

**AMENDMENT TO H.R. 5, AS REPORTED
OFFERED BY MR. POLIS OF COLORADO**

(Page and line nos. refer to Committee Print 113-18)

Amend section 104 to read as follows:

1 **SEC. 104. SCHOOL PERFORMANCE.**

2 Section 1003 (20 U.S.C. 6303) is amended to read
3 as follows:

4 **“SEC. 1003. SCHOOL PERFORMANCE.**

5 “(a) SCHOOL ACCOUNTABILITY AND IMPROVEMENT
6 SYSTEM.—

7 “(1) IN GENERAL.—Each State receiving a
8 grant under this part shall establish a school ac-
9 countability and improvement system that—

10 “(A) is part of the accountability system
11 required under section 1111(b)(3) and imple-
12 ments the requirements of such system;

13 “(B) supports schools that are not meeting
14 the State’s performance targets under section
15 1111(b)(4)(C) for all students; and

16 “(C) identifies the public elementary
17 schools and secondary schools in the State that
18 will need local interventions under subsection
19 (b), that are focus schools under subsection (c),

1 and that are priority schools under subsection
2 (d), and the processes to be used to improve
3 schools in each category, in accordance with
4 this section and section 2123(b).

5 “(2) REVIEW AND APPROVAL.—The State shall
6 include information describing the school account-
7 ability and improvement system in the State plan
8 under section 1111(b), which shall be subject to peer
9 review and approval by the Secretary as part of the
10 State plan, in accordance with such section.

11 “(b) LOCAL INTERVENTIONS; REPORTING.—

12 “(1) LOCAL INTERVENTIONS.—Beginning in
13 the 2015-2016 school year, each local educational
14 agency receiving a subgrant under this part shall—

15 “(A) identify each school that, after 2 con-
16 secutive years, has not met the same perform-
17 ance target described in section 1111(b)(4)(C)
18 for the same subgroup described in section
19 1111(b)(3)(B)(ii)(II); and

20 “(B) ensure that such school, in collabora-
21 tion with the local educational agency, develops
22 and implements a locally designed intervention
23 to improve student achievement in each such
24 subgroup.

1 “(2) REPORTING.—Each local educational
2 agency that implements locally designed interven-
3 tions under paragraph (1) to support schools that
4 have not met performance targets for a subgroup
5 will report to the State educational agency regarding
6 the resources and interventions used to address the
7 achievement of students in the subgroup, and the
8 outcomes of those efforts. The State educational
9 agency shall annually select the interventions with
10 exemplary outcomes, share such interventions and
11 outcomes with the public, and communicate such
12 interventions and outcomes to the Secretary.

13 “(3) LACK OF IMPROVEMENT.—Each school
14 served under this subpart that has been identified as
15 a school that has not met the same subgroup per-
16 formance target, as described in paragraph (1), for
17 the preceding 3 consecutive years shall work with
18 the State educational agency to implement a State-
19 approved intervention based on established best
20 practices within State.

21 “(c) FOCUS SCHOOLS.—

22 “(1) IDENTIFICATION.—Beginning in the 2015-
23 2016 school year, a State shall identify as a focus
24 school, for the 3-year period following the school’s

1 identification period (except as provided in para-
2 graph (2))—

3 “(A) each public school in the State that—

4 “(i) is not identified as a priority
5 school under subsection (d); and

6 “(ii) is in the 10 percent of such
7 schools with the greatest achievement gaps
8 among the subgroups described in section
9 1111(b)(3)(B)(ii)(II) as compared to the
10 statewide average, as determined by the
11 State academic assessments under section
12 1111(b)(2); and

13 “(B) each public high school in the State
14 that—

15 “(i) is not identified as a priority
16 school under subsection (d); and

17 “(ii) is in the 10 percent of such
18 schools with the greatest graduation rate
19 gaps among such subgroups as compared
20 to the statewide averages.

21 “(2) IMPROVEMENT STRATEGIES.—For each
22 focus school identified under paragraph (1), the local
23 educational agency serving the school shall, in ac-
24 cordance with the State accountability system de-
25 scribed in section 1111(b)(3), develop and imple-

1 ment a measurable and data-driven correction plan
2 to improve the performance of low-achieving sub-
3 groups in the school in order to close achievement
4 gaps. A correction plan under this paragraph shall
5 be developed with input from teachers, parents, com-
6 munity members, and other stakeholders.

7 “(3) IMPROVEMENT.—The State educational
8 agency shall no longer identify a school that has
9 been identified as a focus school for any remainder
10 of the school’s 3-year identification period if at any
11 time during the 3-year period for which a school is
12 so identified, the school has met all of its perform-
13 ance targets as described in section 1111(b)(4)(C)
14 for the school year.

15 “(d) PRIORITY SCHOOLS.—

16 “(1) IDENTIFICATION.—Beginning in the 2015-
17 2016 school year, a State shall identify as a priority
18 school, for the 3-year period following the school’s
19 identification (except as provided in paragraph
20 (5))—

21 “(A) each school served under this subpart
22 in the State that is in the lowest-achieving 5
23 percent of elementary schools;

1 “(B) each school served under this subpart
2 in the State that is in the lowest-achieving 5
3 percent of secondary schools;

4 “(C) each public high school in the State
5 with a graduation rate of less than 60 percent;
6 and

7 “(D) each school served under this subpart
8 that has been identified as a focus school under
9 subsection (c) for the 6 preceding consecutive
10 years.

11 “(2) NEEDS ANALYSIS.—Each local educational
12 agency receiving assistance under this part shall
13 conduct a data-driven needs analysis, which may in-
14 volve an external partner with expertise in con-
15 ducting such needs analysis, of each school identified
16 as a priority school, as the case may be, to deter-
17 mine the most appropriate school improvement
18 strategies to improve student performance. Such
19 needs analysis shall include—

20 “(A) a diagnostic review of data related to
21 students and instructional staff;

22 “(B) an analysis of the school governance,
23 curriculum, instruction, student supports, con-
24 ditions for learning, and parent and family en-

1 gagement practices relative to the needs of the
2 student population; and

3 “(C) the resources, which may include
4 community-based supports and early childhood
5 education, available at the school, local edu-
6 cational agency, and community levels to meet
7 student needs and support improved student
8 achievement and outcomes and the implementa-
9 tion of any school improvement strategy.

10 “(3) STATE AND LOCAL RESPONSIBILITIES FOR
11 IDENTIFIED SCHOOLS.—

12 “(A) STATE RESPONSIBILITIES.—Each
13 State receiving a grant under this part shall en-
14 sure that a local educational agency receiving
15 assistance under this part carries out the re-
16 quirements of subparagraph (B) for each school
17 identified as a priority school under paragraph
18 (1) in the State.

19 “(B) LOCAL EDUCATIONAL AGENCY RE-
20 SPONSIBILITIES.—Each local educational agen-
21 cy receiving assistance under this part shall,
22 consistent with the State’s accountability sys-
23 tem under section 1111(a)(3)—

24 “(i) establish a process for selecting
25 an appropriate school improvement strat-

1 egy for each school described in subpara-
2 graph (A) that is served by the local edu-
3 cational agency;

4 “ (ii) select the school improvement
5 strategy to be used in each such school and
6 the timeline for implementing the selected
7 school improvement strategy in such
8 school;

9 “ (iii) develop a detailed budget cov-
10 ering the 3-year identification period, in-
11 cluding planned expenditures at the school
12 level for activities supporting full and ef-
13 fective implementation of the selected
14 school improvement strategy;

15 “ (iv) implement a school improvement
16 strategy at the school in accordance with
17 the requirements of paragraph (4);

18 “ (v) use appropriate measures to
19 monitor the effectiveness of the implemen-
20 tation;

21 “ (vi) review and select turnaround
22 partners to assist in implementing school
23 improvement strategies;

1 “(vii) align other Federal, State, and
2 local resources with the school improve-
3 ment strategy;

4 “(viii) provide the school with the
5 operational flexibility, including autonomy
6 over staffing, time, and budget, needed to
7 enable full and effective implementation of
8 the selected strategy, including through the
9 modification of practices or policies, if nec-
10 essary;

11 “(ix) collect and use data on an ongo-
12 ing basis to adjust implementation of the
13 school improvement strategy to improve
14 student achievement;

15 “(x) provide an assurance that the im-
16 plementation of the selected school im-
17 provement strategy addresses the needs of
18 all the subgroups of students described in
19 section 1111(b)(3)(B)(ii)(II) in the school;

20 “(xi) take steps to sustain successful
21 reforms and practices after the school is no
22 longer identified as a priority school;

23 “(xii) provide technical assistance and
24 other support to ensure students graduate
25 from high school college- and career-ready,

1 as determined by the State’s academic con-
2 tent standards under section 1111(b)(1),
3 through the effective implementation of the
4 school improvement strategy in the school,
5 which—

6 “(I) may include assistance in—

7 “(aa) data collection and
8 analysis;

9 “(bb) recruiting and retain-
10 ing staff;

11 “(cc) teacher and principal
12 evaluation;

13 “(dd) professional develop-
14 ment;

15 “(ee) parent and family en-
16 gagement;

17 “(ff) coordination of services
18 with high-quality early childhood
19 education providers;

20 “(gg) coordination of serv-
21 ices to address students’ social,
22 emotional, and health needs; and

23 “(hh) monitoring the imple-
24 mentation of the school improve-

1 ment strategy selected under
2 paragraph (4); and

3 “(II) shall include assistance in
4 the implementation of schoolwide posi-
5 tive behavior supports, school-based
6 mental health programs, and other
7 approaches with evidence of effective-
8 ness, for improving the learning envi-
9 ronment in the school and reducing
10 the need for suspensions, expulsions,
11 and other actions that remove stu-
12 dents from instruction, including ef-
13 fective strategies for improving coordi-
14 nation of community resources;

15 “(xiii) establish partnerships with em-
16 ployers, institutions of higher education,
17 service providers, and others to assist in
18 implementing school improvement strate-
19 gies described in paragraph (4); and

20 “(xiv) review school discipline and cli-
21 mate data, disaggregated by each subgroup
22 described in section 1111(b)(3)(B)(ii)(II),
23 in assessing the needs of the school and, if
24 low-achieving subgroups receive a dis-
25 proportionate amount of suspensions, ex-

1 pulsions, or other forms of exclusionary
2 discipline, incorporate evidence-based strat-
3 egies to reduce out-of-classroom punish-
4 ment and promote student engagement in
5 the school’s improvement plan.

6 “(C) STATE AS LOCAL EDUCATIONAL
7 AGENCY.—If a school identified as a priority
8 school under this subsection for a 3-year identi-
9 fication period is re-identified as a priority
10 school for the subsequent 3-year period, the
11 State may take over the school and act as the
12 local educational agency for purposes of this
13 subsection, if permitted under State law.

14 “(4) SCHOOL IMPROVEMENT STRATEGIES.—

15 “(A) REQUIRED ACTIVITIES FOR ALL
16 SCHOOL IMPROVEMENT STRATEGIES.—A local
17 educational agency implementing any strategies
18 under this paragraph for a school shall—

19 “(i) provide staff at the school with
20 ongoing professional development, con-
21 sistent with the needs analysis described in
22 paragraph (2);

23 “(ii) conduct regular evaluations for
24 the teachers and principals at the school

1 that provide specific feedback on areas of
2 strength and in need of improvement;

3 “(iii) provide time for collaboration
4 among instructional staff at the school to
5 improve student achievement;

6 “(iv) provide instructional staff at the
7 school with timely access to student data
8 to inform instruction and meet the aca-
9 demic needs of individual students, which
10 may include, in elementary school, school
11 readiness data;

12 “(v) collaborate with parents and fam-
13 ilies, the community, teachers, other school
14 personnel at the school, and representa-
15 tives of Indian tribes located in the area
16 served by the local educational agency, on
17 the selection and implementation of the
18 strategy;

19 “(vi) use data to identify and imple-
20 ment a research-based instructional pro-
21 gram that—

22 “(I) analyzes student progress
23 and performance and develops appro-
24 priate interventions for students who

1 are not making adequate progress;
2 and

3 “(II) provides differentiated in-
4 struction and related instructional
5 supports;

6 “(III) meets the unique cultural,
7 language, and educational needs of all
8 students served by such school;

9 “(vii) in the case of an elementary
10 school with kindergarten entry—

11 “(I) examine factors that con-
12 tribute to school readiness as part of
13 the needs analysis conducted under
14 paragraph (2);

15 “(II) coordinate with appropriate
16 high-quality early childhood programs,
17 such as programs under the Child
18 Care Development and Block Grant
19 Act of 1990, the Head Start Act, pre-
20 kindergarten programs, and other
21 similar Federal, State, and local pro-
22 grams, in order to align instruction to
23 better prepare students for elementary
24 school; and

1 “(III) develop a plan to improve
2 or expand high-quality early childhood
3 options which may include the use of
4 funds under this part for such pur-
5 poses;

6 “(viii) provide ongoing mechanisms
7 for parent and family engagement;

8 “(ix) provide appropriate services and
9 evidence-based, integrated supports for
10 students as identified in the school’s needs
11 analysis;

12 “(x) describe, in a report to the State
13 educational agency and made available to
14 the public upon request, how the local edu-
15 cational agency or school will adopt and
16 implement policies or practices to develop,
17 implement, improve, or expand positive be-
18 havioral interventions and supports, early
19 intervening services, and school-based men-
20 tal health programs in accordance with the
21 requirements of clauses (xi) through (xiv);

22 “(xi)(I) review and analyze the
23 school’s efforts to address behavioral or
24 disciplinary problems; and

1 “(II) assist the school in developing,
2 expanding, or improving the use of
3 schoolwide positive behavioral interventions
4 and supports that are aligned with activi-
5 ties carried out under the Individuals with
6 Disabilities Education Act; and

7 “(xii) review and analyze the school’s
8 efforts to identify and assist students with
9 poor academic achievement and students
10 who are children with disabilities, and as-
11 sist the school in developing, implementing,
12 or improving early intervening services
13 that are coordinated with activities carried
14 out under the Individuals with Disabilities
15 Education Act;

16 “(xiii) review the number of discipline
17 incidents in the school and use that infor-
18 mation to assist the school to implement
19 schoolwide positive behavioral interventions
20 and supports or other early intervening
21 services, or both; and

22 “(xiv) review and analyze the school’s
23 efforts to address mental health needs
24 among students and assist the school in
25 developing or improving school-based men-

1 tal health programs that are coordinated
2 with activities carried out under the Indi-
3 viduals with Disabilities Education Act.

4 “(B) STRATEGIES.—A local educational
5 agency shall identify a school improvement
6 strategy for a school identified as a priority
7 school under paragraph (1) from among the fol-
8 lowing strategies:

9 “(i) TRANSFORMATION STRATEGY.—A
10 local educational agency implementing a
11 transformation strategy in a school shall—

12 “(I) replace the principal, if the
13 principal has served in that role at the
14 school for more than 2 years, with a
15 principal who has a demonstrated
16 record of success in increasing student
17 achievement and—

18 “(aa) training or experience
19 in raising student achievement;
20 or

21 “(bb) training or experience
22 in turning around low-performing
23 schools;

1 “(II) require existing instruc-
2 tional staff and school leadership to
3 reapply for their positions; and

4 “(III) require that all instruc-
5 tional staff and school leadership hir-
6 ing be done at the school through mu-
7 tual consent.

8 “(ii) TURNAROUND STRATEGY.—A
9 local educational agency implementing a
10 turnaround model as a strategy for a
11 school shall—

12 “(I) replace the principal, if the
13 principal has served in that role at the
14 school for more than 2 years, with a
15 principal who has the demonstrated
16 record of success, training, or experi-
17 ence described in clause (i)(I); and

18 “(II) screen all teachers in the
19 school and retain not more than 65
20 percent of them.

21 “(iii) RESTART STRATEGY.—A local
22 educational agency implementing a restart
23 strategy in a school shall carry out the fol-
24 lowing:

1 “(I)(aa) Convert the school into a
2 public charter school, or close and re-
3 open the school as a public charter
4 school in partnership with a nonprofit
5 charter school operator, a nonprofit
6 charter management organization, or
7 a nonprofit education management or-
8 ganization, that has a demonstrated
9 record of improving student achieve-
10 ment for students similar to those
11 served by the school; or

12 “(bb) convert the school to a
13 magnet school or create a new, inno-
14 vative school, as defined by the State.

15 “(II) Ensure that the new
16 school—

17 “(aa) serves the grade levels
18 as the original school for which
19 the strategy is being imple-
20 mented; and

21 “(bb) enrolls any former
22 student of the original school who
23 requests to attend the school and
24 then, after all such students are
25 enrolled, admits additional stu-

1 dents, using a random lottery
2 system if more students apply for
3 admission than can be accommo-
4 dated.

5 “(iv) SCHOOL CLOSURE STRATEGY.—
6 A local educational agency implementing a
7 school closure strategy for a school—

8 “(I) shall close the school and en-
9 roll the students who attended the
10 school in other schools, including
11 charter schools, served by the local
12 educational agency that are within
13 reasonable proximity to the closed
14 school, as determined by the local
15 educational agency, and that are high-
16 er-performing than the school that is
17 being closed;

18 “(II) shall provide transpor-
19 tation, or shall pay for the provision
20 of transportation, for each such stu-
21 dent to the student’s new school, con-
22 sistent with State law and local edu-
23 cational agency policy;

24 “(III) shall provide information
25 about high-quality educational op-

1 tions, as well as transition and sup-
2 port services to students, who at-
3 tended the closed school and the stu-
4 dents' parents; and

5 “(IV) may use school improve-
6 ment funds provided under subsection
7 (f) to pay for the expenses of—

8 “(aa) transitioning students
9 from the school that is being
10 closed to the new school;

11 “(bb) supporting the new
12 school; and

13 “(cc) expanding and offering
14 student supports and services
15 within the new school, which may
16 include high-quality prekinder-
17 garten programs and services.

18 “(C) FLEXIBILITY.—

19 “(i) FLEXIBILITY FOR CERTAIN
20 LOCAL EDUCATIONAL AGENCIES.—Not-
21 withstanding any other provision of this
22 paragraph—

23 “(I) a local educational agency
24 that is eligible for services under sub-
25 part 5 of part A, as determined by the

1 Secretary, may modify not more than
2 1 of the elements or activities required
3 under subparagraph (A) of a school
4 improvement strategy selected for a
5 school identified under paragraph (4)
6 in order to better meet the needs of
7 students in such school; and

8 “(II) a State educational agency
9 may apply to the Secretary for a waiv-
10 er of clauses (i)(I) and (ii)(I) of sub-
11 paragraph (B).

12 “(ii) STATE FLEXIBILITY.—Notwith-
13 standing any other provision of this para-
14 graph, a State educational agency may,
15 with the approval of the Secretary, estab-
16 lish an alternative State-determined, evi-
17 dence-based, school improvement strategy
18 that may be used by local educational
19 agencies in the State in addition to the
20 strategies described in subparagraph (B),
21 except that funds provided under this title
22 shall not be used for school vouchers.

23 “(D) PUBLIC SCHOOL CHOICE.—

24 “(i) IN GENERAL.—In addition to the
25 requirements of subparagraph (A) and the

1 school improvement strategy determined
2 under subparagraph (B) or (C)(ii), a local
3 educational agency shall, not later than 3
4 months before the first day of the school
5 year following identification as a priority
6 school under paragraph (1), provide all
7 students enrolled in the identified school
8 with the option to transfer to another pub-
9 lic school served by the local educational
10 agency that has not been identified under
11 such paragraph, unless such an option is
12 prohibited by State law.

13 “(ii) PRIORITY.—In providing stu-
14 dents the option to transfer to another
15 public school, the local educational agency
16 shall give priority to the lowest-achieving
17 children from low-income families, as de-
18 termined by the local educational agency
19 for the purposes of allocating funds to
20 schools under section 1113(a)(3).

21 “(iii) TREATMENT.—Students who
22 use the option to transfer to another public
23 school shall be enrolled in classes and
24 other activities in the public school to
25 which the students transfer in the same

1 manner as all other children at the public
2 school.

3 “(iv) SPECIAL RULE.—A local edu-
4 cational agency shall permit a child who
5 transfers to another public school under
6 this subparagraph to remain in that school
7 until the child has completed the highest
8 grade in such school.

9 “(5) IMPROVEMENT.—

10 “(A) IN GENERAL.—The State educational
11 agency shall no longer identify a school that has
12 been identified as a priority school for any re-
13 mainder of the school’s 3-year identification pe-
14 riod if—

15 “(i) after 2 years of the 3-year period
16 for which a school is identified as a pri-
17 ority school under paragraph (1), the
18 school has met all of the school’s perform-
19 ance targets as described in section
20 1111(b)(4)(C); or

21 “(ii) after 2 years of the 3-year pe-
22 riod, the State determines, based on the
23 most current data, that the school’s rate of
24 improvement is sufficient to enable the
25 school to meet all of the school’s perform-

1 ance targets by the end of the 3-year pe-
2 riod.

3 “(B) CONTINUED ELIGIBILITY FOR
4 SCHOOL IMPROVEMENT FUNDS.—If an eligible
5 entity, as defined in subsection (f)(1), was re-
6 ceiving school improvement funds under sub-
7 section (f) for a school that improves as de-
8 scribed in subparagraph (A), the eligible entity
9 shall continue to receive such grant funds, and
10 use such funds to carry out the grant activities
11 in such school, for the full period of such grant.

12 “(6) REPEATED CLASSIFICATION AS A PRIORITY
13 SCHOOL.—

14 “(A) IN GENERAL.—For each public school
15 that is identified as a priority school under
16 paragraph (1) for any portion of a 3-year pe-
17 riod and is re-identified under such paragraph
18 for the subsequent time period, the local edu-
19 cational agency shall carry out the requirements
20 of this subsection for such subsequent period by
21 implementing, with respect to such school, the
22 restart strategy or school closure strategy under
23 clause (iv) or (v) of paragraph (4)(B).

24 “(B) SPECIAL RULE.—Notwithstanding
25 subparagraph (A), a local educational agency

1 serving a school described in such paragraph,
2 may, in coordination with the State educational
3 agency and based on a community needs assess-
4 ment, apply to the Secretary for a waiver to im-
5 plement another school improvement model not
6 previously used by the local educational agency
7 for the school.

8 “(e) REPORT ON PROFESSIONAL DEVELOPMENT
9 FUNDS FOR PRIORITY SCHOOLS.—Each local educational
10 agency that receives subgrant funds under this part shall
11 prepare and submit a report to the State educational
12 agency, at the end of each school year, regarding—

13 “(1) the local educational agency’s use of funds
14 for professional development, as authorized under
15 section 2123(2)(B), in schools identified as priority
16 schools under subsection (d) that did not receive
17 funds under subsection (f); and

18 “(2) any changes in, or effects on, student per-
19 formance at such schools during such school year.

20 “(f) SCHOOL IMPROVEMENT FUNDS.—

21 “(1) DEFINITIONS.—In this subsection:

22 “(A) ELIGIBLE ENTITY.—the term ‘eligible
23 entity’ means—

24 “(i) a State educational agency;

1 “(ii) a local educational agency that
2 receives funds under this part and serves
3 at least 1 eligible school;

4 “(iii) a consortium of such local edu-
5 cational agencies; or

6 “(iv) an educational service agency
7 that serves at least 1 local educational
8 agency described in clause (ii).

9 “(B) ELIGIBLE SCHOOL.—The term ‘eligi-
10 ble school’ means a school identified as a pri-
11 ority school under subsection (d).

12 “(2) ALLOTMENTS TO STATES.—

13 “(A) IN GENERAL.—From the funds made
14 available to carry out this subsection under sec-
15 tion 3(a)(1) for a fiscal year, the Secretary
16 shall provide States that submit an application
17 described in paragraph (3) with school improve-
18 ment funds through an allotment, as deter-
19 mined under subparagraph (B) and in addition
20 to the amounts made available to States under
21 subpart 2, to enable the States to award sub-
22 grants and carry out the activities described in
23 this subsection to assist eligible schools.

24 “(B) ALLOTMENTS TO STATES.—From the
25 funds made available to carry out this sub-

1 section under section 3(a)(1) for a fiscal year,
2 the Secretary shall allot to each State with an
3 approved application an amount that bears the
4 same relation to such funds as the amount that
5 the State received under subpart 2 for the pre-
6 ceding fiscal year bears to the amount that all
7 States receive under such subpart for such fis-
8 cal year.

9 “(3) STATE APPLICATION.—A State that de-
10 sires to receive school improvement funds under this
11 subsection shall submit an application to the Sec-
12 retary at such time, in such manner, and accom-
13 panied by such information as the Secretary may re-
14 quire. Each application shall include a description
15 of—

16 “(A) the process and the criteria that the
17 State will use to award subgrants under para-
18 graph (5)(A)(i);

19 “(B) the process and the criteria the State
20 will use to determine whether the eligible enti-
21 ty’s proposal for each eligible school meets the
22 requirements of paragraphs (2) and (4), and
23 subparagraphs (A) and (B) of paragraph (3), of
24 subsection (d);

1 “(C) how the State will ensure geographic
2 diversity in making subgrants;

3 “(D) how the State will set priorities in
4 awarding subgrants to eligible entities;

5 “(E) how the State will monitor and evalu-
6 ate the implementation of school improvement
7 strategies by eligible entities, including how the
8 State will use the results of the evaluation to
9 improve State strategies for supporting schools
10 identified under subsection (d); and

11 “(F) how the State will reduce barriers for
12 schools in the implementation of school im-
13 provement strategies, including operational
14 flexibility that would enable complete implemen-
15 tation of the selected school improvement strat-
16 egy.

17 “(4) STATE ADMINISTRATION AND TECHNICAL
18 ASSISTANCE.—A State that receives an allotment
19 under this subsection may reserve not more than a
20 total of 5 percent of such allotment for the adminis-
21 tration of this subsection, which may include activi-
22 ties aimed at building State capacity to support the
23 local educational agency and school improvement,
24 such as providing technical assistance and other sup-
25 port (including regular site visits to monitor imple-

1 mentation of selected school improvement strategies
2 to eligible entities serving eligible schools), either di-
3 rectly or through educational service agencies or
4 other public or private organizations.

5 “(5) SCHOOL IMPROVEMENT ACTIVITIES.—

6 “(A) IN GENERAL.—A State that receives
7 school improvement funds under this subsection
8 shall use not less than 95 percent of such allot-
9 ment to carry out school improvement activities
10 for eligible schools by—

11 “(i) awarding subgrants, on a com-
12 petitive basis, to eligible entities to enable
13 the eligible entities to carry out the activi-
14 ties described in subparagraph (C) for eli-
15 gible schools; or

16 “(ii) if the State chooses and the local
17 educational agency serving an eligible
18 school agrees, directly providing the activi-
19 ties described in subparagraph (C)(ii) to
20 the eligible school and the local educational
21 agency, or arranging for other entities,
22 such as school support teams or edu-
23 cational service agencies, to provide such
24 activities to the school.

25 “(B) SUBGRANTS.—

1 “(i) APPLICATIONS.—An eligible enti-
2 ty that desires a subgrant under this para-
3 graph shall submit an application to the
4 State at such time, in such manner, and
5 including such information as the State
6 shall require. The application shall include
7 a description of how the eligible entity will
8 carry out the requirements of paragraphs
9 (2) and (4), and subparagraphs (A) and
10 (B) of paragraph (3), of subsection (d) for
11 each eligible school to be served by the
12 grant.

13 “(ii) DEMONSTRATION OF ADDI-
14 TIONAL RESPONSIBILITIES.—Each eligible
15 entity that desires a subgrant under this
16 paragraph shall demonstrate in its applica-
17 tion that the eligible entity has—

18 “(I) adopted human resource
19 policies that prioritize the recruit-
20 ment, retention, and placement of ef-
21 fective staff in eligible schools;

22 “(II) ensured that eligible schools
23 have access to resources to implement
24 the school improvement strategies de-
25 scribed in subsection (d)(4), such as

1 facilities, professional development,
2 and technology;

3 “(III) identified opportunities to
4 reduce duplication, increase efficiency,
5 and assist eligible schools in com-
6 plying with reporting requirements of
7 State and Federal programs;

8 “(IV) developed an early warning
9 indicator system that monitors school-
10 level data, and alerts the eligible
11 school when a student indicates
12 slowed progress toward high school
13 graduation, so that the school can
14 provide appropriate student interven-
15 tions; and

16 “(V) facilitated alignment and
17 coordination between high-quality
18 early childhood education programs
19 and services serving students who will
20 attend eligible schools that are ele-
21 mentary schools, and teachers and
22 principals of such eligible schools.

23 “(iii) SUBGRANT SIZE.—A State shall
24 award subgrants under this paragraph of
25 sufficient size to enable subgrant recipients

1 to fully and effectively implement the se-
2 lected school improvement strategies.

3 “(iv) SUBGRANT PERIOD.—Each
4 subgrant awarded under this paragraph
5 shall be for a 5-year period.

6 “(v) WITHHOLDING FINAL FUND-
7 ING.—In order for a State to award
8 subgrant funds to an eligible entity for the
9 final 2 years of the subgrant cycle, the eli-
10 gible entity shall demonstrate that the
11 schools receiving funds under this para-
12 graph have made significant progress on
13 the leading indicators.

14 “(C) USE OF SUBGRANT FUNDS.—An eligi-
15 ble entity that receives a subgrant under this
16 paragraph shall use the subgrant funds to—

17 “(i) carry out the requirements of
18 subparagraphs (A) and (B) of paragraph
19 (3), and paragraphs (2) and (4), of sub-
20 section (d) in an eligible school that has
21 been identified under such subsection as of
22 the date of the grant award, which may in-
23 clude a maximum 1-year planning period;
24 and

1 “(ii) carry out activities at the local
2 educational agency level that directly sup-
3 port such implementation, such as—

4 “(I) assistance in data collection
5 and analysis;

6 “(II) recruiting and retaining
7 staff;

8 “(III) teacher and principal eval-
9 uation;

10 “(IV) professional development;

11 “(V) coordination of services to
12 address students’ social, emotional,
13 and health needs; and

14 “(VI) progress monitoring.

15 “(D) SUPPLEMENT, NOT SUPPLANT.—An
16 eligible entity or State shall use Federal funds
17 received under this subsection only to supple-
18 ment the funds that would, in the absence of
19 such Federal funds, be made available from
20 non-Federal sources for the education of pupils
21 participating in programs funded under this
22 subsection.

23 “(E) INTERVENTION BY STATE.—In the
24 case of a State educational agency that has
25 taken over a school or local educational agency,

1 the State may use an amount of funds under
2 this subsection similar to the amount that the
3 school or local educational agency would receive,
4 under this subsection, in order to carry out the
5 activities described in subparagraph (C) for the
6 school and local educational agency, either di-
7 rectly or through an eligible entity designated
8 by the State educational agency.

9 “(6) NATIONAL ACTIVITIES.—From amounts
10 appropriated and reserved for this paragraph under
11 section 3(a)(2)(B), the Secretary shall carry out the
12 following national activities:

13 “(A) Activities focused on building State
14 and local educational agency capacity to turn
15 around eligible schools and schools in rural
16 areas through activities such as—

17 “(i) identifying and disseminating ef-
18 fective school improvement strategies, in-
19 cluding in rural areas;

20 “(ii) making available targeted tech-
21 nical assistance, including planning and
22 implementation tools; and

23 “(iii) expanding the availability of
24 turnaround partners capable of assisting in

1 turning around eligible schools, including
2 in rural areas.

3 “(B) Activities focused on building capac-
4 ity to turn around eligible schools, including in
5 rural areas.

6 “(C) The use of data, research, and eval-
7 uation to—

8 “(i) identify schools that are imple-
9 menting school improvement strategies ef-
10 fectively;

11 “(ii) identify effective school improve-
12 ment strategies; and

13 “(iii) collect and disseminate that in-
14 formation to States and local educational
15 agencies in a manner that facilitates rep-
16 lication of effective practices.

17 “(D) Other activities designed to support
18 State and local efforts to improve eligible
19 schools.

20 “(7) EVALUATION.—The Director of the Insti-
21 tute of Education Sciences shall conduct an evalua-
22 tion of the programs carried out under this sub-
23 section.

24 “(g) CONSTRUCTION.—Nothing in this section shall
25 be construed to alter or otherwise affect the rights, rem-

1 edies, and procedures afforded school or school district
2 employees under Federal, State, or local laws (including
3 applicable regulations or court orders) or under the terms
4 of collective bargaining agreements, memoranda of under-
5 standing, or other agreements between such employees
6 and their employers.”.

Page 23, after line 9, insert the following:

7 “(F) PERFORMANCE TARGETS.—Each
8 State educational agency shall set ambitious,
9 but achievable annual performance targets sep-
10 arately for each category of students described
11 in paragraph (2)(B)(xii), for each grade level
12 and in English language arts and math, to as-
13 sist the State educational agency in achieving
14 its academic achievement goals established
15 under subparagraph (B) that either—

16 “(i) within 6 years of setting such
17 performance targets, reduce by half the
18 percentage of all students and each cat-
19 egory described in paragraph (2)(B)(xii),
20 who are not, according to student perform-
21 ance as of the year such targets are set, at
22 the on-target or advanced level of achieve-
23 ment; or

1 “(ii) result in ambitious, but achiev-
2 able annual targets for local educational
3 agencies and schools for all students and
4 each category of students described in
5 paragraph (2)(B)(xii) within a specified
6 period of time, approved by the Secretary,
7 such that—

8 “(I) the targets are equally rig-
9 orous as those set under clause (i);
10 and

11 “(II) the targets reflect the
12 progress required for all students and
13 each subgroup of students described
14 in paragraph (3)(A) to reach the on-
15 target or advanced level of achieve-
16 ment within the specified period of
17 time.

18 “(G) GROWTH TARGETS.—Each State edu-
19 cational agency shall set ambitious but achiev-
20 able growth targets that—

21 “(i) assist the State in achieving the
22 academic achievement goals described in
23 subparagraph (B); and—

24 “(I) include targets that ensure
25 all students, including the categories

1 of students described in paragraph
2 (2)(B)(xii), meet the growth stand-
3 ards described in subparagraph (H).

4 “(H) GRADUATION RATE GOALS AND TAR-
5 GETS.—

6 “(i) GRADUATION GOALS.—Each
7 State educational agency shall set a grad-
8 uation goal of not less than 90 percent.

9 “(ii) GRADUATION RATE TARGETS.—
10 Each State educational agency shall estab-
11 lish graduation rate targets which shall not
12 be less rigorous than the targets approved
13 under section 200.19 of title 34, Code of
14 Federal Regulations (or a successor regula-
15 tion).

16 “(iii) EXTENDED-YEAR GRADUATION
17 RATE TARGETS.—In the case of a State
18 that chooses to use an extended-year grad-
19 uation rate in the accountability and school
20 improvement system described under this
21 subsection, the State shall set extended-
22 year graduation rate targets that are more
23 rigorous than the targets set under clause
24 (ii) and, if applicable, are not less rigorous
25 than the targets approved under section

1 200.19 of title 34, Code of Federal Regula-
2 tions (or a successor regulation).

Page 36, line 7, strike “and”.

Page 36, line 20, strike the period and insert “;
and”.

Page 36, after line 20, insert the following new sub-
paragraph:

3 “(C) how the State educational agency will
4 set ambitious, but achievable annual perform-
5 ance targets separately for each subgroup of
6 students described in paragraph (3)(B)(ii)(II),
7 for each grade level and in English language
8 arts and math, to assist the State educational
9 agency in achieving its academic achievement
10 goals that either—

11 “(i) within 6 years of setting such
12 performance targets, reduce by half the
13 percentage of all students and each sub-
14 group described in paragraph
15 (3)(B)(ii)(II), who are not, according to
16 student performance as of the year such
17 targets are set, at the on-target or ad-
18 vanced level of achievement; or

1 “(ii) result in ambitious, but achiev-
2 able annual targets for local educational
3 agencies and schools for all students and
4 each subgroup of students described in
5 paragraph (3)(B)(ii)(II) within a specified
6 period of time, approved by the Secretary,
7 such that—

8 “(I) the targets are equally rig-
9 orous as those in subsection (i); and

10 “(II) the targets reflect the
11 progress required for all students and
12 each subgroup of students described
13 in paragraph (3)(B)(ii)(II) to reach
14 the on-target or advanced level of
15 achievement within the specified pe-
16 riod of time.”.

