

Union Calendar No. 93

103D CONGRESS
1ST SESSION

H. R. 1804

[Report No. 103-168]

A BILL

To improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable educational opportunities and high levels of educational achievement for all American students; to provide a framework for reauthorization of all Federal education programs; to promote the development and adoption of a voluntary national system of skill standards and certifications; and for other purposes.

JULY 1, 1993

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 1993

Mr. KILDEE (for himself, Mr. FORD of Michigan, Mr. SAWYER, Mr. OWENS, Mrs. UNSOELD, Mr. ROEMER, Mr. ENGEL, Mr. GREEN, Ms. WOOLSEY, Mr. STRICKLAND, Mr. PAYNE of New Jersey, Mr. ROMERO-BARCELÓ, Mr. MURPHY, Mr. MARTINEZ, Mr. BAESLER, and Mr. CLYBURN) introduced the following bill; which was referred to the Committee on Education and Labor

JULY 1, 1993

Additional sponsors: Mr. WILLIAMS, Mr. ANDREWS of New Jersey, Mr. TOWNS, Mr. KLINK, Mrs. CLAYTON, Mr. MAZZOLI, Mr. FROST, Mr. RANGEL, Mr. BLACKWELL, Mr. GORDON, Mr. BARLOW, Ms. ENGLISH of Arizona, Mr. PASTOR, Ms. FURSE, Mr. HUGHES, Mr. PARKER, Mr. MCCURDY, Mr. OLVER, Mr. FALEOMAVAEGA, Mr. EVANS, Mr. REYNOLDS, Mr. SCOTT, Mr. STUPAK, and Mr. DE LUGO

JULY 1, 1993

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[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on April 22, 1993]

A BILL

To improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable educational opportunities and high levels of educational achievement for all American students; to provide a framework for reauthorization of all Federal education programs; to promote the development and adoption of a voluntary national system of skill standards and certifications; and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Goals 2000: Educate*
5 *America Act”.*

6 **SEC. 2. PURPOSE.**

7 *The purpose of this Act is to provide a framework for*
8 *meeting the National Education Goals established by title*
9 *I of this Act by—*

10 *(1) promoting coherent, nationwide, systemic*
11 *education reform;*

12 *(2) improving the quality of learning and teach-*
13 *ing in the classroom and in the workplace;*

14 *(3) defining appropriate and coherent Federal,*
15 *State, and local roles and responsibilities for edu-*
16 *cation reform and lifelong learning;*

1 (4) *establishing valid, reliable, and fair mecha-*
2 *nisms for—*

3 (A) *building a broad national consensus on*
4 *American education reform;*

5 (B) *assisting in the development and certifi-*
6 *cation of high-quality, internationally competi-*
7 *tive content and student performance standards;*

8 (C) *assisting in the development and certifi-*
9 *cation of opportunity-to-learn standards; and*

10 (D) *assisting in the development and cer-*
11 *tification of high-quality assessment measures*
12 *that reflect the internationally competitive con-*
13 *tent and student performance standards;*

14 (5) *supporting new initiatives at the Federal,*
15 *State, local, and school levels to provide equal edu-*
16 *cational opportunity for all students to meet high*
17 *standards and to succeed in the world of employment*
18 *and civic participation;*

19 (6) *providing a framework for the reauthoriza-*
20 *tion of all Federal education programs by—*

21 (A) *creating a vision of excellence and eq-*
22 *uity that will guide all Federal education and*
23 *related programs;*

24 (B) *providing for the establishment of high-*
25 *quality, internationally competitive content and*

1 *student performance standards that all students*
2 *will be expected to achieve;*

3 *(C) providing for the establishment of high*
4 *quality, internationally competitive opportunity-*
5 *to-learn standards that all States, local edu-*
6 *cational agencies, and schools should achieve;*

7 *(D) encouraging and enabling all State*
8 *educational agencies and local educational agen-*
9 *cies to develop comprehensive improvement plans*
10 *that will provide a coherent framework for the*
11 *implementation of reauthorized Federal edu-*
12 *cation and related programs in an integrated*
13 *fashion that effectively educates all children ena-*
14 *bling them to participate fully as workers, par-*
15 *ents, and citizens;*

16 *(E) providing resources to help individual*
17 *schools, including those serving students with*
18 *high needs, develop and implement comprehen-*
19 *sive improvement plans;*

20 *(7) stimulating the development and adoption of*
21 *a voluntary national system of skill standards and*
22 *certification to serve as a cornerstone of the national*
23 *strategy to enhance workforce skills; and*

24 *(8) assisting every elementary and secondary*
25 *school that receives funds under this Act to actively*

1 *involve parents and families in supporting the aca-*
2 *demic work of their children at home and in provid-*
3 *ing parents with skills to advocate for their children*
4 *at school.*

5 ***TITLE I—NATIONAL EDUCATION***
6 ***GOALS***

7 ***SEC. 101. PURPOSE.***

8 *The purpose of this title is to establish national edu-*
9 *cation goals.*

10 ***SEC. 102. NATIONAL EDUCATION GOALS.***

11 *The Congress declares that the National Education*
12 *Goals are the following:*

13 *(1) SCHOOL READINESS.—(A) By the year 2000,*
14 *all children in America will start school ready to*
15 *learn.*

16 *(B) The objectives for this goal are that—*

17 *(i) all children will have access to high-*
18 *quality and developmentally appropriate pre-*
19 *school programs that help prepare children for*
20 *school;*

21 *(ii) every parent in America will be a*
22 *child's first teacher and devote time each day to*
23 *helping his or her preschool child learn, and par-*
24 *ents will have access to the training and support*
25 *they need; and*

1 (iii) all children will receive the nutrition
2 and health care needed to arrive at school with
3 healthy minds and bodies, and to maintain the
4 mental alertness necessary to be prepared to
5 learn, and the number of low-birthweight babies
6 will be significantly reduced through enhanced
7 prenatal health systems.

8 (2) SCHOOL COMPLETION.—(A) By the year
9 2000, the high school graduation rate will increase to
10 at least 90 percent.

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

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

16 (ii) the gap in high school graduation rates
17 between American students from minority back-
18 grounds and their non-minority counterparts
19 will be eliminated.

20 (3) STUDENT ACHIEVEMENT AND CITIZENSHIP.—

21 (A) By the year 2000, all students will leave grades
22 4, 8, and 12 having demonstrated competency over
23 challenging subject matter including English, mathe-
24 matics, science, foreign languages, civics and govern-
25 ment, arts, history, and geography, and every school

1 *in America will ensure that all students learn to use*
2 *their minds well, so they may be prepared for respon-*
3 *sible citizenship, further learning, and productive em-*
4 *ployment in our modern economy.*

5 *(B) The objectives for this goal are that—*

6 *(i) the academic performance of all students*
7 *at the elementary and secondary level will in-*
8 *crease significantly in every quartile, and the*
9 *distribution of minority students in each level*
10 *will more closely reflect the student population*
11 *as a whole;*

12 *(ii) the percentage of all students who dem-*
13 *onstrate the ability to reason, solve problems,*
14 *apply knowledge, and write and communicate ef-*
15 *fectively will increase substantially;*

16 *(iii) all students will be involved in activi-*
17 *ties that promote and demonstrate good citizen-*
18 *ship, community service, and personal respon-*
19 *sibility;*

20 *(iv) the percentage of all students who are*
21 *competent in more than one language will sub-*
22 *stantially increase; and*

23 *(v) all students will be knowledgeable about*
24 *the diverse cultural heritage of this Nation and*
25 *about the world community.*

1 (4) *TEACHER EDUCATION AND PROFESSIONAL*
2 *DEVELOPMENT.—(A) By the year 2000, the Nation’s*
3 *teaching force will have access to programs for the*
4 *continued improvement of their professional skills and*
5 *the opportunity to acquire the knowledge and skills*
6 *needed to instruct and prepare all American students*
7 *for the next century.*

8 *(B) The objectives of this goal are that—*

9 *(i) every State will establish opportunity-to-*
10 *learn standards and create an integrated strat-*
11 *egy to attract, recruit, prepare, retrain, and sup-*
12 *port the continued professional development of*
13 *teachers, administrators, and other educators, so*
14 *that there is a highly talented workforce of pro-*
15 *fessional educators to teach challenging stand-*
16 *ards;*

17 *(ii) subgrants for preservice teacher edu-*
18 *cation and professional development activity will*
19 *be made to local educational agencies, institu-*
20 *tions of higher education, private nonprofit orga-*
21 *nizations, or consortia of such organizations, to*
22 *support continuing, sustained, professional devel-*
23 *opment activities for all educators; and*

24 *(iii) partnerships shall be established, when-*
25 *ever possible, between local educational agencies,*

1 *institutions of higher education, local labor, busi-*
2 *ness, and professional associations to provide*
3 *and support programs for the professional devel-*
4 *opment of educators, particularly in the area of*
5 *emerging new technologies in education.*

6 (5) *MATHEMATICS AND SCIENCE.—(A) By the*
7 *year 2000, United States students will be first in the*
8 *world in mathematics and science achievement.*

9 (B) *The objectives for this goal are that—*

10 (i) *math and science education will be*
11 *strengthened throughout the system, especially in*
12 *the early grades;*

13 (ii) *the number of teachers with a sub-*
14 *stantive background in mathematics and science*
15 *will increase by 50 percent; and*

16 (iii) *the number of United States under-*
17 *graduate and graduate students, especially*
18 *women and minorities, who complete degrees in*
19 *mathematics, science, and engineering will in-*
20 *crease significantly.*

21 (6) *ADULT LITERACY AND LIFELONG LEARN-*
22 *ING.—(A) By the year 2000, every adult American*
23 *will be literate and will possess the knowledge and*
24 *skills necessary to compete in a global economy and*
25 *exercise the rights and responsibilities of citizenship.*

1 (B) *The objectives for this goal are that—*

2 (i) *every major American business will be*
3 *involved in strengthening the connection between*
4 *education and work;*

5 (ii) *all workers will have the opportunity to*
6 *acquire the knowledge and skills, from basic to*
7 *highly technical, needed to adapt to emerging*
8 *new technologies, work methods, and markets*
9 *through public and private educational, voca-*
10 *tional, technical, workplace, or other programs;*

11 (iii) *the number of quality programs, in-*
12 *cluding those at libraries, that are designed to*
13 *serve more effectively the needs of the growing*
14 *number of part-time and midcareer students will*
15 *increase substantially;*

16 (iv) *the proportion of those qualified stu-*
17 *dents, especially minorities, who enter college,*
18 *who complete at least two years, and who com-*
19 *plete their degree programs will increase sub-*
20 *stantially;*

21 (v) *the proportion of college graduates who*
22 *demonstrate an advanced ability to think criti-*
23 *cally, communicate effectively, and solve prob-*
24 *lems will increase substantially; and*

1 (vi) schools, in implementing comprehensive
2 parent involvement programs, will offer more
3 adult literacy, parent training and life-long
4 learning opportunities to improve the ties be-
5 tween home and school, and enhance parents'
6 work and home lives.

7 (7)(A) *SAFE, DISCIPLINED, AND DRUG-FREE*
8 *SCHOOLS.*—By the year 2000, every school in Amer-
9 ica will be free of drugs and violence and will offer
10 a disciplined environment conducive to learning.

11 (B) *The objectives for this goal are that—*

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

15 (ii) parents, businesses, and community or-
16 ganizations will work together to ensure the
17 rights of students to study in a safe and secure
18 environment that is free of drugs and crime;

19 (iii) every school district will develop a
20 comprehensive K–12 drug and alcohol prevention
21 education program. Drug and alcohol curricula
22 should be taught as an integral part of health
23 education. In addition, community-based teams
24 should be organized to provide all students and
25 teachers with needed support; and

1 (iv) every school district will develop and
2 implement a policy to ensure that all schools are
3 free of weapons and violence.

4 **TITLE II—NATIONAL EDUCATION**
5 **REFORM, LEADERSHIP,**
6 **STANDARDS, AND ASSESS-**
7 **MENTS**

8 **PART A—NATIONAL EDUCATION GOALS PANEL**

9 **SEC. 201. PURPOSE.**

10 *It is the purpose of this part to establish a bipartisan*
11 *mechanism for—*

12 (1) *building a national consensus for education*
13 *improvement;*

14 (2) *reporting on progress toward achieving the*
15 *National Education Goals; and*

16 (3) *reviewing and commenting upon the vol-*
17 *untary national content and student performance*
18 *standards and opportunity-to-learn standards cer-*
19 *tified by the National Education Standards and Im-*
20 *provement Council, as well as the criteria for their*
21 *certification, and the criteria for the certification of*
22 *State assessments by the National Education Stand-*
23 *ards and Improvement Council.*

1 **SEC. 202. NATIONAL EDUCATION GOALS PANEL.**

2 (a) *ESTABLISHMENT.*—*There is established in the exec-*
3 *utive branch a National Education Goals Panel (referred*
4 *to in this Act as the “Goals Panel”) to advise the President,*
5 *the Secretary, and the Congress.*

6 (b) *COMPOSITION.*—*The Goals Panel shall be composed*
7 *of eighteen members (referred to in this part as “members”),*
8 *including—*

9 (1) *two members appointed by the President;*

10 (2) *eight members who are Governors, three of*
11 *whom shall be from the same political party as the*
12 *President and five of whom shall be of the opposite*
13 *political party of the President, appointed by the*
14 *Chairperson and Vice Chairperson of the National*
15 *Governors’ Association, with each appointing rep-*
16 *resentatives of his or her respective political party, in*
17 *consultation with each other;*

18 (3) *four Members of Congress appointed as fol-*
19 *lows—*

20 (A) *one member appointed by the majority*
21 *leader of the Senate from among the Members of*
22 *the Senate;*

23 (B) *one member appointed by the minority*
24 *leader of the Senate from among the Members of*
25 *the Senate;*

1 (C) one member appointed by the majority
2 leader of the House of Representatives from
3 among the Members of the House of Representa-
4 tives; and

5 (D) one member appointed by the minority
6 leader of the House of Representatives from
7 among the Members of the House of Representa-
8 tives; and

9 (4) four members of State legislatures appointed
10 by the President of the National Conference of State
11 Legislatures, of whom not more than two may be of
12 the same political party as the President of the
13 United States.

14 (c) *SPECIAL APPOINTMENT RULES.*—(1) The members
15 appointed pursuant to subsection (b)(2) shall be appointed
16 as follows:

17 (A) If the Chairperson of the National Gov-
18 ernors' Association is from the same political party
19 as the President, the Chairperson shall appoint three
20 individuals and the Vice Chairperson shall appoint
21 five individuals.

22 (B) If the Chairperson of the National Gov-
23 ernors' Association is from the opposite political
24 party as the President, the Chairperson shall appoint

1 *five individuals and the Vice Chairperson shall ap-*
2 *point three individuals.*

3 *(2) If the National Governors' Association has ap-*
4 *pointed a panel that meets the requirements of subsections*
5 *(b) and (c), except for the requirements of subsection (b)(4),*
6 *prior to the date of enactment of this title, then the members*
7 *-serving on such panel shall be deemed to be in compliance*
8 *with subsections (b) and (c) and shall not be required to*
9 *be reappointed pursuant to such subsections.*

10 *(3) To the extent feasible, the membership of the Goals*
11 *Panel shall be geographically representative and reflect the*
12 *racial, ethnic, and gender diversity of the United States.*

13 *(d) TERMS.—The terms of service of members shall be*
14 *as follows—*

15 *(1) Members appointed under subsection (b)(1)*
16 *shall serve at the pleasure of the President.*

17 *(2) Members appointed under subsection (b)(2)*
18 *shall serve a two-year term, except that the initial ap-*
19 *pointments under such paragraph shall be made to*
20 *ensure staggered terms with one-half of such members'*
21 *terms concluding every two years.*

22 *(3) Members appointed under subsection (b) (3)*
23 *and (4) shall serve a term of two years.*

1 (e) *DATE OF APPOINTMENT.*—*The initial members*
2 *shall be appointed not later than sixty days after the date*
3 *of enactment of this Act.*

4 (f) *INITIATION.*—*The Goals Panel may begin to carry*
5 *out its duties under this part when ten members of the*
6 *Goals Panel have been appointed.*

7 (g) *VACANCIES.*—*A vacancy on the Goals Panel shall*
8 *not affect the powers of the Goals Panel, but shall be filled*
9 *in the same manner as the original appointment.*

10 (h) *TRAVEL.*—*Each member may be allowed travel ex-*
11 *penses, including per diem in lieu of subsistence, as author-*
12 *ized by section 5703 of title 5, United States Code, for each*
13 *day the member is engaged in the performance of duties*
14 *away from the home or regular place of business of the*
15 *member.*

16 (i) *CHAIRPERSON.*—*From among the members, the*
17 *President shall appoint the Chairperson who shall serve a*
18 *one-year term and shall alternate between political parties.*

19 (j) *CONFLICT OF INTEREST.*—*A member of the Goals*
20 *Panel who is an elected official of a State which has devel-*
21 *oped content, student performance, or opportunity-to-learn*
22 *standards may not participate in Goals Panel consider-*
23 *ation of such standards.*

24 (k) *EX OFFICIO MEMBER.*—*If the President has not*
25 *appointed the Secretary of Education as 1 of the 2 members*

1 *he appoints pursuant to subsection (b)(1), then the Sec-*
2 *retary shall serve as an ex officio member of the Goals*
3 *Panel.*

4 **SEC. 203. DUTIES.**

5 *(a) DUTIES.—The Goals Panel shall—*

6 *(1) report to the President, the Secretary, and*
7 *the Congress regarding the progress the Nation and*
8 *the States are making toward achieving the National*
9 *Education Goals established under title I of this Act,*
10 *including issuing an annual report;*

11 *(2) report on State opportunity-to-learn stand-*
12 *ards and the progress of States in meeting such*
13 *standards;*

14 *(3) review, after taking into consideration the*
15 *public comments received pursuant to section 216,*
16 *and comment upon the—*

17 *(A) criteria developed by the National Edu-*
18 *cation Standards and Improvement Council for*
19 *the certification of content and student perform-*
20 *ance standards, assessments, and opportunity-to-*
21 *learn standards; and*

22 *(B) voluntary national content and student*
23 *performance standards and opportunity-to-learn*
24 *standards certified by the National Education*
25 *Standards and Improvement Council;*

1 (4) report on promising or effective actions being
2 taken at the national, State, and local levels, in the
3 public and private sectors, to achieve the National
4 Education Goals; and

5 (5) help build a nationwide, bipartisan consen-
6 sus for the reforms necessary to achieve the National
7 Education Goals.

8 (b) REPORT.—(1) The Goals Panel shall annually pre-
9 pare and submit to the President, the Secretary, the appro-
10 priate committees of Congress, and the Governor of each
11 State a report that shall—

12 (A) report on the progress of the United States
13 toward achieving the National Education Goals;

14 (B) identify actions that should be taken by Fed-
15 eral, State, and local governments to enhance progress
16 toward achieving the National Education Goals and
17 State opportunity-to-learn standards; and

18 (C) report on State opportunity-to-learn stand-
19 ards and the progress of States in meeting such
20 standards.

21 (2) Reports shall be presented in a form, and include
22 data, that is understandable to parents and the general
23 public.

1 **SEC. 204. POWERS OF THE GOALS PANEL.**

2 (a) *HEARINGS.*—(1) *The Goals Panel shall, for the*
3 *purpose of carrying out this part, conduct such hearings,*
4 *sit and act at such times and places, take such testimony,*
5 *and receive such evidence, as the Goals Panel considers ap-*
6 *propriate.*

7 (2) *In carrying out this part, the Goals Panel shall*
8 *conduct hearings to receive reports, views, and analyses of*
9 *a broad spectrum of experts and the public on the establish-*
10 *ment of voluntary national content and student perform-*
11 *ance standards, assessments, and opportunity-to-learn*
12 *standards.*

13 (b) *INFORMATION.*—*The Goals Panel may secure di-*
14 *rectly from any department or agency of the United States*
15 *information necessary to enable the Goals Panel to carry*
16 *out this part. Upon request of the Chairperson of the Goals*
17 *Panel, the head of a department or agency shall furnish*
18 *such information to the Goals Panel to the extent permitted*
19 *by law.*

20 (c) *POSTAL SERVICES.*—*The Goals Panel may use the*
21 *United States mail in the same manner and under the same*
22 *conditions as other departments and agencies of the United*
23 *States.*

24 (d) *GIFTS; USE OF FACILITIES.*—*The Goals Panel*
25 *may—*

1 (1) *accept, administer, and utilize gifts or dona-*
2 *tions of services, money, or property, whether real or*
3 *personal, tangible or intangible; and*

4 (2) *with consent, use the research, equipment,*
5 *services, and facilities of any agency or instrumental-*
6 *ity of the United States, or of any State or political*
7 *subdivision thereof.*

8 (e) *ADMINISTRATIVE ARRANGEMENTS AND SUP-*
9 *PORT.—(1) The Secretary shall provide to the Goals Panel,*
10 *on a reimbursable basis, such administrative support serv-*
11 *ices as the Goals Panel may request.*

12 (2) *The Secretary shall, to the extent appropriate, and*
13 *on a reimbursable basis, make contracts and other arrange-*
14 *ments that are requested by the Goals Panel to help it com-*
15 *pile and analyze data or carry out other functions necessary*
16 *to the performance of such responsibilities.*

17 **SEC. 205. ADMINISTRATIVE PROVISIONS.**

18 (a) *MEETINGS.—The Goals Panel shall meet on a reg-*
19 *ular basis, as necessary, at the call of the Chairperson of*
20 *the Goals Panel or a majority of its members.*

21 (b) *QUORUM.—A majority of the members shall con-*
22 *stitute a quorum for the transaction of business.*

23 (c) *VOTING.—No individual may vote, or exercise any*
24 *of the powers of a member, by proxy.*

1 (2) *The Director may appoint additional employees to*
2 *serve as staff to the Goals Panel consistent with title 5,*
3 *United States Code.*

4 (c) *EXPERTS AND CONSULTANTS.—The Goals Panel*
5 *may procure temporary and intermittent services of experts*
6 *and consultants under section 3019(b) of title 5, United*
7 *States Code.*

8 (d) *STAFF OF FEDERAL AGENCIES.—Upon the request*
9 *of the Goals Panel, the head of any department or agency*
10 *of the United States may detail any of the personnel of such*
11 *agency to the Goals Panel to assist the Goals Panel in its*
12 *duties under this part.*

13 ***SEC. 207. EARLY CHILDHOOD ASSESSMENT.***

14 (a) *GENERAL.—(1) The Goals Panel shall support the*
15 *work of its Resource and Technical Planning Groups on*
16 *School Readiness (referred to in this section as the Groups)*
17 *to improve the methods of assessing the readiness of children*
18 *for school that would lead to alternatives to currently used*
19 *norm-referenced early childhood assessments.*

20 (2) *The Groups shall—*

21 (A) *create clear guidelines regarding the nature,*
22 *functions, and uses of early childhood assessments, in-*
23 *cluding a model of school readiness that addresses a*
24 *broad range of early childhood developmental needs;*

1 (2) *certify content and student performance*
2 *standards submitted by States on a voluntary basis,*
3 *if such standards are of equal or higher quality to the*
4 *voluntary national content and student performance*
5 *standards certified by the National Education Stand-*
6 *ards and Improvement Council;*

7 (3) *certify and regularly review voluntary na-*
8 *tional opportunity-to-learn standards that describe*
9 *the conditions of teaching and learning necessary for*
10 *all students to have a fair opportunity to achieve the*
11 *knowledge and skills described in the voluntary na-*
12 *tional content and student performance standards*
13 *certified by the National Education Standards and*
14 *Improvement Council;*

15 (4) *certify opportunity-to-learn standards sub-*
16 *mitted by States on a voluntary basis, if such stand-*
17 *ards are of equal or higher quality as compared with*
18 *the voluntary national opportunity-to-learn stand-*
19 *ards; and*

20 (5) *certify systems of assessments submitted by*
21 *States on a voluntary basis, if such systems are*
22 *aligned with State content standards certified by the*
23 *National Education Standards and Improvement*
24 *Council and if such systems are valid, reliable, and*
25 *consistent with relevant, nationally recognized, profes-*

1 sional and technical standards for assessment when
2 used for their intended purposes.

3 **SEC. 212. NATIONAL EDUCATION STANDARDS AND IM-**
4 **PROVEMENT COUNCIL.**

5 (a) *ESTABLISHMENT.*—There is established in the exec-
6 utive branch a National Education Standards and Im-
7 provement Council (referred to in this title as the
8 “Council”).

9 (b) *COMPOSITION.*—The Council shall be composed of
10 twenty members (referred in this part as “members”) who
11 shall be appointed as follows:

12 (1) 8 members (2 from each of subparagraphs
13 (A) through (D) of subsection (c)(1)) shall be ap-
14 pointed by the President;

15 (2) 4 members (1 from each of subparagraphs
16 (A) through (D) of subsection (c)(1)) shall be ap-
17 pointed by the Speaker of the House of Representa-
18 tives, in consultation with the majority and minority
19 leaders of House;

20 (3) 4 members (1 from each of subparagraphs
21 (A) through (D) of subsection (c)(1)) shall be ap-
22 pointed by the majority leader of the Senate, in con-
23 sultation with the minority leader of the Senate; and

1 (4) 4 members (1 from each of subparagraphs
2 (A) through (D) of subsection (c)(1)) shall be ap-
3 pointed by the National Education Goals Panel.

4 (c) *QUALIFICATIONS.*—(1) *The members of the Council*
5 *shall include—*

6 (A) 5 professional educators, including elemen-
7 tary and secondary classroom teachers, preschool edu-
8 cators and other school-based professionals, local dis-
9 trict or State administrators, related service person-
10 nel, and other educators;

11 (B) 5 representatives of business and industry,
12 organized labor, and postsecondary educational insti-
13 tutions, including at least 1 representative of post-
14 secondary educational institutions, at least 1 rep-
15 resentative of organized labor, and at least 1 rep-
16 resentative of business who is also a member of the
17 National Skill Standards Board;

18 (C) 5 representatives of the public, including
19 representatives of advocacy, civil rights and disability
20 groups, parents, civic leaders, and local and State
21 education policymakers (including State, local, or
22 tribal school boards); and

23 (D) 5 education experts, including experts in
24 measurement and assessment, curriculum, school fi-
25 nance and equity, and school reform.

1 (2) *To the extent feasible, the membership of the Coun-*
2 *cil shall be geographically representative of the United*
3 *States and reflect the diversity of the United States with*
4 *regard to race, ethnicity, gender, and disability characteris-*
5 *tics.*

6 (3) *One-third of the Council shall consist of individ-*
7 *uals with expertise in the educational needs of children who*
8 *are from low-income families, minority backgrounds, have*
9 *limited-English proficiency, or have disabilities.*

10 (d) *TERMS.—(1) Members shall be appointed for 3-*
11 *year terms, with no member serving more than 2 consec-*
12 *utive terms.*

13 (2) *The Council shall establish by lot initial terms for*
14 *individuals of one, two, or three years in order to establish*
15 *a rotation in which one third of the members are selected*
16 *each year.*

17 (e) *DATE OF APPOINTMENT.—The initial members*
18 *shall be appointed not later than 120 days after the date*
19 *of enactment of this Act.*

20 (f) *INITIATION.—The Council shall begin to carry out*
21 *the duties of the Council under this part when all 20 mem-*
22 *bers have been appointed.*

23 (g) *RETENTION.—In order to retain an appointment*
24 *to the Council, a member must attend at least two-thirds*
25 *of the scheduled meetings of the Council in any given year.*

1 (h) *VACANCY.*—A vacancy on the Council shall not af-
2 fect the powers of the Council, but shall be filled in the same
3 manner as the original appointment.

4 (i) *COMPENSATION.*—Members of the Council who are
5 not regular full-time employees of the United States may,
6 while attending meetings or hearings of the Council, be pro-
7 vided compensation at a rate fixed by the Secretary, but
8 not exceeding the maximum rate of basic pay payable for
9 GS-15 of the General Schedule.

10 (j) *CONFLICT OF INTEREST.*—(1) A member of the
11 Council may not concurrently serve as a member of the
12 Goals Panel.

13 (2) Section 208 of title 18 of the United States Code
14 shall apply to members of the Council except that, for the
15 purposes of making written determinations under sub-
16 section (b)(1), the Government official responsible for the
17 appointment of any member of the Council is deemed to
18 be the Director of the Office of Government Ethics.

19 (3) A member of the Council who resides in a State
20 which has developed standards and assessments may not
21 participate in Council consideration of such standards and
22 assessments.

23 (k) *TRAVEL.*—Each member of the Council may be al-
24 lowed travel expenses, including per diem in lieu of subsist-
25 ence, as authorized by section 5703 of title 5, United States

1 *Code, for each day the member is engaged in the perform-*
2 *ance of duties away from the home or regular place of busi-*
3 *ness of the member.*

4 *(l) OFFICERS.—The members of the Council shall select*
5 *officers from among its members. The officers of the Council*
6 *shall serve for one-year terms.*

7 **SEC. 213. DUTIES.**

8 *(a) VOLUNTARY NATIONAL CONTENT STANDARDS.—*

9 *(1) The Council shall—*

10 *(A) identify areas in which voluntary national*
11 *content standards need to be developed;*

12 *(B) certify voluntary national content and stu-*
13 *dent performance standards using the criteria devel-*
14 *oped under paragraph (2)(A)(i), that define what all*
15 *students should know and be able to do;*

16 *(C) forward such voluntary national content and*
17 *student performance standards to the Goals Panel for*
18 *review and comment; and*

19 *(D) develop a process for regularly reviewing*
20 *any national voluntary content, student performance,*
21 *and opportunity-to-learn standards that have been*
22 *certified.*

23 *(2)(A) The Council shall—*

1 (i) identify and develop criteria to be used for
2 certifying the voluntary national content and student
3 performance standards; and

4 (ii) before applying such criteria, forward them
5 to the Goals Panel for review and comment.

6 (B) The criteria developed by the Council shall ad-
7 dress—

8 (i) the extent to which the proposed standards
9 are internationally competitive and comparable to the
10 best in the world;

11 (ii) the extent to which the proposed content and
12 student performance standards reflect the best avail-
13 able knowledge about how all students learn and
14 about how the content area can be most effectively
15 taught;

16 (iii) the extent to which the proposed content and
17 student performance standards have been developed
18 through an open and public process that provides for
19 input and involvement of all relevant parties, includ-
20 ing teachers, related services personnel, and other pro-
21 fessional educators, employers and postsecondary edu-
22 cation institutions, curriculum and subject matter
23 specialists, parents, advocacy groups, and the public;
24 and

1 (iv) other factors that the Council deems appro-
2 priate.

3 (C) In developing the criteria, the Council shall work
4 with entities that are developing, or have already developed,
5 content and student performance standards, and any other
6 entities that the Council deems appropriate, to identify ap-
7 propriate certification criteria.

8 (b) VOLUNTARY STATE CONTENT STANDARDS.—The
9 Council may certify content and student performance
10 standards presented on a voluntary basis by States, using
11 the criteria developed under subsection (a)(2)(A)(i), if such
12 standards are of equal or higher quality to the voluntary
13 national content and student performance standards cer-
14 tified by the Council.

15 (c) VOLUNTARY NATIONAL OPPORTUNITY-TO-LEARN
16 STANDARDS.—(1) The Council shall certify exemplary, vol-
17 untary national opportunity-to-learn standards that will
18 establish a basis for providing all students a fair oppor-
19 tunity to achieve the knowledge and skills set out in the
20 voluntary national content standards certified by the
21 Council.

22 (2) The voluntary national opportunity-to-learn
23 standards certified by the Council shall address—

1 (A) the quality and availability of curricula, in-
2 structional materials, and technologies, including dis-
3 tance learning, to all students;

4 (B) the capability of teachers to provide high-
5 quality instruction to meet diverse learning needs in
6 each content area to all students;

7 (C) the extent to which teachers, principals, and
8 administrators have ready and continuing access to
9 professional development, including the best knowl-
10 edge about teaching, learning, and school improve-
11 ment;

12 (D) the extent to which curriculum, instructional
13 practices, and assessments are aligned to content
14 standards;

15 (E) the extent to which school facilities provide
16 a safe and secure environment for learning and in-
17 struction and have the requisite libraries, labora-
18 tories, and other resources necessary to provide an op-
19 portunity to learn;

20 (F) the extent to which schools utilize policies,
21 curricula, and instructional practices which ensure
22 nondiscrimination on the basis of gender; and

23 (G) other factors that the Council deems appro-
24 priate to ensure the students receive a fair oppor-
25 tunity to achieve the knowledge and skills described in

1 *the voluntary content and student performance stand-*
2 *ards certified by the Council.*

3 *(3) In carrying out this subsection, the Council shall—*

4 *(A) identify what countries with rigorous content*
5 *standards do to—*

6 *(i) provide their children with opportunities*
7 *to learn;*

8 *(ii) prepare their teachers; and*

9 *(iii) provide continuing professional devel-*
10 *opment opportunities for their teachers; and*

11 *(B) develop criteria to be used for certifying the*
12 *voluntary national and State opportunity-to-learn*
13 *standards and, before applying such criteria, forward*
14 *them to the Goals Panel for review and comment.*

15 *(4) The Council shall assist in the development of the*
16 *voluntary national opportunity-to-learn standards devel-*
17 *oped by the consortium under section 219 by—*

18 *(A) making recommendations to the Secretary*
19 *regarding priorities and selection criteria for the*
20 *award made under section 219; and*

21 *(B) coordinating with the consortium receiving*
22 *an award under section 219 to ensure that the oppor-*
23 *tunity-to-learn standards the consortium develops are*
24 *appropriate for the needs of all students, are of high*

1 *quality, and are consistent with the criteria developed*
2 *by the Council for the certification of such standards.*

3 *(5) The Council shall forward the voluntary national*
4 *opportunity-to-learn standards it certifies to the Goals*
5 *Panel for review and comment.*

6 *(d) VOLUNTARY STATE OPPORTUNITY-TO-LEARN*
7 *STANDARDS.—The Council may certify opportunity-to-*
8 *learn standards submitted voluntarily by a State, using the*
9 *criteria developed under subsection (c)(3)(B), if such stand-*
10 *ards are of equal or higher quality as compared to the vol-*
11 *untary national opportunity-to-learn standards.*

12 *(e) GENERAL PROVISION REGARDING VOLUNTARY NA-*
13 *TIONAL STANDARDS.—The Council may certify voluntary*
14 *national content, student performance, and opportunity-to-*
15 *learn standards if such standards are sufficiently general*
16 *to be used by any State without restricting State and local*
17 *control of curriculum and prerogatives regarding instruc-*
18 *tional methods to be employed.*

19 *(f) ASSESSMENTS.—(1)(A) The Council may certify a*
20 *system of assessments that is submitted voluntarily by a*
21 *State, using the criteria developed under paragraph (2)(A),*
22 *if such system is aligned with the State's content standards*
23 *certified by the Council.*

24 *(B) Systems of assessments shall be certified by the*
25 *Council for the purposes of—*

1 (i) *informing students, parents, teachers, and re-*
2 *lated services personnel about the progress of all stu-*
3 *dents toward the standards;*

4 (ii) *improving classroom instruction and im-*
5 *proving the learning outcomes for all students;*

6 (iii) *exemplifying for students, parents, and*
7 *teachers the kinds and levels of achievement that*
8 *should be expected of all students, including the iden-*
9 *tification of student performance standards;*

10 (iv) *measuring and motivating individual stu-*
11 *dents, schools, districts, States, and the Nation to im-*
12 *prove educational performance; and*

13 (v) *assisting education policymakers in making*
14 *decisions about education programs.*

15 (C) *The Council shall certify a system of assessments*
16 *only if—*

17 (i) *the State has established or adopted oppor-*
18 *tunity-to-learn standards; and*

19 (ii) *such system will not be used to make deci-*
20 *sions regarding graduation, grade promotion, or re-*
21 *tention of students for a period of five years from the*
22 *date of enactment of this Act.*

23 (2)(A) *The Council shall develop and, no sooner than*
24 *three years or later than four years after the enactment of*
25 *this Act, begin utilizing criteria for the certification of as-*

1 *assessment systems for the purposes indicated in paragraph*
2 *(1)(B). Before using such criteria, the Council shall forward*
3 *the criteria to the Goals Panel for review and comment.*

4 *(B) The certification criteria developed by the Council*
5 *shall address the extent to which the assessment system—*

6 *(i) is aligned with State content standards cer-*
7 *tified by the Council; and*

8 *(ii) is to be used for a purpose for which it is*
9 *valid, reliable, free of discrimination, and is consist-*
10 *ent with relevant, nationally recognized professional*
11 *and technical standards for assessment.*

12 *(C) In determining appropriate certification criteria,*
13 *the Council shall—*

14 *(i) consider standards and criteria being devel-*
15 *oped by other national organizations, research on as-*
16 *essment, and emerging new State and local assess-*
17 *ments;*

18 *(ii) recommend needed research;*

19 *(iii) encourage the development and field testing*
20 *of systems of assessments; and*

21 *(iv) provide a public forum for discussing, debat-*
22 *ing, and building consensus for the criteria to be used*
23 *for the certification of assessment systems.*

1 (D) Prior to determining the certification criteria, the
2 Council shall seek public comment regarding the proposed
3 criteria.

4 (E) The Council shall certify a system of assessments
5 only if such system includes all students.

6 (g) PERFORMANCE OF DUTIES.—In carrying out its
7 responsibilities under this title, the Council shall—

8 (1) provide for a process of broad public input
9 as part of the process of developing criteria for stand-
10 ards and assessments;

11 (2) work with Federal and non-Federal agencies
12 and organizations which are conducting research,
13 studies, or demonstration projects to determine inter-
14 nationally competitive standards and assessments,
15 and may establish subject matter and other panels to
16 advise it on particular content, student performance,
17 and opportunity-to-learn standards and on assess-
18 ments;

19 (3) shall establish cooperative arrangements with
20 the National Skill Standards Board to promote the
21 coordination of the development of content and stu-
22 dent performance standards under this title with the
23 development of skill standards under title IV of this
24 Act;

1 (4) *recommend studies to the Secretary that are*
2 *necessary to carry out the Council's responsibilities;*

3 (5) *inform the public about what constitutes high*
4 *quality, internationally competitive, content, student*
5 *performance, and opportunity-to-learn standards, and*
6 *assessment systems;*

7 (6) *on a regular basis, review and update cri-*
8 *teria for certifying content, student performance, and*
9 *opportunity-to-learn standards, and assessment sys-*
10 *tems; and*

11 (7) *periodically recertify, as appropriate, the vol-*
12 *untary national content and student performance*
13 *standards, and the voluntary national opportunity-*
14 *to-learn standards that it certifies under this section.*

15 **SEC. 214. ANNUAL REPORTS.**

16 *Not later than one year after the date the Council con-*
17 *cludes its first meeting, and in each succeeding year, the*
18 *Council shall prepare and submit a report to the President,*
19 *the Secretary, the appropriate committees of Congress, the*
20 *Governor of each State, and the Goals Panel regarding its*
21 *work.*

22 **SEC. 215. POWERS OF THE COUNCIL.**

23 (a) *HEARINGS.*—(1) *The Council shall, for the purpose*
24 *of carrying out its responsibilities, conduct such hearings,*
25 *sit and act at such times and places, take such testimony,*

1 *and receive such evidence, as the Council considers appro-*
2 *priate.*

3 (2) *In carrying out this part, the Council shall conduct*
4 *public hearings in different geographic areas of the United*
5 *States, both urban and rural, to receive the reports, views,*
6 *and analyses of a broad spectrum of experts and the public*
7 *on the establishment of voluntary national content, student*
8 *performance, and opportunity-to-learn standards, and as-*
9 *essment systems.*

10 (b) *INFORMATION.*—*The Council may secure directly*
11 *from any department or agency of the United States infor-*
12 *mation necessary to enable the Council to carry out this*
13 *part. Upon request of the Chairperson of the Council, the*
14 *head of a department or agency shall furnish such informa-*
15 *tion to the Council to the extent permitted by law.*

16 (c) *POSTAL SERVICES.*—*The Council may use the*
17 *United States mail in the same manner and under the same*
18 *conditions as other departments and agencies of the United*
19 *States.*

20 (d) *GIFTS; USE OF FACILITIES.*—*The Council may—*

21 (1) *accept, administer, and utilize gifts or dona-*
22 *tions of services, money, or property, whether real or*
23 *personal, tangible or intangible; and*

24 (2) *with their consent, use the research, equip-*
25 *ment, services, and facilities of any agency or instru-*

1 *mentality of the United States, or of any State or po-*
2 *litical subdivision thereof.*

3 (e) *ADMINISTRATIVE ARRANGEMENTS AND SUP-*
4 *PORT.—(1) The Secretary shall provide to the Council, on*
5 *a reimbursable basis, such administrative support services*
6 *as the Council may request.*

7 (2) *The Secretary shall, to the extent appropriate, and*
8 *on a reimbursable basis, make contracts and other arrange-*
9 *ments that are requested by the Council to help it compile*
10 *and analyze data or carry out other functions necessary to*
11 *the performance of its responsibilities.*

12 **SEC. 216. PUBLICATION FOR PUBLIC COMMENT.**

13 (a) *TRANSMITTAL.—For the purpose of obtaining pub-*
14 *lic comment through publication in the Federal Register,*
15 *the Council shall transmit to the Secretary—*

16 (1) *proposed criteria for certifying national and*
17 *State content and performance standards;*

18 (2) *proposed criteria for certifying national and*
19 *State opportunity-to-learn standards;*

20 (3) *proposed criteria for certifying State assess-*
21 *ment systems; and*

22 (4) *proposed national content and opportunity-*
23 *to-learn standards.*

1 (b) *PUBLICATION.*—*The Secretary shall publish such*
2 *proposed procedures, standards, and criteria in the Federal*
3 *Register.*

4 **SEC. 217. ADMINISTRATIVE PROVISIONS.**

5 (a) *MEETINGS.*—*The Council shall meet on a regular*
6 *basis, as necessary, at the call of the Chairperson of the*
7 *Council, or a majority of its members.*

8 (b) *QUORUM.*—*A majority of the members shall con-*
9 *stitute a quorum for the transaction of business.*

10 (c) *VOTING.*—*The Council shall take all action of the*
11 *Council by a majority vote of the total membership of the*
12 *Council, ensuring the right of the minority to issue written*
13 *views. No individual may vote or exercise any of the powers*
14 *of a member by proxy.*

15 (d) *PUBLIC ACCESS.*—*The Council shall ensure public*
16 *access to its proceedings (other than proceedings, or por-*
17 *tions of proceedings, relating to internal personnel and*
18 *management matters) and make available to the public, at*
19 *reasonable cost, transcripts of such proceedings.*

20 **SEC. 218. DIRECTOR AND STAFF; EXPERTS AND CONSULT-**
21 **ANTS.**

22 (a) *DIRECTOR.*—*The Chairperson of the Council shall,*
23 *without regard to the provisions of title 5, United States*
24 *Code, relating to the appointment and compensation of offi-*
25 *cers or employees of the United States, appoint a Director*

1 *to be paid at a rate not to exceed the rate of basic pay*
2 *payable for level V of the Executive Schedule.*

3 *(b) APPOINTMENT AND PAY OF EMPLOYEES.—(1)(A)*
4 *The Director may appoint not more than four additional*
5 *employees to serve as staff to the Council without regard*
6 *to the provisions of title 5, United States Code, governing*
7 *appointments in the competitive service.*

8 *(B) The employees appointed under subparagraph (A)*
9 *may be paid without regard to the provisions of chapter*
10 *51 and subchapter III of chapter 53 of that title relating*
11 *to classification and General Schedule pay rates, but shall*
12 *not be paid a rate that exceeds the maximum rate of basic*
13 *pay payable for GS–15 of the General Schedule.*

14 *(2) The Director may appoint additional employees to*
15 *serve as staff of the Council consistent with title 5, United*
16 *States Code.*

17 *(c) EXPERTS AND CONSULTANTS.—The Council may*
18 *procure temporary and intermittent services under section*
19 *3019(b) of title 5, United States Code.*

20 *(d) STAFF OF FEDERAL AGENCIES.—Upon the request*
21 *of the Council, the head of any department or agency of*
22 *the United States may detail any of the personnel of such*
23 *department or agency to the Council to assist the Council*
24 *in its duties under this part.*

1 **SEC. 219. OPPORTUNITY-TO-LEARN DEVELOPMENT GRANT.**

2 (a) OPPORTUNITY-TO-LEARN DEVELOPMENT
3 GRANT.—(1) *The Secretary is authorized to make a grant,*
4 *on a competitive basis, to a consortium of individuals and*
5 *organizations to develop voluntary national opportunity-to-*
6 *learn standards consistent with the provisions of section*
7 *213(c).*

8 (2) *To the extent possible, such consortium shall in-*
9 *clude the participation of—*

10 (A) *State-level policymakers, such as Governors,*
11 *State legislators, chief State school officers, and State*
12 *school board members;*

13 (B) *local policymakers and administrators, such*
14 *as local school board members, superintendents, and*
15 *principals;*

16 (C) *teachers (especially teachers involved in the*
17 *development of content standards);*

18 (D) *parents and individuals with experience in*
19 *promoting parental involvement in education;*

20 (E) *representatives of business;*

21 (F) *experts in vocational-technical education;*

22 (G) *representatives of regional accrediting asso-*
23 *ciations;*

24 (H) *individuals with expertise in school finance*
25 *and equity, the education of at-risk students, and the*

1 *preparation and training of teachers and school ad-*
2 *ministrators;*

3 *(I) curriculum and school reform experts;*

4 *(J) student and civil rights advocacy groups;*

5 *(K) representatives of higher education; and*

6 *(L) secondary school students.*

7 *(3) In developing voluntary national opportunity-to-*
8 *learn standards, such consortium shall—*

9 *(A) draw upon current research about student*
10 *achievement and the necessary conditions for effective*
11 *teaching and learning; and*

12 *(B) provide for the development of several con-*
13 *secutive drafts of standards which incorporate the*
14 *comments and recommendations of educators and*
15 *other knowledgeable individuals across the Nation.*

16 *(4) One-third of the consortium shall consist of indi-*
17 *viduals with expertise in the educational needs and assess-*
18 *ment of children who are from low-income families, minor-*
19 *ity backgrounds, have limited-English proficiency, or have*
20 *disabilities.*

21 *(5) The membership of the consortium shall be geo-*
22 *graphically representative and reflect the racial, ethnic, and*
23 *gender diversity of the United States.*

24 *(b) APPLICATIONS.—(1) Any consortium that desires*
25 *to receive a grant under this subsection shall submit an ap-*

1 *plication to the Secretary at such time, in such manner,*
2 *and containing such information and assurances as the*
3 *Secretary may require.*

4 *(2) In awarding such grant, the Secretary shall give*
5 *priority to applications from consortia which involve indi-*
6 *viduals and organizations with the greatest diversity of per-*
7 *spectives and points of view.*

8 *(3) In establishing additional priorities and selection*
9 *criteria for such grant, the Secretary shall give serious con-*
10 *sideration to the recommendations made by the Council*
11 *pursuant to section 213(c)(4)(A).*

12 *(c) REPORT.—After the development of the voluntary*
13 *national opportunity-to-learn standards, the consortium*
14 *funded under this section shall submit a report to the Sec-*
15 *retary which discusses the background, important issues,*
16 *and rationale regarding such standards.*

17 **SEC. 220. ASSESSMENT DEVELOPMENT AND EVALUATION**
18 **GRANTS.**

19 *(a) GENERAL.—(1) The Secretary is authorized to*
20 *make grants to States and local educational agencies or*
21 *consortia of such agencies to help defray the cost of develop-*
22 *ing, field testing, and evaluating systems of assessments, to*
23 *be used for some or all of the purposes indicated in section*
24 *213(f)(1)(B), that are aligned to State content standards*
25 *certified by the Council.*

1 (2) *The Secretary shall reserve a portion of the funds*
2 *allocated under section 219(a)(1) for grants to State edu-*
3 *cational agencies and local educational agencies for pur-*
4 *poses of developing such assessments in languages other*
5 *than English.*

6 (b) *APPLICATIONS.*—*A State, local educational agency,*
7 *or consortium of such agencies that desires to receive a*
8 *grant under subsection (a)(1) shall submit an application*
9 *to the Secretary at such time, in such manner, and contain-*
10 *ing such information and assurances as the Secretary may*
11 *require.*

12 (c) *REQUIREMENTS.*—(1) *A recipient of a grant under*
13 *this section shall—*

14 (A) *examine the validity and reliability of an*
15 *assessment, or system of assessments, for the particu-*
16 *lar purposes for which such assessment or system was*
17 *developed;*

18 (B) *ensure that an assessment, or system of as-*
19 *sessments, is consistent with relevant, nationally rec-*
20 *ognized professional and technical standards for as-*
21 *sessments; and*

22 (C) *devote special attention to how an assess-*
23 *ment, or system of assessments, treats all students, es-*
24 *pecially with regard to the race, gender, ethnicity,*
25 *disability, and language proficiency.*

1 (2) *An assessment, or system of assessments, developed*
2 *and evaluated with funds under this section may not be*
3 *used for decisions about individual students relating to pro-*
4 *gram placement, promotion, or retention, graduation, or*
5 *employment for a period of five years from the date of en-*
6 *actment of this Act.*

7 **SEC. 221. EVALUATION.**

8 (a) *GRANT.—From funds reserved under section*
9 *304(a)(2), the Secretary annually shall make a grant, in*
10 *an amount not to exceed \$500,000, to the Commission on*
11 *Behavioral and Social Sciences and Education of the Na-*
12 *tional Academy of Sciences (referred to in this part as the*
13 *Commission) to—*

14 (1) *evaluate—*

15 (A) *the technical quality of the work per-*
16 *formed by the Goals Panel and the Council;*

17 (B) *the process the Council uses to develop*
18 *criteria for certification of standards and assess-*
19 *ments;*

20 (C) *the process the Council uses to certify*
21 *voluntary national standards as well as stand-*
22 *ards and assessments voluntarily submitted by*
23 *States; and*

1 (D) the process the Goals Panel uses to ap-
2 prove certification criteria and voluntary na-
3 tional standards;

4 (2) periodically provide to the Goals Panel and
5 the Council, as appropriate, information from the
6 evaluation under paragraph (1); and

7 (3) report on the activities authorized under sec-
8 tions 219 and 220.

9 (b) *REPORT.*—The Commission shall periodically re-
10 port to the Congress, the Secretary, and the public regard-
11 ing findings and shall make a final report not later than
12 January 1, 1998.

13 **PART C—AUTHORIZATION OF APPROPRIATIONS**

14 **SEC. 231. AUTHORIZATION OF APPROPRIATIONS.**

15 (a) *NATIONAL EDUCATION GOALS PANEL.*—There are
16 authorized to be appropriated \$3,000,000 for fiscal year
17 1994 and such sums as may be necessary for each of the
18 four succeeding fiscal years to carry out part A of this title.

19 (b) *NATIONAL EDUCATION STANDARDS AND IMPROVE-*
20 *MENT COUNCIL.*—There are authorized to be appropriated
21 \$3,000,000 for fiscal year 1994 and such sums as may be
22 necessary for each of the fiscal years 1995 through 1998 to
23 carry out part B of this title.

24 (c) *OPPORTUNITY-TO-LEARN DEVELOPMENT GRANT.*—
25 There are authorized to be appropriated \$3,000,000 for fis-

1 *cal year 1994 and such sums as may be necessary for fiscal*
2 *year 1995 to carry out the Opportunity-to-Learn Develop-*
3 *ment Grant Program established under section 219 of this*
4 *title.*

5 *(d) ASSESSMENT DEVELOPMENT AND EVALUATION*
6 *GRANTS.—There are authorized to be appropriated*
7 *\$5,000,000 for fiscal year 1994 and such sums as may be*
8 *necessary for each of the fiscal years 1995 through 1998 to*
9 *carry out the Assessment Development and Evaluation*
10 *Grants Program established under section 220 of this title.*

11 ***TITLE III—STATE AND LOCAL***
12 ***EDUCATION SYSTEMIC IM-***
13 ***PROVEMENT***

14 ***SEC. 301. CONGRESSIONAL FINDINGS.***

15 *The Congress finds that—*

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

19 *(2) the reforms in education of the last 15 years*
20 *have achieved some good results, but these efforts often*
21 *have been limited to a few schools or to a single part*
22 *of the educational system;*

23 *(3) leadership must come both from teachers, re-*
24 *lated services personnel, principals, and parents in*
25 *individual schools and from policymakers at the local,*

1 *State, tribal, and national levels, in order for lasting*
2 *improvements in student performance to occur;*

3 *(4) simultaneous top-down and bottom-up edu-*
4 *cation reform is necessary to spur creative and inno-*
5 *vative approaches by individual schools to help all*
6 *students achieve internationally competitive stand-*
7 *ards;*

8 *(5) strategies must be developed by communities*
9 *and States to support the revitalization of all local*
10 *public schools by fundamentally changing the entire*
11 *system of public education through comprehensive, co-*
12 *herent, and coordinated improvement in order to in-*
13 *crease student learning;*

14 *(6) parents, teachers, and other local educators,*
15 *and business, community, and tribal leaders must be*
16 *involved in developing systemwide improvement strat-*
17 *egies that reflect the needs of their individual commu-*
18 *nities;*

19 *(7) State and local education improvement ef-*
20 *forts must incorporate strategies for providing all stu-*
21 *dents and families with coordinated access to appro-*
22 *priate social services, health care, nutrition, and child*
23 *care to remove preventable barriers to learning and*
24 *enhance school readiness for all students;*

1 (8) States and local educational agencies, work-
2 ing together, must immediately set about developing
3 and implementing such systemwide improvement
4 strategies if the Nation is to educate all children to
5 meet their full potential and achieve the National
6 Education Goals listed in title I of this Act;

7 (9) State and local systemic improvement strate-
8 gies must provide all students with effective mecha-
9 nisms and appropriate paths to the workforce as well
10 as to higher education;

11 (10) business should be encouraged to enter into
12 partnerships with schools, provide information and
13 guidance to schools on the needs of area business for
14 properly educated graduates in general and on the
15 need for particular workplace skills, that the schools
16 may provide necessary material and support, and
17 continue the lifelong learning process throughout the
18 employment years of an individual, and schools
19 should provide information to business regarding how
20 the business community can assist schools in meeting
21 the goals of this Act;

22 (11) institutions of higher education should be
23 encouraged to enter into partnerships with schools to
24 provide information and guidance to schools on the
25 skills and knowledge graduates need in order to enter

1 *and successfully complete postsecondary education,*
2 *and schools should provide information and guidance*
3 *to institutions of higher education on the skills,*
4 *knowledge, and preservice training teachers need, and*
5 *the types of professional development educators need*
6 *in order to meet the goals of this Act;*

7 *(12) the appropriate and innovative use of tech-*
8 *nology, including distance learning, can be very effec-*
9 *tive in helping to bring all students the opportunity*
10 *to learn and meet high standards; and*

11 *(13) Federal funds should be targeted to support*
12 *local and State initiatives, and to leverage State and*
13 *local resources for designing and implementing sys-*
14 *tem-wide improvement plans.*

15 **SEC. 302. PURPOSE.**

16 *The purpose of this title is to improve the quality of*
17 *education for all students by improving student learning*
18 *through a long-term, broad-based effort to promote coherent*
19 *and coordinated improvements in the system of education*
20 *throughout the Nation at the local and State levels. This*
21 *title provides new authorities and funding for the Nation's*
22 *school systems without replacing or reducing funding for*
23 *existing Federal education programs. It is the intention of*
24 *the Congress that no State or local educational agency will*

1 *reduce its funding for education or for education reform on*
2 *account of receiving any funds under this title.*

3 **SEC. 303. AUTHORIZATION OF APPROPRIATIONS.**

4 *For the purpose of carrying out this title, there are*
5 *authorized to be appropriated \$393,000,000 for the fiscal*
6 *year 1994, and such sums as may be necessary for each*
7 *of the fiscal years 1995 through 1998.*

8 **SEC. 304. ALLOTMENT OF FUNDS.**

9 *(a) RESERVATIONS OF FUNDS.—From funds appro-*
10 *priated under section 303, the Secretary—*

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

13 *(A) to the outlying areas; and*

14 *(B) to the Secretary of the Interior to bene-*
15 *fit Indian students in schools operated or funded*
16 *by the Bureau of Indian Affairs (referred to in*
17 *this Act as the “Bureau”); and*

18 *(2) may reserve a total of up to 6 percent for—*

19 *(A) national leadership activities under sec-*
20 *tion 313;*

21 *(B) the costs of peer review of State im-*
22 *provement plans and applications under this*
23 *title; and*

24 *(C) evaluation activities under section 221.*

1 (b) *STATE ALLOTMENTS.*—*The Secretary shall allot*
2 *the remaining amount appropriated under section 303 for*
3 *each fiscal year to the States (which for the purposes of this*
4 *subsection does not include the outlying areas) as follows:*

5 (1) *50 percent of such remaining amount shall*
6 *be allocated in accordance with the relative amounts*
7 *such State received under chapter 1 of title I of the*
8 *Elementary and Secondary Education Act of 1965 for*
9 *the preceding fiscal year.*

10 (2) *50 percent of such remaining amount shall*
11 *be allocated in accordance with the relative amounts*
12 *each such State received under part A of chapter 2 of*
13 *title I of the Elementary and Secondary Education*
14 *Act of 1965 for the preceding fiscal year.*

15 (c) *REALLOTMENTS.*—*If the Secretary determines that*
16 *any amount of a State's allotment for any fiscal year under*
17 *subsection (b) will not be needed for such fiscal year by the*
18 *State, the Secretary shall reallocate such amount to other*
19 *States that need additional funds, in such manner as the*
20 *Secretary determines is appropriate.*

21 **SEC. 305. STATE APPLICATIONS.**

22 (a) *GENERAL.*—(1) *If a State desires to receive a grant*
23 *under this title, the State educational agency shall submit*
24 *an application to the Secretary at such time and in such*
25 *manner as the Secretary may determine.*

1 (2) *In addition to the information described in sub-*
2 *sections (b) and (c), each such application shall include—*

3 (A) *an assurance that the State educational*
4 *agency will cooperate with the Secretary in carrying*
5 *out the Secretary’s responsibilities under section 312,*
6 *and will comply with reasonable requests of the Sec-*
7 *retary for data related to the State’s progress in de-*
8 *veloping and implementing its State improvement*
9 *plan under this title;*

10 (B) *an assurance that State law provides ade-*
11 *quate authority to carry out each component of the*
12 *State’s improvement plan developed, or to be devel-*
13 *oped under section 306, or that such authority will be*
14 *sought;*

15 (C) *an assurance that the standards developed*
16 *for student achievement are not less rigorous than stu-*
17 *dent achievement standards used prior to the date of*
18 *enactment of this Act;*

19 (D) *an assurance that the State will provide for*
20 *broad public participation in the planning process;*
21 *and*

22 (E) *such other assurances and information as*
23 *the Secretary may require.*

24 (b) *FIRST YEAR.*—*A State’s application for the first*
25 *year of assistance under this title shall—*

1 (1) describe the process by which the State will
2 develop a school improvement plan that meets the re-
3 quirements of section 306; and

4 (2) describe how the State educational agency
5 will use funds received under this title for such year,
6 including how the State educational agency will make
7 subgrants to local educational agencies and for teach-
8 er training.

9 (c) *SUBSEQUENT YEARS.*—A State’s second applica-
10 tion under this title shall—

11 (1) cover the second through fifth years of its
12 participation;

13 (2) include a copy of the State’s improvement
14 plan that meets the requirements of section 306 or, if
15 the State plan is not complete, a statement of the
16 steps it will take to complete the plan and a schedule
17 for doing so; and

18 (3) include an explanation of how the State will
19 use funds received under this title, including how it
20 will make subgrants to local educational agencies and
21 for teacher training under section 309(b)(1).

22 **SEC. 306. STATE IMPROVEMENT PLANS.**

23 (a) *BASIC SCOPE OF PLAN.*—Any State educational
24 agency that wishes to receive a grant under this title after
25 its first year of participation shall develop and implement

1 *a plan for the fundamental restructuring and improvement*
2 *of elementary and secondary education in the State. This*
3 *plan must address—*

4 (1) *in accordance with subsection (c), the estab-*
5 *lishment or adoption of challenging content and stu-*
6 *dent performance standards for all students and the*
7 *use of curricula, instructional practices, assessments,*
8 *technology, parental involvement programs, and pro-*
9 *fessional preparation and development approaches*
10 *appropriate to help all students reach such standards;*

11 (2) *in accordance with subsection (d) and the*
12 *factors described in section 213(c)(2), the establish-*
13 *ment or adoption of opportunity-to-learn standards*
14 *that will define the conditions of teaching and learn-*
15 *ing that provide all students the opportunity to meet*
16 *the challenging content and student performance*
17 *standards;*

18 (3) *in accordance with subsection (e), needed*
19 *changes in the governance and management of the*
20 *education system in order to effectively focus schools*
21 *on, and assist them in, preparing all students to meet*
22 *the challenging State standards;*

23 (4) *in accordance with subsection (f), comprehen-*
24 *sive strategies to involve communities, including par-*
25 *ents, businesses, libraries, institutions of higher edu-*

1 *cation, employment and training agencies, health and*
2 *human service agencies, advocacy groups, cultural in-*
3 *stitutions, and other public and private agencies that*
4 *provide social services, health care, child care, early*
5 *childhood education, and nutrition to students, in*
6 *helping all students meet the challenging State stand-*
7 *ards;*

8 *(5) in accordance with subsection (g), strategies*
9 *for ensuring that all local educational agencies and*
10 *schools within the State are involved in developing*
11 *and implementing needed improvements within a*
12 *specified period of time;*

13 *(6) in accordance with subsection (h), strategies*
14 *for ensuring that comprehensive, systemic reform is*
15 *promoted from the bottom up in communities, local*
16 *educational agencies, and schools; and*

17 *(7) the needs of the children, ages 5 through 18,*
18 *who are out of school and the extent to which such*
19 *children can be brought back into the education sys-*
20 *tem and meet the standards set forth in this Act.*

21 *(b) PLAN DEVELOPMENT.—(1) A State improvement*
22 *plan under this title must be developed by a broad-based*
23 *panel (referred to in this title as the “panel”) in coopera-*
24 *tion with the State educational agency and the Governor.*
25 *The panel shall include—*

1 (A) the Governor and the chief State school offi-
2 cer, or their designees;

3 (B) the chairman of the State board of education
4 and the chairmen of the appropriate authorizing com-
5 mittees of the State legislature, or their designees;

6 (C) teachers, principals, and administrators who
7 have successfully improved student performance and
8 deans of colleges of education;

9 (D) representatives of teacher organizations, par-
10 ents, institutions of higher education, business and
11 labor leaders, community-based organizations, Indian
12 tribes, local boards of education, State and local offi-
13 cials responsible for health, social services, and other
14 related services, and others, as appropriate;

15 (E) representatives from rural and urban local
16 educational agencies in the State; and

17 (F) experts in educational measurement and as-
18 sessment.

19 (2) The Governor and the chief State school officer
20 shall each appoint half the members of the State panel. The
21 full panel shall establish the procedures regarding the oper-
22 ation of the panel, including the designation of the panel
23 chairperson.

24 (3) To the extent feasible, the membership of the panel
25 shall be geographically representative of the State and re-

1 *flect the diversity of the population of the State with regard*
2 *to race, ethnicity, gender, and disability characteristics.*

3 (4) *One-third of the panel members shall be individ-*
4 *uals with expertise in the educational needs and assess-*
5 *ments of children who are from low-income families, minor-*
6 *ity group backgrounds, have limited-English proficiency, or*
7 *have disabilities.*

8 (5) *The panel shall consult the Governor, the chief*
9 *State school officer, the State board of education, and rel-*
10 *evant committees of the State legislature in developing the*
11 *plan.*

12 (6) *The panel shall be responsible for conducting a*
13 *statewide, grassroots outreach process, including conducting*
14 *public hearings, to involve educators, related services per-*
15 *sonnel, parents, secondary school students, local officials,*
16 *private nonprofit elementary and secondary schools, com-*
17 *munity and business leaders, Indian tribes, citizens, chil-*
18 *dren's advocates, and others with a stake in the success of*
19 *students and their education system, and who are represent-*
20 *ative of the diversity of the State and its student popu-*
21 *lation, in the development of the State plan and in a con-*
22 *tinuing dialog regarding the need for and nature of chal-*
23 *lenging standards for all students and local and State re-*
24 *sponsibilities for helping all students achieve them.*

1 (7) *The panel shall develop a continuing process for*
2 *interacting with local educational agencies and individual*
3 *schools engaged in systemic reform, especially including*
4 *local educational agencies and schools which receive*
5 *subgrants under section 309 of this Act, to ensure that the*
6 *development and implementation of the State plan reflects*
7 *their needs and experiences.*

8 (8) *The panel shall develop a State plan, provide op-*
9 *portunity for public comment, and submit the State plan*
10 *to the State educational agency for approval.*

11 (9) *The State educational agency shall submit the*
12 *original State improvement plan developed by the panel*
13 *and the State improvement plan if modified by such agen-*
14 *cy, together with an explanation of any changes made by*
15 *such agency to the plan developed by the panel, to the Sec-*
16 *retary for approval.*

17 (10) *If any portion of the State plan addresses matters*
18 *that, under State or other applicable law, are not under*
19 *the authority of the State educational agency, the State edu-*
20 *cational agency shall obtain the approval of, or changes to,*
21 *such portion, with an explanation from the Governor or*
22 *other official responsible for that portion before submitting*
23 *the plan to the Secretary.*

24 (11) *After approval of the State plan by the Secretary,*
25 *the panel, in close consultation with teachers, principals,*

1 *administrators, school boards, advocacy groups, advocates*
2 *of children with disabilities and parents in local edu-*
3 *cational agencies and schools receiving funds under this*
4 *title, shall monitor the implementation and effectiveness of*
5 *the State plan to determine if revisions are appropriate,*
6 *and shall periodically report its findings to the public.*

7 (c) *TEACHING, LEARNING, STANDARDS, AND ASSESS-*
8 *MENTS.—Each State plan shall establish strategies and a*
9 *timetable for improving teaching and learning, including—*

10 (1) *a process for developing or adopting chal-*
11 *lenging content and student performance standards*
12 *for all students which includes coordinating the*
13 *standards developed pursuant to section 115 of the*
14 *Carl D. Perkins Vocational and Applied Technology*
15 *Education Act of 1990;*

16 (2) *a process for providing assistance and sup-*
17 *port to local educational agencies and schools to give*
18 *them the capacity and responsibility to provide all*
19 *students the opportunity to increase education*
20 *achievement and meet challenging State content and*
21 *student performance standards;*

22 (3) *assessing the effectiveness and equity of the*
23 *school finance program of the State to identify dis-*
24 *parities in the resources available to each local edu-*
25 *cational agency and school in such State and how*

1 *such disparities affect the ability of the State edu-*
2 *cational agency and local educational agencies to de-*
3 *velop and implement plans under this title;*

4 *(4) a process for developing, adopting, or rec-*
5 *ommending instructional materials, including gender*
6 *equitable and multicultural materials, and technology*
7 *to support and assist local educational agencies and*
8 *schools to provide all students the opportunity to meet*
9 *the challenging State content and student perform-*
10 *ance standards;*

11 *(5) a process for developing and implementing a*
12 *valid and nondiscriminatory assessment system or set*
13 *of locally-based assessment systems which are consist-*
14 *ent with relevant, nationally recognized, professional*
15 *and technical standards for assessment, and are capa-*
16 *ble of providing coherent information about student*
17 *attainments relative to the State content standards;*

18 *(6) a process for monitoring the implementation*
19 *of such system or systems and the impact on im-*
20 *proved instruction for all students;*

21 *(7) a process for improving the State's system of*
22 *teacher and school administrator preparation, licen-*
23 *sure, and continuing professional development so that*
24 *all teachers, related services personnel, and adminis-*
25 *trators develop the subject matter and pedagogical ex-*

1 *expertise needed to prepare all students to meet the*
2 *challenging standards under paragraph (1);*

3 *(8) a process for providing appropriate and ef-*
4 *fective professional development, including the use of*
5 *technology, distance learning, and gender-equitable*
6 *methods, necessary for teachers, school administrators,*
7 *and others to help all students meet the challenging*
8 *standards under paragraph (1); and*

9 *(9) a process to ensure widespread participation*
10 *of classroom teachers in developing the portions of the*
11 *plan described in this subsection.*

12 *(d) OPPORTUNITY-TO-LEARN STANDARDS.—Each*
13 *State plan shall establish a strategy and timetable for—*

14 *(1) adopting or establishing opportunity-to-learn*
15 *standards prior to or simultaneous with the establish-*
16 *ment or adoption of challenging content and student*
17 *performance standards;*

18 *(2) ensuring that every school in the State is*
19 *making demonstrable progress toward meeting the*
20 *State’s opportunity-to-learn standards;*

21 *(3) ensuring that the State’s opportunity-to-*
22 *learn standards address the need of all students;*

23 *(4) providing for periodic, independent assess-*
24 *ments of the extent to which opportunity-to-learn*
25 *standards are being met throughout the State; and*

1 (5) *periodically reporting to the public on the ex-*
2 *tent of the State's improvement in achieving such*
3 *standards and providing all students with a fair op-*
4 *portunity to achieve the knowledge and skill levels*
5 *that meet the State's content and student performance*
6 *standards.*

7 (e) *GOVERNANCE AND MANAGEMENT.—Each State*
8 *plan shall establish strategies for improved governance and*
9 *management of its education system, such as—*

10 (1) *aligning responsibility, authority, and ac-*
11 *countability throughout the education system, so that*
12 *decisions regarding content and student performance*
13 *standards are coordinated and decisions regarding the*
14 *means for achieving such standards are made closest*
15 *to the learners;*

16 (2) *creating an integrated and coherent ap-*
17 *proach to attracting, recruiting, preparing and li-*
18 *censing, appraising, rewarding, retaining, and sup-*
19 *porting the continued professional development of*
20 *teachers (including vocational teachers), administra-*
21 *tors, and other educators, including bilingual edu-*
22 *cators and special education providers, so that there*
23 *is a highly talented workforce of professional edu-*
24 *cators capable of preparing all students to reach chal-*
25 *lenging standards, with special attention to the re-*

1 *recruitment, training, and retention of qualified mi-*
2 *norities into the education profession within the State*
3 *to ensure that the profession reflects the racial and*
4 *ethnic diversity of the student population;*

5 *(3) providing incentives for high performance,*
6 *such as—*

7 *(A) working with employers and institu-*
8 *tions of higher education to devise strategies to*
9 *reward student achievement;*

10 *(B) incentives for classroom teachers, prin-*
11 *cipals, and other professional educators to par-*
12 *ticipate in professional development activities;*
13 *and*

14 *(C) school-based incentives for schools and*
15 *local educational agencies to improve student*
16 *performance;*

17 *(4) increasing the proportion of State and local*
18 *funds allocated to direct instructional purposes; and*

19 *(5) increasing flexibility for local educational*
20 *agencies and schools by, for example—*

21 *(A) waiving State regulations and other re-*
22 *quirements that impede educational improve-*
23 *ment;*

1 (B) focusing accountability on educational
2 outcomes rather than monitoring compliance
3 with input requirements; and

4 (C) fostering conditions that allow teachers,
5 principals, and parents in the school community
6 to be creative in helping all students meet chal-
7 lenging standards.

8 (f) PARENTAL AND COMMUNITY SUPPORT AND IN-
9 VOLVEMENT.—Each State plan shall describe strategies for
10 how the State will involve parents and other community
11 members in planning, designing, and implementing its
12 plan, including such strategies as—

13 (1) educating the public about the need for high-
14 er standards, systemic improvement, and awareness
15 of diverse learning needs;

16 (2) involving parents, communities, and advo-
17 cacy groups in the standard-setting and improvement
18 process;

19 (3) linking the family and school in supporting
20 students to meet the challenging student content and
21 performance standards established;

22 (4) reporting, on an ongoing basis, to parents,
23 educators, and the public on the progress in imple-
24 menting the plan and improving student perform-
25 ance;

1 (5) *focusing public and private community re-*
2 *sources and public school resources on prevention and*
3 *early intervention to address the needs of all students*
4 *by—*

5 (A) *identifying and removing unnecessary*
6 *regulations and obstacles to coordination;*

7 (B) *improving communication and infor-*
8 *mation exchange; and*

9 (C) *providing appropriate training to agen-*
10 *cy personnel; and*

11 (6) *increasing the access of all students to social*
12 *services, health care, nutrition, related services, and*
13 *child care services, and locating such services in*
14 *schools, cooperating service agencies, community-*
15 *based centers, or other convenient sites designed to*
16 *provide “one-stop shopping” for parents and students.*

17 (g) *MAKING THE IMPROVEMENTS SYSTEMWIDE.—To*
18 *help provide all students throughout the State the oppor-*
19 *tunity to meet challenging State standards, each State plan*
20 *shall describe strategies such as—*

21 (1) *ensuring that the improvement efforts expand*
22 *from the initial local educational agencies, schools,*
23 *and educators involved to all local educational agen-*
24 *cies, schools, and educators in the State education*
25 *system through such approaches as teacher and ad-*

1 *ministrator professional development, technical assist-*
2 *ance, whole school projects, intensive summer train-*
3 *ing, and networking of teachers and other educators,*
4 *consortia of schools, and local educational agencies*
5 *undertaking similar improvements;*

6 *(2) developing partnerships among preschools, el-*
7 *ementary and secondary schools, institutions of higher*
8 *education, cultural institutions, health and social*
9 *service providers, and employers to improve teaching*
10 *and learning at all levels of the education system for*
11 *all students and to foster collaboration and continu-*
12 *ous improvement;*

13 *(3) strategies to provide for the close coordina-*
14 *tion of standards development and improvement ef-*
15 *forts among institutions of higher education and sec-*
16 *ondary, and elementary schools;*

17 *(4) conducting parental involvement activities*
18 *and outreach programs aimed at parents whose lan-*
19 *guage is a language other than English, individuals*
20 *with disabilities, and other special populations, in-*
21 *cluding American Indians, Alaskan Natives, and Na-*
22 *tive Hawaiians, to involve all segments of the commu-*
23 *nity in the development of the State plan;*

24 *(5) developing partnerships with Indian tribes*
25 *and schools funded by the Bureau, where appropriate,*

1 *to improve consistency and compatibility in curricu-*
2 *lum among public and such schools funded by the*
3 *Bureau at all grade levels;*

4 *(6) allocating all available local, State, and Fed-*
5 *eral resources to achieve system-wide improvement;*

6 *(7) providing for the development of objective cri-*
7 *teria and measures against which the success of local*
8 *plans will be evaluated;*

9 *(8) providing for the availability of curricular*
10 *materials, learning technologies, including distance*
11 *learning, and professional development in a manner*
12 *ensuring equal access by all local educational agencies*
13 *in the State;*

14 *(9) taking steps to ensure that all local edu-*
15 *cational agencies, schools, and educators in the State*
16 *benefit from successful programs and practices sup-*
17 *ported by funds made available to local educational*
18 *agencies and schools under this title; and*

19 *(10) providing assistance to students, teachers,*
20 *schools, and local educational agencies that are iden-*
21 *tified through the assessment system developed under*
22 *subsection (c)(5) as needing such assistance.*

23 *(h) PROMOTING BOTTOM-UP REFORM.—Each State*
24 *plan shall include strategies for ensuring that comprehen-*
25 *sive, systemic reform is promoted from the bottom up in*

1 *communities, local educational agencies, and schools, as*
2 *well as guided by coordination and facilitation from State*
3 *leaders, including strategies such as—*

4 *(1) ensuring that the State plan is responsive to*
5 *the needs and experiences of local educational agen-*
6 *cies, schools, teachers, the community, and parents;*

7 *(2) establishing mechanisms for continuous*
8 *input from local schools, communities, advocacy*
9 *groups, institutions of higher education, and local*
10 *educational agencies into, and feedback on, the imple-*
11 *mentation of the State plan;*

12 *(3) providing discretionary resources that enable*
13 *teachers and schools to purchase needed professional*
14 *development and other forms of assistance consistent*
15 *with their improvement plan from high-quality pro-*
16 *viders of their choice;*

17 *(4) establishing collaborative networks of teachers*
18 *centered on content standards and assessments for the*
19 *purpose of improving teaching and learning;*

20 *(5) providing flexibility to individual schools*
21 *and local educational agencies to enable them to*
22 *adapt and integrate State content standards into*
23 *courses of study appropriate for individual schools*
24 *and communities;*

1 (6) *facilitating the provision of waivers from*
2 *State rules and regulations that impede the ability of*
3 *local educational agencies or schools to carry out local*
4 *education improvement plans; and*

5 (7) *facilitating communication among educators*
6 *within and between local educational agencies for the*
7 *purpose of sharing innovative and effective practices,*
8 *including, through the use of telecommunications, dis-*
9 *tance learning, site visits, and other means.*

10 (i) *BENCHMARKS AND TIMELINES.*—*Each State plan*
11 *shall include specific benchmarks of improved student per-*
12 *formance and of progress in implementing the improvement*
13 *plan, and timelines against which the progress of the State*
14 *in carrying out its plan, including the elements described*
15 *in subsections (c) through (h), can be measured.*

16 (j) *COORDINATING STRATEGIES.*—*Each State plan*
17 *shall include strategies for coordinating the integration of*
18 *academic and vocational instruction pursuant to the Carl*
19 *D. Perkins Vocational and Applied Technology Education*
20 *Act.*

21 (k) *PROGRAM IMPROVEMENT AND ACCOUNTABILITY.*—
22 *Each State shall describe—*

23 (1) *how the State will monitor progress towards*
24 *implementing the State and local plans; and*

1 (2) *procedures the State will use to ensure*
2 *schools and school districts meet State opportunity-to-*
3 *learn and content standards within the established*
4 *time lines.*

5 (1) *PEER REVIEW AND SECRETARIAL APPROVAL.—(1)*
6 *The Secretary shall review each State improvement plan*
7 *prepared under this section, and each application submit-*
8 *ted under section 305, with the assistance and advice of*
9 *State and local education policymakers, educators, class-*
10 *room teachers, related services personnel, experts on edu-*
11 *cational innovation and improvement, parents, advocates*
12 *for children with disabilities, representatives of other advo-*
13 *cacy groups, and other appropriate individuals. The peer*
14 *review process shall be performed by individuals representa-*
15 *tive of the diversity of the United States with regard to ge-*
16 *ography, race, ethnicity, gender, and disability. The review*
17 *process shall include at least one site visit to each State.*

18 (2) *The Secretary shall approve a State's plan when*
19 *the Secretary determines, after considering the peer review-*
20 *ers' comment, that it—*

21 (A) *reflects a widespread commitment within the*
22 *State;*

23 (B) *holds reasonable promise of enabling all stu-*
24 *dents to achieve at the high levels called for by this*
25 *Act;*

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

3 (D) allows local schools, local educational agen-
4 cies and communities the flexibility to implement
5 local improvement plans in a manner which reflects
6 local needs and requirements in order to promote a
7 'bottom up' system of school reform.

8 (3) The Secretary shall not decline to approve a State's
9 plan, or any State application submitted under section 305,
10 before offering the State—

11 (A) an opportunity to revise its plan or applica-
12 tion; and

13 (B) a hearing.

14 (m) *REGULAR REVIEW.*—Each State plan shall in-
15 clude a process for regularly reviewing and updating any
16 State content, student performance, and opportunity-to-
17 learn standards and systems of assessments.

18 (n) *AMENDMENTS TO PLAN.*—(1) Each State shall pe-
19 riodically review its plan and revise it, as appropriate, in
20 accordance with the process described in subsection (b).

21 (2) The Secretary shall review major amendments to
22 a State's plan through the same process, described in sub-
23 section (j), used to review the original plan.

24 (o) *PREEXISTING STATE PLANS AND PANELS.*—(1) If
25 a State has developed a comprehensive and systemic im-

1 *provement plan to help all students meet challenging stand-*
2 *ards, or any component of such a plan, that otherwise meets*
3 *the requirements of this section, the Secretary may approve*
4 *such plan or component notwithstanding that it was not*
5 *developed in accordance with subsection (b), if the Secretary*
6 *determines that such approval would further the purposes*
7 *of State systemic education improvement.*

8 (2) *If, before the enactment of this Act, a State has*
9 *made substantial progress in developing a plan that other-*
10 *wise meets, or is likely to meet, the requirements of this*
11 *section, but was developed by a panel that does not meet*
12 *the requirements of paragraphs (1), (2), and (3) of sub-*
13 *section (b), the Secretary may, at the request of the Gov-*
14 *ernor and the State educational agency, treat such panel*
15 *as meeting the requirements of this title if the Secretary*
16 *determines that there has been statewide involvement of edu-*
17 *cators, parents, students, advocacy groups, other interested*
18 *members of the public in the development of the plan.*

19 **SEC. 307. SECRETARY'S REVIEW OF APPLICATIONS; PAY-**
20 **MENTS.**

21 (a) *FIRST YEAR.*—*The Secretary shall approve the ini-*
22 *tial year application of a State educational agency under*
23 *section 305(b) if the Secretary determines that—*

24 (1) *such application meets the requirements of*
25 *this title; and*

1 (2) *there is a substantial likelihood that the re-*
2 *newal application of the State will be able to develop*
3 *and implement an education improvement plan that*
4 *complies with section 306.*

5 (b) *SECOND THROUGH FIFTH YEARS.—The Secretary*
6 *shall approve a renewal application of a State educational*
7 *agency under section 305(c) for the second through fifth*
8 *years only if—*

9 (1)(A) *the Secretary has approved the State’s*
10 *improvement plan under section 306(l); or*

11 (B) *the Secretary determines that the State has*
12 *made substantial progress in developing such plan;*
13 *and*

14 (2) *such application meets the other require-*
15 *ments of this title.*

16 (c) *PAYMENTS.—For any fiscal year for which a State*
17 *has an approved application under this title, the Secretary*
18 *shall make a grant to the State educational agency in the*
19 *amount determined under section 304(b).*

20 **SEC. 308. STATE USE OF FUNDS.**

21 (a) *FIRST YEAR.—In the first year for which a State*
22 *educational agency receives a grant under this title, the*
23 *State—*

24 (1) *shall use at least 75 percent of such funds to*
25 *make subgrants, in accordance with section 309(a), to*

1 *local educational agencies for the development or im-*
2 *plementation of local improvement plans and to make*
3 *subgrants, in accordance with section 309(b), to im-*
4 *prove educator preservice programs and for profes-*
5 *sional development activities consistent with the State*
6 *plan, if the amount allocated to States under section*
7 *304(b) for such year is at least \$50,000,000. The*
8 *State may use such funds for such subgrants if such*
9 *amount is less than \$50,000,000; and*

10 *(2) shall use the remainder of such funds to de-*
11 *velop, revise, expand, or implement an education im-*
12 *provement plan described in section 306.*

13 *(b) SUCCEEDING YEARS.—A State that receives assist-*
14 *ance under this title for any year after the first year of*
15 *participation shall—*

16 *(1) use at least 90 percent of such assistance in*
17 *each succeeding year to make subgrants—*

18 *(A) to local educational agencies, in accord-*
19 *ance with section 309(a), for the implementation*
20 *of the State improvement plan and of local im-*
21 *provement plans; and*

22 *(B) in accordance with section 309(b), to*
23 *improve educator preservice programs and for*
24 *professional development activities that are con-*
25 *sistent with the State improvement plan; and*

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

4 (A) supporting the development or adoption
5 of State content and student performance stand-
6 ards, State opportunity-to-learn standards, and
7 assessments linked to the standards, including
8 through consortia of States, and in conjunction
9 with the National Education Standards and Im-
10 provement Council established under part B of
11 title II of this Act;

12 (B) supporting the implementation of high-
13 performance management and organizational
14 strategies, such as site-based management, shared
15 decisionmaking, or quality management prin-
16 ciples, to promote effective implementation of
17 such plan;

18 (C) supporting the development and imple-
19 mentation, at the local educational agency and
20 school building level, of improved human re-
21 source development systems for recruiting, select-
22 ing, mentoring, supporting, evaluating, and re-
23 warding educators;

24 (D) providing special attention to the needs
25 of minority, limited-English proficient, disabled,

1 *and female students, including instructional pro-*
2 *grams and activities that encourage such stu-*
3 *dents in elementary and secondary schools to as-*
4 *pire to enter post secondary education or train-*
5 *ing;*

6 *(E) supporting the development, at the*
7 *State or local level, of performance-based ac-*
8 *countability and incentive systems for schools;*

9 *(F) outreach related to education improve-*
10 *ment to parents, Indian tribal officials, class-*
11 *room teachers, related services personnel, and*
12 *other educators, and the public;*

13 *(G) providing technical assistance and other*
14 *services to increase the capacity of local edu-*
15 *cational agencies and schools to develop and im-*
16 *plement local systemic improvement plans, im-*
17 *plement new assessments, and develop curricula*
18 *consistent with the content and student perform-*
19 *ance standards of the State;*

20 *(H) promoting public magnet schools, pub-*
21 *lic “charter schools”, and other mechanisms for*
22 *increasing choice among public schools; and*

23 *(I) collecting and analyzing data.*

24 *(c) LIMIT ON ADMINISTRATIVE COSTS.—In each year,*
25 *a State may use not more than four percent of its annual*

1 *allotment under this title, or \$100,000, whichever is greater,*
2 *for administrative expenses, not including the activities of*
3 *the panel established under section 306(b)(1).*

4 **SEC. 309. SUBGRANTS FOR LOCAL REFORM AND PROFES-**
5 **SIONAL DEVELOPMENT.**

6 (a) *SUBGRANTS TO LOCAL EDUCATIONAL AGEN-*
7 *CIES.—(1)(A) Each State educational agency shall make*
8 *subgrants to local educational agencies (or consortia of such*
9 *agencies) consistent with subsections (a)(1) and (b)(1)(A)*
10 *of section 308 through a competitive process.*

11 (B) *In making such subgrants, the State educational*
12 *agency shall award at least 1 subgrant in each fiscal year*
13 *to a rural local educational agency, or a consortium of*
14 *rural local educational agencies, except that this provision*
15 *shall not apply to the District of Columbia. Rural local edu-*
16 *cational agencies may include or be represented as a fiscal*
17 *agent by an educational service agency.*

18 (C) *In making such subgrants, the State educational*
19 *agency shall award at least 1 subgrant in each fiscal year*
20 *to an urban local educational agency.*

21 (D) *Each subgrant shall be for a project of sufficient*
22 *duration and of sufficient size, scope, and quality to carry*
23 *out the purpose of this title effectively.*

24 (2) *A local educational agency wishing to receive a*
25 *subgrant under this title for the purpose of developing a*

1 *comprehensive local plan shall submit an application to the*
2 *State educational agency. Such application shall contain*
3 *assurances that the local educational agency intends to de-*
4 *velop a plan that meets the requirements of this section.*

5 *(3) Each local educational agency wishing to receive*
6 *a subgrant for the purpose of implementing a plan under*
7 *this subsection shall submit a local plan to the State edu-*
8 *cational agency which—*

9 *(A) is developed by a broad-based panel that—*

10 *(i) is appointed by the local educational*
11 *agency and is representative of the diversity of*
12 *students and community with regard to race,*
13 *language, ethnicity, gender, disability, and socio-*
14 *economic characteristics and includes teachers,*
15 *parents, advocacy groups, school administrators,*
16 *business representatives, and others, as appro-*
17 *priate; and*

18 *(ii) shall, following the selection of its mem-*
19 *bers, establish the procedures regarding the oper-*
20 *ation of the panel, including the designation of*
21 *the chairperson;*

22 *(B) includes a comprehensive local plan for dis-*
23 *trictwide education improvement, directed at enabling*
24 *all students to meet the challenging content and stu-*
25 *dent performance standards of the State, including*

1 *specific goals and benchmarks, consistent with the*
2 *State improvement plan (either approved or under*
3 *development) and includes a strategy for—*

4 *(i) implementing opportunity-to-learn*
5 *standards;*

6 *(ii) improving teaching and learning;*

7 *(iii) improving governance and manage-*
8 *ment;*

9 *(iv) generating and strengthening parental*
10 *and community involvement; and*

11 *(v) expanding improvements throughout the*
12 *local educational agency;*

13 *(C) promotes the flexibility of local schools in de-*
14 *veloping plans which address the particular needs of*
15 *their school and community and are consistent with*
16 *the local plan;*

17 *(D) describes a process of broad-based commu-*
18 *nity participation in the development, implementa-*
19 *tion, and evaluation of the local plan;*

20 *(E) describes how the local educational agency*
21 *will encourage and assist schools to develop com-*
22 *prehensive school improvement plans that focus on*
23 *helping all students reach challenging content and*
24 *student performance standards and that address rel-*

1 *evant elements of the improvement plan of the local*
2 *educational agency identified in subparagraph (B);*

3 *(F) describes how the local educational agency*
4 *will implement specific programs aimed at ensuring*
5 *improvements in school readiness and the ability of*
6 *students to learn effectively at all grade levels by*
7 *identifying the most pressing needs facing students*
8 *and their families with regard to social services,*
9 *health care, nutrition, and child care, and by entering*
10 *into partnerships with public and private agencies to*
11 *increase the access of students and families to coordi-*
12 *nated services in a school setting or at a nearby site;*

13 *(G) describes how the subgrant will be used by*
14 *the local educational agency, and the procedures to be*
15 *used to make funds available to schools in accordance*
16 *with paragraph (6)(A);*

17 *(H) identifies, with an explanation, any State or*
18 *Federal requirements that the local educational agen-*
19 *cy believes impede educational improvement and that*
20 *such local educational agency requests be waived in*
21 *accordance with section 311 (such requests shall*
22 *promptly be transmitted to the Secretary by the State*
23 *educational agency); and*

24 *(I) contains such other information as the State*
25 *educational agency may reasonably require.*

1 (4) *A local educational agency which has approved a*
2 *local plan shall submit such plan to the State for approval*
3 *together with a description of modifications to such plan*
4 *and any comments from the local panel regarding such*
5 *plan.*

6 (5) *The panel appointed under paragraph (3)(A) shall,*
7 *after approval by the State educational agency of the appli-*
8 *cation of the local educational agency, monitor the imple-*
9 *mentation and effectiveness of the local improvement plan*
10 *in close consultation with teachers, related services person-*
11 *nel, principals, administrators, community members, and*
12 *parents from schools receiving funds under this title, to de-*
13 *termine if revisions to the local plan should be recommended*
14 *to the local educational agency. The panel shall make public*
15 *its findings.*

16 (6)(A) *A local educational agency that receives a*
17 *subgrant under this subsection shall—*

18 (i) *in the first year, use not more than 25 per-*
19 *cent of subgrant funds to develop a local improvement*
20 *plan or to implement any local educational activities*
21 *approved by the State educational agency which are*
22 *reasonably related to carrying out the State or local*
23 *improvement plans, and not less than 75 percent of*
24 *such funds to support individual school improvement*
25 *initiatives directly related to providing all students*

1 *in the school the opportunity to meet challenging*
2 *State content and student performance standards;*
3 *and*

4 *(ii) in subsequent years, use subgrant funds for*
5 *any activities approved by the State educational*
6 *agency which are reasonably related to carrying out*
7 *the State or local improvement plans, except that at*
8 *least 85 percent of such funds shall be made available*
9 *to individual schools to develop and implement com-*
10 *prehensive school improvement plans which are tai-*
11 *lored to meet the needs of their particular student*
12 *populations and are designed to help all students*
13 *meet challenging State content standards.*

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

21 *(C) A local educational agency may not use more than*
22 *five percent of its annual allotment under this Act for ad-*
23 *ministrative expenses.*

24 *(7) The State educational agency shall give priority*
25 *in awarding a subgrant to—*

1 (A) a consortium of local educational agencies;
2 or

3 (B) a local educational agency that makes assur-
4 ances that funds will be used to assist a consortium
5 of schools that has developed a plan for school im-
6 provement.

7 (b) *SUBGRANTS FOR PRESERVICE TEACHER EDU-
8 CATION AND PROFESSIONAL DEVELOPMENT ACTIVITIES.*—

9 (1)(A) Each State educational agency shall make subgrants
10 to consortia of local educational agencies, institutions of
11 higher education, private nonprofit organizations, or com-
12 binations thereof, consistent with subsections (a)(1) and
13 (b)(1) of section 308 through a competitive, peer-reviewed
14 process to—

15 (i) improve preservice teacher education pro-
16 grams consistent with the State plan, including how
17 to work effectively with parents and the community;
18 and

19 (ii) support continuing, sustained professional
20 development activities for educators which will in-
21 crease student learning and are consistent with the
22 State plan.

23 (B)(i) In order to apply for a subgrant described in
24 subparagraph (A)(i), a consortium must include at least

1 *one local educational agency and at least one institution*
2 *of higher education.*

3 *(ii) In order to apply for a subgrant described in sub-*
4 *paragraph (A)(ii), a consortium must include at least one*
5 *local educational agency.*

6 *(2) A consortium that wishes to receive a subgrant*
7 *under this subsection shall submit an application to the*
8 *State educational agency which—*

9 *(A) describes how the applicant will use the*
10 *subgrant to improve teacher preservice and school ad-*
11 *ministrator education programs or to implement edu-*
12 *cator professional development activities consistent*
13 *with the State plan;*

14 *(B) identifies the criteria to be used by the ap-*
15 *plicant to judge improvements in preservice education*
16 *or the effects of professional development activities*
17 *consistent with the State plan; and*

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

20 *(3) A recipient of a subgrant under this subsection*
21 *shall use the subgrant funds for activities supporting—*

22 *(A) the improvement of preservice teacher edu-*
23 *cation and school administrator programs so that*
24 *such programs equip educators with the subject mat-*

1 *ter and pedagogical expertise necessary for preparing*
2 *all students to meet challenging standards; or*

3 *(B) the development and implementation of new*
4 *and improved forms of continuing and sustained pro-*
5 *fessional development opportunities for teachers, prin-*
6 *cipals, and other educators at the school or district*
7 *level that equip educators with such expertise, and*
8 *with other knowledge and skills necessary for leading*
9 *and participating in continuous education improve-*
10 *ment.*

11 *(4) A recipient may use the subgrant funds under this*
12 *subsection for costs related to release time for teachers to*
13 *participate in professional development activities.*

14 *(5) Professional development shall include related serv-*
15 *ices personnel as appropriate.*

16 *(c) SPECIAL AWARD RULE.—(1) Each State edu-*
17 *cational agency shall award at least 50 percent of subgrant*
18 *funds under subsection (a) in each fiscal year to local edu-*
19 *cational agencies that have a greater percentage or number*
20 *of disadvantaged children than the statewide average per-*
21 *centage or number for all local educational agencies in the*
22 *State.*

23 *(2) The State educational agency may waive the re-*
24 *quirement of paragraph (1) if such State does not receive*

1 *a sufficient number of applications to comply with such*
2 *requirement.*

3 **SEC. 310. AVAILABILITY OF INFORMATION AND TRAINING.**

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

8 *(1) a State educational agency or local edu-*
9 *cational agency which uses funds under this title to*
10 *develop goals, content standards, curricular materials,*
11 *and assessments shall, upon request, make informa-*
12 *tion related to such goals, standards, materials, and*
13 *assessments available to private schools; and*

14 *(2) a State educational agency or local edu-*
15 *cational agency which uses funds under this title for*
16 *teacher and administrator training shall provide in*
17 *its plan for the training of teachers and administra-*
18 *tors in private schools located in the geographical*
19 *area served by such agency.*

20 *(b) WAIVER.—If, by reason of any provision of law,*
21 *a State or local educational agency is prohibited from pro-*
22 *viding for the equitable participation of teachers and ad-*
23 *ministrators from private schools in training programs as-*
24 *sisted with Federal funds provided under this title, or if*
25 *the Secretary determines that a State or local educational*

1 *agency has substantially failed or is unwilling to provide*
2 *for such participation, the Secretary shall waive such re-*
3 *quirements and shall arrange for the provision of training*
4 *consistent with State goals and content standards for such*
5 *teachers and administrators. Such waivers shall be subject*
6 *to consultation, withholding, notice, and judicial review in*
7 *accordance with section 1017 of the Elementary and*
8 *Secondary Education Act of 1965.*

9 **SEC. 311. WAIVERS OF STATUTORY AND REGULATORY RE-**
10 **QUIREMENTS.**

11 *(a) GENERAL.—(1) Except as provided in subsection*
12 *(c), the Secretary may waive any requirement of any stat-*
13 *ute listed in subsection (b) or of the regulations issued under*
14 *such statute for a State educational agency, local edu-*
15 *cational agency, or school that requests such a waiver—*

16 *(A) if, and only to the extent that, the Secretary*
17 *determines that such requirement impedes the ability*
18 *of the State, or of a local educational agency or school*
19 *in the State, to carry out the State or local education*
20 *improvement plan;*

21 *(B) if the State educational agency has waived,*
22 *or agrees to waive, similar requirements of State law;*
23 *and*

24 *(C) if, in the case of a Statewide waiver, the*
25 *State educational agency—*

1 (i) provides all local educational agencies
2 and parent organizations in the State with no-
3 tice and an opportunity to comment on the pro-
4 posal of the State educational agency to seek a
5 waiver; and

6 (ii) submits the comments of such agencies
7 to the Secretary.

8 (2) To request a waiver, a State educational agency,
9 local educational agency, or school that receives funds under
10 this Act or a local educational agency that does not receive
11 funds under this Act but is undertaking school reform efforts
12 that meet the objectives of the State plan, shall submit an
13 application to the Secretary that includes—

14 (A) the identification of statutory or regulatory
15 requirements that are requested to be waived and the
16 goals that the State local educational agency or school
17 intends to achieve;

18 (B) a description of the action that the State has
19 undertaken to remove State statutory or regulatory
20 barriers identified in the applications of local edu-
21 cational agencies;

22 (C) a description of the goals of the waiver and
23 the expected programmatic outcomes if the request is
24 granted;

1 (D) the numbers and types of students to be im-
2 pacted by such waiver;

3 (E) a timetable for implementing a waiver; and

4 (F) the process the State will use to monitor, on
5 a biannual basis, the progress in implementing a
6 waiver.

7 (3) The Secretary shall act promptly on a waiver re-
8 quest and state in writing the reasons for granting or deny-
9 ing such request. If a waiver is granted, the Secretary must
10 also include the expected outcome of granting such waiver.

11 (4) The Secretary's decision shall be—

12 (A) published in the Federal Register; and

13 (B) disseminated by the State educational agen-
14 cy to interested parties, including educators, parents,
15 students, advocacy and civil rights organizations,
16 other interested parties, and the public.

17 (5) Each such waiver shall be for a period not to exceed
18 three years. The Secretary may extend such period if the
19 Secretary determines that the waiver has been effective in
20 enabling the State or affected local educational agencies to
21 carry out reform plans.

22 (b) INCLUDED PROGRAMS.—The statutes subject to the
23 waiver authority of this section are as follows:

24 (1) Chapter 1 of title I of the Elementary and
25 Secondary Education Act of 1965.

1 (2) *Part A of chapter 2 of title I of the Element-*
2 *tary and Secondary Education Act of 1965.*

3 (3) *The Dwight D. Eisenhower Mathematics and*
4 *Science Education Act (part A of title II of the Ele-*
5 *mentary and Secondary Education Act of 1965).*

6 (4) *The Emergency Immigrant Education Act of*
7 *1984 (part D of title IV of the Elementary and Sec-*
8 *ondary Education Act of 1965).*

9 (5) *The Drug-Free Schools and Communities Act*
10 *of 1986 (title V of the Elementary and Secondary*
11 *Education Act of 1965).*

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

14 (c) *WAIVERS NOT AUTHORIZED.—The Secretary may*
15 *not waive any statutory or regulatory requirement of the*
16 *programs listed in subsection (b) relating to—*

17 (1) *maintenance of effort;*

18 (2) *comparability of services;*

19 (3) *the equitable participation of students and*
20 *professional staff in private schools;*

21 (4) *parental participation and involvement; or*

22 (5) *the distribution of funds to State or to local*
23 *educational agencies.*

24 (d) *TERMINATION OF WAIVERS.—The Secretary shall*
25 *periodically review the performance of any State, local edu-*

1 *cational agency, or school for which the Secretary has*
2 *granted a waiver and shall terminate the waiver if the per-*
3 *formance of the State, the local educational agency, or the*
4 *school in the area affected by the waiver has been inad-*
5 *equately to justify a continuation of the waiver.*

6 **SEC. 312. PROGRESS REPORTS.**

7 *(a) STATE REPORTS TO THE SECRETARY.—Each*
8 *State educational agency that receives funds under this title*
9 *shall annually report to the Secretary regarding—*

10 *(1) progress in meeting State goals and plans;*

11 *(2) proposed State activities for the succeeding*
12 *year; and*

13 *(3) in summary form, the progress of local edu-*
14 *cational agencies in meeting local goals and plans*
15 *and increasing student learning.*

16 *(b) SECRETARY'S REPORTS TO CONGRESS.—By April*
17 *30, 1996, and every two years thereafter, the Secretary shall*
18 *submit a report to the Committee on Education and Labor*
19 *of the House of Representatives and the Committee on*
20 *Labor and Human Resources of the Senate describing the*
21 *activities and outcomes of grants under—*

22 *(1) section 220 of this Act, including—*

23 *(A) a description of the purpose, uses, and*
24 *technical merit of assessments evaluated with*
25 *funds under such section; and*

1 (B) an analysis of the impact of such as-
2 sessments on the performance of all students,
3 particularly students of different racial, gender,
4 ethnic, language groups, or individuals with dis-
5 abilities; and

6 (2) this title, including a description of the effect
7 of waivers granted under section 311.

8 **SEC. 313. NATIONAL LEADERSHIP.**

9 (a) *ACTIVITIES AUTHORIZED.*—From funds reserved
10 each year under section 304(a)(2)(A), the Secretary shall,
11 through the Office of Educational Research and Improve-
12 ment in accordance with the provisions of sections 405 and
13 406 of the General Education Provisions Act, directly or
14 through grants or contracts—

15 (1) provide technical assistance to States and
16 local educational agencies developing or implementing
17 school improvement plans, in a manner that ensures
18 that each such State has access to such assistance;

19 (2) gather data on, conduct research on, and
20 evaluate systemic education improvement, including
21 the programs authorized by this title;

22 (3) disseminate research findings and other in-
23 formation on systemic education improvement and
24 how it affects student learning; and

1 among such areas by the Secretary according to relative
2 need.

3 (2) The provisions of Public Law 95–134, permitting
4 the consolidation of grants to the insular areas, shall not
5 apply to funds received by such areas under this title.

6 (b) SECRETARY OF THE INTERIOR.—

7 (1) IN GENERAL.—The funds reserved to the Sec-
8 retary of the Interior under section 304 shall be made
9 in a payment which shall be pursuant to an agree-
10 ment between the Secretary and the Secretary of the
11 Interior containing such assurances and terms as the
12 Secretary determines shall best achieve the provisions
13 of this section and this Act. The agreement shall, at
14 a minimum, contain assurances that—

15 (A) a panel, as set forth in paragraph (4)
16 of this subsection, shall be established;

17 (B) a reform and improvement plan, de-
18 signed to increase student learning and assist
19 students in meeting the National Education
20 Goals, meeting the requirements pertaining to
21 State improvement plans required in section 306
22 and providing for the fundamental restructuring
23 and improvement of elementary and secondary
24 education in schools funded by the Bureau, shall
25 be developed by such panel; and

1 (C) the provisions and activities required
2 under State improvement plans, including the
3 requirements for timetables for opportunity-to-
4 learn standards, shall be carried out in the same
5 time frames and under the same conditions stip-
6 ulated for the States in sections 305 and 306,
7 provided that for these purposes, the term ‘local
8 educational agencies’ shall be interpreted to
9 mean ‘schools funded by the Bureau’.

10 (2) VOLUNTARY SUBMISSION.—The provisions
11 applicable to the States in section 213 of this Act
12 shall apply to the Bureau plan with regard to vol-
13 untary submission of standards and assessment sys-
14 tems to the National Education Standards and
15 Improvement Council for review and certification.

16 (3) PLAN SPECIFICS.—The reform and improve-
17 ment plan shall include, in addition to the require-
18 ments referenced above, specific provisions for—

19 (A) opportunity to learn standards pertain-
20 ing to residential programs and transportation
21 costs associated with programs located on or
22 near reservations or serving students in off-res-
23 ervation residential boarding schools;

24 (B) review and incorporation of the Na-
25 tional Education Goals and the voluntary na-

1 *tional content, student performance, and oppor-*
2 *tunity-to-learn standards developed under part*
3 *B of title II of this Act, provided that such re-*
4 *view shall include the issues of cultural and lan-*
5 *guage differences; and*

6 (C) *provision for coordination of the efforts*
7 *of the Bureau with the efforts for school improve-*
8 *ment of the States and local educational agencies*
9 *in which the schools funded by the Bureau are*
10 *located, to include, but not be limited to, the de-*
11 *velopment of the partnerships outlined in section*
12 *306(g)(5) of the Act.*

13 (4) *PANEL.—To carry out the provisions of this*
14 *section, and to develop the plan for system-wide re-*
15 *form and improvement required under the agreement*
16 *required under paragraph (1), the Secretary of the*
17 *Interior shall establish a panel coordinated by the As-*
18 *stant Secretary of the Interior for Indian Affairs.*
19 *Such panel shall consist of—*

20 (A) *the Director of the Office of Indian*
21 *Education Programs of the Bureau of Indian Af-*
22 *airs and two heads of other divisions of such*
23 *Bureau as the Assistant Secretary shall des-*
24 *ignate;*

1 (B) a designee of the Secretary of Edu-
2 cation; and

3 (C) a representative nominated by each of
4 the following:

5 (i) The organization representing the
6 majority of teachers and professional per-
7 sonnel in schools operated by the Bureau.

8 (ii) The organization representing the
9 majority of nonteaching personnel in
10 schools operated by the Bureau, if not the
11 same organization as in clause (i).

12 (iii) School administrators of schools
13 operated by the Bureau.

14 (iv) Education line officers located in
15 Bureau area or agency offices serving
16 schools funded by the Bureau.

17 (v) The organization representing the
18 majority of contract or grant schools funded
19 by the Bureau not serving students on the
20 Navajo reservation.

21 (vi) The organization representing the
22 majority of contract or grant schools funded
23 by the Bureau serving students on the Nav-
24 ajo reservation.

1 (vii) *The organization representing the*
2 *school boards required by statute for schools*
3 *operated by the Bureau not serving students*
4 *on the Navajo reservation.*

5 (viii) *The organization representing*
6 *the school boards required by statute for*
7 *schools funded by the Bureau serving stu-*
8 *dents on the Navajo reservation.*

9 *Including the additional members required by para-*
10 *graph (5), a majority of the members of such panel*
11 *shall be from the entities designated under subpara-*
12 *graph (C).*

13 (5) *ADDITIONAL MEMBERS.—In addition, the*
14 *members of the panel stipulated above shall designate*
15 *for full membership four additional members—*

16 (A) *one of whom shall be a representative of*
17 *a national organization which represents pri-*
18 *marily national Indian education concerns; and*

19 (B) *three of whom shall be chairpersons (or*
20 *their designees) of Indian tribes with schools*
21 *funded by the Bureau on their reservations*
22 *(other than those specifically represented by or-*
23 *ganizations referred to in paragraph (4)), pro-*
24 *vided that preference for no less than two of these*
25 *members shall be given to Indian tribes with a*

1 *significant number of schools funded by the Bu-*
2 *reau on their reservations, or with a significant*
3 *percentage of their children enrolled in schools*
4 *funded by the Bureau.*

5 *(c) BIA COST ANALYSIS.—*

6 *(1) IN GENERAL.—(A) The Secretary of the Inte-*
7 *rior shall reserve from the first allotment made to the*
8 *Department of the Interior pursuant to section 304*
9 *an amount not to exceed \$500,000 to provide, through*
10 *the National Academy of Sciences, for an analysis of*
11 *the costs associated with meeting the academic and*
12 *home-living/residential standards of the Bureau of In-*
13 *dian Affairs for each school funded by such Bureau.*
14 *The purpose of such analysis shall be to provide the*
15 *Bureau and the Panel with baseline data regarding*
16 *the current state of operations funded by the Bureau*
17 *and to provide a framework for addressing the imple-*
18 *mentation of opportunity-to-learn standards.*

19 *(B) The results of such analysis shall be re-*
20 *ported, in aggregate and school specific form, to the*
21 *chairpersons and ranking minority members of the*
22 *Committees on Education and Labor and Appropria-*
23 *tions of the House of Representatives and the Select*
24 *Committee on Indian Affairs and the Committee on*
25 *Appropriations of the Senate, and to the Secretary of*

1 *the Interior, the Secretary of Education (who shall*
2 *transmit the report to the proper entities under this*
3 *Act), and the Assistant Secretary of the Interior for*
4 *Indian Affairs, not later than 6 months after the date*
5 *of enactment of this Act.*

6 (2) *CONTENT.—Such analysis shall evaluate the*
7 *costs of providing a program in each school for the*
8 *next succeeding academic year and shall be based*
9 *on—*

10 (A) *the standards either published in the*
11 *Federal Register as having effect in schools oper-*
12 *ated by the Bureau on the date of enactment of*
13 *this Act or the standards incorporated into each*
14 *grant or contract in effect on such date with a*
15 *tribally controlled school funded under section*
16 *1128 of Public Law 95–561 (as amended);*

17 (B) *the best projections of student counts*
18 *and demographics, as provided by the Bureau*
19 *and as independently reviewed by the Academy;*
20 *and*

21 (C) *the pay and benefit schedules and other*
22 *personnel requirements for each school operated*
23 *by the Bureau, as existing on the date of enact-*
24 *ment.*

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

5 ***TITLE IV—NATIONAL SKILL***
6 ***STANDARDS BOARD***

7 ***SEC. 401. PURPOSE.***

8 *It is the purpose of this title to establish a National*
9 *Board to serve as a catalyst in stimulating the development*
10 *and adoption of a voluntary national system of skill stand-*
11 *ards and certification that will serve as a cornerstone of*
12 *the national strategy to enhance workforce skills, and that*
13 *can be used, consistent with Federal civil rights laws—*

14 (1) *by the Nation, to ensure the development of*
15 *a high skills, high quality, high performance*
16 *workforce, including the most skilled front-line*
17 *workforce in the world, and that will result in in-*
18 *creased productivity, economic growth and American*
19 *economic competitiveness;*

20 (2) *by industries, as a vehicle for informing*
21 *training providers and prospective employees of skills*
22 *necessary for employment;*

23 (3) *by employers, to assist in evaluating the skill*
24 *levels of prospective employees and to assist in the*
25 *training of current employees;*

1 (4) by labor organizations, to enhance the em-
2 ployment security of workers by providing portable
3 credentials and skills;

4 (5) by workers, to obtain certifications of their
5 skills to protect against dislocation, to pursue career
6 advancement, and to enhance their ability to reenter
7 the workforce;

8 (6) by students and entry level workers, to deter-
9 mine the skill levels and competencies needed to be ob-
10 tained in order to compete effectively for high wage
11 jobs;

12 (7) by training providers and educators, to de-
13 termine appropriate training services to offer;

14 (8) by Government, to evaluate whether publicly-
15 funded training assists participants to meet skill
16 standards where they exist and thereby protect the in-
17 tegrity of public expenditures;

18 (9) to facilitate the transition to high perform-
19 ance work organizations;

20 (10) to increase opportunities for minorities and
21 women, including removing barriers to the entry of
22 women in non-traditional employment; and

23 (11) to facilitate linkages between other compo-
24 nents of the workforce investment strategy, including
25 school-to-work transition, secondary and postsecond-

1 ary vocational-technical education, and job training
2 programs.

3 **SEC. 402. ESTABLISHMENT OF NATIONAL BOARD.**

4 (a) *IN GENERAL.*—There is established a National
5 Skill Standards Board (in this title referred to as the
6 “National Board”).

7 (b) *COMPOSITION.*—

8 (1) *IN GENERAL.*—The National Board shall be
9 composed of 28 members, appointed in accordance
10 with paragraph (3), of whom—

11 (A) one member shall be the Secretary of
12 Labor;

13 (B) one member shall be the Secretary of
14 Education;

15 (C) one member shall be the Secretary of
16 Commerce;

17 (D) one member shall be the Chairperson of
18 the National Education Standards and Improve-
19 ment Council established pursuant to section
20 212(a);

21 (E) eight members shall be representatives
22 of small and large business and industry selected
23 from among individuals recommended by recog-
24 nized national business organizations and trade
25 associations;

1 (F) eight members shall be representatives of
2 organized labor selected from among individuals
3 recommended by recognized national labor fed-
4 erations; and

5 (G) eight members shall be representatives
6 from the following groups, with at least one
7 member from each group:

8 (i) Educational institutions.

9 (ii) Community-based organizations.

10 (iii) State and local governments.

11 (iv) Nongovernmental organizations
12 with a demonstrated history of successfully
13 protecting the rights of racial, ethnic and
14 religious minorities, women, persons with
15 disabilities or older persons.

16 (2) DIVERSITY REQUIREMENTS.—The members
17 described in subparagraph (G) of paragraph (1) shall
18 have expertise in the area of education and training.
19 The members described in subparagraphs (E), (F),
20 and (G) of paragraph (1) shall—

21 (A) in the aggregate, represent a broad
22 cross-section of occupations and industries; and

23 (B) to the extent feasible, be geographically
24 representative of the United States and reflect

1 *the racial, ethnic and gender diversity of the*
2 *United States.*

3 (3) *APPOINTMENT.—The membership of the Na-*
4 *tional Board shall be appointed as follows:*

5 (A) *Twelve members (four from each class of*
6 *members described in subparagraphs (E), (F),*
7 *and (G) of paragraph (1)) shall be appointed by*
8 *the President.*

9 (B) *Six members (two from each class of*
10 *members described in subparagraphs (E), (F),*
11 *and (G) of paragraph (1)) shall be appointed by*
12 *the Speaker of the House of Representatives, of*
13 *whom three members (one from each class of*
14 *members described in subparagraphs (E), (F),*
15 *and (G) of paragraph (1)) shall be selected from*
16 *recommendations made by the Majority Leader*
17 *of the House of Representatives and three mem-*
18 *bers (one from each class of members described in*
19 *subparagraphs (E), (F), and (G) of paragraph*
20 *(1)) shall be selected from recommendations*
21 *made by the Minority Leader of the House of*
22 *Representatives.*

23 (C) *Six members (two from each class of*
24 *members described in subparagraphs (E), (F),*
25 *and (G) of paragraph (1)) shall be appointed by*

1 *the President pro tempore of the Senate, of whom*
2 *three members (one from each class of members*
3 *described in subparagraphs (E), (F), and (G) of*
4 *paragraph (1)) shall be selected from rec-*
5 *ommendations made by the Majority Leader of*
6 *the Senate and three members (one from each*
7 *class of members described in subparagraphs (E),*
8 *(F), and (G) of paragraph (1)) shall be selected*
9 *from recommendations made by the Minority*
10 *Leader of the Senate.*

11 (4) *TERM.—Each member of the National Board*
12 *appointed under subparagraphs (E), (F), and (G) of*
13 *paragraph (1) shall be appointed for a term of 4*
14 *years, except that of the initial members of the Board*
15 *appointed under such paragraph—*

16 (A) *Twelve members shall be appointed for*
17 *a term of 3 years (four from each class of mem-*
18 *bers described in subparagraphs (E), (F), and*
19 *(G) of paragraph (1)), of whom—*

20 (i) *two from each class shall be ap-*
21 *pointed in accordance with paragraph*
22 *(3)(A);*

23 (ii) *one from each such class shall be*
24 *appointed in accordance with paragraph*
25 *(3)(B); and*

1 (iii) 1 from each such class shall be ap-
2 pointed in accordance with paragraph
3 (3)(C); and

4 (B) Twelve members shall be appointed for
5 a term of 4 years (four from each class of mem-
6 bers described in subparagraphs (E), (F), and
7 (G) of paragraph (1)), of whom—

8 (i) two from each such class shall be
9 appointed in accordance with paragraph
10 (3)(A);

11 (ii) one from each such class shall be
12 appointed in accordance with paragraph
13 (3)(B); and

14 (iii) one from each such class shall be
15 appointed in accordance with paragraph
16 (3)(C).

17 (c) CHAIRPERSON AND VICE CHAIRPERSONS.—

18 (1) CHAIRPERSON.—The National Board shall
19 biennially elect a Chairperson from among the mem-
20 bers of the National Board by a majority vote of such
21 members.

22 (2) VICE CHAIRPERSONS.—The National Board
23 shall annually elect 3 Vice Chairpersons (each rep-
24 resenting a different class of the classes of members
25 described in subparagraphs (E), (F), and (G) of sub-

1 *section (b)(1)) from among its members appointed*
2 *under subsection (b)(3) by a majority vote of such*
3 *members, each of whom shall serve for a term of 1*
4 *year.*

5 *(d) COMPENSATION AND EXPENSES.—*

6 *(1) COMPENSATION.—Members of the National*
7 *Board who are not regular full-time employees or offi-*
8 *cers of the Federal Government shall serve without*
9 *compensation.*

10 *(2) EXPENSES.—The members of the National*
11 *Board shall receive travel expenses, including per*
12 *diem in lieu of subsistence, in accordance with sub-*
13 *chapter I of chapter 57, title 5, United States Code,*
14 *while away from their homes or regular places of*
15 *business in the performance of services for the Na-*
16 *tional Board.*

17 *(e) EXECUTIVE DIRECTOR AND STAFF.—The Chair-*
18 *person of the National Board shall appoint an Executive*
19 *Director, who shall be compensated at a rate determined*
20 *by the National Board that shall not exceed the rate of pay*
21 *for level V of the Executive Schedule under section 5316*
22 *of title 5, United States Code, and who shall appoint such*
23 *staff as is necessary in accordance with title 5, United*
24 *States Code. Such staff shall include at least one individual*
25 *with expertise in measurement and assessment.*

1 (f) *GIFTS.*—*The National Board is authorized, in car-*
2 *rying out this title, to accept, purchase, or lease, and em-*
3 *ploy or dispose of in furtherance of the purposes of this title,*
4 *any money or property, real, personal, or mixed, tangible*
5 *or intangible, received by gift, devise, bequest, or otherwise,*
6 *and to accept voluntary and uncompensated services not-*
7 *withstanding the provisions of section 1342 of title 31,*
8 *United States Code.*

9 (g) *AGENCY SUPPORT.*—

10 (1) *USE OF FACILITIES.*—*The National Board*
11 *may use the research, equipment, services and facili-*
12 *ties of any agency or instrumentality of the United*
13 *States with the consent of such agency or instrumen-*
14 *tality.*

15 (2) *STAFF OF FEDERAL AGENCIES.*—*Upon the*
16 *request of the National Board, the head of any de-*
17 *partment or agency of the United States may detail*
18 *to the National Board, on a reimbursable basis, any*
19 *of the personnel of such department or agency to as-*
20 *sist the National Board in carrying out this title.*

21 (h) *CONFLICT OF INTEREST.*—*An individual who has*
22 *served as a member of the National Board may not have*
23 *any financial interest in an assessment and certification*
24 *system developed or endorsed under this title for a period*

1 *of three years after the termination of service of such indi-*
2 *vidual from the National Board.*

3 **SEC. 403. FUNCTIONS OF THE NATIONAL BOARD.**

4 *(a) IDENTIFICATION OF OCCUPATIONAL CLUSTERS.—*

5 *(1) IN GENERAL.—Subject to paragraph (2), the*
6 *National Board, after extensive public review and*
7 *comment and study of the national labor market,*
8 *shall identify broad clusters of major occupations that*
9 *involve one or more than one industry in the United*
10 *States.*

11 *(2) PROCEDURES FOR IDENTIFICATION.—Prior*
12 *to identifying broad clusters of major occupations*
13 *under paragraph (1), the National Board shall—*

14 *(A) develop procedures for the identification*
15 *of such clusters;*

16 *(B) publish such procedures in the Federal*
17 *Register; and*

18 *(C) allow for extensive public review of and*
19 *comment on such procedures.*

20 *(b) VOLUNTARY PARTNERSHIPS TO DEVELOP STAND-*
21 *ARDS.—*

22 *(1) IN GENERAL.—For each of the occupational*
23 *clusters identified pursuant to subsection (a), the Na-*
24 *tional Board shall encourage and facilitate the estab-*

1 *ishment of voluntary partnerships to develop a skill*
2 *standards system in accordance with subsection (d).*

3 (2) *REPRESENTATIVES.*—*Such voluntary part-*
4 *nerships shall include the full and balanced partici-*
5 *pation of—*

6 (A) *representatives of business and industry*
7 *who have expertise in the area of workforce skill*
8 *requirements, including representatives of large*
9 *and small employers, recommended by national*
10 *business organizations and trade associations*
11 *representing employers in the occupation or in-*
12 *dustry for which a standard is being developed,*
13 *and representatives of trade associations that*
14 *have received demonstration grants from the De-*
15 *partment of Labor or the Department of Edu-*
16 *cation to establish skill standards prior to the*
17 *enactment of this title;*

18 (B) *employee representatives who have ex-*
19 *pertise in the area of workforce skill require-*
20 *ments and who shall be—*

21 (i) *individuals recommended by recog-*
22 *nized national labor organizations rep-*
23 *resenting employees in the occupation or in-*
24 *dustry for which a standard is being devel-*
25 *oped; and*

1 (ii) such other individuals who are
2 nonmanagerial employees with significant
3 experience and tenure in such occupation or
4 industry as are appropriate given the na-
5 ture and structure of employment in the oc-
6 cupation or industry;

7 (C) representatives of—

8 (i) educational institutions;

9 (ii) community-based organizations;

10 (iii) State and local agencies with ad-
11 ministrative control or direction over edu-
12 cation, vocational-technical education, or
13 employment and training;

14 (iv) other policy development organiza-
15 tions with expertise in the area of workforce
16 skill requirements; and

17 (v) non-governmental organizations
18 with a demonstrated history of successfully
19 protecting the rights of racial, ethnic, and
20 religious minorities, women, individuals
21 with disabilities, and older persons; and

22 (D) individuals with expertise in measure-
23 ment and assessment, including relevant experi-
24 ence in designing unbiased assessments and per-
25 formance-based assessments.

1 (3) *EXPERTS.*—*The partnerships described in*
2 *paragraph (1) may also include such other individ-*
3 *uals who are independent, qualified experts in their*
4 *fields.*

5 (c) *RESEARCH, DISSEMINATION, AND COORDINA-*
6 *TION.*—*In order to support the development of a skill stand-*
7 *ards system in accordance with subsection (d), the National*
8 *Board shall—*

9 (1) *conduct workforce research relating to skill*
10 *standards (including research relating to how to use*
11 *skill standards in compliance with civil rights laws)*
12 *and make such research available to the public, in-*
13 *cluding the partnerships described in subsection (b);*

14 (2) *identify and maintain a catalog of skill*
15 *standards used by other countries and by States and*
16 *leading firms and industries in the United States;*

17 (3) *serve as a clearinghouse to facilitate the shar-*
18 *ing of information on the development of skill stand-*
19 *ards and other relevant information among represent-*
20 *atives of occupations and industries identified pursu-*
21 *ant to subsection (a), the voluntary partnerships rec-*
22 *ognized pursuant to subsection (b), and among edu-*
23 *cation and training providers through such mecha-*
24 *nisms as the Capacity Building and Information and*

1 *Dissemination Network established under section*
2 *453(b) of the Job Training Partnership Act;*

3 *(4) develop a common nomenclature relating to*
4 *skill standards;*

5 *(5) encourage the development and adoption of*
6 *curricula and training materials for attaining the*
7 *skill standards developed pursuant to subsection (d)*
8 *that include structured work experiences and related*
9 *study programs leading to progressive levels of profes-*
10 *sional and technical certification and postsecondary*
11 *education;*

12 *(6) provide appropriate technical assistance; and*

13 *(7) facilitate coordination among voluntary*
14 *partnerships that meet the requirements of subsection*
15 *(b) to promote the development of a coherent national*
16 *system of voluntary skill standards.*

17 *(d) ENDORSEMENT OF SKILL STANDARDS SYSTEMS.—*

18 *(1) DEVELOPMENT OF ENDORSEMENT CRI-*
19 *TERIA.—*

20 *(A) IN GENERAL.—The National Board,*
21 *after extensive public consultation, shall develop*
22 *objective criteria for endorsing skills standards*
23 *systems relating to the occupational clusters*
24 *identified pursuant to subsection (a). Such cri-*
25 *teria shall, at a minimum, include the compo-*

1 *nents of a skill standards system described in*
2 *subparagraph (B). The endorsement criteria*
3 *shall be published in the Federal Register, and*
4 *updated as appropriate.*

5 *(B) COMPONENTS OF SYSTEM.—The compo-*
6 *nents of a skill standards systems shall include*
7 *the following:*

8 *(i) Voluntary skill standards, which at*
9 *a minimum—*

10 *(I) meet or exceed, to the extent*
11 *practicable, the highest standards used*
12 *in other countries and the highest*
13 *international standards;*

14 *(II) take into account content and*
15 *performance standards certified pursu-*
16 *ant to title II;*

17 *(III) take into account the re-*
18 *quirements of high performance work*
19 *organizations;*

20 *(IV) are in a form that allows for*
21 *regular updating to take into account*
22 *advances in technology or other devel-*
23 *opments within the occupational clus-*
24 *ter;*

1 (V) are formulated in such a
2 manner that promotes the portability
3 of credentials and facilitates worker
4 mobility within an occupational clus-
5 ter or industry and among industries;
6 and

7 (VI) are not discriminatory with
8 respect to race, color, gender, age, reli-
9 gion, ethnicity, disability, or national
10 origin, consistent with Federal civil
11 rights laws.

12 (ii) A voluntary system of assessment
13 and certification of the attainment of skill
14 standards developed pursuant to subpara-
15 graph (A), which at a minimum—

16 (I) takes into account, to the ex-
17 tent practicable, methods of assessment
18 and certification used in other coun-
19 tries;

20 (II) utilizes a variety of evalua-
21 tion techniques, including, where ap-
22 propriate, oral and written evalua-
23 tions, portfolio assessments and per-
24 formance tests; and

1 (III) includes methods for estab-
2 lishing that the assessment and certifi-
3 cation system is not discriminatory
4 with respect to race, color, gender, age,
5 religion, ethnicity, disability, or na-
6 tional origin, consistent with Federal
7 civil rights laws.

8 (iii) A system to promote the use of
9 and to disseminate information relating to
10 skill standards, and assessment and certifi-
11 cation systems developed pursuant to this
12 paragraph (including dissemination of in-
13 formation relating to civil rights laws rel-
14 evant to the use of such standards and sys-
15 tems) to entities such as institutions of post-
16 secondary education offering professional
17 and technical education, labor organiza-
18 tions, trade associations, employers provid-
19 ing formalized training and other organiza-
20 tions likely to benefit from such systems.

21 (iv) A system to evaluate the imple-
22 mentation of the skill standards, and assess-
23 ment and certification systems developed
24 pursuant to this paragraph, and the effec-
25 tiveness of the information disseminated

1 *pursuant to subparagraph (C) for inform-*
2 *ing the users of such standards and systems*
3 *of the requirements of relevant civil rights*
4 *laws.*

5 *(v) A system to periodically revise and*
6 *update the skill standards, and assessment*
7 *and certification systems developed pursu-*
8 *ant to this paragraph, which will take into*
9 *account changes in standards in other coun-*
10 *tries.*

11 (2) *ENDORSEMENT.*—*The National Board, after*
12 *extensive public review and comment, shall endorse*
13 *those skill standards systems relating to the occupa-*
14 *tional clusters identified pursuant to subsection (a)*
15 *that—*

16 *(A) meet the objective endorsement criteria*
17 *that are developed pursuant to paragraph (1);*
18 *and*

19 *(B) are submitted by partnerships that meet*
20 *the representation requirements of subsection*
21 *(b)(2).*

22 (e) *LIMITATIONS.*—

23 (1) *IN GENERAL.*—*The National Board shall not*
24 *carry out the requirements of subsections (b) or (d)*
25 *with respect to any occupation or trade within any*

1 *industry for which national apprenticeship stand-*
2 *ards—*

3 *(A) have been jointly developed by labor*
4 *and management representatives,*

5 *(B) are registered pursuant to the National*
6 *Apprenticeship Act, and*

7 *(C) are being actively used on a national*
8 *basis for training workers in such occupation or*
9 *trade,*

10 *unless labor and management representatives of such*
11 *occupation or trade and representatives of registered*
12 *apprenticeship programs within such occupation or*
13 *trade jointly request the assistance of the National*
14 *Board.*

15 *(2) RELATIONSHIP WITH ANTIDISCRIMINATION*
16 *LAWS.—*

17 *(A) IN GENERAL.—Nothing in this title*
18 *shall be construed to modify or affect any Fed-*
19 *eral or State law prohibiting discrimination on*
20 *the basis of race, religion, color, ethnicity, na-*
21 *tional origin, gender, age, or disability.*

22 *(B) EVIDENCE.—The endorsement or ab-*
23 *sence of an endorsement by the Board of a skill*
24 *standard or assessment and certification system*
25 *under subsection (d) shall not be used in any ac-*

1 *tion or proceeding to establish that the skill*
2 *standard or assessment and certification system*
3 *conforms or does not conform to the requirements*
4 *of civil rights laws.*

5 *(f) COORDINATION WITH EDUCATION STANDARDS.—*
6 *The National Board shall establish cooperative arrange-*
7 *ments with the National Education Standards and Im-*
8 *provement Council to promote the coordination of the devel-*
9 *opment of skill standards under this title with the develop-*
10 *ment of content and performance standards under title II.*

11 *(g) FINANCIAL ASSISTANCE.—*

12 *(1) IN GENERAL.—From funds appropriated*
13 *pursuant to section 406(a), the Secretary of Labor*
14 *may award grants (including grants to the voluntary*
15 *partnerships in accordance with paragraph (2)) and*
16 *enter into contracts and cooperative arrangements*
17 *that are requested by the National Board for the pur-*
18 *poses of carrying out this title.*

19 *(2) GRANT PROGRAMS FOR VOLUNTARY PART-*
20 *nerships.—*

21 *(A) ELIGIBILITY AND APPLICATION.—Vol-*
22 *untary partnerships that meet the requirements*
23 *of subsection (b) shall be eligible to apply for a*
24 *grant under this subsection. Each such voluntary*
25 *partnership desiring a grant shall submit an ap-*

1 *plication to the National Board at such time, in*
2 *such manner, and accompanied by such informa-*
3 *tion as the National Board may reasonably re-*
4 *quire.*

5 *(B) APPROVAL CRITERIA.—Prior to each*
6 *fiscal year, the National Board shall publish ob-*
7 *jective criteria for the approval of grant applica-*
8 *tions submitted pursuant to subparagraph (A).*

9 *(3) LIMITATION ON THE USE OF FUNDS.—*

10 *(A) IN GENERAL.—Not more than 20 per-*
11 *cent of the funds appropriated under section*
12 *406(a) for each fiscal year shall be used by the*
13 *National Board for the costs of administration.*

14 *(B) COSTS OF ADMINISTRATION DEFINED.—*
15 *For purposes of this paragraph, the term “costs*
16 *of administration” means costs relating to staff,*
17 *supplies, equipment, space, travel and per diem,*
18 *costs of conducting meetings and conferences,*
19 *and other related costs.*

20 **SEC. 404. DEADLINES.**

21 *Not later than December 31, 1996, the National Board*
22 *shall—*

23 *(1) identify occupational clusters pursuant to*
24 *section 403(a) representing a substantial portion of*
25 *the workforce; and*

1 (2) *promote the development of an initial set of*
2 *skill standards in accordance with section 403(d) for*
3 *such clusters.*

4 **SEC. 405. REPORTS.**

5 *The National Board shall submit to the President and*
6 *the Congress in each fiscal year a report on the activities*
7 *conducted under this title, including the extent to which*
8 *skill standards have been adopted by employers, training*
9 *providers, and other entities and the effectiveness of such*
10 *standards in accomplishing the purposes described in sec-*
11 *tion 401.*

12 **SEC. 406. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) *IN GENERAL.*—*There are authorized to be appro-*
14 *priated \$15,000,000 for fiscal year 1994 and such sums as*
15 *may be necessary for each of the fiscal years 1995 through*
16 *1998 to carry out this title.*

17 (b) *AVAILABILITY.*—*Amounts appropriated pursuant*
18 *to subsection (a) shall remain available until expended.*

19 **SEC. 407. DEFINITIONS.**

20 *For purposes of this title, the following definitions*
21 *apply:*

22 (1) *COMMUNITY-BASED ORGANIZATIONS.*—*The*
23 *term “community-based organizations” means such*
24 *organizations as defined in section 4(5) of the Job*
25 *Training Partnership Act.*

1 (2) *EDUCATIONAL INSTITUTION.*—The term
2 “educational institution” means a high school, a vo-
3 cational school, and an institution of higher edu-
4 cation.

5 (3) *SKILL STANDARD.*—The term “skill stand-
6 ard” means the level of knowledge and competence re-
7 quired to successfully perform work-related functions
8 within an occupational cluster.

9 **TITLE V—MISCELLANEOUS**

10 **SEC. 501. DEFINITIONS.**

11 *As used in this Act—*

12 (1) the terms “all students” and “all children”
13 mean students or children from a broad range of
14 backgrounds and circumstances, including disadvan-
15 tagged students, students with diverse racial, ethnic,
16 and cultural backgrounds, American Indians, Alaska
17 Natives, Native Hawaiians, students with disabilities,
18 students with limited-English proficiency, migrant
19 children, school-aged children who have dropped out,
20 migrant children, and academically talented students;

21 (2) the terms “community”, “public”, and “ad-
22 vocacy group” are to be interpreted to include rep-
23 resentatives of organizations advocating for the edu-
24 cation of American Indian, Alaska Native, and Na-
25 tive Hawaiian children and Indian tribes;

1 (3) the term “content standards” means broad
2 descriptions of the knowledge and skills students
3 should acquire in a particular subject area;

4 (4) the term “Governor” means the chief execu-
5 tive of the State;

6 (5) the terms “local educational agency” and
7 “State educational agency” have the meaning given
8 those terms in section 1471 of the Elementary and
9 Secondary Education Act of 1965;

10 (6) the term “opportunity-to-learn standards”
11 means the criteria for, and the basis of, assessing the
12 sufficiency or quality of the resources, practices, and
13 conditions necessary at each level of the education
14 system (schools, local educational agencies, and
15 States) to provide all students with an opportunity to
16 learn the material in national or State content stand-
17 ards.

18 (7) the term “outlying areas” means Guam,
19 American Samoa, the Virgin Islands, the Common-
20 wealth of the Northern Mariana Islands, and Palau
21 (until the effective date of the Compact of Free Asso-
22 ciation with the Government of Palau);

23 (8) the term “performance standards” means
24 concrete examples and explicit definitions of what
25 students have to know and be able to do to dem-

1 *onstrate that they are proficient in the skills and*
2 *knowledge framed by content standards;*

3 *(9) the term “related services” has the same*
4 *meaning given such term under section 602(17) of the*
5 *Individuals with Disabilities Education Act;*

6 *(10) the term “school” means a school that is*
7 *under the authority of the State educational agency*
8 *and a local educational agency or, for the purpose of*
9 *carrying out section 314(b), a school that is operated*
10 *or funded by the Bureau of Indian Affairs;*

11 *(11) the term “Secretary”, except where used in*
12 *title IV, means the Secretary of Education; and*

13 *(12) except as otherwise provided, the term*
14 *“State” means each of the 50 States, the District of*
15 *Columbia, the Commonwealth of Puerto Rico, and*
16 *each of the outlying areas.*

17 **SEC. 502. LIMITATIONS.**

18 *(a) ASSESSMENTS.—No funds provided under titles II*
19 *or III of this Act shall be used to undertake assessments*
20 *that will be used to make decisions regarding the gradua-*
21 *tion, grade promotion, or retention of students for five years*
22 *after the date of enactment of this Act.*

23 *(b) PUBLIC SCHOOL.—Nothing in this Act shall be*
24 *construed to authorize the use of funds under title III (ex-*

1 *cept as provided in section 310) to directly or indirectly*
2 *benefit any school other than a public school.*

3 **TITLE VI—PARENTAL INFORMA-**
4 **TION AND RESOURCE CEN-**
5 **TERS**

6 **SEC. 601. PARENTAL INFORMATION AND RESOURCE CEN-**
7 **TERS.**

8 (a) *AUTHORIZATION.*—*The Secretary of Education is*
9 *authorized to make grants each year to private, nonprofit*
10 *organizations for the purpose of providing training and in-*
11 *formation to parents of children enrolled in participating*
12 *schools and to individuals who work with such parents to*
13 *encourage a more effective working relationship with profes-*
14 *sionals in meeting the educational needs of children enrolled*
15 *in participating schools.*

16 (b) *GRANTS.*—*Such grants shall—*

17 (1) *be designed to meet the unique training and*
18 *information needs of parents of children enrolled in*
19 *participating schools, particularly parents who are*
20 *severely disadvantaged educationally or economically;*

21 (2) *be distributed geographically to the greatest*
22 *extent possible throughout all the States and give pri-*
23 *ority to grants which serve areas with high concentra-*
24 *tions of low-income families;*

1 (3) *be targeted to parents of children enrolled in*
2 *participating schools in rural, suburban, and urban*
3 *areas;*

4 (4) *serve parents of low-income and minority*
5 *children enrolled in participating schools, including*
6 *limited-English-proficient children; and*

7 (5) *be funded at a sufficient size, scope, and*
8 *quality to ensure that the program is adequate to*
9 *serve the parents in the area.*

10 **SEC. 602. ELIGIBILITY.**

11 (a) *REPRESENTATION.*—*To receive a grant under sec-*
12 *tion 601, a private, nonprofit organization shall meet the*
13 *following requirements:*

14 (1) *Be governed by a board of directors in which*
15 *the membership includes, or be an organization that*
16 *represents the interests of, parents and establish a*
17 *special governing committee in which the membership*
18 *includes—*

19 (A) *a majority of parents of children en-*
20 *rolled in participating schools; and*

21 (B) *representation of education profes-*
22 *sionals with expertise in improving services for*
23 *disadvantaged children.*

24 (2) *Provide that the parent and professional*
25 *membership of the board or special governing commit-*

1 *tee is broadly representative of minority, low-income,*
2 *and other individuals and groups that have an inter-*
3 *est in compensatory education and family literacy.*

4 (3) *Demonstrate the capacity and expertise to*
5 *conduct effective training and information activities*
6 *for which a grant may be made.*

7 (4) *Network with clearinghouses, other organiza-*
8 *tions and agencies, and with other established na-*
9 *tional, State, and local parent groups representing*
10 *the full range of parents of children enrolled in par-*
11 *ticipating schools, especially parents of low-income*
12 *and minority children.*

13 (b) *REQUIREMENTS.—The Board of Directors or spe-*
14 *cial governing committee of an organization receiving a*
15 *grant under this title shall meet at least once each calendar*
16 *quarter to review the parent training and information ac-*
17 *tivities for which the grant is made.*

18 (c) *GRANT RENEWAL.—Whenever an organization re-*
19 *quests the renewal of a grant under section 601 for a fiscal*
20 *year, the Board of Directors or the special governing com-*
21 *mittee shall submit to the Secretary a written review of the*
22 *parent training and information program conducted by*
23 *such organization during the preceding fiscal year.*

24 **SEC. 603. USES OF FUNDS.**

25 *Grants received under this title may be used—*

1 (1) for parent training and information pro-
2 grams that assist parents to—

3 (A) better understand their children's edu-
4 cational needs;

5 (B) provide follow up support for their chil-
6 dren's educational achievement;

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

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

13 (E) obtain information about the range of
14 options, programs, services, and resources avail-
15 able at the national, State, and local levels to as-
16 sist children enrolled in participating schools
17 and their parents;

18 (F) seek technical assistance regarding com-
19 pliance with the requirements of this Act and of
20 other Federal programs relevant to achieving the
21 goals of this Act;

22 (G) participate in State and local decision-
23 making; and

24 (H) train other parents;

1 (2) to include State or local educational person-
2 nel where such participation would further an objec-
3 tive of the program assisted by the grant; and

4 (3) to establish a parent training and informa-
5 tion center to carry out the activities in paragraphs
6 (1) and (2) and to represent parent interests at the
7 State level, including participation in the design of
8 the public outreach process described in section
9 306(b)(6), submitting recommendations concerning
10 State standards and plans, and commenting on pro-
11 posed waivers under this Act.

12 **SEC. 604. TECHNICAL ASSISTANCE.**

13 The Secretary shall provide technical assistance, by
14 grant or contract, for the establishment, development, and
15 coordination of parent training and information programs
16 and centers.

17 **SEC. 605. EXPERIMENTAL CENTERS.**

18 After the establishment in each State of a parent train-
19 ing and information center, the Secretary shall provide for
20 the establishment of 5 additional experimental centers, 3
21 to be located in urban areas and 2 in rural areas where
22 there are large concentrations of poverty.

23 **SEC. 606. REPORTS.**

24 Not later than June 30, 1995, and not later than June
25 30 each succeeding year, the Secretary shall obtain data

1 *concerning programs and centers assisted under this title,*
 2 *including—*

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

6 *(2) the types and modes of information or train-*
 7 *ing provided; and*

8 *(3) the strategies used to reach and serve parents*
 9 *of minority and limited-English-proficient children*
 10 *and parents with limited literacy skills.*

11 **SEC. 607. AUTHORIZATION OF APPROPRIATIONS.**

12 *There are authorized to be appropriated \$5,000,000 for*
 13 *fiscal year 1994 and such sums as may be necessary for*
 14 *each of the fiscal years 1995 through 1998.*

Amend the title so as to read “A bill to improve learning and teaching by providing a national framework for education reform; to promote the research, consensus building, and systemic changes needed to ensure equitable educational opportunities and high levels of educational achievement for all students; to provide a framework for reauthorization of all Federal education programs; to promote the development and adoption of a voluntary national system of skill standards and certifications; and for other purposes.”.

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HR 1804 RH—6

HR 1804 RH—7

HR 1804 RH—8

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