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04

Details: Informational Hearing (September 13, 2007)

(FORM UPDATED: 07/12/2010)

WISCONSIN STATE LEGISLATURE ... PUBLIC HEARING - COMMITTEE RECORDS

2007-08

(session year)

Senate

(Assembly, Senate or Joint)

Committee on ... Education (SC-Ed)

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**
- Record of Comm. Proceedings ... **RCP**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt**
- Clearinghouse Rules ... **CRule**
- Hearing Records ... bills and resolutions
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution)
 - (**ajr** = Assembly Joint Resolution)
 - (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

MB

HERB KOHL
WISCONSIN

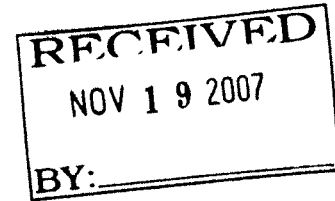
WASHINGTON OFFICE:
330 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510
(202) 224-5653
T. T. Y. (202) 224-4464
<http://kohl.senate.gov/>

COMMITTEES:
APPROPRIATIONS
JUDICIARY
SPECIAL COMMITTEE
ON AGING

United States Senate

WASHINGTON, DC 20510-4903

October 25, 2007



Mr. John Lehman
Wisconsin Legislature
P.O. Box 7882
Madison, Wisconsin 53707-7882

Dear Mr. Lehman:

Thank you for taking the time to share your thoughts with me about education. I appreciate hearing from you.

I believe we must ensure that all of America's young people have an opportunity for a quality education and have consistently supported efforts at the Federal level to improve educational opportunities. Education is the key to solving some of our nation's most difficult problems, including poverty and drug abuse. And while we have made great strides in recent years, our nation can do better. Given the increasingly competitive international economy, education is the key to America's continued success.

As you know, the 107th Congress passed the "No Child Left Behind Act of 2001 (NCLB)," which is intended to provide real reform of our nation's public schools and real opportunity for students to succeed. The law ensures that additional resources are targeted to more districts with higher concentrations of poverty. It attempts to provide more flexibility for schools to design programs to meet the needs of their communities. It also ensures that schools and districts are making demonstrable gains in closing the achievement gap between low-income and more affluent students. It applies performance standards and accountability for teachers and school districts, ensuring for the first time that in exchange for increased funding and flexibility, we will demand real results in improving student achievement.

I am pleased that schools and educators in Wisconsin are working very hard to meet the requirements of NCLB. For the sixth consecutive year, Wisconsin's composite ACT score has remained one of the highest in the nation among ACT-taking states. Additionally, Wisconsin's third grade students' statewide 2005 scores on the Wisconsin Reading Comprehension Test have shown an overall improvement, with nearly 87% of students scoring proficient or advanced since the enactment of NCLB. At the same time, there is still more work to do to ensure that all students achieve to high standards. I also realize that some States and schools have raised concerns about the requirements of NCLB. The Department of Education has provided some flexibility on certain requirements, and I believe we must continue to carefully monitor the implementation of NCLB to ensure educators have the tools they need to be successful.

MILWAUKEE OFFICE:
310 WEST WISCONSIN AVENUE
SUITE 980
MILWAUKEE, WI 53203
(414) 297-4451
T.T.Y. (414) 297-4485

MADISON OFFICE:
14 WEST MIFFLIN STREET
SUITE 207
MADISON, WI 53703
(608) 264-5338

EAU CLAIRE OFFICE:
402 GRAHAM AVENUE
SUITE 208
EAU CLAIRE, WI 54701
(715) 832-8424

APPLETON OFFICE:
4321 WEST COLLEGE AVENUE
SUITE 235
APPLETON, WI 54914
(920) 738-1640

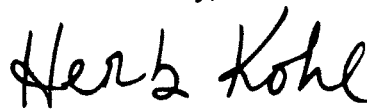
LACROSSE OFFICE:
425 STATE STREET
SUITE 202
LACROSSE, WI 54601
(608) 796-0045

Clearly, one of the key components to the success of NCLB is making sure funding is sufficient to meet the law's goals. Educators are working hard to improve schools, but they need the federal funding promised to them to succeed. I am disappointed that since the passage of NCLB, Congress and the President have failed to sufficiently fund education programs. Since the inception of NCLB, funding for education grants has fallen \$54.7 billion short of authorized levels and the President's Fiscal Year 2008 budget falls \$11.1 billion short of the \$25 billion authorized for NCLB. Consequently, the President's budget proposal leaves Wisconsin schools with \$218 million instead of \$406 million if NCLB were fully funded.

Investing in our young people pays dividends now and far into the future. Although I am known as a deficit hawk, I believe our classrooms are one place where we can't afford to skimp. As a member of the Senate Appropriations Committee, you can be sure I will continue to support full funding for NCLB programs and investments.

Again, thank you for contacting me. I appreciate knowing your thoughts on this issue.

Sincerely,

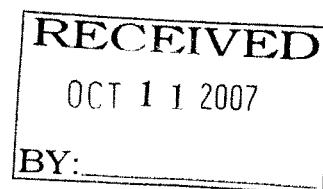
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Herb Kohl
United States Senator

HK: sc



ELK MOUND AREA SCHOOL DISTRICT
RESOLUTION



WHEREAS, on January 8, 2002, President Bush signed into law the No Child Left Behind (NCLB) Act of 2001, which applies to all school districts and schools within states that accept federal Title I dollars; and

WHEREAS, the Board of Education of the Elk Mound Area School District supports the goals of NCLB of raising student achievement; closing the achievement gap; and ensuring that each child has a highly qualified teacher; and

WHEREAS, the Board of Education of the Elk Mound Area School District continues to welcome the accountability for improving student and school performance; and

WHEREAS, the Board of Education of the Elk Mound Area School District has had five years of operational experience in implementing NCLB; and

WHEREAS, the Board of Education of the Elk Mound Area School District has identified improvements that could be made to NCLB that would eliminate barriers to full implementation of the federal law; and

WHEREAS, the National School Boards Association (NSBA) developed draft legislation based on input from local school boards across the nation that would address the concerns of local school boards, and improve the implementation of NCLB; and

WHEREAS, in April 2006 the NSBA Delegate Assembly re-affirmed its support of federal legislation that is consistent with the NSBA draft legislation; and

WHEREAS, in January 2007 Representative Don Young (R-AK-AL) introduced legislation, the No Child Left Behind Improvements Act of 2007, H.R. 648, that is consistent with the NSBA draft legislation, and has strong bipartisan support from the bill's co-sponsors: Representatives Mike Ross (D-AR-4), Thaddeus McCotter (R-MI-11), Charlie Melancon (D-LA-3), Todd Platts (R-PA-19), Steven Rothman (D-NJ-9), and Jo Bonner (R-AL-1) ; now therefore, be it

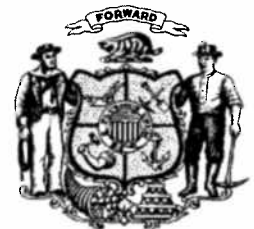
RESOLVED, that the Board of Education of the Elk Mound Area School District urges Representatives Ron Kind (D-WI-3) and David R. Obey (D-WI-7) to fully support H.R. 648 by becoming co-sponsors of the bill, and be it further

RESOLVED, that the Board of Education of the Elk Mound Area School District seek the support of local community and civic leaders and appropriate members of the Wisconsin Legislature in encouraging Representatives Ron Kind (D-WI-3) and David R. Obey (D-WI-7) to become co-sponsors of H.R. 648, and be it finally

RESOLVED, that copies of this resolution be sent to members of the Wisconsin U.S. congressional delegation, the governor, the members of the Wisconsin Assembly and Senate, local public governing officials, and to Elizabeth Burmaster, Wisconsin State Superintendent of Public Instruction.



WISCONSIN STATE LEGISLATURE



Fact Sheet for the Improving Student Testing Act of 2007

U.S. Senator Russ Feingold will be introducing the Improving Student Testing Act of 2007, a bill that will make changes to the No Child Left Behind Act to improve the quality of education assessments used in our schools and support innovative state and local school reform efforts. The legislation is fully paid for through offsets.

Feingold's legislation contains the following provisions:

- **Reforming NCLB's Focus on High Stakes Testing** – Encourages states and local districts to move away from using high stakes standardized testing as the primary measurement of academic achievement in school accountability decisions. The bill provides competitive grant funds for states and local districts encouraging the creation of higher-quality, authentic measurements of student performance. The legislation also provides states and local districts with flexibility to use high-quality multiple measures of assessment in state testing and accountability systems.
- **Reforming Testing Mandates** – Promotes state and local control over decisions affecting children's day-to-day classroom experiences, including the frequency and use of high-stakes standardized testing. The bill reforms the federal testing mandate to allow annual assessments at least once in grades 3-5, 6-9, and 10-12, instead of the current requirement for annual testing in grades 3-8 and once in high school.
- **Revising the One-Size-Fits All Adequate Yearly Progress Model** – Provides flexibility for states to develop alternative accountability models. One example of such models includes growth models, which allow schools to better ensure that each student, regardless of his or her current academic level, continues to make academic progress.
- **Addressing the 2014 Deadline** – Reforms the 2014 deadline by putting in place a funding trigger that waives the 2014 deadline for any year that Congress does not fully fund Title I, Part A.
- **Improving the Department of Education's Peer Review Process** – Makes changes to the Department's peer review process to ensure that states have the ability to interact directly with peer review teams. The bill also encourages more consistent decision-making from state to state during the federal peer review process of state testing and accountability systems.
- **Disaggregating Graduation Rates** – Requires states to disaggregate graduation rates by NCLB's student subgroups, including economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and students with limited English proficiency.
- **Encouraging Capacity Building** – Creates a competitive and flexible grant program to provide funds for states and local districts to help build their infrastructure and capacity. Increased access to federal funding for capacity building will help encourage states to develop better assessment and accountability systems including using multiple measures of assessment and growth models.
- **Improving Privacy Protections** – Includes important measures to help ensure the privacy of personal information contained in state education data systems.

*IS THIS FROM YOU
OR FROM FEINGOLD'S OFFICE?*



H.R. ____, to reauthorize the Elementary and Secondary Education Act of 1965

SUMMARY OF DISCUSSION DRAFT

Title I – Improving the Academic Achievement of the Disadvantaged

Title I, Part A – Disadvantaged Children Meet High Academic Standards

Title I, Part A is the largest program in the Elementary and Secondary Education Act and authorizes federal aid to State and local educational agencies for helping educationally disadvantaged children achieve to the same high State academic achievement standards as other students.

Graduation Promise Fund - Establishes new resources for high schools with the lowest graduation rates to support school-wide improvement activities, including data-driven decision making, improved curriculum and instruction, personalization of the school environment, staff collaboration and professional development, and individualized student supports. Establishes, identifies and provides services to middle school students who are most at risk of dropping out. Provides counseling services to students at risk of dropping out.

College and Work-Ready Standards and Assessments - Establishes college and work-ready standards and assessments by incentivizing states that have not already done so to review their standards in light of national and international benchmarks and collaborate with the business and higher education community in the state to develop standards that are aligned to the skills and knowledge necessary for success in college and the workforce. States that choose to revise their standards would, as part of this process, fully align their state assessments to the new standards, ensure that assessments measure critical skills such as problem-solving and application of knowledge and meet high technical quality standards.

Multiple Indicators/Assessments - Allows states to use more than a single test for accountability purposes. States can use multiple, state-developed assessments taken at different points in time to measure AYP and may consider more than reading and math assessments in the final AYP determination. Such additional indicators of school progress include graduation rates, dropout rates, college enrollment rates, percentages of students successfully completing end of course exams for college preparatory courses, assessments in history, science, civics and government, and writing, and improvements in the performance of the lowest and highest performing students in the school. Substantial improvement on such indicators may provide credit of up to a total of 15% of elementary schools' Annual Measurable Objectives and 25% of high schools' Annual Measurable Objectives. Requires states to make itemized score analyses understandable and useful to schools.

Growth Models - Allows states to integrate measurement of student academic growth into the state's definition of adequate yearly progress. Rather than mandating use of one specific growth model the bill lays out principles for growth models, thus allowing for flexibility and innovation as new models are developed. Growth model principles include:

- Continuing the expectation that all students in each subgroup will be proficient by 2013-2014 or be on a trajectory for proficiency within 3 years;
- Establishing annual measurable objectives that are based upon the state's proficient levels and not upon individual student background characteristics;
- Establishing separate, measurable growth targets for mathematics and reading/language arts;
- Ensuring all students who take the state's assessment are included in the state's accountability system;
- Including comparable results from grade-to-grade and year-to-year within the definition of AYP; and
- Including rates of student participation in assessments and academic achievement as separate indicators in determining AYP.

In order to use a growth model, states need to have in place longitudinal data systems that compare the same group of students each year. These data systems will include certain elements, including:

- An ability to match individual student scores on state academic assessments from year to year;
- A unique student identifier so test scores can be monitored while individual privacy is protected and a unique teacher identifier that matches student records to the appropriate teacher;
- Enrollment, attendance, demographic and program participation information including individual student membership in subgroups at the school, grade and classroom level;
- Student-level data on the entrance and exit of the education system for each student including first-time grade enrollment, grade level retention, transfer status, and drop out rates.

Performance Index - Allows states to get partial credit towards their AMOs for increasing the numbers of students who move from below basic to basic and proficient to advanced.

N size and Confidence Intervals

- Under NCLB, states are required to set a minimum subgroup size, or "n size," for both reporting and accountability purposes. Since passage of NCLB, a number of reports have surfaced that show large "n sizes" as approved by the Department of Education mean that nearly two million students, mainly disadvantaged students, are not being counted when schools report AYP by student groups. The discussion draft closes this loophole by setting a maximum "n size" of 30, which will yield

statistically reliable information without producing personally-identifiable information about individual students.

- Sets a maximum confidence interval of 95% and 75% on Safe Harbor. Improves accountability by prohibiting confidence intervals around multiple indicators and growth models.

English Language Learners (ELLs) – Under current law, states and local school districts are required to assess English Language Learners (ELL) in both reading/language arts and math, as well as in English language acquisition, in order to ensure they are learning English. The discussion draft would:

- Consistent with state law, require states with more than 10 percent of ELLs who share the same language within the state will develop valid and reliable native language assessments designed specifically for that language group.
- Provide funding to develop appropriate assessments for ELLs (Title VI).
- Require the Secretary to withhold 25 percent of administration funds from states that do not have in place a valid and reliable system (i.e. native language assessments, portfolio assessments, research based and simplified English assessments) of measuring ELLs within two years from the date of enactment.
- To ensure that ELLs remain in the accountability system while giving states time to develop appropriate assessments and accommodations, allow state to use the English Language Proficiency test for the purpose of determining AYP in reading/language arts for the students with the lowest levels of English proficiency for no more than two years from enactment.
- Authorize states to use portfolios and other alternate valid and reliable assessment measures to assess English Language Proficiency of ELL students.
- Allows states and school districts the flexibility to test ELL students using alternate, valid and reliable assessments, such as native language assessments for up to five years (up from three years in current law), with the option of providing a local educational agency-approved waiver for an additional two years on a case-by-case basis.
- Allow states to exclude the assessment results of recently arrived ELLs (those who have been in the country for less than one year) when determining AYP.
- Allow ELL students to remain in that group for accountability purposes for three years after they exit the program.
- Require states to identify accommodations used in assessing ELLs and students and for state plans to demonstrate how the state will prepare teachers to use accommodations appropriately.

Students with Disabilities -- Under current law and consistent with the Individuals with Disabilities Education Act (IDEA), all students with disabilities are required to participate in state accountability and assessment systems. To this end, states are required to include the scores of students with disabilities when determining whether schools and local educational agencies have met their AYP goals for the school year. The discussion draft would maintain these important provisions, but:

- Provides funding to develop appropriate assessments for students with disabilities. States will have 2 years to come into compliance with this requirement or face a loss of up to 25% of state administrative funds.
- Allows special education students to remain in that group for accountability purposes for three years after they exit those programs.
- Maintains the policy that allows the proficient scores of 10% of students with disabilities (1% percent of all students) with the most severe cognitive disabilities who take alternate assessments based on alternate standards to count as proficient when determining AYP.
- For three years, continues the regulation that allows the proficient scores of 20% of students with disabilities (2% of all students) who takes modified assessments based on modified achievement standards to count as proficient when determining AYP. Requires the Secretary to review key studies and re-regulate the issue based on the results of such studies after 3 years
- Allows certain districts with high numbers of students with disabilities to get a waiver to waive the 2% percent cap up to 3% without such students counting against the state's overall cap.
- Ensures more students with disabilities have access to state assessments by requiring that state assessments minimize the effect of construct irrelevant barriers factors such as bias and disability and maximize the number of allowable accommodations.

Peer Review - Creates a more transparent peer review process. Allows states the fair opportunity to amend their plans before the Secretary can decline to approve any plan.

Report Cards - Includes opportunities for parent and community involvement and rates of suspension and expulsion disaggregated by subgroup on the local report card. Requires disaggregated reporting of key school resource indicators for the highest and lowest achieving deciles of public schools in the state.

Other Elements of the State Plan - Requires states to collect data and report on non-academic barriers to learning and to learning and to collaborate with public and private organizations to help reduce such barriers to student achievement. Ensures that states disseminate information on including community-based organizations in parental involvement activities. Ensure accessible curricula for ELLs and special education students.

Comparing State Standards - Directs the National Academy of Sciences (NAS) to study how best to compare standards across states and directs the Secretary to develop a common scale using the results of the NAS study.

Local Educational Agency Plans - Substantive changes include developing a plan to identify and assist students at risk of dropping out, reporting on community involvement, ensuring accessible curricula for ELLs and special education students and providing access to current instructional materials aligned with state standards.

School Improvement and Assistance and School Redesign – Under current law, schools that have not made state-defined AYP for two consecutive school years are identified by the school district as “in need of improvement” before the beginning of the next school year. These schools receive technical assistance to improve performance, develop a plan to turn around the school, and are eligible to receive Federal funds for school improvement. Under current law, school districts are also required to offer public school choice and Supplemental Educational Services (SES) to students in low-performing schools, and schools are required to implement various corrective action and restructuring interventions to improve the school.

School Improvement and Assistance -- The discussion draft would replace the current system because of the concern that, under the law, all schools regardless of their circumstances are treated the same and subject to the same interventions despite differences in performance. The discussion draft would:

- Create two separate and distinct school improvement and assistance systems: (1) one for “Priority Schools” that would include those schools that miss AYP in one or two student groups and need only minor interventions; and (2) another for “High Priority Schools” which would include those schools that miss AYP in most, if not all, of their student groups and need more substantial assistance. Schools that are close to reaching AYP will not be subject to the same level of intensity of interventions as schools that are chronically struggling.
- Remove the requirement that all schools that miss AYP provide students with supplemental educational services and choice and, instead, would limit this requirement to High Priority Schools.
- Require all schools that miss AYP to:
 - Provide their teachers with high-quality professional development, including state-of-the-art mentoring for all new teachers. Professional development must be aligned to the state’s standards and the curriculum they are teaching, directly addresses the student’s academic achievement needs, and incorporate the results of formative assessments;
 - Ensure that students who need the most help are assigned to the teachers best equipped to help them by ensuring that no student in the school is taught for two consecutive years by novice or out-of-field teachers (or, if school capacity does not allow this, publicly reporting on the inequities to parents, the school district, and the local community.)
- Provides a range of proven intervention options for schools: High Priority elementary schools will adopt at least the first three proven interventions listed below, High Priority secondary schools will adopt at least the first four interventions and Priority Schools will choose at least any two of the following proven interventions, targeting them to the subgroup(s) that are struggling:
 - **Proven Instructional Programs**—schools can revise their instructional programs in order to better align them with the state’s standards. In the case of high schools, this can include improving rigor by ensuring that a

full college and work-ready curriculum is available consistent with the Academic Competitiveness Initiative, including increases in AP and similar courses, dual enrollment or early college secondary school opportunities; creating contextual learning opportunities aligned with work-readiness such as high-quality career and technical education; or implementing integrated curriculum.

- **Formative Assessments and Data-Based Decision-Making**—schools can adopt use of formative assessments that provide teachers with real-time diagnostic information on their students’ progress and can inform their instruction;
 - **Parental Options**—schools can adopt use of free after-school tutoring for low-income students and public school choice as consistent with state law;
 - **Personalized Learning Environments**—schools can provide activities that increase student engagement and attendance, including dropout recovery and credit completion programs, smaller schools, and 9th grade transition programs;
 - **Extended Learning Time**—schools can increase students’ access to after school, summer school and other learning opportunities that go beyond the current typical school day, which may include extra instruction in reading and math;
 - **Supervised Intervention Models**—schools can use supervised intervention models for low-performing schools (such as Response to Intervention approaches, tiered instructional interventions); and,
 - **Specialized Support and Parent and Community Involvement**—schools can offer extra help for students with diverse learning needs, such as English Language Learners and students with disabilities – and additional counselors, social workers, and other supports including activities that link families with support services that help meet students’ non-academic needs. In the case of high schools, this can career academies and other student engagement activities.
- **Redesign** – The bill would create two separate and distinct redesign systems: (1) one for “Priority Schools” and another for “High Priority Schools”.
 - Requires “Priority Redesign Schools” to institute significant revisions in their instructional and leadership programs and support services provided to the groups of students that did not meet proficiency targets and review the performance of the school leadership and all staff serving that group of students.
 - Requires “High Priority Redesign Schools” to close the school, which could be reopened only after a comprehensive redesign of its instructional program and the staffing of the school; close the school and reopen it as a charter school; or reconstitute the school’s leadership and staff and significantly revise the instructional program in the subject areas for which the school was identified as not making AYP.
 - Requires school districts to limit the number of “High Priority Redesign Schools” to 10 percent or 50 schools, whichever is less. Schools that exceed the 10 percent cap will implement the measures specified for “Priority Redesign Schools” and other interventions to improve the academic achievement of its non-proficient students.

School Support, Recognition of Success, and Bringing Success to Scale – Establishes an academic achievement awards program to identify and reward schools districts that have made the greatest gains in closing the achievement gap so that they may serve as models and provide support for other school districts. Facilitates innovative partnerships between school districts and the philanthropic and business communities that will help sustain successful school reform and bring it to scale. Requires states to establish a statewide system of intensive, sustained support and improvement for the schools and districts in greatest need of support and assistance.

Parental Involvement - Strengthens Parental Involvement policies by giving parents an opportunity to be involved in helping form school policies, goals, and reforms. Schools must show how they will receive and process parent feedback on the policy. To help engage parents in school educational goals, school-family compacts will be based on a school's current student achievement data and academic goals. To improve outreach to parents, schools will be encouraged to use multiple forms of communication to get parents the information they need about school and parent programs, meetings, and other activities by using web sites, e-mails, newsletters, telephone calls, home visits, cable TV shows, and district publications to reach out to parents.

Qualifications for Teachers and Paraprofessionals - Requires that all students be taught by teachers who meet at least a minimum standard of qualifications and for SEAs and LEAs to report on their progress of ensuring that all teachers are highly qualified.

Participation of Children Enrolled in Private Schools – Current law establishes criteria for the equitable participation of private school students and teachers in programs under Title I, Part A. The discussion draft clarifies which funds are subject to equitable participation requirements and how the proportion of such funds to be provided for services for private school students may be determined. Requires local educational agencies, under certain circumstances, to explain why consensus was not reached during the consultation process.

Closes Comparability Loophole - ESEA contains “comparability provisions” that are intended to ensure that Title I schools are not shortchanged by state and local funding formulas. The theory is that when Title I funds are applied to an equal funding base, then Title I funds can provide extra help for low-income students – an essential part of closing the achievement gap. Yet the current NCLB includes a large loophole that actually allows school districts to provide high-poverty schools with less state and local funding, which is measured largely through teacher salaries. Closing this loophole will ensure that Title I schools – and the students who attend them – get their fair share of state and local resources as measured through teacher salaries. Requires districts to attain equity in teacher distribution and to include this information on district report cards.

Longitudinal Data Systems – Since longitudinal data systems are necessary to implement growth models, each state will develop and implement a longitudinal data system within 4 years of the passage of this bill. Data collected by these systems include

student academic achievement results, graduation rates and other data elements related to academic achievement. Includes requirements for creating the longitudinal data system.

Graduation Rates – Makes improving graduation rates a priority by:

- **Graduation Rate definition:**
Sets a single definition of graduation rate to be used across states. The rate includes the option for a 4 or 5 year rate.
- **Graduation Rates AYP:**
Ensures real accountability for graduation rates by requiring disaggregation of data and by requiring a rigorous, but reasonable, rate of growth that all schools must meet to make AYP. States will either require schools to meet an average growth target of 2.5 percentage points per year to make AYP (3 percentage points if a 5 year rate is used) or may develop an alternate system that is equally rigorous and results in closing the achievement gap between subgroups by 2019-2020.
- **Credit for Meeting Full Graduation Rate Requirements:**
If schools meet the full state growth target for specific groups of students, it can get credit of up to 15% of their AMO in determining AYP for that group. Creates a single measure for reporting and requires high schools to meet benchmarks for increasing graduation rates with an end goal of a 90% rate. Requires disaggregation of graduation rate data. Allows students who graduate in 5 years to count towards the school's definition of graduation rate.

Title I, Part B – Student Reading and Literacy Skills Improvement Grants

Title I, Part B, includes the law's literacy programs, including Reading First, which provides assistance to States and local educational agencies in establishing scientific research-based reading programs for all children in kindergarten through grade three and Early Reading First, which enhances reading readiness for children in high poverty areas, and where there are high numbers of students who are not reading at grade level. The title also includes the Even Start Family Literacy Programs, which provides literacy services to parents and their children in order to break cycles of low literacy. The text of Title I, Part B, will be provided at a later date.

Pilot Program to Include Locally Developed Measures - Establishes a 15-state pilot project where, in addition to state-wide assessments, states can include a system of high quality, comparable local assessments that are rigorously aligned with state standards to augment the adequate yearly progress determination. The state shall establish a rigorous quality control system and in an ongoing way ensure that districts with high percentages of poor and minority students are held to the same high standards. States will have to conduct an independent evaluation to ensure the validity and reliability of their system and that assessments measure the same high standards across districts. Based on the results of the evaluation, states will have to suspend or amend their systems. If the pilot yields effective models, after three years, the Secretary can expand the pilot to more states.

Title I, Part C – Migrant Education

Title I, Part C, authorizes a program for children of migrant workers to assist them in overcoming academic problems associated with multiple relocations. Strengthens the oversight and implementation of the program, updates definitions, and adds language to ensure data collection is valid and reliable. Modifies the formula by removing a calculation for the number of children who received services in summer or inter-semester programs provided by the State and reducing the hold harmless from 100 percent of the amount States received in 2002 to 90 percent of the amount. The new formula would apply in any fiscal year, whereas current law applied the formula only in fiscal years in which the amount appropriated for the program exceeded the amount appropriated in 2002. The discussion draft also requires States to submit documentation on the accuracy of the States' counts of eligible children to the Secretary of Education subject to an audit by the Secretary and includes a new national evaluation of the program's effectiveness.

Title I, Part D – Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-Risk

Title I, Part D, provides formula grants to States to serve neglected and delinquent youth in institutions, community day programs, and correctional facilities. The discussion draft ensure that neglected, delinquent, and at-risk children and youth have access to instruction in core academic areas.

Title I, Part E – National Assessment of Title I

Title I, Part E, authorizes the Secretary of Education to conduct an evaluation of Title I programs and activities, including the implementation and impact of standards, assessments, accountability, public school choice, and supplemental services required under Title I, and report the evaluation findings to Congress. It also requires the Secretary to conduct a longitudinal study of schools receiving assistance under Title I. The discussion draft also requires the National Academies of Sciences to conduct a study to identify an appropriate instrument to accurately measure the closing of achievement gaps among various racial and ethnic groups.

Expands the assessment to include evaluation of how programs in Title I have impacted high school graduation rates and the types of programs that have shown the greatest likelihood of helping students graduate on time. Includes finding more accurate ways of measuring the achievement gap.

Title I, Part F – Comprehensive School Reform

Title I, Part F, authorizes the Comprehensive School Reform program, which is designed to assist schools in improving the quality of the entire school based upon reliable research and effective practices. Includes the next generation of comprehensive school reform based on Chicago's school reform model.

Title I, Part G – Advanced Placement

Title I, Part G, authorizes the Advanced Placement program, which supports efforts by States and local school districts to increase access to advanced placement tests, improve Advanced Placement programs, increase student academic achievement, increase the number of individuals who achieve a baccalaureate or advanced degree, and decrease the amount of time such individuals require to attain such degrees. This section was rewritten to be consistent with the AP-IB language in the COMPETES Act. It also maintains current law's requirement that some funds be spent to help students pay for exam fees.

Title I, Part H – School Dropout Prevention

Title I, Part H, provides grants to States to strengthen and develop dropout prevention and school reentry programs and to raise academic achievement levels by providing grants that: (1) challenge all children to attain their highest academic potential; and (2) ensure that all students have substantial and ongoing opportunities to attain their highest academic potential through school-wide programs proven effective in dropout prevention and school reentry.

The discussion draft rewrites the existing program to provide incentives to states to raise their graduation rates. Under the proposal, states are required to conduct a policy gap and impact analysis to determine how to strengthen state policies in order to raise graduation rates while ensuring a rigorous secondary education. The analysis would examine policies of school funding, data capacity, accountability systems, interventions, new school development, and dissemination and implementation of effective local school improvement activities. The states would then implement the recommendations in an effort to increase its graduation rates, and develop a system to measure and adjust those policies in order to achieve policy targets and student outcomes defined throughout the grant process. Maintains current law's national dropout prevention programs. Includes state capacity component of Graduation Promise Act.

Title I, Part I, Core Curriculum Development

Title I, Part I, includes a new program to provide funds to low-income districts to support high quality instruction in music and arts, foreign languages, civics and government, economics, history, geography and physical education and health. Funds would support expanding the amount of instructional time in such subjects, developing high quality curriculum, providing essential materials and textbooks and partnering with community-based organizations to increase student learning in these subjects.

Title I, Part J, Expanded Learning Time Demonstration Program

Title I, Part J, includes a new program to provide funds to states and local educational agencies to expand learning time aimed at improving student achievement and engagement. Funds could be used to expand learning time at elementary and secondary

schools to spur innovation, redesign and improve educational programs, improve instruction and teacher collaboration, and improve the academic achievement of all students in participating schools. The Secretary of Education would carry out an evaluation of the program and offer technical assistance to those states and schools participating in the program.

H.R. ____, to reauthorize the Elementary and Secondary Education Act of
1965

**SUMMARY OF MILLER-MCKEON DISCUSSION DRAFT
TITLE II – TITLE XI**

Title II – Teacher Excellence for All Children (TEACH)

Part A – Improving Teacher and Principal Quality

Performance Pay (from TEACH Act)

This section provides funding for high-need school districts that choose to apply for performance pay bonuses of up to \$10,000 for outstanding teachers (and of up to \$12,500 for teachers of math, science, special education and other shortage subjects) and annual bonuses of up to \$15,000 to outstanding principals who transfer into the hardest-to-staff schools for four years. The evaluation criteria must be developed in collaboration with local teacher unions and based on multiple measures of success including student learning gains, principal evaluations, and master teacher evaluations, based on objective criteria. School districts applying for these funds must provide matching funds and demonstrate that they will improve their school working conditions and teacher hiring timelines.

Career Ladders for Teachers Program (from TEACH Act)

This section establishes competitive grants for high-need school districts to establish career ladder programs that increase salaries for those teachers who expand their knowledge and skills and take on additional responsibilities or leadership roles within the school. Teachers who serve as master teachers as part of a state-of-the-art induction program can receive up to \$10,000 annually while mentor teachers can receive up to \$5,000 annually. Annual bonuses of up to \$4,000 will also be available for all career, mentor and master teachers and will be based on a combination of classroom observations and student academic growth at the classroom and school level. The grants will also fund up to \$4,000 in annual bonuses to principals of schools that demonstrate school-wide student achievement gains.

Teacher Residency Program Grants

This section establishes competitive grants for high-need school districts to create teacher residency programs based on a proven model in which a prospective teachers work alongside mentor teachers for an academic year. Prospective teachers must be enrolled in an institution of higher education and receive coursework and instruction in the content area they plan to teach as well as pedagogy and classroom management. Participating prospective teachers commit to teach in a high-need school district for a period of 5 years.

Study on Developing a Portable Performance-Based Teacher Assessment (from TEACH Act)

This section requires the Secretary to study the correlation between teacher certification and licensure on other measures of teacher effectiveness while assessing whether current tests of pedagogy are reflective of the latest research. The Secretary will then make a grant to a partnership of an independent professional organization and an organization that represents state educational agencies to model a performance-based assessment that accurately evaluates teaching skills and allow the portability of credentials between states.

Improving Professional Development Opportunities (from TEACH Act)

This section establishes competitive grants for teacher centers based on proven models that provide teachers with high quality professional development, information on developments in curricula, assessments and educational research, and training for new teachers. Center activities include providing mentor support and training in classroom management strategies

Part B – Teacher Quality State Grants

Assurance of Reasonable Progress Toward Equitable Access to Teacher Quality (from TEACH Act)

This section makes Title II funding (\$3.4 billion) contingent upon each state demonstrating that it is taking steps to assess whether poor and minority students are being disproportionately taught by inexperienced, unqualified or out-of-field teachers, and to ensure that it is taking steps to address any disparities. The Secretary is authorized to withhold funds if states fail to make sustained and substantial progress in eliminating disparities.

Allotment to States

This section describes how state grants will be distributed by a formula that allocates 35% of available funds on the basis of a state's school age population and 65% of funds on the basis of a state's school age population coming from families living in poverty.

State Needs Assessment

This section requires each state to conduct a teacher needs assessment to determine which school districts are most in need of highly qualified and experienced teachers with expertise in the subjects they teach. This assessment must be made available to parents and the general public and will include an account of the number of first year teachers, the number of teachers with provisional or emergency teaching certification, the average teacher turnover rate, and the number of core academic subjects not being taught by highly-qualified teachers.

State Plan

This section requires states to prepare a plan to address the needs identified in the teacher needs assessment within two years of enactment of this bill. The plans must describe how funds will be used and for what activities while establishing specific, annual goals for achieving an equitable distribution of teachers and for reducing teacher attrition.

State Applications

This section requires states educational agencies to submit an application in order to be eligible for Title II funding. The application will be comprised of the state plan based on the state needs assessment, a description of how the state will implement the plan and technical assistance it will provide. All applications will be peer reviewed and within 120 days will be approved or disapproved by the Secretary.

State Use of Funds

This section requires that 95% of funds made available to each state be used for subgrants to local school districts and 2.5% of funds will be used for subgrants to eligible partnerships. The remainder is reserved for state activities, targeted high-need districts and those with large numbers of school in need of improvement or redesign, including assistance in establishing uniform reporting methods and technical assistance in developing or implementing activities at the local level. State activities include assistance in the following: training teachers in effectively using data -- including data from formative assessments -- to improve teaching and learning; training teachers in effectively teaching students with diverse learning needs including English Language Learners and students with disabilities; and delivering intensive ongoing professional development through technology, peer networks, and school based coaching; and other activities to improve teaching and learning.

Local Needs Assessment

This section requires each school district to conduct and publish an account of its professional development and hiring needs. This section requires that those who teach English language learners, Native American students, and special education students be involved in the needs assessment. The assessment will give special attention to ascertaining which schools have the greatest needs by analyzing the number of teachers in their first three years, the number of teachers with emergency credentials and the number of classes taught by teachers who are not highly-qualified. Local districts are also required to publicly report a comparison of teacher-quality data for those schools within the district that are designed as Priority or High Priority Schools.

Local Use of Funds

This section specifies how school districts may use these funds and includes the following: state-of-the-art teacher mentoring and induction programs based on proven models that provide support for advancing the retention of new teachers; intensive support to teachers to help

improve instruction in literacy, math, science, and other subjects necessary to providing a well rounded curriculum; specialized training in effective instruction for students with diverse learning needs for general education teachers of English Language Learners and students with disabilities and for new principals leading schools with high populations of English Language Learners or students with disabilities; reducing class size to 18 or fewer students in grades K-3 in high-need school districts; and other activities to improve teaching and learning.

Improving Principal Quality in Urban and Rural Schools

This section authorizes funding for rigorous training to aspiring principals in high-need urban and rural schools through a year long residency program as well as ongoing support after they become principals. Aspiring principals will specifically receive instruction in management and the use of data in designing school improvement plans. The grant recipients shall contribute matching funds equal to 200% of the grant and agree to an independent, external evaluation of the program.

National Activities of Demonstrated Effectiveness

This section establishes three programs. The first creates a competitive grant program for innovative teacher retention programs that will pair teachers with professionals in research or industry in order to develop new curriculum and research, travel and fellowship opportunities for teachers to share their work and knowledge. The second creates a competitive grant program to support activities that encourage teachers who seek advanced certification or credentialing. The third creates a competitive grant program to provide professional development for early childhood educators who work in communities that have high concentrations of children living in poverty.

Part C – Partnerships for Math and Science Teacher Quality Improvement

Grants for Mathematics and Science Partnerships

This section provides funding to states to help them improve the academic achievement of students in math and science by helping institutions of higher education improve the education of math and science teachers; by bringing math and science teachers in elementary and secondary school together with scientists and engineers to increase their subject matter knowledge and teaching skills through the use of sophisticated laboratory equipment and computing facilities; to develop more rigorous math and science curricula; and to improve the training of math and science teachers, including training in the integration of technology into curricula. Authorized activities include the establishment of summer workshops or institutes for math and science teachers and the establishment of distance learning programs. This section requires coordination with the Director of the National Science Foundation on the conduct of summer workshops and the dissemination of information on model programs.

Part D – Math Success for All

Mathematics Success

Combines the Math NOW and Math Skills program currently authorized through the COMPETES Act (P.L. 110-69) into a single grant program. Math Success for All provides grants to local educational agencies to provide targeted help to low-income students in kindergarten through secondary school who are struggling with mathematics and whose achievement is significantly below grade level. In addition, grants may be used to provide in-service training for mathematics coaches who can assist elementary and secondary school teachers to utilize research-based mathematics instruction to develop and improve students' mathematical abilities and knowledge, and assist teachers in assessing and improving student academic achievement.

Part E – Innovation for Teacher Quality

Troops to Teachers

Reauthorizes program to help eligible members of the Armed Forces become highly qualified teachers and to facilitate their employment in high-need schools. Amends current law to allow eligible members to teach in schools that meet alternative definition of high-need if there are no schools within 50 miles of member's residence that meet underlying definition of high-need.

School Leadership Partnership Grants

This section establishes a competitive grant program to encourage states to improve the rigor of their principal certification and licensure processes by developing standards of instructional leadership for inclusion; and by implementing/evaluating the effectiveness of pilot programs in high-need school districts. Pilot programs will include induction during a principal's first two-three years and specialized training for principals with high populations of students with disabilities or English Language Learners.

National Writing Project

This section provides funding for training teachers to improve the teaching of writing and the use of writing as part of the learning process based on proven models. The section requires the National Writing Project to collaborate with institutions of higher education and other nonprofit educational providers in developing the teacher training programs.

Part F – Achievement Through Technology and Innovation

Achievement Through Technology and Innovation

This section provides funding dedicated to train teachers in the use of technology in the classroom and encourages states to ensure all students are technologically literate by the 8th grade. Provides federal funding to help schools that serve disadvantaged and low-income

students purchase computers, software and other technology. Requires that states work with school districts to ensure that schools have access to the most up-to-date computers and software. Supports research to determine the effectiveness of technology programs at the state and national levels.

Ready-To-Learn Television

Reauthorizes Ready-to-Learn Television to support development of educational programming and services for preschool and elementary school students and their parents and teachers to facilitate student academic achievement. Amends current law to explicitly encourage development of digital content and to evaluate the impact of supported programs on teaching and learning, including on children's school readiness.

Internet Safety

Continues requirements to ensure that schools have in place policies to ensure that students do not have access through school computers to obscene materials or materials that are otherwise harmful to minors.

Title III – [Language Instruction for English Language Learners and Immigrant Students]

Amends Title III to emphasize need to provide English Language Learners and immigrant children with access to full curriculum in a comprehensive way. Increases set aside for national activities that focus on development and dissemination of best practices in the teaching of ELLs. Addresses GAO recommendations by requiring the Secretary to improve the reliability of state data to distribute Title III formula funds. Increases trigger for formula from \$650 million to \$750 million.

Title IV – 21st Century Schools

Safe and Drug Free Schools and Communities

Reauthorizes the Safe and Drug Free Schools and Communities Act, which provides funding to states and school districts to prevent violence in and around schools and the illegal use of alcohol, tobacco and drugs by students to create a safe learning environment. Adds a focus on preventing bullying, harassment and gang activity. Encourages states and school districts to use positive behavioral supports. Requires states to direct a portion of state funds to help schools identified as not having a safe climate for academic achievement. Improves the accuracy and availability of data on the incidence of drug use and violence in schools and requires the Secretary to publish a handbook for school crime, offense and incident reporting. Authorizes as national uses of funds the Safe Schools/Healthy Students program and Readiness and Emergency Management for Schools. Authorizes the Secretary to establish a National Resource Center for Positive Youth Development and School Success.

21st Century Community Learning Centers

Reauthorizes 21st Century Community Learning Centers, which provide after-school academic and other enrichment programs. Expands the purposes to include service learning, nutrition and nutrition education, and physical fitness and wellness programs. Clarifies that programs should be targeted to the specific needs of their communities. Supports state efforts to improve the quality and availability of after-school programs, including by developing quality standards. Enables states to increase technical assistance, especially to applicants and potential applicants with less administrative capacity. Supports improved professional development for after-school program staff and provides a priority for programs serving students attending High Priority and Priority Schools. Authorizes study to understand and promote skills students will need to succeed in the workplace and to participate actively in civic activities.

Full Service Community Schools

New Part which provides funds to states and districts to support Full Service Community Schools, which are public schools that collaborate with community based organizations to provide multi-disciplinary services to students, such as health, mental health, literacy, nutrition, family education and job training, and other programs have proven effective in reducing non-academic barriers to learning.

Title V—Promoting Successful Education Reform and Innovative Programs

Part A – Innovative Programs

Participation of Children Enrolled in Private Schools

Clarifies that consultation with private school officials concerning activities under this Title should be consistent with the consultation requirements described in Title IX.

Part B – Public Charter Schools

Charter School Programs

Reauthorizes the Charter School program that provides financial assistance for the planning, program design and initial implementation of charter schools. Permits the State educational agency or an authorized public chartering agency within the state to administer the program and authorize new charter schools. Makes multi-campus charters eligible for grants. Consolidates the Credit Enhancement for Charter Facilities Program in Part Subpart 1 and eliminates the separate authorization for this program. Allows limited loans and predevelopment costs under the Credit Enhancement program.

Part C – Magnet Schools Assistance

Magnet Schools Assistance

Reauthorizes the Magnet Schools Assistance Program, emphasizing equitable access to a high quality education, while encouraging young women and minorities to more actively participate in mathematics and sciences and to increase student involvement in the critical foreign languages. These and other innovative educational designs shall continue to encourage the reduction of minority isolation while encouraging the integration of students of different racial, ethnic and economic backgrounds.

Part D – Fund for the Improvement of Education

Fund for the Improvement of Education

Subpart 1. Studies of National Significance

Funds an independent study into the relationship between childhood trauma and student achievement.

Subpart 2. Elementary and Secondary School Counseling Programs.

Continues the authorization for elementary and secondary school counseling programs. Permits programs to use funds to provide professional development on issues related to students who experience or witness domestic violence to counselors, teachers, principals and other school personnel. Also permits funds to be use to build systemic school counseling programs that promote collaboration among counselors and school personnel.

Subpart 3. Partnerships in Character Education. No Changes.

Subpart 4. Smaller Learning Communities. No Changes.

Subpart 5. Reading is Fundamental.

Reauthorizes Reading is Fundamental but requires RIF to give priority to programs that will serve a substantial percentage of children with special needs, including children with parents with limited English proficiency or low levels of literacy.

Subpart 6. Gifted and Talented Students. No Changes.

Subpart 7. Star Schools Program. No Changes.

Subpart 8. Ready to Teach.

Continues authorization for grants to nonprofit telecommunications entities to carry out a national program to improve teaching in core curriculum areas. Amends law to reflect changes

in available technologies, and to require evaluation of programs based on impact on student academic achievement and access to and use by teachers.

Subpart 9. Foreign Language Education Partnership Program.

Replaces the Foreign Language Assistance Program with the Foreign Language Education Partnership program that provides grants to partnerships that include local educational agencies, and institutions of higher education. Grants will be used to establish and maintain K-12 foreign language programs that will increase the number of high school students who graduate with an advanced level of proficiency in at least one foreign language and promote achievement in critical foreign languages.

Subpart 10. Carol M. White Physical Education Program. Continues authorization for grants to local educational agencies and community-based organizations to initiate, expand and improve physical education programs. Encourages use of funds for innovative equipment.

Subpart 11. Community Technology Centers. No Changes.

Subpart 12. Educational, Cultural, Apprenticeship, and Exchange Programs for Alaska Natives, Native Hawaiians, and their Historical Whaling and Trading Partners in Massachusetts. No Changes.

Subpart 13. Excellence in Economic Education. No Changes.

Subpart 14. Grants to Improve the Mental Health of Children. No Changes.

Subpart 15. Arts in Education. No Changes.

Subpart 16. Parental Assistance and Local Family Information Centers.

Adds new language to ensure that parents of English Language Learners are provided services and that all parents have access to information regarding school safety.

Subpart 17. Combating Domestic Violence. No Changes.

Subpart 18. Healthy High Performance Schools. Repealed.

Subpart 19. Grants for Capital Expenses of Providing Equitable Services to Private School Students. Repealed.

Subpart 20. Additional Assistance for Certain Local Educational Agencies Impacted by Federal Property Acquisition. Repealed.

Subpart 21. Women's Educational Equity Act. No Changes.

Subpart 22. Environmental Education.

Establishes two grant programs: Grants for Enhancing Education through Environmental Education (EEEE) and the National Capacity Environmental Education Grant Program (NCEG). EEEE provides grants to partnerships for professional development in environmental education for teachers and for developing rigorous environmental education curricula. NCEG authorizes competitive grants to expand environmental education, develop standards and disseminate information on proven environmental education programs.

Subpart 23. Increasing the Effectiveness of Substitute Teaching.

Authorizes grants to low income school districts for improving professional development for substitute teachers.

Subpart 24. Innovative, Integrated Curriculums Grant Program.

Provides funds to low income local educational agencies to support integrated curricula in core academic subjects. Grantees must also provide professional development and effective use of data to ensure effective implementation of such curricula.

Part E – Civic Education

Continues authorization for grants to improve civic education in the United States and developing democracies with minor changes, including authorizing outreach to Native Americans.

Part F – Teaching of American History

Adds to this Part a grant for National History Day to provide high quality professional development on the teaching of American history to teachers in grades 6-12, including partnerships with state and local educational agencies, archives, museums or institutions of higher education to conduct summer workshops and facilitate a year-long historical research project.

Title VI—Flexibility and Accountability

Part A – Accountability

Grants for State Assessments

Increases funding for state assessment systems to support the development and implementation of college and work-ready standards and assessments, assessments developed by state consortia, the development and administration of formative, technology and performance based assessments and valid and reliable assessments and accommodations for English Language Learners and students with disabilities and professional development on the use of such assessments.

Grants for Enhanced Assessment Instruments

Establishes Advanced and Innovative Assessment Systems. Authorizes the Secretary, in collaboration with foundations, institutions of higher education, non-profit and for-profit assessment providers and businesses, to establish a pilot project for states or consortia of states to develop performance-based assessments that better measure the skills necessary for success in postsecondary education and the workforce. Assessments will be designed to measure a higher level of learning, including critical thinking and problem solving skills, promote instruction in such advanced skills, reduce time spent on testing and provide more timely feedback to teachers to better inform instruction. Assessments must be peer-reviewed, meet all the technical quality requirements of the Act, be used for all students in the state and include scoring rubrics that will yield valid, reliable and comparable results across the state. Such assessments could be used as part of the State assessment system defined under Section 1111(b)(3) and as part of Adequate Yearly Progress determinations.

Funding

Requires states that have not yet developed valid and reliable assessments for students with disabilities and English language learners to use at least 33% of State Assessment Grants for this purpose. Half of the reserved funds shall go to developing assessments for each group of these students.

Transferability of Funds

Allows local educational agencies, as part of consultation with private school officials concerning transferability of funds, to transfer funds generated by the count of private school students in proportions different from funds generated by the count of public school students.

Part B – Rural Education Initiative

Amends the Small, Rural School Achievement Program (SRSA) to increase the minimum initial grant amount allowed under the formula to \$25,000 - \$80,000. This increase only goes into effect once total allocations for the Rural Education Achievement Program reach \$200 million. Allows districts that do not receive funding under the SRSA program to receive funding under the Rural Low-Income School program. Makes the measure of poverty under the RLIS program based on free and reduced lunch data, instead of census poverty, to provide a more accurate measure of poverty in rural districts.

Title VII—Indian, Native Hawaiian and Alaska Native Education

Part A – Indian Education

Reauthorizes Indian education programs. Clarifies that programs are intended to improve the academic achievement of Indian students by meeting their unique cultural, language and educational needs and that funds are to be used only for activities described in this Part. Improves technical assistance available to Indian tribes from the Secretary. Encourages

participation of traditional Indian leaders with expertise in Indian culture and Native languages in programs. Authorizes the Secretary to make grants to Indian tribes and others to carry out Native American language programs and Native American language restoration programs. Requires the Secretary of the Interior to annually provide an assessment to Congress of the amount of funding necessary to sustain the academic and residential programs of schools funded by the Bureau of Indian Affairs.

Part B – Native Hawaiian Education

Reauthorizes Native Hawaiian education programs. Supports greater evaluation of effectiveness of programs. Streamlines membership of Native Hawaiian Education Council to improve Council's efficiency and ability to carry out responsibilities. Prioritizes funding for programs that will improve children's reading, math and science abilities in early grades, addresses the unique needs of at-risk youth, provides teacher professional development, and incorporates unique Native Hawaiian language and cultural aspects.

Title VIII—Impact Aid

Impact Aid shall be extended through 2013.

Title IX—General Provisions

Definitions

Provides amended definitions for key terms referenced in the bill and definitions for new terms such as English language learner and specialized instructional support personnel.

Private Schools

Amends current law to require states to identify to private school officials the state official(s) responsible for implementation of private school participation requirements. Expands the list of programs to which equitable private school participation requirements apply. Clarifies which funds are subject to equitable participation requirements and how the proportion of such funds to be provided for services for private school students may be determined. Requires local educational agencies under certain circumstances when consultation between the agency and private schools concerning how services will be provided does not result in consensus to explain the reasons behind its decision.

Study and Report on Food Marketing

Requires the Department of Education to conduct a study on the extent and types of food marketing in middle and high schools. Requires the Secretary to request pertinent information from the Centers for Disease Control and Prevention's Division of Adolescent and School Health as part of the study. The study will assess all media through which food and beverages are marketed to children in schools. The study also will examine mechanisms regulating marketing in schools.

Title X—Literacy Is Essential

Reading First

Continues authorization for the Reading First program. Amends the peer review process in Reading First to make peer review committees subject to greater transparency through the application of the Federal Advisory Committee Act. Requires that the Secretary provide guidance on how peer review committees shall review applications; how feedback is provided to States; how committee recommendations will be reviewed; and the process for making final determinations. Requires that peer review committee continue to include individuals with the expertise as described in current law as well as expertise with reading instruction for English Language Learners and expertise in improving the academic achievement of children who are below grade level in reading. Provides that instruction and assessments to be culturally and linguistically appropriate.

Early Reading First

Reauthorizes the Early Reading First program for local grantees serving preschool age children. Amends current law to strengthen professional development activities, improves the focus on development of language and early literacy, increases the emphasis on delivery of appropriate services to English language learners, and ensures against conflict of interest.

Even Start

Continues authorization for Even Start Family Literacy Program. Establishes new core indicators for performance. Provides for a longitudinal evaluation to be carried out through the Institute for Education Sciences to conduct research on the impact of Even Start programs on the availability of family literacy services, strengthening parental involvement and improving children's and adults' basic literacy and numeracy skills. Establishes a competitive grants program to expand and enhance family literacy services for families with English language learners. Provides a new competitive grant for innovative family literacy programs for incarcerated parents and their Even Start eligible children.

Striving Readers

Authorizes the Striving Readers adolescent literacy program. Provides that states set aside funds to provide technical assistance, preservice coursework reviews, state licensure and certification recommendations, and progress reports on the reduction of the number of students reading and writing below grade level. School districts may use funds for assessments, training principals to support adolescent literacy initiatives, data collection, recruiting adolescent literacy coaches and professional development. Provides for a national evaluation of the Striving Readers program and its impact on student achievement.

Title XI – Amendments to the McKinney-Vento Homeless Assistance Act

Continues current provisions of McKinney-Vento Homeless Assistance Act that ensures homeless children and youth are taught to the same academic achievement standards as non-homeless children and youth. Increases State and local educational agency responsibility for providing educational services to such children and youth to include ensuring that they have access to charter and magnet schools and career and technical education programs. Directs State and school districts to lift barriers to school stability and graduation for homeless children and youth. Enhances the dispute resolution procedures for determining the best educational interest of such children and youth. Adds new provisions requiring greater attention to young homeless children including ensuring that they are provided access to pre-school programs.