PROGRAM ESTABLISHED.—(A) The Secretary is authorized to carry out a program to enhance the attainment of the third and sixth National Education Goals by educating students about the history and principles of the Constitution of the United States, including the Bill of Rights, and to foster civic competence and responsibility.

[(B) Such program shall be known as "We the People . . . The Citizen and the Constitution".

[(2) EDUCATIONAL ACTIVITIES.—The program required by paragraph (1) shall—

[(A) continue and expand the educational activities of the "We the People . . . The Citizen and the Constitution" program administered by the Center for Civic Education; and

[(B) enhance student attainment of challenging content standards in civics and government.

[(3) CONTRACT OR GRANT AUTHORIZED.—The Secretary is authorized to award a grant or enter into a contract with the Center for Civic Education to carry out the program described in paragraph (1).

[(b) PROGRAM CONTENT.—The education program authorized by this section shall provide—

[(1) a course of instruction on the basic principles of our Nation's constitutional democracy and the history of the Constitution and the Bill of Rights;

[(2) at the request of a participating school, school and community simulated congressional hearings following the course of study; and

[(3) an annual national competition of simulated congressional hearings for secondary students who wish to participate in such program.

[(c) AVAILABILITY OF PROGRAM.—The education program authorized by this section shall be made available to public and private elementary and secondary schools in the 435 congressional districts, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the District of Columbia.

[(d) SPECIAL RULE.—After the provisions of subsection (b) have been implemented, funds provided under this section may be used for—

[(1) advanced training of teachers about the United States Constitution and the political system the United States created; or

[(2) a course of instruction at the middle school level on the roles of State and local governments in the Federal system established by the Constitution, which course shall provide for—

[(A) optional school and community simulated State legislative hearings;

[(B) an annual competition of simulated legislative hearings at the State legislative district, State, and national levels for middle school students who wish to participate in the program; and

[(C) participation by public and private middle schools in the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

[SEC. 10602. INSTRUCTION IN CIVICS, GOVERNMENT, AND THE LAW.

[(a) PROGRAM ESTABLISHED.—The Secretary is authorized to carry out a program of awarding grants and contracts to assist State and local educational agencies and other public and private nonprofit agencies, organizations, and institutions to enhance—

[(1) attainment by students of challenging State content standards and challenging State student performance standards in civics, government, and the law; and

[(2) attainment by the Nation of the third and the sixth National Education Goals.

[(b) AUTHORIZED ACTIVITIES.—Assistance under this section may support new and ongoing programs in elementary and secondary schools that provide for—

[(1) the development and implementation of curricular programs that enhance student understanding of—

[(A) the values and principles which underlie, and the institutions and processes which comprise, our Nation's system of government;

[(B) the role of law in our constitutional democracy, including activities to promote—

[(i) legal literacy;

[(ii) a dedication by students to the use of nonviolent means of conflict resolution such as arbitration, mediation, negotiation, trials, and appellate hearings; and

[(iii) respect for cultural diversity and acceptance of cultural differences; and

[(C) the rights and responsibilities of citizenship;

[(2) professional development for teachers, including preservice and inservice training;

[(3) outside-the-classroom learning experiences for students, including community service activities;

[(4) the active participation of community leaders, from the public and private sectors, in the schools; and

[(5) the provision of technical assistance to State and local educational agencies and other institutions and organizations working to further the progress of the Nation in attaining the third and sixth National Education Goals regarding civics and government.

[(c) APPLICATIONS, PEER REVIEW AND PRIORITY.—

[(1) SUBMISSION OF APPLICATIONS.—A State or local educational agency, other public or private nonprofit agency, organization, or institution that desires to receive a grant or enter into a contract under this section shall submit an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

[(2) PEER REVIEW.—(A) The Secretary shall convene a panel of individuals for purpose of reviewing and rating applications submitted under paragraph (1).

[(B) Such individuals shall have experience with education programs in civics, government, and the law.

[(3) PRIORITY.—In awarding grants or awarding contracts under this section, the Secretary shall give priority consideration to applications which propose the operation of statewide programs.

[(d) DURATION OF GRANTS AND EXCEPTION.—

[(1) DURATION.—Except as provided in paragraph (2), the Secretary shall award grants and contracts under this section for periods of two or three years.

[(2) EXCEPTION.—The Secretary may award a grant or a contract under this section for a period of less than 2 years if the Secretary determines that special circumstances exist which warrant a 1-year grant or contract award.

[SEC. 10603. REPORT; AUTHORIZATION OF APPROPRIATIONS.

[(a) REPORT.—The Secretary shall report, on a biennial basis to the Committee on Education and Labor of the House of Representatives and to the Committee on Labor and Human Resources of the Senate regarding the distribution and use of funds authorized under this part.

[(b) AUTHORIZATION OF APPROPRIATIONS.—

[(1) GENERAL.—There are authorized to be appropriated to carry out this part $15,000,000 for fiscal year 1995 and such sums as may be necessary for each of the four succeeding fiscal years.

[(2) ALLOCATION.—Except as provided in paragraph (3), from the amount appropriated under subsection (a), the Secretary shall allocate—

[(A) 40 percent of such amount to carry out section 10601; and

[(B) 60 percent of such amount to carry out section 10602.

[(3) SPECIAL RULE.—From funds appropriated under paragraph (1), the Secretary shall make available for fiscal year 1995 and each succeeding fiscal year thereafter for the programs under sections 16101 and 16102 not less than the amount made available for fiscal year 1994 to carry out such programs under sections 4609 and 1562, respectively, of this Act (as such sections were in effect on the day preceding the date of enactment of the Improving America's Schools Act of 1994).

[PART G—ALLEN J. ELLENDER FELLOWSHIP PROGRAM

[SEC. 10701. FINDINGS.

[The Congress finds as follows:

[(1) It is a worthwhile goal to ensure that all students in America are prepared for responsible citizenship and that all students should have the opportunity to be involved in activities that promote and demonstrate good citizenship.

[(2) It is a worthwhile goal to ensure that America's educators have access to programs for the continued improvement of their professional skills.

[(3) Allen J. Ellender, a Senator from Louisiana and President pro tempore of the United States Senate, had a distinguished career in public service characterized by extraordinary energy and real concern for young people. Senator Ellender provided valuable support and encouragement to the Close Up Foundation, a nonpartisan, nonprofit foundation promoting knowledge and understanding of the Federal Government among young people and educators. Therefore, it is a fitting and appropriate tribute to Senator Ellender to provide fellowships in his name to students of limited economic means, the teachers who work with such students, and older Americans, so that such students, teachers, and older Americans may participate in the programs supported by the Close Up Foundation.

[Subpart 1—Program for Middle and Secondary School Students

[SEC. 10711. ESTABLISHMENT.

[(a) GENERAL AUTHORITY.—The Secretary is authorized to make grants in accordance with the provisions of this subpart to the Close Up Foundation of Washington, District of Columbia, a nonpartisan, nonprofit foundation, for the purpose of assisting the Close Up Foundation in carrying out its programs of increasing understanding of the Federal Government among middle and secondary school students.

[(b) USE OF FUNDS.—Grants under this subpart shall be used only to provide financial assistance to economically disadvantaged students who participate in the program described in subsection (a). Financial assistance received pursuant to this subpart by such students shall be known as Allen J. Ellender fellowships.

[SEC. 10712. APPLICATIONS.

[(a) APPLICATION REQUIRED.—No grant under this subpart may be made except upon an application at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

[(b) CONTENTS OF APPLICATION.—Each such application shall contain provisions to assure—

[(1) that fellowship grants are made to economically disadvantaged middle and secondary school students;

[(2) that every effort will be made to ensure the participation of students from rural and small town areas, as well as from urban areas, and that in awarding fellowships to economically disadvantaged students, special consideration will be given to the participation of students with special educational needs, including student with disabilities, ethnic minority students, and gifted and talented students; and

[(3) the proper disbursement of the funds received under this subpart.

[Subpart 2—Program for Middle and Secondary School Teachers

[SEC. 10721. ESTABLISHMENT.

[(a) GENERAL AUTHORITY.—The Secretary is authorized to make grants in accordance with the provisions of this subpart to the Close Up Foundation of Washington, District of Columbia, a nonpartisan, nonprofit foundation, for the purpose of assisting the Close Up Foundation in carrying out its programs of teaching skills enhancement for middle and secondary school teachers.

[(b) USE OF FUNDS.—Grants under this subpart shall be used only for financial assistance to teachers who participate in the program described in subsection (a). Financial assistance received pursuant to this subpart by such individuals shall be known as Allen J. Ellender fellowships.

[SEC. 10722. APPLICATIONS.

[(a) APPLICATION REQUIRED.—No grant under this subpart may be made except upon an application at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

[(b) CONTENTS OF APPLICATION.—Each such application shall contain provisions to assure—

[(1) that fellowship grants are made only to teachers who have worked with at least one student from such teacher's school who participates in the programs described in section 10711(a);

[(2) that not more than one teacher in each school participating in the programs provided for in section 10711(a) may receive a fellowship in any fiscal year; and

[(3) the proper disbursement of the funds received under this subpart.

[Subpart 3—Programs for Recent Immigrants, Students of Migrant Parents and Older Americans

[SEC. 10731. ESTABLISHMENT.

[(a) GENERAL AUTHORITY.—

[(1) IN GENERAL.—The Secretary is authorized to make grants in accordance with the provisions of this subpart to the Close Up Foundation of Washington, District of Columbia, a nonpartisan, nonprofit foundation, for the purpose of assisting the Close Up Foundation in carrying out its programs of increasing understanding of the Federal Government among economically disadvantaged older Americans, recent immigrants and students of migrant parents.

[(2) DEFINITION.—For the purpose of this subpart, the term "older American" means an individual who has attained 55 years of age.

[(b) USE OF FUNDS.—Grants under this subpart shall be used for financial assistance to economically disadvantaged older Americans, recent immigrants and students of migrant parents who participate in the program described in subsection (a). Financial assistance received pursuant to this subpart by such individuals shall be known as Allen J. Ellender fellowships.

[SEC. 10732. APPLICATIONS.

[(a) APPLICATION REQUIRED.—No grant under this subpart may be made except upon application at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

[(b) CONTENTS OF APPLICATION.—Except such application shall contain provisions to assure—

[(1) that fellowship grants are made to economically disadvantaged older Americans, recent immigrants and students of migrant parents;

[(2) that every effort will be made to ensure the participation of older Americans, recent immigrants and students of migrant parents from rural and small town areas, as well as from urban areas, and that in awarding fellowships, special consideration will be given to the participation of older Americans, recent immigrants and students of migrant parents with special needs, including individuals with disabilities, ethnic minorities, and gifted and talented students;

[(3) that activities permitted by subsection (a) are fully described; and

[(4) the proper disbursement of the funds received under this subpart.

[Subpart 4—General Provisions

[SEC. 10741. ADMINISTRATIVE PROVISIONS.

[(a) GENERAL RULE.—Payments under this part may be made in installments, in advance, or by way of reimbursement, with necessary adjustments on account of underpayment or overpayment.

[(b) AUDIT RULE.—The Comptroller General of the United States or any of the Comptroller General's duly authorized representatives shall have access for the purpose of audit and examination to any books, documents, papers, and records that are pertinent to any grant under this part.

[SEC. 10742. AUTHORIZATION OF APPROPRIATIONS.

[(a) IN GENERAL.—There are authorized to be appropriated to carry out the provisions of subparts 1, 2, and 3 of this part $4,400,000 for fiscal year 1995 and such sums as may be necessary of each of the four succeeding fiscal years.

[(b) SPECIAL RULE.—Of the funds appropriated pursuant to subsection (a), not more than 30 percent may be used for teachers associated with students participating in the programs described in section 10711(a).]

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[PART I—21ST CENTURY COMMUNITY LEARNING CENTERS

[SEC. 10901. SHORT TITLE.

[This part may be cited as the "21st Century Community Learning Centers Act".

[SEC. 10902. FINDINGS.

[The Congress finds that—

[(1) a local public school often serves as a center for the delivery of education and human resources for all members of a community;

[(2) public schools, primarily in rural and inner city communities, should collaborate with other public and nonprofit agencies and organizations, local businesses, educational entities (such as vocational and adult education programs, school-to-work programs, community colleges, and universities), recreational, cultural, and other community and human service entities, for the purpose of meeting the needs of, and expanding the opportunities available to, the residents of the communities served by such schools;

[(3) by using school facilities, equipment, and resources, communities can promote a more efficient use of public education facilities, especially in rural and inner city areas where limited financial resources have enhanced the necessity for local public schools to become social service centers;

[(4) the high technology, global economy of the 21st century will require lifelong learning to keep America's workforce competitive and successful, and local public schools should provide centers for lifelong learning and educational opportunities for individuals of all ages; and

[(5) 21st Century Community Learning Centers enable the entire community to develop an education strategy that addresses the educational needs of all members of local communities.

[SEC. 10903. PROGRAM AUTHORIZATION.

[(a) GRANTS BY THE SECRETARY.—The Secretary is authorized, in accordance with the provisions of this part, to award grants to rural and inner-city public elementary or secondary schools, or consortia of such schools, to enable such schools or consortia to plan, implement, or to expand projects that benefit the educational, health, social service, cultural, and recreational needs of a rural or inner-city community.

[(b) EQUITABLE DISTRIBUTION.—In awarding grants under this part, the Secretary shall assure an equitable distribution of assistance among the States, among urban and rural areas of the United States, and among urban and rural areas of a State.

[(c) GRANT PERIOD.—The Secretary shall award grants under this part for a period not to exceed 3 years.

[(d) AMOUNT.—The Secretary shall not award a grant under this part in any fiscal year in an amount less than $35,000.

[SEC. 10904. APPLICATION REQUIRED.

[(a) APPLICATION.—To be eligible to receive a grant under this part, an elementary or secondary school or consortium shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably prescribe. Each such application shall include—

[(1) a comprehensive local plan that enables the school or consortium to serve as a center for the delivery of education and human resources for members of a community;

[(2) an evaluation of the needs, available resources, and goals and objectives for the proposed project in order to determine which activities will be undertaken to address such needs; and

[(3) a description of the proposed project, including—

[(A) a description of the mechanism that will be used to disseminate information in a manner that is understandable and accessible to the community;

[(B) identification of Federal, State, and local programs to be merged or coordinated so that public resources may be maximized;

[(C) a description of the collaborative efforts to be undertaken by community-based organizations, related public agencies, businesses, or other appropriate organizations;

[(D) a description of how the school or consortium will serve as a delivery center for existing and new services, especially for interactive telecommunication used for education and professional training; and

[(E) an assurance that the school or consortium will establish a facility utilization policy that specifically states—

[(i) the rules and regulations applicable to building and equipment use; and

[(ii) supervision guidelines.

[(b) PRIORITY.—The Secretary shall give priority to applications describing projects that offer a broad selection of services which address the needs of the community.

[SEC. 10905. USES OF FUNDS.

[Grants awarded under this part may be used to plan, implement, or expand community learning centers which include not less than four of the following activities:

[(1) Literacy education programs.

[(2) Senior citizen programs.

[(3) Children's day care services.

[(4) Integrated education, health, social service, recreational, or cultural programs.

[(5) Summer and weekend school programs in conjunction with recreation programs.

[(6) Nutrition and health programs.

[(7) Expanded library service hours to serve community needs.

[(8) Telecommunications and technology education programs for individuals of all ages.

[(9) Parenting skills education programs.

[(10) Support and training for child day care providers.

[(11) Employment counseling, training, and placement.

[(12) Services for individuals who leave school before graduating from secondary school, regardless of the age of such individual.

[(13) Services for individuals with disabilities.

[SEC. 10906. DEFINITION.

[For the purpose of this part, the term "community learning center" means an entity within a public elementary or secondary school building that—

[(1) provides educational, recreational, health, and social service programs for residents of all ages within a local community; and

[(2) is operated by a local educational agency 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.

[SEC. 10907. AUTHORIZATION OF APPROPRIATIONS.

[There are authorized to be appropriated $20,000,000 for fiscal year 1995, and such sums as may be necessary for each of the four succeeding fiscal years, to carry out this part.

[PART J—URBAN AND RURAL EDUCATION ASSISTANCE

[SEC. 10951. AUTHORIZATION OF APPROPRIATIONS.

[(a) DEMONSTRATION GRANTS.—

[(1) IN GENERAL.—There are authorized to be appropriated $125,000,000 for fiscal year 1995, and such sums as may be necessary for each of the four succeeding fiscal years, to carry out subparts 1 and 2 (other than section 10975).

[(2) RESERVATION FOR SUBPART 1.—The Secretary shall reserve 50 percent of the amount appropriated under paragraph (1) to carry out subpart 1.

[(3) RESERVATION FOR SUBPART 2.—The Secretary shall reserve 50 percent of the amount appropriated under paragraph (1) to carry out subpart 2 (other than section 10975).

[(b) HIGHER EDUCATION GRANTS.—There are authorized to be appropriated $25,000,000 for fiscal year 1995 and such sums as may be necessary for each of the four succeeding fiscal years to carry out section 10975.

[(c) FEDERAL FUNDS TO SUPPLEMENT NOT SUPPLANT NON-FEDERAL FUNDS.—An eligible local educational agency may use funds received under this part only to supplement and, to the extent practicable, increase the level of funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the education of students participating in activities assisted under this part, and in no such case may such funds be used to supplant funds from non-Federal sources.

[SEC. 10952. DEFINITIONS.

[Except as otherwise provided, for the purposes of this part:

[(1) CENTRAL CITY.—The term "central city" has the same meaning used by the Bureau of the Census.

[(2) METROPOLITAN STATISTICAL AREA.—The term "metropolitan statistical area" has the same meaning used by the Bureau of the Census.

[(3) POVERTY LEVEL.—The term "poverty level" means the criteria of poverty used by the Bureau of the Census in compiling the most recent decennial census.

[(4) RURAL ELIGIBLE LOCAL EDUCATIONAL AGENCY.—The term "rural eligible local educational agency" means a local educational agency—

[(A)(i) in which at least 15 percent of the children enrolled in the schools served by such agency are eligible to be counted under part A of title I; and

[(ii) which is not in a metropolitan statistical area; or

[(B) in which the total enrollment in the schools served by such agency is less than 2,500 students and that does not serve schools located in a metropolitan statistical area.

[(5) URBAN ELIGIBLE LOCAL EDUCATIONAL AGENCY.—The term "urban eligible local educational agency" means a local educational agency that—

[(A) serves the largest central city in a State;

[(B) enrolls more than 30,000 students and serves a central city with a population of at least 200,000 in a metropolitan statistical area; or

[(C) enrolls between 25,000 and 30,000 students and serves a central city with a population of at least 140,000 in a metropolitan statistical area.

[Subpart 1—Urban Education Demonstration Grants

[SEC. 10961. FINDINGS.

[The Congress finds that—

[(1) the ability of the Nation's major urban public school systems to meet the Nation's educational goals will determine the country's economic competitiveness and academic standing in the world community;

[(2) the quality of public education in the Nation's major urban areas has a direct effect on the economic development of the Nation's inner-cities;

[(3) the success of urban public schools in boosting the achievement of its minority youth attending such schools will determine the ability of the Nation to close the gap between the "haves and the have-nots" in society;

[(4) the cost to America's businesses to provide remedial education to high school graduates is approximately $21,000,000,000 per year;

[(5) approximately one-third of the Nation's workforce will be members of minority groups by the year 2000;

[(6) urban schools enroll a disproportionately large share of the Nation's poor and "at-risk" youth;

[(7) urban schools enroll approximately one-third of the Nation's poor, 40 percent of the Nation's African American children, and 30 percent of the Nation's Hispanic youth;

[(8) nearly 20 percent of the Nation's limited-English-proficient children and 15 percent of the Nation's disabled youth are enrolled in urban public schools;

[(9) the academic performance of students in the average inner-city public school system is below that of students in most other kinds of school systems;

[(10) urban public school systems have higher dropout rates, more problems with health care, and less parental participation than other kinds of school systems;

[(11) urban preschoolers have one-half the access to early childhood development programs as do other children;

[(12) shortages of teachers in urban public school systems are 2.5 times greater than such shortages in other kinds of school systems;

[(13) declining numbers of urban minority high school graduates are pursuing postsecondary educational opportunities;

[(14) urban public school systems have greater problems with teenage pregnancy, discipline, drug abuse, and gangs than do other kinds of school systems;

[(15) 75 percent of urban public school buildings are over 25 years old, 33 percent of such buildings are over 50 years old, and such buildings are often in serious disrepair and create poor and demoralizing working and learning conditions;

[(16) solving the challenges facing our Nation's urban schools will require the concerted and collaborative efforts of all levels of government and all sectors of the community;

[(17) Federal and State funding of urban public schools has not adequately reflected need; and

[(18) Federal funding that is well-targeted, flexible, and accountable would contribute significantly to addressing the comprehensive needs of inner-city public schools.

[SEC. 10962. PURPOSE.

[It is the purpose of this subpart to provide financial assistance to—

[(1) assist urban public schools in meeting the National Education Goals;

[(2) improve the educational and social well-being of urban public school children;

[(3) close the achievement gap between urban and nonurban public school children, while improving the achievement level of all children nationally;

[(4) conduct coordinated research on urban public education problems, solutions, and promising practices;

[(5) improve the Nation's global economic and educational competitiveness by improving the Nation's urban schools; and

[(6) encourage community, parental, and business collaboration in the improvement of urban schools.

[SEC. 10963. URBAN SCHOOL GRANTS.

[(a) AUTHORITY.—The Secretary is authorized to make grants to eligible local educational agencies serving an urban area or State educational agencies in the case where the State educational agency is the local educational agency for activities designed to assist in local school improvement efforts and school reform, and to assist the schools of such agencies in meeting the National Education Goals.

[(b) AUTHORIZED ACTIVITIES.—Funds under this section may be used to—

[(1) increase the academic achievement of urban public school children to at least the national average, such as—

[(A) effective public schools programs;

[(B) tutoring, mentoring, and other activities to improve academic achievement directly;

[(C) activities designed to increase the participation of minority and female students in entry level and advanced courses in mathematics and science;

[(D) supplementary academic instruction;

[(E) efforts to improve problem-solving and higher-order thinking skills;

[(F) programs to increase student motivation for learning; and

[(G) efforts to lengthen the school day or school year, or to reduce class sizes;

[(2) ensure the readiness of all urban public school children for school, such as—

[(A) full workday, full calendar-year comprehensive early childhood development programs;

[(B) parenting classes and parent involvement activities;

[(C) activities designed to coordinate prekindergarten and child care programs;

[(D) efforts to integrate developmentally appropriate prekindergarten services into the overall public school program;

[(E) upgrading the qualifications of early childhood education staff and standards for programs;

[(F) collaborative efforts with health and social service agencies to provide comprehensive services and to facilitate the transition from home to school;

[(G) establishment of comprehensive child care centers in public secondary schools for students who are parents and their children; and

[(H) augmenting early childhood development programs to meet the special educational and cultural needs of limited-English-proficient preschool children;

[(3) increase the graduation rates of urban public school students to at least the national average, such as—

[(A) dropout prevention activities and support services for public school students at-risk of dropping out of school;

[(B) reentry, outreach, and support activities to recruit students who have dropped out of school to return to school;

[(C) development of systemwide policies and practices that encourage students to stay in school;

[(D) efforts to provide individualized student support, such as mentoring programs;

[(E) collaborative activities between schools, parents, community groups, agencies, and institutions of higher education aimed at preventing individuals from dropping out of school;

[(F) programs to increase student attendance; and

[(G) alternative programs for students, especially bilingual and special education students, who have dropped out of school or are at risk of dropping out of school;

[(4) prepare urban public school students to enter higher education, pursue careers, and exercise their responsibilities as citizens, such as—

[(A) activities designed to increase the number and percentages of students, particularly minority students, enrolling in postsecondary educational institutions after graduation from public secondary schools;

[(B) in-school youth employment, vocational education, and career education programs that improve the transition from school to work;

[(C) activities designed in collaboration with colleges and universities to assist urban public school graduates in completing higher education;

[(D) efforts to increase voter registration among eligible public secondary school students;

[(E) activities designed to promote community service and volunteerism among students, parents, teachers, and the community; and

[(F) civic education and other programs designed to enhance responsible citizenship and understanding of the political process;

[(5) recruit and retain qualified teachers, such as—

[(A) school-based management projects and activities;

[(B) programs designed to test efforts to increase the professionalization of teachers or to bring teachers up to national voluntary standards;

[(C) alternative routes to certification for qualified individuals from business, the military, and other fields;

[(D) efforts to recruit and retain teachers, particularly minority teachers, specializing in critical shortage areas, including early childhood teachers, mathematics and science teachers, and special education and bilingual teachers;

[(E) upgrading the skills of teacher aides and paraprofessionals to permit such individuals to become certified teachers;

[(F) activities specifically designed to increase the number of minority teachers in urban schools;

[(G) incentives for teachers to work in inner-city public schools; and

[(H) collaborative activities with urban universities to revise and upgrade teacher training programs;

[(6) provide for ongoing staff development to increase the professional capacities of the teaching staff and the skills of teacher aides and paraprofessionals;

[(7) decrease the use of drugs and alcohol among urban public school students and enhance the physical and emotional health of such students, such as—

[(A) activities designed to improve the self-esteem and self-worth of urban public school students;

[(B) the provision of health care services and other social services and the coordination of such services with other health care providers;

[(C) programs designed to improve safety and discipline and reduce in-school violence, vandalism, and gang activity;

[(D) activities that begin in the early grades and are designed to prevent drug and alcohol abuse and smoking among students and teachers;

[(E) collaborative activities with other agencies, businesses, and community groups to discourage the advertisement and glorification of drugs and alcohol;

[(F) efforts to enhance health education and nutrition education; and

[(G) alternative public schools, and schools-within-schools programs, including bilingual and special education programs for public school students with special needs; or

[(8) plan, develop, operate, or expand programs and activities that are designed to assist urban public schools in meeting the National Education Goals, including—

[(A) training of teachers and other educational personnel in subject areas, or in instructional technology and methods that will improve the delivery of services in urban settings and assist in the achievement of the National

Education Goals, including staff development efforts that emphasize multicultural and gender and disability bias-free curricula;

[(B) coordination and collaboration with other municipal agencies, child care organizations, universities, or the private sector;

[(C) parental involvement and outreach efforts and other activities designed to enhance parental encouragement of student learning;

[(D) pupil services and other support services that contribute to progress in achieving National Education Goals;

[(E) efforts to acquire and improve access to educational technology;

[(F) assist the schools most in need of services by replicating successful efforts of other urban local educational agencies and expanding successful programs within the eligible agency; or

[(G) efforts to improve and strengthen the curriculum and coordinate services across grade levels.

[(c) APPLICATIONS.—

[(1) IN GENERAL.—An eligible local educational agency desiring to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require, consistent with this section.

[(2) DURATION.—An application submitted pursuant to paragraph (1) may be for a period of not more than five years.

[(d) PAYMENTS.—The Secretary shall make an award only to urban eligible local educational agencies that—

[(1) comply with the provisions of section 10966; and

[(2) demonstrate to the satisfaction of the Secretary that the data submitted pursuant to section 10961 shows progress toward meeting National Education Goals.

[(e) ADMINISTRATIVE COSTS.—Not more than five percent of any award made under this subpart may be used for administrative costs.

[SEC. 10964. SPECIAL RULES.

[(a) SPECIAL CONSIDERATION.—In making awards under this subpart, the Secretary shall give special consideration to urban eligible local educational agencies in which there is—

[(1) low achievement;

[(2) high poverty; and

[(3) racial isolation.

[(b) FLEXIBILITY.—Each urban eligible local educational agency shall have the flexibility to serve homeless children, children in schools undergoing desegregation, immigrants, migrants, or other highly mobile populations within the program assisted under this subpart.

[Subpart 2—Rural Education Demonstration Grants

[SEC. 10971. FINDINGS.

[The Congress finds that—

[(1) the ability of America's rural public school systems to meet the National Education Goals will contribute to the economic competitiveness and academic standing of the Nation in the world community;

[(2) approximately 60 percent of the Nation's public school districts are rural with a population of less than 2,500;

[(3) about 1 out of every 4 of America's rural school children are living below the poverty line;

[(4) the quality of public education in the rural areas of the Nation has a direct effect on the economic development of the rural communities of the Nation;

[(5) the success of rural public schools in boosting the achievement of minority youth attending such schools will determine the ability of the Nation to close the gap between the haves and the have-nots in society;

[(6) the academic performance of students in the average rural school system is below that of students in most other suburban school systems;

[(7) the average age of rural public school buildings is more than 45 years old and such buildings are often in serious disrepair, creating poor and demoralizing working and learning conditions;

[(8) shortages of teachers for rural public school systems is greater than in other kinds of school systems;

[(9) solving the challenges facing the Nation's rural public schools will require the concerted and collaborative efforts of all levels of government and all sectors of the community;

[(10) additional Federal funding would contribute significantly to addressing the comprehensive needs of rural schools;

[(11) rural public schools enroll a disproportionately large share of the Nation's poor and at-risk youth;

[(12) a declining number of rural public secondary school graduates are pursuing postsecondary education opportunities;

[(13) rural preschoolers have less access to early childhood development programs than other children; and

[(14) Federal and State funding of rural public schools has not adequately reflected need.

[SEC. 10972. PURPOSE.

[It is the purpose of this subpart to provide financial assistance to rural public schools most in need, to encourage the comprehensive restructuring of America's rural schools, the appropriate use of telecommunications technologies for learning, and to support innovative programs which improve performance through programs and projects designed to—

[(1) assist rural public schools in meeting National Education Goals;

[(2) encourage rural public schools to engage in school reform;

[(3) develop pilot projects that experiment with innovative ways to teach rural public school children more effectively;

[(4) improve the educational and social well-being of rural public school children;

[(5) close the achievement gap between children attending rural public schools and other children, while improving the achievement level of all children nationally;

[(6) conduct coordinated research on rural education problems, solutions, promising practices, and distance learning technologies;

[(7) improve the Nation's global economic and educational competitiveness by improving the Nation's rural public schools;

[(8) encourage community, parental, and business collaboration in the improvement of rural public schools;

[(9) encourage rural school consortia for the purpose of increasing efficiency and course offerings;

[(10) encourage a positive role for rural public schools in local rural entrepreneurship and the identification of rural community economic development opportunities;

[(11) encourage community-as-school concepts, which include the role public schools can play to assist with rural community economic revitalization; and

[(12) provide for the recruitment and meaningful inservice opportunities for rural public school teachers.

[SEC. 10973. RURAL SCHOOL GRANTS.

[(a) AUTHORITY.—The Secretary is authorized to make grants to rural eligible local educational agencies, or State educational agencies in the case where the State educational agency is the local educational agency, for activities designed to assist in local school improvement efforts.

[(b) AWARD RULES.—

[(1) LESS THAN $50,000,000.—If the amount made available to carry out this subpart for any fiscal year is less than $50,000,000, the Secretary shall award grants under this section on a competitive basis.

[(2) EQUAL TO OR GREATER THAN $50,000,000.—If the amount made available to carry out this subpart for any fiscal year is equal to or greater than $50,000,000, the Secretary shall award grants under this section so that a rural eligible local educational agency in each State receives such a grant.

[(c) ADMINISTRATIVE COSTS.—Not more than five percent of a grant awarded under section 10573 shall be used for administrative costs.

[(d) DURATION.—Each grant under this section shall be awarded for a period of not more than five years.

[SEC. 10974. USES OF FUNDS.

[(a) IN GENERAL.—Grant funds made available under section 10973 may be used by rural eligible local educational agencies to meet the National Education Goals through programs designed to—

[(1) increase the academic achievement of rural public school children to at least the national average of such achievement, including education reform initiatives, such as—

[(A) effective public schools programs;

[(B) tutoring, mentoring, and other activities to improve academic achievement directly;

[(C) supplementary academic instruction;

[(D) efforts to improve problem-solving and higher-order critical thinking skills; and

[(E) efforts to lengthen the school day, school year, or reduce class sizes;

[(2) develop pilot projects that experiment with innovative ways to teach rural public school children more effectively;

[(3) encourage the formation of rural school consortia for the purpose of increasing efficiency and course offerings;

[(4) provide meaningful inservice training opportunities for rural public school teachers;

[(5) assist rural schools in acquiring and improving access to educational technology, including distance learning technologies;

[(6) ensure the readiness of all rural children for school, such as—

[(A) full workday, full calendar-year comprehensive early childhood development programs;

[(B) parenting classes, including parenting classes for teenage parents, and parent involvement activities;

[(C) activities designed to coordinate prekindergarten and child care programs;

[(D) efforts to integrate developmentally appropriate prekindergarten services into the overall public school program;

[(E) improving the skills of early childhood education staff and standards for programs;

[(F) collaborative efforts with health and social service agencies to provide comprehensive services and to facilitate the transition from home to school;

[(G) establishment of comprehensive child care centers in public secondary schools for student parents and their children; and

[(H) augmenting early childhood development programs to meet the special educational and cultural needs of limited-English proficient children, children with disabilities, and migrant preschool children;

[(7) increase the graduation rates of rural public school students to at least the national average of such rate, when funds are used to serve secondary schools, such as—

[(A) dropout prevention activities and support services for students at-risk of dropping out of school;

[(B) reentry, outreach and support activities to recruit students who have dropped out of school to return to school;

[(C) development of systemwide policies and practices that encourage students to stay in school;

[(D) efforts to provide individualized student support;

[(E) collaborative activities between schools, parents, community groups, agencies, and institutions of higher

education aimed at preventing individuals from dropping out of school;

[(F) programs to increase student attendance; and

[(G) alternative programs for students, especially bilingual, special education, and migrant students, who have dropped out of school or are at risk of dropping out of school;

[(8) prepare rural public school students to enter higher education, pursue careers, and exercise their responsibilities as citizens, such as—

[(A) activities designed to increase the number and percentages of students, enrolling in postsecondary educational institutions after graduation from secondary schools;

[(B) in-school youth employment, vocational education, and career education programs that improve the transition from school to work;

[(C) activities designed in collaboration with colleges and universities to assist rural public school graduates in completing higher education;

[(D) activities designed in conjunction with community colleges to provide a kindergarten through grade 14 experience for rural public school secondary school students;

[(E) efforts to increase voter registration among eligible public secondary school students attending schools served by rural eligible local educational agencies;

[(F) activities designed to promote community service and volunteerism among students, parents, teachers, and the community;

[(G) civic education, law-related education, and other programs designed to enhance responsible citizenship and understanding of the political process; and

[(H) encouraging a positive role for rural public schools in local rural entrepreneurship and the identification of rural community economic development opportunities;

[(9) recruit and retain qualified teachers, such as—

[(A) school-based management projects and activities;

[(B) programs designed to increase the status of the teaching profession;

[(C) alternative routes to certification for qualified individuals from business, the military, and other fields;

[(D) efforts to recruit and retain teachers in critical shortage areas, including early childhood teachers, mathematics and science teachers, foreign language teachers, and special education and bilingual teachers;

[(E) upgrading the skills of existing classroom teachers through the use of year-round, systematic, comprehensive inservice training programs;

[(F) upgrading the skills of teacher aides and paraprofessionals to assist such individuals in becoming certified teachers;

[(G) efforts specifically designed to increase the number of minority teachers in rural public schools;

[(H) programs designed to encourage parents and students to enter the teaching profession;

[(I) incentives for teachers to work in rural public schools;

[(J) collaborative activities with colleges and universities to revise and upgrade teacher training programs to meet the needs of rural public school students; and

[(K) training activities for the purpose of incorporating distance learning technologies; or

[(10) decrease the use of drugs and alcohol among rural public school students, and to enhance the physical and emotional health of such students, such as—

[(A) activities designed to improve the self-esteem and self-worth of rural students;

[(B) the provision of health care services and other social services and the coordination of such services with other health care providers;

[(C) programs designed to improve safety and discipline and reduce in-school violence and vandalism;

[(D) activities that begin in the early grades and are designed to prevent drug and alcohol abuse and smoking among students;

[(E) collaborative activities with other agencies, businesses, and community groups;

[(F) efforts to enhance health education and nutrition education; and

[(G) alternative public schools, and schools-within-schools programs, including bilingual, migrant, and special education programs for students with special needs.

[(b) APPLICATIONS.—Each eligible entity desiring a grant under section 10973 shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require. Each grant awarded under section 10973 shall be of sufficient size and scope to achieve significant rural school improvement.

[SEC. 10975. HIGHER EDUCATION GRANTS.

[(a) GRANTS.—The Secretary is authorized to make grants to institutions of higher education, consortia of such institutions, or partnerships between institutions of higher education and local educational agencies to assist rural schools and rural eligible local educational agencies in undertaking local school improvement activities.

[(b) AUTHORIZED ACTIVITIES.—Grant funds under this section may be used to—

[(1) assist rural schools in meeting National Education Goals;

[(2) assist in the recruitment and training of teachers in rural schools;

[(3) assist rural schools in the development of appropriate innovative school improvement initiatives;

[(4) provide inservice training opportunities for teachers in rural schools; and

[(5) provide technical assistance in the use and installation of innovative telecommunications technology.

[(c) APPLICATIONS.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

[Subpart 3—White House Conferences

[SEC. 10981. WHITE HOUSE CONFERENCE ON URBAN EDUCATION.

[(a) AUTHORIZATION TO CALL CONFERENCE.—

[(1) IN GENERAL.—The President is authorized to call and conduct a White House Conference on Urban Education (referred to in this section as the "Conference") which shall be held not earlier than November 1, 1995, and not later than October 30, 1996.

[(2) PURPOSE.—The purpose of the Conference shall be to—

[(A) develop recommendations and strategies for the improvement of urban education;

[(B) marshal the forces of the private sector, governmental agencies at all levels, parents, teachers, communities, and education officials to assist urban public schools in achieving National Education Goals; and

[(C) conduct the initial planning for a permanent national advisory commission on urban education.

[(b) COMPOSITION OF CONFERENCE.—

[(1) IN GENERAL.—The Conference shall be comprised of 12 individuals, including—

[(A) representatives of urban public school systems, including members of the governing body of local educational agencies, and school superintendents;

[(B) representatives of the Congress, the Department of Education, and other Federal agencies;

[(C) State elected officials and representatives from State educational agencies; and

[(D) individuals with special knowledge of and expertise in urban education.

[(2) SELECTION.—The President shall select one-third of the participants of the Conference, the majority leader of the Senate, in consultation with the minority leader of the Senate, shall select one-third of such participants, and the Speaker of the House of Representatives, in consultation with the minority leader of the House, shall select the remaining one-third of such participants.

[(3) REPRESENTATION.—In selecting the participants of the Conference, the President, the majority leader of the Senate, and the Speaker of the House of Representatives shall ensure that the participants are as representative of the ethnic, racial, and linguistic diversity of cities as is practicable.

[(c) REPORT.—

[(1) IN GENERAL.—Not later than 120 days following the termination of the Conference, a final report of the Conference, containing such findings and recommendations as may be made by the Conference, shall be submitted to the President. The final report shall be made public and, not later than 90 days after receipt by the President, transmitted to the Con-

gress together with a statement of the President containing recommendations for implementing the report.

[(2) PUBLICATION AND DISTRIBUTION.—The Conference is authorized to publish and distribute the report described in this section. Copies of the report shall be provided to the Federal depository libraries and made available to local urban public school leaders.

[SEC. 10982. WHITE HOUSE CONFERENCE ON RURAL EDUCATION.

[(a) AUTHORIZATION TO CALL CONFERENCE.—

[(1) IN GENERAL.—The President is authorized to call and conduct a White House Conference on Rural Education (hereafter in this section referred to as the "Conference").

[(2) DATE.—The Conference shall be held not earlier than November 1, 1995, and not later than October 30, 1996.

[(3) PURPOSE.—The purposes of the Conference shall be to—

[(A) develop recommendations and strategies for the improvement of rural public education;

[(B) marshal the forces of the private sector, governmental agencies at all levels, parents, teachers, communities, and education officials to assist rural public schools in achieving National Education Goals, and make recommendations on the roles rural public schools can play to assist with local rural community economic revitalization; and

[(C) conduct the initial planning for a permanent national commission on rural public education.

[(b) COMPOSITION OF CONFERENCE.—

[(1) IN GENERAL.—The Conference shall be comprised of—

[(A) representatives of eligible public school systems, including members of the governing body of local educational agencies, school superintendents, and classroom teachers;

[(B) representatives of the Congress, the Department, and other Federal agencies;

[(C) State elected officials and representatives from State educational agencies;

[(D) individuals with special knowledge of, and expertise in, rural education, including individuals involved with rural postsecondary education; and

[(E) individuals with special knowledge of, and expertise in, rural business.

[(2) SELECTION.—The President shall select one-third of the participants of the Conference, the majority leader of the Senate, in consultation with the minority leader of the Senate, shall select one-third of such participants, and the Speaker of the House of Representatives, in consultation with the minority leader of the House, shall select the remaining one-third of such participants.

[(3) REPRESENTATION.—In selecting the participants of the Conference, the President, the majority leader of the Senate, and the Speaker of the House of Representatives shall ensure that the participants are as representative of the ethnic, racial, and language diversity of rural areas as is practicable.

[(c) REPORT.—

[(1) IN GENERAL.—Not later than 120 days following the termination of the Conference, a final report of the Conference, containing such findings and recommendations as may be made by the Conference, shall be submitted to the President. The final report shall be made public and, not later than 90 days after receipt by the President, transmitted to the Congress together with a statement of the President containing recommendations for implementing the report.

[(2) PUBLICATION AND DISTRIBUTION.—The Conference is authorized to publish and distribute the report described in this section. Copies of the report shall be provided to the Federal depository libraries and made available to local rural school leaders and teachers.

[PART K—NATIONAL WRITING PROJECT

[SEC. 10991. FINDINGS.

[The Congress finds that—

[(1) the United States faces a crisis in writing in schools and in the workplace;

[(2) the writing problem has been magnified by the rapidly changing student populations and the growing number of at-risk students due to limited English proficiency;

[(3) over the past two decades, universities and colleges across the country have reported increasing numbers of entering freshmen who are unable to write at a level equal to the demands of college work;

[(4) American businesses and corporations are concerned about the limited writing skills of entry-level workers, and a growing number of executives are reporting that advancement was denied to them due to inadequate writing abilities;

[(5) the writing problem has been magnified by the rapidly changing student populations in the Nation's schools and the growing number of students who are at risk because of limited English proficiency;

[(6) writing and reading are both fundamental to learning, yet writing has been historically neglected in the schools and colleges, and most teachers in the United States elementary schools, secondary schools, and colleges have not been trained to teach writing;

[(7) since 1973, the only national program to address the writing problem in the Nation's schools has been the National Writing Project, a network of collaborative university-school programs whose goal is to improve the quality of student writing and the teaching of writing at all grade levels and to extend the uses of writing as a learning process through all disciplines;

[(8) the National Writing Project offers summer and school year inservice teacher training programs and a dissemination network to inform and teach teachers of developments in the field of writing;

[(9) the National Writing Project is a nationally recognized and honored nonprofit organization that recognizes that there are teachers in every region of the country who have developed

successful methods for teaching writing and that such teachers can be trained and encouraged to train other teachers;

[(10) the National Writing Project has become a model for programs to improve teaching in such other fields as mathematics, science, history, literature, performing arts, and foreign languages;

[(11) the National Writing Project teacher-teaching-teachers program identifies and promotes what is working in the classrooms of the Nation's best teachers;

[(12) the National Writing Project teacher-teaching-teachers project is a positive program that celebrates good teaching practices and good teachers and through its work with schools increases the Nation's corps of successful classroom teachers;

[(13) evaluations of the National Writing Project document the positive impact the project has had on improving the teaching of writing, student performance, and student thinking and learning ability;

[(14) the National Writing Project programs offer career-long education to teachers, and teachers participating in the National Writing Project receive graduate academic credit;

[(15) each year over 100,000 teachers voluntarily seek training in National Writing Project intensive summer institutes and workshops and school year in-service programs through one of the 154 regional sites located in 45 States, the Commonwealth of Puerto Rico, and in 4 sites that serve United States teachers in United States dependent and independent schools;

[(16) 250 National Writing Project sites are needed to establish regional sites to serve all teachers;

[(17) private foundation resources, although generous in the past, are inadequate to fund all of the National Writing Project sites needed and the future of the program is in jeopardy without secure financial support;

[(18) independent evaluation studies have found the National Writing Project to be highly cost effective compared to other professional development programs for teachers; and

[(19) during 1991, the first year of Federal support for the National Writing Project, the National Writing Project matched the $1,951,975 in Federal support with $9,485,504 in matching funds from State, local, and other sources.

[SEC. 10992. NATIONAL WRITING PROJECT.

[(a) AUTHORIZATION.—The Secretary is authorized to make a grant to the National Writing Project (hereafter in this section referred to as the "grantee"), a nonprofit educational organization which has as its primary purpose the improvement of the quality of student writing and learning, and the teaching of writing as a learning process in the Nation's classrooms—

[(1) to support and promote the establishment of teacher training programs, including the dissemination of effective practices and research findings regarding the teaching of writing and administrative activities;

[(2) to support classroom research on effective teaching practice and to document student performance;

[(3) to coordinate activities assisted under this section with activities assisted under title II; and

[(4) to pay the Federal share of the cost of such programs.

[(b) REQUIREMENTS OF GRANT.—The grant shall provide that—

[(1) the grantee will enter into contracts with institutions of higher education or other nonprofit educational providers (hereafter in this section referred to as "contractors") under which the contractors will agree to establish, operate, and provide the non-Federal share of the cost of teacher training programs in effective approaches and processes for the teaching of writing;

[(2) funds made available by the Secretary to the grantee pursuant to any contract entered into under this section will be used to pay the Federal share of the cost of establishing and operating teacher training programs as provided in paragraph (1); and

[(3) the grantee will meet such other conditions and standards as the Secretary determines to be necessary to assure compliance with the provisions of this section and will provide such technical assistance as may be necessary to carry out the provisions of this section.

[(c) TEACHER TRAINING PROGRAMS.—The teacher training programs authorized in subsection (a) shall—

[(1) be conducted during the school year and during the summer months;

[(2) train teachers who teach grades kindergarten through college;

[(3) select teachers to become members of a National Writing Project teacher network whose members will conduct writing workshops for other teachers in the area served by each National Writing Project site; and

[(4) encourage teachers from all disciplines to participate in such teacher training programs.

[(d) FEDERAL SHARE.—

[(1) IN GENERAL.—Except as provided in paragraph (2) or (3) and for purposes of subsection (a), the term "Federal share" means, with respect to the costs of teacher training programs authorized in subsection (a), 50 percent of such costs to the contractor.

[(2) WAIVER.—The Secretary may waive the provisions of paragraph (1) on a case-by-case basis if the National Advisory Board described in subsection (f) determines, on the basis of financial need, that such waiver is necessary.

[(3) MAXIMUM.—The Federal share of the costs of teacher training programs conducted pursuant to subsection (a) may not exceed $40,000 for any one contractor, or $200,000 for a statewide program administered by any one contractor in at least five sites throughout the State.

[(e) CLASSROOM TEACHER GRANTS.—

[(1) IN GENERAL.—The National Writing Project may reserve an amount not to exceed 5 percent of the amount appropriated pursuant to the authority of this section to make grants, on a competitive basis, to elementary and secondary school teachers to pay the Federal share of the cost of enabling such teachers to—

[(A) conduct classroom research;

[(B) publish models of student writing;

[(C) conduct research regarding effective practices to improve the teaching of writing; and

[(D) conduct other activities to improve the teaching and uses of writing.

[(2) SUPPLEMENT AND NOT SUPPLANT.—Grants awarded pursuant to paragraph (1) shall be used to supplement and not supplant State and local funds available for the purposes set forth in paragraph (1).

[(3) MAXIMUM GRANT AMOUNT.—Each grant awarded pursuant to this subsection shall not exceed $2,000.

[(4) FEDERAL SHARE.—For the purpose of this subsection the term "Federal share" means, with respect to the costs of activities assisted under this subsection, 50 percent of such costs to the elementary or secondary school teacher.

[(f) NATIONAL ADVISORY BOARD.—

[(1) ESTABLISHMENT.—The National Writing Project shall establish and operate a National Advisory Board.

[(2) COMPOSITION.—The National Advisory Board established pursuant to paragraph (1) shall consist of—

[(A) national educational leaders;

[(B) leaders in the field of writing; and

[(C) such other individuals as the National Writing Project deems necessary.

[(3) DUTIES.—The National Advisory Board established pursuant to paragraph (1) shall—

[(A) advise the National Writing Project on national issues related to student writing and the teaching of writing;

[(B) review the activities and programs of the National Writing Project; and

[(C) support the continued development of the National Writing Project.

[(g) EVALUATION.—

[(1) IN GENERAL.—The Secretary shall conduct an independent evaluation by grant or contract of the teacher training programs administered pursuant to this Act in accordance with section 14701. Such evaluation shall specify the amount of funds expended by the National Writing Project and each contractor receiving assistance under this section for administrative costs. The results of such evaluation shall be made available to the appropriate committees of the Congress.

[(2) FUNDING LIMITATION.—The Secretary shall reserve not more than $150,000 from the total amount appropriated pursuant to the authority of subsection (i) for fiscal year 1994 and the four succeeding fiscal years to conduct the evaluation described in paragraph (1).

[(h) APPLICATION REVIEW.—

[(1) REVIEW BOARD.—The National Writing Project shall establish and operate a National Review Board that shall consist of—

[(A) leaders in the field of research in writing; and

[(B) such other individuals as the National Writing Project deems necessary.

[(2) DUTIES.—The National Review Board shall—

[(A) review all applications for assistance under this subsection; and

[(B) recommend applications for assistance under this subsection for funding by the National Writing Project.

[(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the grant to the National Writing Project, $4,000,000 for fiscal year 1995, and such sums as may be necessary for each of the four succeeding fiscal years, to carry out the provisions of this section.

[PART L—THE EXTENDED TIME FOR LEARNING AND LONGER SCHOOL YEAR

[SEC. 10993. THE EXTENDED TIME FOR LEARNING AND LONGER SCHOOL YEAR.

[(a) FINDINGS.—The Congress finds that—

[(1) the Commission on Time and Learning has found that—

[(A) realizing the third National Education Goal, that states all students will leave grades four, eight and twelve having demonstrated competency in challenging subject matter, including English, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography, will require considerably more common core learning time than most students now receive;

[(B) ensuring that all students learn to high standards will require flexibility and innovation in the use of common core learning time, as well as the rest of the time students spend both during and beyond the school day;

[(C) teachers need regular, sustained time for lesson development, collegial collaboration and other professional development;

[(D) schools, businesses, community-based organizations, tribal leaders, and other community agencies and members should work together to foster effective learning and enrichment programs and activities for students, including programs that operate outside of the regular school day or year;

[(E) for most students in the United States, the school year is 180 days long. In Japan students go to school 243 days per year, in Germany students go to school 240 days per year, in Austria students go to school 216 days per year, in Denmark students go to school 200 days per year, and in Switzerland students go to school 195 days per year; and

[(F) in the final four years of schooling, students in schools in the United States are required to spend a total of 1,460 hours on core academic subjects, less than half of the 3,528 hours so required in Germany, the 3,280 hours so required in France, and the 3,170 hours so required in Japan;

[(2) increasing the amount and duration of intensive, engaging and challenging learning activities geared to high standards can increase student motivation and achievement;

[(3) the benefits of extending learning time, including common core instructional time, can be maximized by concurrent changes in curriculum and instruction, such as accelerated learning, and engaging, interactive instruction based on challenging content;

[(4) maximizing the benefit of increased common core and other learning time will require the collaboration and cooperation of teachers and administrators, students, parents, community members and organizations, businesses and others to develop strategies to meet the needs of students during and beyond the school day and year;

[(5) a competitive world economy requires that students in the United States receive education and training that is at least as rigorous and high-quality as the education and training received by students in competitor countries;

[(6) despite our Nation's transformation from a farm-based economy to one based on manufacturing and services, the school year is still based on the summer needs of an agrarian economy;

[(7) American students' lack of formal schooling is not counterbalanced with more homework. The opposite is true, as half of all European students report spending at least two hours on homework per day, compared to only 29 percent of American students. Twenty-two percent of American students watch five or more hours of television per day, while less than eight percent of European students watch that much television;

[(8) more than half of teachers surveyed in the United States cite "children who are left on their own after school" as a major problem;

[(9) over the summer months, disadvantaged students not only fail to advance academically, but many forget much of what such students had learned during the previous school year;

[(10) funding constraints as well as the strong pull of tradition have made extending the school year difficult for most States and school districts; and

[(11) experiments with extended and multi-track school years have been associated with both increased learning and more efficient use of school facilities.

[(b) PURPOSES.—It is the purpose of this part to—

[(1) provide seed money to schools and local educational agencies to enable such agencies to devise and implement strategies and methods for upgrading the quality of, and extending, challenging, engaging learning time geared to high standards for all students; and

[(2) allow the Secretary to provide financial incentives and assistance to States or local educational agencies to enable such States or agencies to substantially increase the amount of time that students spend participating in quality academic programs, and to promote flexibility in school scheduling.

[(c) PROGRAM AUTHORIZED.—

[(1) IN GENERAL.—The Secretary is authorized to award grants to local educational agencies having applications ap-

proved under subsection (d) to enable such agencies to carry out the authorized activities described in subsection (e) in public elementary and secondary schools.

[(2) AMOUNT.—The Secretary shall, to the extent practicable, provide an equitable distribution of grants under this section.

[(3) DURATION.—Each grant under subsection (a) shall be awarded for a period of not more than three years.

[(4) PRIORITY.—The Secretary shall give priority to awarding grants under this part to local educational agencies that serve schools with high percentages of students in poverty.

[(d) APPLICATION.—Each local educational agency desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Each such application shall describe—

[(1) the activities for which assistance is sought;

[(2) any study or other information-gathering project for which funds will be used;

[(3) strategies and methods the applicant will use to enrich and extend learning time for all students and to maximize the percentage of common core learning time in the school day, such as block scheduling, team teaching, longer school days or years, and extending learning time through new distance-learning technologies;

[(4) the strategies and methods the applicant will use, including changes in curriculum and instruction, to challenge and engage students and to maximize the productiveness of common core learning time, as well as the total time students spend in school and in school-related enrichment activities;

[(5) the strategies and methods the applicant intends to employ to provide continuing financial support for the implementation of any extended school day or school year;

[(6) with respect to any application seeking assistance for activities described under subsection (e)(4), a description of any feasibility or other studies demonstrating the sustainability of a longer school year;

[(7) the extent of involvement of teachers and other school personnel in investigating, designing, implementing and sustaining the activities assisted under this part;

[(8) the process to be used for involving parents and other stakeholders in the development and implementation of the activities assisted under this part;

[(9) any cooperation or collaboration among public housing authorities, libraries, businesses, museums, community-based organizations, and other community groups and organizations to extend engaging, high-quality, standards-based learning time outside of the school day or year, at the school or at some other site;

[(10) the training and professional development activities that will be offered to teachers and others involved in the activities assisted under this part;

[(11) the goals and objectives of the activities assisted under this part, including a description of how such activities will assist all students to reach State standards;

[(12) the methods by which the applicant will assess progress in meeting such goals and objectives; and

[(13) how the applicant will use funds provided under this part in coordination with other funds provided under this Act or other Federal laws.

[(e) AUTHORIZED ACTIVITIES.—Funds under this section may be used—

[(1) to study the feasibility of, and effective methods for, extending learning time within or beyond the school day or year, including consultation with other schools or local educational agencies that have designed or implemented extended learning time programs;

[(2) to conduct outreach to and consult with community members, including parents, students, and other stakeholders, such as tribal leaders, to develop a plan to extend learning time within or beyond the school day or year;

[(3) to develop and implement an outreach strategy that will encourage collaboration with public housing authorities, libraries, businesses, museums, community-based organizations, and other community groups and organizations to coordinate challenging, high-quality educational activities outside of the school day or year;

[(4) to support public school improvement efforts that include expansion of time devoted to core academic subjects and the extension of the school year to 210 days;

[(5) to research, develop and implement strategies, including changes in curriculum and instruction, for maximizing the quality and percentage of common core learning time in the school day and extending learning time during or beyond the school day or year;

[(6) to provide professional development for school staff in innovative teaching methods that challenge and engage students, and also increase the productivity of extended learning time; and

[(7) to develop strategies to include parents, business representatives, and other community members in the extended time activities, especially as facilitators of activities that enable teachers to have more time for planning, individual student assistance, and professional development activities.

[(f) DEFINITIONS.—For the purpose of this section the term "common core learning time" means high-quality, engaging instruction in challenging content in each of the following core academic subjects described in the third National Education Goal:

[(1) English.

[(2) Mathematics.

[(3) Science.

[(4) Foreign languages.

[(5) Civics and government.

[(6) Economics.

[(7) Arts.

[(8) History.

[(9) Geography.

[(g) ADMINISTRATION.—

[(1) PEER REVIEW.—The Secretary shall award grants under this section pursuant to a peer review process.

[(2) DIVERSITY.—In awarding grants under this section the Secretary shall ensure that such grants are awarded to a diversity of local educational agencies, including such agencies that serve rural and urban areas.

[(h) APPROPRIATIONS AUTHORIZATION.—

[(1) IN GENERAL.—For the purpose of carrying out this section there are authorized to be appropriated $90,000,000 for fiscal year 1995 and such sums as may be necessary for each of the four succeeding fiscal years.

[(2) LIMITATION.—Not less than 80 percent of any amount appropriated under paragraph (1) shall be made available to applicants seeking to extend their school year to not fewer than 210 days.]

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TITLE XIII—SUPPORT AND ASSISTANCE PROGRAMS TO IMPROVE EDUCATION

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[PART A—COMPREHENSIVE REGIONAL ASSISTANCE CENTERS

[SEC. 13101. PROGRAM AUTHORIZED.

[(a) COMPREHENSIVE REGIONAL ASSISTANCE CENTERS.—

[(1) IN GENERAL.—The Secretary is authorized to award grants to, or enter into contracts or cooperative agreements with, public or private nonprofit entities or consortia of such entities in order to establish a networked system of 15 comprehensive regional assistance centers to provide comprehensive training and technical assistance, related to administration and implementation of programs under this Act, to States, local educational agencies, schools, tribes, community-based organizations, and other recipients of funds under this Act.

[(2) CONSIDERATION.—In establishing comprehensive regional assistance centers and allocating resources among the centers, the Secretary shall consider—

[(A) the geographic distribution of students assisted under title I;

[(B) the geographic and linguistic distribution of students of limited-English proficiency;

[(C) the geographic distribution of Indian students;

[(D) the special needs of students living in urban and rural areas; and

[(E) the special needs of States and outlying areas in geographic isolation.

[(3) SPECIAL RULE.—The Secretary shall establish 1 comprehensive regional assistance center under this section in Hawaii.

[(b) SERVICE TO INDIANS AND ALASKA NATIVES.—The Secretary shall ensure that each comprehensive regional assistance center that serves a region with a significant population of Indian or Alaska Native students shall—

[(1) be awarded to a consortium which includes a tribally controlled community college or other Indian organization; and

[(2) assist in the development and implementation of instructional strategies, methods and materials which address the specific cultural and other needs of Indian or Alaska Native students.

[(c) ACCOUNTABILITY.—To ensure the quality and effectiveness of the networked system of comprehensive regional assistance centers supported under this part, the Secretary shall—

[(1) develop, in consultation with the Assistant Secretary for Elementary and Secondary Education, the Director of Bilingual Education and Minority Languages Affairs, and the Assistant Secretary for Educational Research and Improvement, a set of performance indicators that assesses whether the work of the centers assists in improving teaching and learning under this Act for all children, particularly children at risk of educational failure;

[(2) conduct surveys every two years of populations to be served under this Act to determine if such populations 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 part to an affected region.

[(d) DURATION.—Grants, contracts or cooperative agreements under this section shall be awarded for a period of 5 years.

[SEC. 13102. REQUIREMENTS OF COMPREHENSIVE REGIONAL ASSISTANCE CENTERS.

[(a) IN GENERAL.—Each comprehensive regional assistance center established under section 13101(a) shall—

[(1) maintain appropriate staff expertise and provide support, training, and assistance to State educational agencies, tribal divisions of education, local educational agencies, schools, and other grant recipients under this Act, in—

[(A) improving the quality of instruction, curricula, assessments, and other aspects of school reform, supported with funds under title I;

[(B) implementing effective schoolwide programs under section 1114;

[(C) meeting the needs of children served under this Act, including children in high-poverty areas, migratory

children, immigrant children, children with limited-English proficiency, neglected or delinquent children, homeless children and youth, Indian children, children with disabilities, and, where applicable, Alaska Native children and Native Hawaiian children;

[(D) implementing high-quality professional development activities for teachers, and where appropriate, administrators, pupil services personnel and other staff;

[(E) improving the quality of bilingual education, including programs that emphasize English and native language proficiency and promote multicultural understanding;

[(F) creating safe and drug-free environments, especially in areas experiencing high levels of drug use and violence in the community and school;

[(G) implementing educational applications of technology;

[(H) coordinating services and programs to meet the needs of students so that students can fully participate in the educational program of the school;

[(I) expanding the involvement and participation of parents in the education of their children;

[(J) reforming schools, school systems, and the governance and management of schools;

[(K) evaluating programs; and

[(L) meeting the special needs of students living in urban and rural areas and the special needs of local educational agencies serving urban and rural areas;

[(2) ensure that technical assistance staff have sufficient training, knowledge, and expertise in how to integrate and coordinate programs under this Act with each other, as well as with other Federal, State, and local programs and reforms;

[(3) provide technical assistance using the highest quality and most cost-effective strategies possible;

[(4) coordinate services, work cooperatively, and regularly share information with, the regional educational laboratories, the Eisenhower regional consortia under part C, research and development centers, State literacy centers authorized under the National Literacy Act of 1991, and other entities engaged in research, development, dissemination, and technical assistance activities which are supported by the Department as part of a Federal technical assistance system, to provide a broad range of support services to schools in the region while minimizing the duplication of such services;

[(5) work collaboratively with the Department's regional offices;

[(6) consult with representatives of State educational agencies, local educational agencies, and populations served under this Act;

[(7) provide services to States, local educational agencies, tribes, and schools, in coordination with the National Diffusion Network State Facilitators activities under section 13201, in order to better implement the purposes of this part and provide the support and assistance diffusion agents need to carry out such agents' mission effectively; and

[(8) provide professional development services to State educational agencies, local educational agencies, and the National Diffusion Network State Facilitators to increase the capacity of such entities to provide high-quality technical assistance in support of programs under this Act.

[(b) PRIORITY.—Each comprehensive regional assistance center assisted under this part shall give priority to servicing—

[(1) schoolwide programs under section 1114; and

[(2) local educational agencies and Bureau-funded schools with the highest percentages or numbers of children in poverty.

[SEC. 13103. MAINTENANCE OF SERVICE AND APPLICATION REQUIREMENTS.

[(a) MAINTENANCE OF SERVICE.—The Secretary shall ensure that the comprehensive regional assistance centers funded under this part provide technical assistance services that address the needs of educationally disadvantaged students, including students in urban and rural areas, and bilingual, migrant, immigrant, and Indian students, that are at least comparable to the level of such technical assistance services provided under programs administered by the Secretary on the day preceding the date of enactment of the Improving America's Schools Act of 1994.

[(b) APPLICATION REQUIREMENTS.—Each entity or consortium desiring assistance under this part shall submit an application to the Secretary at such time, in such manner and accompanied by such information, as the Secretary may require. Each such application shall—

[(1) demonstrate how the comprehensive regional assistance center will provide expertise and services in the areas described in section 13102;

[(2) demonstrate how such centers will work with the National Diffusion Network under section 13201 to conduct outreach to local educational agencies receiving priority under section 13401;

[(3) demonstrate support from States, local educational agencies and tribes in the area to be served;

[(4) demonstrate how such centers will ensure a fair distribution of services to urban and rural areas; and

[(5) provide such other information as the Secretary may require.

[SEC. 13104. TRANSITION.

[(a) IN GENERAL.—The Secretary shall use funds appropriated to carry out this part for fiscal years 1995 and 1996 in order to ensure an orderly transition and phase in of the comprehensive regional assistance centers assisted under this part.

[(b) EXTENSION OF PREVIOUS CENTERS.—

[(1) IN GENERAL.—The Secretary shall, notwithstanding any other provision of law, use funds appropriated under section 13105 to extend or continue contracts and grants for existing categorical technical assistance centers assisted under this Act (as such Act was in effect on the day preceding the date of enactment of the Improving America's Schools Act of 1994) through fiscal year 1996, and take other necessary steps to en-

sure a smooth transition of services provided under this part and that such services will not be interrupted, curtailed, or substantially diminished.

[(2) STAFF EXPERTISE.—In planning for the competition for the new comprehensive regional assistance centers under this part, the Secretary may draw on the expertise of staff from existing categorical assistance centers assisted under this Act prior to the date of enactment of the Improving America's Schools Act of 1994.

[SEC. 13105. AUTHORIZATION OF APPROPRIATIONS.

[For the purpose of carrying out this part, there are authorized to be appropriated $70,000,000 for fiscal year 1995 and such sums as may be necessary for each of the four succeeding fiscal years.]

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[PART C—EISENHOWER REGIONAL MATHEMATICS AND SCIENCE EDUCATION CONSORTIA

[SEC. 13301. PROGRAM ESTABLISHED.

[(a) IN GENERAL.—

[(1) GRANTS AUTHORIZED.—The Secretary, in consultation with the Director of the National Science Foundation, is authorized to award grants or contracts to eligible entities to enable such entities to establish and operate regional mathematics and science education consortia for the purpose of—

[(A) disseminating exemplary mathematics and science education instructional materials; and

[(B) providing technical assistance for the implementation of teaching methods and assessment tools for use by elementary and secondary school students, teachers and administrators.

[(2) NUMBER.—The Secretary, in accordance with the provisions of this section, shall award at least one grant or contract to an eligible entity in each region.

[(3) SPECIAL RULE.—In any fiscal year, if the amount made available pursuant to section 13308 is less than $4,500,000, then the Secretary may waive the provisions of paragraph (2) and award grants or contracts of sufficient size, scope, and quality to carry out this section.

[(4) DESIGNATION.—Each regional consortium assisted under this section shall be known as an "Eisenhower regional consortium".

[(b) GRANT TERM AND REVIEW.—Grants or contracts under this part 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 grant or contract is awarded. Grants or contracts under this part shall be awarded before the end of the 12-month period beginning on the date of the enactment of an Act making appropriations to carry out this part.

[(c) AMOUNT.—In awarding grants or contracts under this part, the Secretary shall ensure that there is a relatively equal distribu-

tion 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.

[SEC. 13302. USE OF FUNDS.

[Funds provided under this part may be used by a regional consortium, under the direction of a regional board established under section 13304, to—

[(1) work cooperatively with the other regional consortia, the Eisenhower National Clearinghouse for Science and Mathematics Education established under section 2102(b) and federally funded technical assistance providers to more effectively accomplish the activities described in this section;

[(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 section 13301(a)(1);

[(3) provide for the training of classroom teachers to enable such teachers to instruct other teachers, administrators, and educators in the use of the instructional materials, teaching methods and assessment tools described in section 13301(a)(1) in the classroom;

[(4) when necessary, provide financial assistance to enable teachers and other educators to attend and participate in the activities of the regional consortium;

[(5) implement programs and activities designed to meet the needs of groups that are underrepresented in, and underserved by, mathematics and science education;

[(6) assist State and local educational agencies in identifying science equipment needs and help such agencies or consortia thereof assess the need for and desirability of regional mathematics and science academies;

[(7) develop and disseminate early childhood education mathematics and science instructional materials;

[(8) disseminate information regarding informal mathematics and science education activities and programs offered by Federal agencies and private or public agencies and institutions within the region;

[(9) collect data on activities assisted under this part in order to evaluate the effectiveness of the activities of the regional consortia;

[(10) 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;

[(11) communicate, on a regular basis, with entities within the region who are delivering services to students and teachers of mathematics and science;

[(12) 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; and

[(13) increase the use of informal education entities (such as science technology centers, museums, libraries, Saturday academies, and 4H programs) for educational purposes to expand student knowledge and understanding.

[SEC. 13303. APPLICATION AND REVIEW.

[(a) IN GENERAL.—Each eligible entity desiring a grant or contract under this part 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 demonstrated expertise in the fields of mathematics and science education;

[(2) demonstrate that the eligible entity shall 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 shall 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;

[(6) demonstrate that the eligible entity will consider the resources of telecommunications partnerships assisted under the Star Schools Program Assistance Act (as such Act was in effect on the day preceding the date of enactment of the Improving America's Schools Act of 1994) in carrying out the provisions of this part, where appropriate; and

[(7) assure that the 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.

[(b) APPROVAL OF APPLICATION.—

[(1) IN GENERAL.—The Secretary shall approve or disapprove applications submitted pursuant to subsection (a) in accordance with the criteria and procedures established under paragraph (2).

[(2) PROCEDURES AND CRITERIA.—The Secretary shall develop procedures and criteria designed to ensure that grants or contracts are competitively awarded on the basis of merit determined under a peer review process.

[(3) NATIONAL PANEL.—(A) The Secretary, in consultation with the Director, shall establish a national panel, or to the extent necessary, panels, to submit to the Secretary recommendations for awards of grants or contracts under this part. The Secretary shall appoint the members of such panel or panels.

[(B) Each panel appointed under subparagraph (A) shall include participation, to the extent feasible, from each region.

[SEC. 13304. REGIONAL BOARDS.

[(a) IN GENERAL.—Each eligible entity receiving a grant or contract under this part 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.

[(b) PROHIBITION ON USE OF FEDERAL FUNDS.—No Federal funds may be used for the establishment or operation of a regional board required by subsection (a), 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.

[SEC. 13305. PAYMENTS; FEDERAL SHARE; NON-FEDERAL SHARE.

[(a) PAYMENTS.—The Secretary shall pay to each eligible entity having an application approved under section 13303 the Federal share of the cost of the activities described in the application.

[(b) FEDERAL SHARE.—For the purpose of subsection (a), the Federal share shall be 80 percent.

[(c) NON-FEDERAL SHARE.—The non-Federal share of the cost of activities described in the application submitted under section 13303 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.

[SEC. 13306. EVALUATION.

[(a) EVALUATION REQUIRED.—The Secretary, through the Office of Educational Research and Improvement and in accordance with section 14701, shall collect sufficient data on, and evaluate the effectiveness of, the activities of each regional consortium.

[(b) 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.

[(c) REPORT.—At the end of each grant or contract period, the Secretary shall submit to the Congress a report on the effectiveness of the programs conducted at each regional consortium.

[SEC. 13307. DEFINITIONS.

[For purposes of this part:

[(1) The term "eligible entity" means—

[(A) a private nonprofit organization of demonstrated effectiveness;

[(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),

with demonstrated expertise in mathematics and science education.

[(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 section 13301.

[(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 part by the Governor or by State law.

[SEC. 13308. AUTHORIZATION OF APPROPRIATIONS.

[There are authorized to be appropriated $23,000,000 for fiscal year 1995, and such sums as may be necessary for each of the 4 succeeding fiscal years, to carry out this part.]

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STEWART B. McKINNEY HOMELESS ASSISTANCE ACT

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TITLE VII—EDUCATION, TRAINING, AND COMMUNITY SERVICES PROGRAMS

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[Subtitle B—Education for Homeless Children and Youth

[SEC. 721. STATEMENT OF POLICY.

[It is the policy of the Congress that—

[(1) each State educational agency shall ensure that each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youth;

[(2) in any State that has a compulsory residency requirement as a component of the State's compulsory school attendance laws or other laws, regulations, practices, or policies that may act as a barrier to the enrollment, attendance, or success in school of homeless children and youth, the State will review and undertake steps to revise such laws, regulations, practices, or policies to ensure that homeless children and youth are af-

forded the same free, appropriate public education as provided to other children and youth;

[(3) homelessness alone should not be sufficient reason to separate students from the mainstream school environment; and

[(4) homeless children and youth should have access to the education and other services that such children and youth need to ensure that such children and youth have an opportunity to meet the same challenging State student performance standards to which all students are held.

[SEC. 722. GRANTS FOR STATE AND LOCAL ACTIVITIES FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTH.

[(a) GENERAL AUTHORITY.—The Secretary is authorized to make grants to States in accordance with the provisions of this section to enable such States to carry out the activities described in subsections (d), (e), (f), and (g).

[(b) APPLICATION.—No State may receive a grant under this section unless the State educational agency submits an application to the Secretary at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

[(c) ALLOCATION AND RESERVATIONS.—

[(1) IN GENERAL.—Subject to paragraph (2) and section 724(c), from the amounts appropriated for each fiscal year under section 726, the Secretary is authorized to allot to each State an amount that bears the same ratio to the amount appropriated for such year under section 726 as the amount allocated under section 1122 of the Elementary and Secondary Education Act of 1965 to the State for that year bears to the total amount allocated under section 1122 to all States for that year, except that no State shall receive less than $100,000.

[(2) RESERVATION.—(A) The Secretary is authorized to reserve 0.1 percent of the amount appropriated for each fiscal year under section 726 to be allocated by the Secretary among the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and Palau (until the effective date of the Compact of Free Association with the Government of Palau), according to their respective need for assistance under this subtitle, as determined by the Secretary.

[(B)(i) The Secretary is authorized to transfer one percent of the amount appropriated for each fiscal year under section 726 to the Department of the Interior for programs for Indian students served by schools funded by the Secretary of the Interior, as determined under the Indian Self-Determination and Education Assistance Act, that are consistent with the purposes of this Act.

[(ii) The Secretary and the Secretary of the Interior shall enter into an agreement, consistent with the requirements of this part, for the distribution and use of the funds described in clause (i) under terms that the Secretary determines best meet the purposes of the programs described in such clause. Such agreement shall set forth the plans of the Secretary of the Interior for the use of the amounts transferred, including appropriate goals, objectives, and milestones.

[(3) DEFINITION.—As used in this subsection, the term "State" shall not include the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or Palau.

[(d) ACTIVITIES.—Grants under this section shall be used—

[(1) to carry out the policies set forth in section 721 in the State;

[(2) to provide activities for, and services to, homeless children, including preschool-aged children, and homeless youth that enable such children and youth to enroll in, attend, and succeed in school, or, if appropriate, in preschool programs;

[(3) to establish or designate an Office of Coordinator of Education of Homeless Children and Youth in the State educational agency in accordance with subsection (f);

[(4) to prepare and carry out the State plan described in subsection (g); and

[(5) to develop and implement professional development programs for school personnel to heighten their awareness of, and capacity to respond to, specific problems in the education of homeless children and youth.

[(e) STATE AND LOCAL GRANTS.—

[(1) IN GENERAL.—(A) Subject to subparagraph (B), if the amount allotted to the State educational agency for any fiscal year under this subtitle exceeds the amount such agency received for fiscal year 1990 under this subtitle, such agency shall provide grants to local educational agencies for purposes of section 723.

[(B) The State educational agency may reserve not more than the greater of 5 percent of the amount such agency receives under this subtitle for any fiscal year, or the amount such agency received under this subtitle for fiscal year 1990, to conduct activities under subsection (f) directly or through grants or contracts.

[(2) SPECIAL RULE.—If the amount allotted to a State educational agency for any fiscal year under this subtitle is less than the amount such agency received for fiscal year 1990 under this subtitle, such agency, at such agency's discretion, may provide grants to local educational agencies in accordance with section 723 or may conduct activities under subsection (f) directly or through grants or contracts.

[(f) FUNCTIONS OF THE OFFICE OF COORDINATOR.—The Coordinator of Education of Homeless Children and Youth established in each State shall—

[(1) estimate the number of homeless children and youth in the State and the number of such children and youth served with assistance provided under the grants or contracts under this subtitle;

[(2) gather, to the extent possible, reliable, valid, and comprehensive information on the nature and extent of the problems homeless children and youth have in gaining access to public preschool programs and to public elementary and secondary schools, the difficulties in identifying the special needs of such children and youth, any progress made by the State educational agency and local educational agencies in the State

in addressing such problems and difficulties, and the success of the program under this subtitle in allowing homeless children and youth to enroll in, attend, and succeed in, school;

[(3) develop and carry out the State plan described in subsection (g);

[(4) prepare and submit to the Secretary not later than October 1, 1997, and on October 1 of every third year thereafter, a report on the information gathered pursuant to paragraphs (1) and (2) and such additional information as the Secretary may require to carry out the Secretary's responsibilities under this subtitle;

[(5) facilitate coordination between the State educational agency, the State social services agency, and other agencies providing services to homeless children and youth, including homeless children and youth who are preschool age, and families of such children and youth; and

[(6) develop relationships and coordinate with other relevant education, child development, or preschool programs and providers of services to homeless children, homeless families, and runaway and homeless youth (including domestic violence agencies, shelter operators, transitional housing facilities, runaway and homeless youth centers, and transitional living programs for homeless youth), to improve the provision of comprehensive services to homeless children and youth and their families.

[(g) STATE PLAN.—

[(1) IN GENERAL.—Each State shall submit to the Secretary a plan to provide for the education of homeless children and youth within the State, which plan shall describe how such children and youth are or will be given the opportunity to meet the same challenging State student performance standards all students are expected to meet, shall describe the procedures the State educational agency will use to identify such children and youth in the State and to assess their special needs, and shall—

[(A) describe procedures for the prompt resolution of disputes regarding the educational placement of homeless children and youth;

[(B) describe programs for school personnel (including principals, attendance officers, teachers and enrollment personnel), to heighten the awareness of such personnel of the specific needs of runaway and homeless youth;

[(C) describe procedures that ensure that homeless children and youth who meet the relevant eligibility criteria are able to participate in Federal, State, or local food programs;

[(D) describe procedures that ensure that—

[(i) homeless children have equal access to the same public preschool programs, administered by the State agency, as provided to other children; and

[(ii) homeless children and youth who meet the relevant eligibility criteria are able to participate in Federal, State, or local before- and after-school care programs;

[(E) address problems set forth in the report provided to the Secretary under subsection (f)(4);

[(F) address other problems with respect to the education of homeless children and youth, including problems caused by—

[(i) transportation issues; and

[(ii) enrollment delays that are caused by—

[(I) immunization requirements;

[(II) residency requirements;

[(III) lack of birth certificates, school records, or other documentation; or

[(IV) guardianship issues;

[(G) demonstrate that the State educational agency and local educational agencies in the State have developed, and will review and revise, policies to remove barriers to the enrollment and retention of homeless children and youth in schools in the State; and

[(H) contain an assurance that the State educational agency and local educational agencies in the State will adopt policies and practices to ensure that homeless children and youth are not isolated or stigmatized.

[(2) COMPLIANCE.—Each plan adopted under this subsection shall also show how the State will ensure that local educational agencies in the State will comply with the requirements of paragraphs (3) through (9).

[(3) LOCAL EDUCATIONAL AGENCY REQUIREMENTS.—(A) The local educational agency of each homeless child and youth to be assisted under this subtitle shall, according to the child's or youth's best interest, either—

[(i) continue the child's or youth's education in the school of origin—

[(I) for the remainder of the academic year; or

[(II) in any case in which a family becomes homeless between academic years, for the following academic year; or

[(ii) enroll the child or youth in any school that nonhomeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

[(B) In determining the best interests of the child or youth under subparagraph (A), the local educational agency shall comply, to the extent feasible, with the request made by a parent or guardian regarding school selection.

[(C) For purposes of this paragraph, the term "school of origin" means the school that the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled.

[(D) The choice regarding placement shall be made regardless of whether the child or youth lives with the homeless parents or has been temporarily placed elsewhere by the parents.

[(4) COMPARABLE SERVICES.—Each homeless child or youth to be assisted under this subtitle shall be provided services comparable to services offered to other students in the school

selected according to the provisions of paragraph (3), including—

[(A) transportation services;

[(B) educational services for which the child or youth meets the eligibility criteria, such as services provided under title I of the Elementary and Secondary Education Act of 1965 or similar State or local programs, educational programs for children with disabilities, and educational programs for students with limited-English proficiency;

[(C) programs in vocational education;

[(D) programs for gifted and talented students; and

[(E) school meals programs.

[(5) RECORDS.—Any record ordinarily kept by the school, including immunization records, academic records, birth certificates, guardianship records, and evaluations for special services or programs, of each homeless child or youth shall be maintained—

[(A) so that the records are available, in a timely fashion, when a child or youth enters a new school district; and

[(B) in a manner consistent with section 444 of the General Education Provisions Act.

[(6) COORDINATION.—Each local educational agency serving homeless children and youth that receives assistance under this subtitle shall coordinate with local social services agencies and other agencies or programs providing services to such children or youth and their families, including services and programs funded under the Runaway and Homeless Youth Act.

[(7) LIAISON.—(A) Each local educational agency that receives assistance under this subtitle shall designate a homelessness liaison to ensure that—

[(i) homeless children and youth enroll and succeed in the schools of that agency; and

[(ii) homeless families, children, and youth receive educational services for which such families, children, and youth are eligible, including Head Start and Even Start programs and preschool programs administered by the local educational agency, and referrals to health care services, dental services, mental health services, and other appropriate services.

[(B) State coordinators and local educational agencies shall inform school personnel, service providers, and advocates working with homeless families of the duties of the liaisons.

[(8) REVIEW AND REVISIONS.—Each State educational agency and local educational agency that receives assistance under this subtitle shall review and revise any policies that may act as barriers to the enrollment of homeless children and youth in schools selected in accordance with paragraph (3). In reviewing and revising such policies, consideration shall be given to issues concerning transportation, immunization, residency, birth certificates, school records, and other documentation, and guardianship. Special attention shall be given to ensuring the enrollment and attendance of homeless children and youth who are not currently attending school.

[(9) COORDINATION.—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-Gonzalez National Affordable Housing Act to minimize educational disruption for children who become homeless.

[SEC. 723. LOCAL EDUCATIONAL AGENCY GRANTS FOR THE EDUCATION OF HOMELESS CHILDREN AND YOUTH.

[(a) GENERAL AUTHORITY.—

[(1) IN GENERAL.—The State educational agency shall, in accordance with section 722(e) and from amounts made available to such agency under section 726, make grants to local educational agencies for the purpose of facilitating the enrollment, attendance, and success in school of homeless children and youth.

[(2) SERVICES.—Unless otherwise specified, services under paragraph (1) may be provided through programs on school grounds or at other facilities. Where such services are provided through programs to homeless students on school grounds, schools may provide 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, in the same setting or classroom. To the maximum extent practicable, such services shall be provided through existing programs and mechanisms that integrate homeless individuals with nonhomeless individuals.

[(3) REQUIREMENT.—Services provided under this section shall not replace the regular academic program and shall be designed to expand upon or improve services provided as part of the school's regular academic program.

[(b) APPLICATION.—A local educational agency that desires to receive a grant under this section shall submit an application to the State educational agency at such time, in such manner, and containing or accompanied by such information as the State educational agency may reasonably require according to guidelines issued by the Secretary. Each such application shall include—

[(1) a description of the services and programs for which assistance is sought and the problems to be addressed through the provision of such services and programs;

[(2) an assurance that the local educational agency's combined fiscal effort per student or the aggregate expenditures of that agency and the State with respect to the provision of free public education by such agency for the fiscal year preceding the fiscal year for which the determination is made was not less than 90 percent of such combined fiscal effort or aggregate expenditures for the second fiscal year preceding the fiscal year for which the determination is made;

[(3) an assurance that the applicant complies with, or will use requested funds to come into compliance with, paragraphs (3) through (9) of section 722(g); and

[(4) a description of policies and procedures that the agency will implement to ensure that activities carried out by the

agency will not isolate or stigmatize homeless children and youth.

[(c) AWARDS.—

[(1) IN GENERAL.—The State educational agency shall, in accordance with section 722(g) and from amounts made available to such agency under section 726, award grants under this section to local educational agencies submitting an application under subsection (b) on the basis of the need of such agencies.

[(2) NEED.—In determining need under paragraph (1), the State educational agency may consider the number of homeless children and youth enrolled in preschool, elementary, and secondary schools within the area served by the agency, and shall consider the needs of such children and youth and the ability of the agency to meet such needs. Such agency may also consider—

[(A) the extent to which the proposed use of funds would facilitate the enrollment, retention, and educational success of homeless children and youth;

[(B) the extent to which the application reflects coordination with other local and State agencies that serve homeless children and youth, as well as the State plan required by section 722(g);

[(C) the extent to which the applicant exhibits in the application and in current practice a commitment to education for all homeless children and youth; and

[(D) such other criteria as the agency determines appropriate.

[(3) DURATION OF GRANTS.—Grants awarded under this section shall be for terms not to exceed three years.

[(d) AUTHORIZED ACTIVITIES.—A local educational agency may use funds awarded under this section for activities to carry out the purpose of this subtitle, including—

[(1) the provision of tutoring, supplemental instruction, and enriched educational services that are linked to the achievement of the same challenging State content standards and challenging State student performance standards the State establishes for other children or youth;

[(2) the provision of expedited evaluations of the strengths and needs of homeless children and youth, including needs and eligibility for programs and services (such as educational programs for gifted and talented students, children with disabilities, and students with limited-English proficiency, services provided under title I of the Elementary and Secondary Education Act of 1965 or similar State or local programs, programs in vocational education, and school meals programs);

[(3) professional development and other activities for educators and pupil services personnel that are designed to heighten the understanding and sensitivity of such personnel to the needs of homeless children and youth, the rights of such children and youth under this Act, and the specific educational needs of runaway and homeless youth;

[(4) the provision of referral services to homeless children and youth for medical, dental, mental, and other health services;

[(5) the provision of assistance to defray the excess cost of transportation for students pursuant to section 722(g)(4), not otherwise provided through Federal, State, or local funding, where necessary to enable students to attend the school selected under section 722(g)(3);

[(6) the provision of developmentally appropriate early childhood education programs, not otherwise provided through Federal, State, or local funding, for preschool-aged children;

[(7) the provision of before- and after-school, mentoring, and summer programs for homeless children and youth in which a teacher or other qualified individual provides tutoring, homework assistance, and supervision of educational activities;

[(8) where necessary, the payment of fees and other costs associated with tracking, obtaining, and transferring records necessary to enroll homeless children and youth in school, including birth certificates, immunization records, academic records, guardianship records, and evaluations for special programs or services;

[(9) the provision of education and training to the parents of homeless children and youth about the rights of, and resources available to, such children and youth;

[(10) the development of coordination between schools and agencies providing services to homeless children and youth, including programs funded under the Runaway and Homeless Youth Act;

[(11) the provision of pupil services (including violence prevention counseling) and referrals for such services;

[(12) activities to address the particular needs of homeless children and youth that may arise from domestic violence;

[(13) the adaptation of space and purchase of supplies for nonschool facilities made available under subsection (a)(2) to provide services under this subsection;

[(14) the provision of school supplies, including those supplies to be distributed at shelters or temporary housing facilities, or other appropriate locations; and

[(15) the provision of other extraordinary or emergency assistance needed to enable homeless children and youth to attend school.

[SEC. 724. SECRETARIAL RESPONSIBILITIES.

[(a) REVIEW OF PLANS.—In reviewing the State plans submitted by the State educational agencies under section 722(g), the Secretary shall use a peer review process and shall evaluate whether State laws, policies, and practices described in such plans adequately address the problems of homeless children and youth relating to access to education and placement as described in such plans.

[(b) TECHNICAL ASSISTANCE.—The Secretary shall provide support and technical assistance to the State educational agencies to assist such agencies to carry out their responsibilities under this subtitle.

[(c) EVALUATION AND DISSEMINATION.—The Secretary shall conduct evaluation and dissemination activities of programs designed to meet the educational needs of homeless elementary and second-

ary school students, and may use funds appropriated under section 726 to conduct such activities.

[(d) SUBMISSION AND DISTRIBUTION.—The Secretary shall require applications for grants under this subtitle to be submitted to the Secretary not later than the expiration of the 60-day period beginning on the date that funds are available for purposes of making such grants and shall make such grants not later than the expiration of the 120-day period beginning on such date.

[(e) DETERMINATION BY SECRETARY.—The Secretary, based on the information received from the States and information gathered by the Secretary under subsection (d), shall determine the extent to which State educational agencies are ensuring that each homeless child and homeless youth has access to a free appropriate public education as described in section 721(1).

[(f) REPORTS.—The Secretary shall prepare and submit a report to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate on the programs and activities authorized by this subtitle by December 31, 1997, and every third year thereafter.

[SEC. 725. DEFINITIONS.

[For the purpose of this subtitle, unless otherwise stated—

[(1) the term "Secretary" means the Secretary of Education; and

[(2) the term "State" means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

[SEC. 726. AUTHORIZATION OF APPROPRIATIONS.

[For the purpose of carrying out this subtitle, there are authorized to be appropriated $30,000,000 for fiscal year 1995 and such sums as may be necessary for each of the fiscal years 1996, 1997, 1998, and 1999.]

* * * * * * *

DISSENTING VIEW OF RON PAUL

I. Introduction: H.R. 3248 Increases Federal Expenditures

Although H.R. 3248 takes a step toward shrinking the federal bureaucracy by repealing several education programs, its long-term effect will likely be to strengthen the federal government's control over education by increasing federal spending. Therefore Congress should reject this bill.

If H.R. 3248 did not increase federal expenditures, I would support it. However, even then my support would be unenthusiastic at best as the system of block grants established by this bill continue the unconstitutional practice of taking money from taxpayers and redistributing it to other states. The Federal Government lacks constitutional authority to carry out this type of redistribution between states and taxpayers, regardless of whether the monies are redistributed through federal programs or through grants. There is no "block grant exception" to the principles of federalism embodied in the United States Constitution.

II. H.R. 3248 Continues Federal Management of Education

The requirement that the states certify that 95% of federal monies are spent "in the classroom," (a term not defined in the act) and report to the Congress how they are using those monies to improve student performance imposes an unacceptable level of federal management on the states. States are sovereign entities, not administrative units of the federal government, and should not have to account to the federal government for their management of educational programs.

For all its flaws, the original version of H.R. 3248 at least restored some measure of state control of education because it placed no restrictions on a state's use of funds. It was, thus, a pure block grant. However, this bill does not even give states that level of discretion as H.R. 3248 has been amended to restrict the uses to which a state can apply its block grants.

Under the revised version of H.R. 3248, states can only spend their block grant money on one or more of the programs supposedly repealed by the federal government! In fact, this bill is merely one more example of "mandate federalism" where states are given flexibility to determine how best to fulfill goals set by Congress. Granting states the authority to select a particular form of federal management of education may be an improvement over the current system, but it is hardly a restoration of state and local control over education!

III. Increased Federal Expenditures—Increased Federal Control

The federal government's power to treat state governments as their administrative subordinates stems from an abuse of Congress' taxing-and-spending power. Submitting to federal control is the only way state and local officials can recapture any part of the monies the federal government has illegitimately taken from a state's citizens. Of course, this is also the only way state officials can tax citizens of other states to support their education programs. It is the rare official who can afford not to bow to federal dictates in exchange for federal funding!

As long as the federal government controls education dollars, states and local schools will obey federal mandates; the core problem is not that federal monies are given with the inevitable strings attached, the real problem is the existence of federal taxation and funding.

Since federal spending is the root of federal control, by increasing federal spending this bill lays the groundwork for future Congresses to fasten more and more mandates on the states. Because state and even local officials, not federal bureaucrats, will be carrying out these mandates, this system could complete the transformation of the state governments into mere agents of the federal government.

Those who doubt the likelihood of the above scenario should remember that this Committee could not even pass the initial block grant without "giving in" to the temptation to limit state autonomy in the use of education funds because "Congress cannot trust the states to do the right thing!" Given that this Congress cannot pass a clean block grant, who can doubt that some future Congress will decide that the States need federal "leadership" to ensure they use their block grants in the correct manner, or that states should be forced to use at least a certain percentage of their block grant funds on a few "vital" programs?

It will be claimed that this bill does not increase spending, it merely funds education spending at the current level by adding an adjustment to inflation to the monies appropriated for education programs in Fiscal Year 1999. However, predicting the rate of inflation is a tricky business. If, as is very likely, inflation is less than the amount dictated by this bill, the result will be an increase in education spending in real dollar terms. Still, that is beside the point, any spending increase, whether real or nominal, ought to be opposed.

IV. Conclusion: Congress Should Put Parents Back in Charge

Ultimately, the Dollars to the Classroom Act represents the latest attempt of this Congress to avoid addressing philosophical and constitutional questions of the role of the Federal and State Governments by means of adjustments in management in the name of devolution. Devolution is said to be a return to state's rights since it decentralized the management of federal programs; this is a new 1990s definition of the original concept of federalism and is a poor substitute for the original, constitutional definition of federalism.

Rather than shifting responsibility for the management of federal funds, Congress should defund all unconstitutional programs and dramatically cut taxes imposed upon the American people, thus enabling American families to devote more of their resources to education. I have introduced a bill, the Family Education Freedom Act (H.R. 1816) to provide parents with a $3,000 per child tax credit for education expenses. This bill directly empowers parents, not bureaucrats or state officials, to control education and is the most important education reform idea introduced in this Congress.

In conclusion, the Dollars to the Classroom Act may repeal some unconstitutional education programs but it continues the federal government's equally unconstitutional taking of funds from the American people for the purpose of returning them in the form of monies for education only if a state obeys federal mandates. While this may be closer to the constitutional system, it also lays the groundwork for future federal power grabs by increasing federal spending. Rather than continue to increase spending while pretending to restore federalism, Congress should take action to restore parents to the rightful place as the "bosses" of America's education system.

RON PAUL.

MINORITY VIEWS

The current structure of programmatic and financial support for elementary and secondary education in our country has provided a strong basis for local school districts to provide our nation's children with a high quality education. This system stresses strong local control of curriculum and educational content and ensures that localities provide the bulk of financial assistance. Coupled with this locally driven system is significant Federal assistance aimed at ensuring both equality and access, through the targeting of funds at populations most in need, and excellence, through the adoption of high academic standards and programs aimed at fostering academic achievement and success. It is this Federal assistance that school districts and States across the country find vital in their efforts to ensure that all children grow academically and become successful adults with the ability to positively contribute to society.

Unfortuntately, H.R. 3248, the so-called "Dollars to the Classroom Act" and the accompanying Majority Views, attempts to tear this system apart in an effort to make political gains rather than substantive policy improvements for children and education H.R. 3248 would eliminate 31 existing elementary and secondary programs—including Eisenhower Professional Development, School-to-Work, Goals 2000, Comprehensive School Reform, Magnet Schools Assistance, Technology for Education, 21st Century Community Learning Centers, and Civic Education programs, among others [1], with no assurance that any of the funding for these programs would stay in the education arena. This legislation would also permit all States to participate in the current Ed-Flex demonstration program without any emphasis on ensuring quality academic achievement among students. Lastly, H.R. 3248 would eliminate the requirement that school districts with significant percentages of children in poverty be permitted to do schoolwide programs under Title I of the Elementary and Secondary Education Act (ESEA). Very simply, this legislation destroys the very nature of the Federal commitment to education through a complete abandonment of accountability and a lack of focus on high student achievement, and the elimination of targeting our limited resources to those children most in need.

LACK OF ACCOUNTABILITY

Accountability for the Federal education dollar is extremely important in both ensuring that programs are conducted consistent with the priorities in Federal law, and that we can ensure that program dollars are being effectively utilized. Without provisions ensuring strong accountability, we have no assurances that our na-

[1] For a complete list of programs eliminated by H.R. 3248, please see attachment A.

tion's children are being well served and little information on the effectiveness of our programs. Fortunately, the programs affected by this bill have existing accountability measures that ensure that resources are utilized in a manner consistent with the goals of each program and the overarching mission to educate our children. Examples of this accountability include:

A. Eisenhower Professional Development

Under the Eisenhower Professional Development Program, both States and school districts which receive funding are required to establish "specific performance indicators for improving teaching and learning through professional development." These performance indicators are required to be aligned with standards developed at the State level. The requirement that performance indicators be established, which are linked with high student standards, ensures that teacher training in a State or local school district has direction, purpose, and will yield results which produce high quality teachers.

B. Technology Literacy Challenge Fund

Under the Technology Literacy Challenge Fund, each State submits a statewide technology plan prior to receiving a first-year grant. This plan includes a State's long-term strategies for financing technology education, including the involvement of the private sector, and the targeting of school districts that have the highest number and percentage of children in poverty and the greatest need for technology within their schools. These plans require the development of benchmarks and timetables of accomplishing State defined goals. States are required to report annually on their progress toward achieving the state educational technology goals, particularly as they relate to the national goals in educational technology. The establishment of these benchmarks and goals ensures that States will progress toward the acquisition and effective use of technology in improving the education of America's children.

Instead of the real accountability evidenced in the above examples, H.R. 3248 make superficial attempts at ensuring accountability for the funding that would go out under the bill's block grant scheme. First, the bill requires a generic annual report on how funds have been used to improve student performance that will tell us little about effect strategies and uses of funding under the block grant. Second, States would be required to use any measures of student academic performance to gage the effectiveness of funding. These provisions have no requirement to link outcomes, assessments, or reporting to challenging, high quality, State academic standards and will do nothing to ensure effective use of Federal education resources. Moreover, the Secretary of Education is specifically barred from imposing any meaningful performance or accountability standards regarding the expenditure of funding under this bill. We should not move legislation forward which jeopardizes accountability of Federal dollars and therefore jeopardizes our children's education.

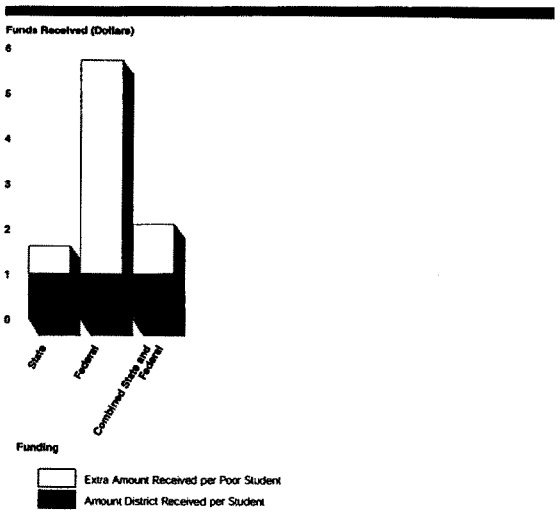
LOSS OF RESOURCES AND RESOURCE TARGETING

One of the most vital roles of Federal education programs is the funding provided to States and school districts with large numbers of children in poverty. Although limited, Federal funding is used to leverage other resources and to spur investment in areas where needs are otherwise left unmet. In fact, most Federal funding for elementary and secondary education is targeted to disadvantaged and poor children. With this increased emphasis on assisting school districts with large numbers of economically disadvantaged children, the Federal government is both sending dollars to schools and districts most in need, but also attempting to bring equity in opportunity to children in those schools.

Current Federal education programs accomplish this emphasis through provisions which base funding distributions to school districts and States on the basis of poverty. While States often target school districts with high numbers of low income children, existing Federal education programs do a better job of targeting resources to those most in need than State and local efforts. A recent GAO study makes this point:

"Most states targeted more funds to districts with large numbers of poor students, although the amount of such funding varied widely. In most states, Federal funds were more targeted than state funds, which resulted in increasing the overall amount of additional funding for each poor student."[2]

Figure 1: Average State, Federal, and Combined Targeting to Poor Students, School Year 1991-92



Unfortunately, the ability of the Federal government to target the funding of these programs on the basis of poverty is completely eliminated in H.R. 3248. This legislation includes State distribution formula which lacks a significant poverty focus. It also includes a

[2] GAO/HEHS–98–36 Targeting Funds to Poor Students

distribution formula from the State to local school districts which completely ignores the need to effectively target assistance. Simply put, this legislation disregards the superior job which the Federal government has been doing to target resources to the most needy of our nation's children. Instead of sending funding to areas whose children desperately need it, this legislation would leave the targeting of Federal education resources to the political whims of State legislatures.

In addition to the loss of targeting that this bill would cause, it is important to remember that the block granting will lead to a reduction in spending on education. H.R. 3248 makes an assumption, not a guarantee, that the funding presently provided to States and localities under the affected programs will be included in this block grant. Presently, there are enormous pressures being exerted to come up with budgetary savings to ensure a balanced Federal budget. The repeal of these existing programs would make their funding an easy target. Rather than additional investments in education, these funds could be targeted for other uses.

ED FLEX EXPANSION

The Education Flexibility (Ed-Flex) Partnership Demonstration Program was established by the Goals 2000: Educate America Act in 1994. Ed-Flex gives partnership States the power to waive requirements of certain federal education programs, including the Title I program and the Eisenhower Professional Development program. Without Ed-Flex, States and school districts may ask the Secretary of Education to waive these requirements; with Ed-Flex, States have the authority to make those decisions at the state level.

Specifically, the current Ed-Flex demonstration program allows the Secretary of Education to delegate, to up to twelve States, the authority to waive certain Federal statutory or regulatory requirements affecting the State and local school districts and schools. A State that has developed a comprehensive school improvement plan that has been approved by the Secretary may apply for Ed-Flex. In addition, a State applying for Ed-Flex must have the authority to waive its own statutory or regulatory requirements, while holding districts and schools affected by the waivers accountable for the academic performance of their students. Ed-Flex partnership States named to date include Colorado, Kansas, Maryland, Massachusetts, New Mexico, Ohio, Oregon, Texas, Vermont, Iowa, Illinois, and Michigan.

While H.R. 3248 simply allows all States to participate in the Ed-Flex demonstration program, it does nothing to ensure increased accountability for high student academic success. Rather than reinforcing the efforts to create, implement and align standards required of States under Title I of the Elementary and Secondary Education Act, this bill maintains the status quo. Ironically despite their claims of accountability, the Majority's views make no mention of the real need to stress high academic achievement through the use of Ed-Flex.

In weighing the need to expand Ed-Flex to all 50 States, we should ensure States have adopted challenging content and performance standards, assessments aligned with those standards,

and procedures for reporting school-level disaggregated student achievement data as required under Title I of the ESEA. Simply allowing States to waive these statuary provisions without ensuring an increased focus on accountability is to ignore what should be our goal for all children—increased academic success. If we expand Ed-Flex, this portion of the bill should be refocused to strengthen our nation's efforts around standards and academic achievement.

SCHOOLWIDE PROGRAMS

Lastly, this legislation would eliminate the existing requirement that 50 percent of a school's enrolled children be from low-income families in order to conduct a schoolwide program under Title I of ESEA. The 50 percent threshold is essential to ensuring that schools with significant levels of poverty are able to conduct total school reform. Schools without a significant percentage of children from low-income families simply do not receive the resources under Title I that are necessary to justify the utilization of this provision. This modification has no place in this legislation and has been given absolutely no consideration or hearing by this Committee. Proper attention should be given to this issue during the reauthorization of ESEA, scheduled for the 106th Congress.

POLITICS

In stating our views on this legislation, we cannot avoid correcting many of the misstatements, including the so-called "myths and realities" section contained in the Majority's views.

FEDERAL VS. LOCAL CONTROL

The Majority implies that the opponents of this legislation believe that education should be directed by "an entrenched structure of top-down, Washington-controlled" bureaucrats that don't trust parents, teachers and principals to educate our children. This is far from the truth. The Federal role in education is one of ensuring equity, access and quality. No existing Federal program, least of all the ones included under this block grant, control local curriculum and local efforts to educate their children.

STATE EMPLOYEES NEEDED TO MANAGE FEDERAL PROGRAMS

The Majority also states that the paperwork required by U.S. Department of Education requires 25,000 employees working full-time. It is important to consider this number in light of the fact that there are over 15,000 school districts in existence today. This means that there are less than two employees per school district employed to handle this Federal paperwork—a far cry from the vast number of employees the Majority would have us believe are involved in this activity.

760 PROGRAMS

Consistently, the Majority has claimed that there are 760 Federal education programs and implied that these "mass" of programs are the cause of the problems in K–12 education in our nation. This list of so called "education programs" also includes: 60 medical re-

search grant programs in NIH; 12 nutrition programs; military training; billions of dollars in disaster relief; and scores of other programs such as the "Boat Sludge Educational Grant Program"; and the "Air Transportation Centers of Excellence Program."

The truth is the 788 programs include:

183 are no longer authorized or funded;

139 are post-secondary or adult education programs;

71 fund special research;

68 provide employment or job-related training and technical assistance;

58 are for the education and training of health professionals;

47 provide public information or community outreach;

27 support the arts, museums, or historic preservation;

26 provide various services to individuals;

16 fund construction projects, community development, and community service; and

11 are nutrition programs.

Of the 305 programs identified as Department of Education programs, 122 are unauthorized, unfunded, or simply non-existent. Of the remaining 183 Department of Education programs pertaining to pre-K through postgraduate education and training, only 102 programs impact elementary and secondary education. The Majority has clearly exaggerated its claims of 760 "programs".

BLOCK GRANT WILL PROVIDE ADDITIONAL ASSISTANCE TO THE CLASSROOM

The Majority states that the enactment of this legislation would provide $800 million additional dollars directly to the classroom. However, by their own estimation, and that of the Congressional Research Service, General Accounting Office, Heritage Foundation, and even the U.S. Department of Education, 90 percent of existing education dollars reach the classroom. If you consider that these programs presently total $2.68 billion, then based on the figure of 90 percent, $2.41 billion is presently reaching the classroom creating a difference of $270 million. How then can achieving the goal of sending 95 percent of these dollars to the classroom make an additional $800 million magically appear in classrooms? Despite these obvious inconsistencies, a 1994 study by the GAO stated that 98 percent of Federal funds distributed to State educational agencies reach the local level.

CONCLUSIONS

Similar proposals have been advanced during this Congress through the Departments of Labor, Health and Human Services, Education, Appropriations bills. Significant member opposition exist to these proposals[3] and H.R. 3248 is sure to solicit similar views. Instead of responding to the educational needs of our nation, the Majority has sought to divide us along partisan lines. What does this do to assist our principals, parents, teachers and students in their quest for educational excellence? Nothing.

[3] Please see attachment B for letters in opposition to other block grant proposals advanced during this Congress.

It is important to remember that block grants are not new. While they appeal to cries for simplification, the result has been largely to reduce funding. This approach to Federal assistance has been tried before, especially during the early 1970's and again during the early 1980's. Specifically, in 1981, more than 40 smaller education programs were block granted. The total funding at the time was reduced because of the theory of more flexibility. Funding for the block grant decreased over time from 1982 to 1992 by roughly 52 percent, adjusted for inflation.

Rather than advancing this destructive agenda, we should be advancing one which reflects the real needs of America's educational system:

Creating partnerships with States to address crumbling and overcrowded schools;

Helping communities reduce class size by hiring and training new teachers;

Supporting community after-school programs for school-aged children; and

Assisting high-poverty urban and rural school districts that are serious about carrying out standards-based reform plans to improve students achievement levels.

These are the issues on which local school districts and States are seeking our assistance. These initiatives will provide the foundation and direction to continue to improve our educational system. We need real solutions to the demand of our educational system, not divisive measures that will cause disruption.

WILLIAM L. CLAY.
DALE E. KILDEE.
MAJOR R. OWENS.
PATSY T. MINK.
LYNN WOOLSEY.
CHAKA FATTA.
CAROLYN MCCARTHY.
RON KIND.
HAROLD E. FORD, Jr.
GEORGE MILLER.
MATTHEW G. MARTINEZ.
DONALD M. PAYNE.
ROBERT E. ANDREWS.
BOBBY SCOTT.
CARLOS ROMERO-BARCELÓ.
RUBÉN HINOJOSA.
JOHN F. TIERNEY.
LORETTA SANCHEZ.
DENNIS J. KUCINICH.

ATTACHMENT A

REPEALED PROGRAMS IN H.R. 3248

(A) Goals 2000 grants for State and Local Education Systemic Improvement
(B) Goals 2000 Parental Assistance program

(C) Goals 2000 authorization of International Education Program and International Education Exchange Program (joint ED-USIA programs)
(D) School-to-Work Systemic and Implementation Grants to States and to Programs for Indian Youth, Implementation Grants to Local Parentships, and National Programs
(E) Title I Demonstration of Innovative Practices
(F) Title I Innovative Elementary School Transition Projects
(G) Federal activities funding for (E) and (F)
(H) Eisenhower Professional Development, Federal activities
(I) Eisenhower Professional Development, State and local activities
(J) School Technology Resource Grants
(K) Technology for Education:
National Programs
State and local programs, National Challenge Grants
Regional Technology Support and Professional Development
Product Development
Star Schools
Ready-to-Learn Education
Telecommunications Demonstration Project for Mathematics
Elementary and Secondary School Library Media Resources Project
(L) Magnet Schools Assistance
(M) Women's Educational Equity
(N) Title VI, Innovative Education Program Strategies (former Chapter 2)
(O) Native Hawaiian Education
(P) Alaska Native Education
(Q) Fund for Improvement of Education
(R) Gifted and Talented Education
(S) Arts in Education
(T) Civic Education
(U) Allen J. Ellender Fellowship Program (Close-Up)
(V) 21th Century Community Learning Centers
(W) Urban and Rural Education Assistance
(X) National Writing Project
(Y) Extended Time for Learning and Longer School Year
(Z) Support and Assistance Programs to Improve Education, Comprehensive Regional Education Centers
(AA) Eisenhower Regional Mathematics and Science Education Consortia
(BB) Education for Homeless Children and Youth

ATTACHMENT B

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 23, 1997.

DEAR CONFEREES: We are writing to express our emphatic opposition to the Gorton amendment that was included in the Labor, Health and Human Services, and Education appropriations bill. We ask you, as conferees to this bill, to strike this provision. If included in the conference agreement, it could have dire con-

sequences for our national education system and ultimately for the children of this nation.

As you know, the amendment would block grant as much as $13 billion in federal Education elementary and secondary programs including: Goals 2000, School-to-Work, Women's Educational Equity, Education Infrastructure, Education for Homeless Children and Youth, education technology programs, Eisenhower Professional Development for teachers, Innovative Education Programs Strategies state grants, education infrastructure, Indian education, bilingual education, immigrant education, 50 percent of the funds for vocation education and vocational rehabilitation, and Javits Gifted and Talented.

This carelessly crafted amendment fails to address the accountability that is needed in our schools. For instance, some of the provisions that alarm us, include:

All current formulas would be eliminated. Funds would be distributed to local education agencies with no strings or requirements attached;

There would be no limit on the amount of money spent at the local level on administrative costs;

School districts would no longer be required to target funds to deserving special populations and low-income students;

1.2 million disabled Americans are in the vocational rehabilitation system. Many state Vocational Rehabilitation agencies are unable to meet current demands. If the Gorton amendment becomes law, as many as 600,000 disabled Americans would be at risk of not receiving the help they need to find employment and become self sufficient;

All requirements for parental involvement would be eliminated; and

The requirement that federal funds "supplement not supplant" state and local funds would be eliminated. In other words, block grants could be used for purposes other than education.

For the above reasons, we strongly urge you to strike this provision.

Sincerely,

John F. Tierney, Harold Ford, Jr., Joe Kennedy, Patrick J. Kennedy, Patsy T. Mink, ——— ———, Lynn C. Woolsey, Darlene Hooley, Jim McDermott, Lloyd Doggett, Chet Edwards, Maurice Hinchey, Martin Meehan, Bob Weygand, Tom Barrett, ——— ———, John Olver, Tom Allen, Tim Roemer, Ed Markey, Jim McGovern, Bernard Sanders, Carolyn C. Kilpatrick, Major R. Owens, Bobby Scott, Carolyn McCarthy, Jim Turner, Ron Kind, John Conyers, Bill Clay, Bob Ehrlich, Nick Lampson, Jerry Kleczka, Loretta Sanchez, Tom Sawyer, Bill Pascrell, Jr.

Nydia M. Velázquez, Karen L. Thurman, David Price, Luis V. Gutierrez, Jerrold Nadler, Ben Gilman, Norm Dicks, Gene Green, Glenn Poshard, Ed Pastor, Bill Hefner, Rod Blagojevich, Robert E. Andrews, Carlos Romero-Barceló, Jerry F. Costello, Scotty Baesler, Howard L. Berman, Lane Evans,

Jim Davis, Bob Filner, Ciro D. Rodriguez, Anna Eshoo, Frank Pallone, Jr., Carrie P. Meek, Jessie L. Jackson, Jr., Joe Moakley, ——— ———, Ted Strickland, Sherrod Brown, Frank Mascara, Silvestre Reyes, Juanita Millender-McDonald, Albert R. Wynn, Jack Quinn, Pete Stark, Peter Deutsch.

Martin Frost, Ronald V. Dellums, Peter DeFazio, Michael R. McNulty, John Lewis, Ben Cardin, Bobby Rush, Sanford D. Bishop, Jr., Neil Abercrombie, David E. Bonior, Vic Fazio, Collin Peterson, Dale E. Kildee, ——— ———, Mike Doyle, Barbara B. Kennelly, John E. Baldacci, Charles E. Schumer, Marcy Kaptur, Bruce F. Vento, Eliot L. Engel, Paul E. Kanjorski, Bob Wise, Sander Levin, Thomas J. Manton, Donald M. Payne, Sherwood Boehlert, Martin O. Sabo, ——— ———, George E. Brown, Jr., James L. Oberstar, Barney Frank, Matthew G. Martinez, Richard E. Neal, Gary L. Ackerman, Julian C. Dixon.

Dennis J. Kucinich, Lynn N. Rivers, William D. Delahunt, Brad Sherman, Julia Carson, Diana DeGette, Bart Stupak, Tony P. Hall, Ellen O. Tauscher, Steve Rothman, Earl Pomeroy, Sam Gejdenson, Marion Berry, Tim Holden, Vic Snyder, Carolyn B. Maloney, Chaka Fattah, Danny K. Davis, Walter Capps, Earl Blumenauer, Rubin Hinojosa, Leonard L. Boswell, Ron Klink, Elizabeth Furse, Melvin L. Watt, Jim Maloney, David Skaggs, Amo Houghton, Alcee L. Hastings, Floyd H. Flake, Bill Luthern, Paul McHale, ——— ———.

Maxine Waters, ——— ———, Robert F. Matsui, Eva M. Clayton, Louise M. Slaughter, Robert A. Underwood, Debbie Stabenow, Sam Farr, John D. Dingell, ——— ———, ——— ———, Zoe Lofgren, ——— ———, ——— ———, Nick Rahall, ——— ———, Jim Moran, Richard A. Gephardt, James E. Cyburn, Cynthia McKinney, ——— ———, John Spratt, Cal Dooley, Jim Walsh.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 20, 1998.

Hon. NEWT GINGRICH,
Speaker of the House, House of Representatives,
Capitol, Washington, DC.

DEAR MR. SPEAKER: We write to express our opposition to the proposed block granting of a number of federal education programs. We are concerned that under a block grant there would be no guarantee that federal education funds would be used for the purposes for which they are intended.

Federal funds are intended to supplement local education initiatives. The block grant concept would allow federal dollars to be

substituted for local efforts and the local funds to be diverted for other purposes.

Under the block grant scheme, funding for important initiatives would be put at risk. The Eisenhower Professional Development program, for instance, provides federal funds for intensive professional development of teachers so that they will have the skills needed to teach our children. The primary focus is on mathematics and science. At a time when a recent international study showed that our nation's high school seniors fared worse than their counterparts in 16 nations, the Eisenhower program provides teachers with essential tools. It is critical that federal dollars for this and school improvement programs are spent as intended.

Federal spending on education represents only 7% of the total cost of elementary and secondary school public education. Targeting of these relatively modest resources is appropriate and necessary to insure that the educational needs of local school districts are met.

There is widespread agreement in both political parties that we need to do more to enhance educational opportunities for our children. While there will be differences of opinion on how we might achieve that end, block granting is not the answer. Federal education initiatives must be preserved. We strongly urge you to abandon the ill-conceived block granting of federal education funds.

Sincerely,

JOHN F. TIERNEY, *Member of Congress.*

Attached: 179 Additional Signatures.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 20, 1998.

Hon. RICHARD A. GEPHARDT,
Minority Leader, House of Representatives,
Capitol, Washington, DC.

DEAR CONGRESSMAN GEPHARDT: We write to express our opposition to the proposed block granting of a number of federal education programs. We are concerned that under a block grant there would be no guarantee that federal education funds would be used for the purposes for which they are intended.

Federal funds are intended to supplement local education initiatives. The block grant concept would allow federal dollars to be substituted for local efforts and the local funds to be diverted for other purposes.

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Sincerely,

JOHN F. TIERNEY, *Member of Congress.*

Attached: 179 Additional Signatures.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 20, 1998.

Hon. TRENT LOTT,
Majority Leader, U.S. Senate,
Capitol, Washington, DC.

DEAR SENATOR LOTT: We write to express our opposition to the proposed block granting of a number of federal education programs. We are concerned that under a block grant there would be no guarantee that federal education funds would be used for the purposes for which they are intended.

Federal funds are intended to supplement local education initiatives. The block grant concept would allow federal dollars to be substituted for local efforts and the local funds to be diverted for other purposes.

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Sincerely,

JOHN F. TIERNEY, *Member of Congress.*

Attached: 179 Additional Signatures.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, April 20, 1998.

Hon. THOMAS A. DASCHLE,
Minority Leader, U.S. Senate,
Capitol, Washington, DC.

DEAR SENATOR DASCHLE: We write to express our opposition to the proposed block granting of a number of federal education programs. We are concerned that under a block grant there would be no guarantee that federal education funds would be used for the purposes for which they are intended.

Federal funds are intended to supplement local education initiatives. The block grant concept would allow federal dollars to be substituted for local efforts and the local funds to be diverted for other purposes.

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Sincerely,

JOHN F. TIERNEY, *Member of Congress.*

Attached: 179 Additional Signatures.

REPRESENTATIVE JOHN F. TIERNEY'S EDUCATION BLOCK GRANTS LETTER: 180 MEMBERS TOTAL

Abercrombie, Ackerman, Allen, Andrews, Baldacci, Barrett, T., Bentsen, Berman, Berry, Bishop, Blagojevich, Blummenauer, Bonior, Borski, Boswell, Brown, C., Brown, G., Brown, S., Capps, Cardin, Carson, Clay, Clayton, Clement, Clyburn, Condit, Conyers, Costello, Cramer, Davis, D., Davis, J., DeFazio, DeGette, Delahunt, DeLauro, Deutsch, Dingell, Dixon, Doggett, Dooley, Doyle, Edwards, Engel, Eshoo, Etheridge, Evans, Faleomavaega.

Farr, Fattah, Fazio, Filner, Ford, Frank, Frost, Furse, Gejdenson, Gordon, Green Guiterrez, Hall, T., Hamilton, Hastings, A., Hefner, Hilliard, Hinchey, Hinojosa, Holden, Hooley, Hoyer, Jackson, Jackson-Lee, Jefferson, Johnson, E.B., Johnson, Jay, Kanjorski, Kaptur, Kennedy, P., Kennedy, J., Kennelly, Kildee, Kilpatrick, Kind, Klezcka, Klink, Kucinich, LaFalce, Lampson, Lantos, Leach, Levin, Lewis, John, Lofgren, Lowey, Luther.

Maloney, J., Maloney, C., Manton, Markey, Martinez, Mascara, Matsui, McCarthy, C., McDermott, McGovern, McHale, McKinney, Meehan, Meek, Meeks, Menendez, Millender-McDonald, Miller, G., Minge, Mink, Moakley, Moran, James, Morella, Murtha, Nadler, Neal, Oberstar, Olver, Owens, Pallone, Pascrell, Payne, Pelosi, Peterson, C., Pomeroy, Price, Quinn, Rahall, Reyes, Rivers, Rodriguez, Roemer, Romero-Barcelo, Rothman, Roybal-Allard, Rush.

Sanchez, Sanders, Sandlin, Sawyer, Schumer, Scott, Serrano, Sherman, Skaggs, Skelton, Slaughter, Smith, Adam, Snyder, Spratt, Stabenow, Stark, Stokes, Strickland, Stupak, Tanner, Tauscher, Thompson, Thurman, Tierney, Torres, Traficant, Turner, Underwood, Velazquez, Vento, Visclosky, Waters, Watt, Waxman, Wexler, Weygand, Wise, Woolsey, Wynn, Yates.

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