

1                   **TITLE IV—21ST CENTURY**  
2                                   **SCHOOLS**

3 **SEC. 4001. GENERAL PROVISIONS.**

4           (a) TITLE IV TRANSFERS AND RELATED AMEND-  
5 MENTS.—

6               (1) Section 4303 (20 U.S.C. 7183) is amend-  
7 ed—

8                   (A) in subsection (b)(1), by striking “early  
9 childhood development (Head Start) services”  
10 and inserting “early childhood education pro-  
11 grams”;

12                   (B) in subsection (c)(2)—

13                       (i) in the paragraph heading, by strik-  
14 ing “DEVELOPMENT SERVICES” and insert-  
15 ing “EDUCATION PROGRAMS”; and

16                       (ii) by striking “development (Head  
17 Start) services” and inserting “education  
18 programs”; and

19                   (C) in subsection (e)(3), by striking sub-  
20 paragraph (C) and inserting the following:

21                       “(C) such other matters as justice may re-  
22 quire.”.

1           (2) Subpart 3 of part A of title IV (20 U.S.C.  
2       7151) is—

3           (A) transferred to title IX (as amended by  
4       section 2001 of this Act);

5           (B) inserted so as to appear after subpart  
6       3 of part E of such title (as so transferred and  
7       redesignated);

8           (C) redesignated as subpart 4 of such part;  
9       and

10          (D) amended by redesignating section  
11       4141 as section 9551.

12          (3) Section 4155 (20 U.S.C. 7165) is—

13          (A) transferred to title IX (as amended by  
14       section 2001 of this Act and paragraph (2) of  
15       this subsection);

16          (B) inserted so as to appear after section  
17       9536; and

18          (C) redesignated as section 9537.

19          (4) Part C of title IV (20 U.S.C. 7181 et seq.)  
20       (as amended by paragraph (1) of this subsection)  
21       is—

22          (A) transferred to title IX (as amended by  
23       section 2001 of this Act and paragraphs (2)  
24       and (3) of this subsection);

1 (B) inserted so as to appear after subpart  
2 4 of part E of such title IX (as so transferred  
3 and redesignated); and

4 (C) amended—

5 (i) by striking the part designation  
6 and heading and inserting “**Subpart 5—**  
7 **Environmental Tobacco Smoke**”;  
8 and

9 (ii) by redesignating sections 4301  
10 through 4304 as sections 9561 through  
11 9564, respectively.

12 (5) Title IV (as amended by section 2001 of  
13 this Act and paragraphs (1) through (4) of this sub-  
14 section) is further amended—

15 (A) in the part heading of part A, by strik-  
16 ing “**SAFE AND DRUG-FREE SCHOOLS AND**  
17 **COMMUNITIES**” and inserting “**STUDENT**  
18 **SUPPORT AND ACADEMIC ENRICHMENT**  
19 **GRANTS**”;

20 (B) by striking subparts 2 and 4 of part  
21 A;

22 (C) by redesignating subpart 5 of part A  
23 (as so transferred and redesignated by section  
24 2001(4) of this Act) as subpart 2 of part A;  
25 and

1 (D) by redesignating section 4161 (as so  
2 redesignated) as section 4121.

3 (b) TITLE V TRANSFERS AND RELATED AMEND-  
4 MENTS.—

5 (1) IN GENERAL.—Title V (20 U.S.C. 7201 et  
6 seq.) is amended—

7 (A) by striking part A;

8 (B) by striking subparts 2 and 3 of part  
9 B; and

10 (C) by striking part D.

11 (2) CHARTER SCHOOLS.—Part B of title V (20  
12 U.S.C. 7221 et seq.) (as amended by paragraph (1)  
13 of this subsection) is—

14 (A) transferred to title IV (as amended by  
15 section 2001 of this Act and subsection (a) of  
16 this section);

17 (B) inserted so as to appear after part B  
18 of such title;

19 (C) redesignated as part C of such title;  
20 and

21 (D) further amended—

22 (i) in the part heading, by striking  
23 “**PUBLIC CHARTER SCHOOLS**” and in-  
24 serting “**EXPANDING OPPORTUNITY**”

1                   **THROUGH           QUALITY           CHARTER**  
2                   **SCHOOLS”**; and

3                   (ii) by redesignating sections 5201  
4                   through 5211 as sections 4301 through  
5                   4311, respectively.

6                   (3) **MAGNET SCHOOLS**.—Part C of title V (20  
7                   U.S.C. 7231 et seq.) is—

8                   (A) transferred to title IV (as amended by  
9                   section 2001 of this Act, subsection (a) of this  
10                  section, and paragraph (2) of this subsection)

11                  (B) inserted so as to appear after part C  
12                  of such title (as so transferred and redesign-  
13                  ated);

14                  (C) redesignated as part D of such title;  
15                  and

16                  (D) amended—

17                  (i) by redesignating sections 5301  
18                  through 5307 as sections 4401 through  
19                  4407, respectively;

20                  (ii) by striking sections 5308 and  
21                  5310; and

22                  (iii) by redesignating sections 5309  
23                  and 5311 as sections 4408 and 4409, re-  
24                  spectively.

1 (4) TITLE V.—Title V, as amended by this sec-  
2 tion, is repealed.

3 **SEC. 4002. GENERAL PROVISIONS.**

4 Title IV (20 U.S.C. 7101 et seq.), as redesignated  
5 and amended by section 4001, is further amended by  
6 striking sections 4001 through 4003 and inserting the fol-  
7 lowing:

8 **“SEC. 4001. GENERAL PROVISIONS.**

9 “(a) PARENTAL CONSENT.—

10 “(1) IN GENERAL.—

11 “(A) INFORMED WRITTEN CONSENT.—A  
12 State, local educational agency, or other entity  
13 receiving funds under this title shall obtain  
14 prior written, informed consent from the parent  
15 of each child who is under 18 years of age to  
16 participate in any mental-health assessment or  
17 service that is funded under this title and con-  
18 ducted in connection with an elementary school  
19 or secondary school under this title.

20 “(B) CONTENTS.—Before obtaining the  
21 consent described in subparagraph (A), the en-  
22 tity shall provide the parent written notice de-  
23 scribing in detail such mental health assessment  
24 or service, including the purpose for such as-  
25 sessment or service, the provider of such assess-

1           ment or service, when such assessment or serv-  
2           ice will begin, and how long such assessment or  
3           service may last.

4           “(C) LIMITATION.—The informed written  
5           consent required under this paragraph shall not  
6           be a waiver of any rights or protections under  
7           section 444 of the General Education Provi-  
8           sions Act (20 U.S.C. 1232g).

9           “(2) EXCEPTION.—Notwithstanding paragraph  
10          (1)(A), the written, informed consent described in  
11          such paragraph shall not be required in—

12           “(A) an emergency, where it is necessary  
13           to protect the immediate health and safety of  
14           the child, other children, or entity personnel; or

15           “(B) other instances in which an entity ac-  
16           tively seeks parental consent but such consent  
17           cannot be reasonably obtained, as determined  
18           by the State or local educational agency, includ-  
19           ing in the case of—

20           “(i) a child whose parent has not re-  
21           sponded to the notice described in para-  
22           graph (1)(B); or

23           “(ii) a child who has attained 14  
24           years of age and is an unaccompanied  
25           youth, as defined in section 725 of the

1 McKinney-Vento Homeless Assistance Act  
2 (42 U.S.C. Sec. 11434a).

3 “(b) PROHIBITED USE OF FUNDS.—No funds under  
4 this title may be used for medical services or drug treat-  
5 ment or rehabilitation, except for integrated student sup-  
6 ports, specialized instructional support services, or referral  
7 to treatment for impacted students, which may include  
8 students who are victims of, or witnesses to, crime or who  
9 illegally use drugs.

10 “(c) PROHIBITION ON MANDATORY MEDICATION.—  
11 No child shall be required to obtain a prescription for a  
12 controlled substance, as defined in section 102 of the Con-  
13 trolled Substances Act (21 U.S.C. 802) as a condition  
14 of—

15 “(1) receiving an evaluation or other service de-  
16 scribed under this title; or

17 “(2) attending a school receiving assistance  
18 under this title.”.

19 **PART A—STUDENT SUPPORT AND ACADEMIC**  
20 **ENRICHMENT GRANTS**

21 **SEC. 4101. STUDENT SUPPORT AND ACADEMIC ENRICH-**  
22 **MENT GRANTS.**

23 Subpart 1 of part A of title IV (20 U.S.C. 7101 et  
24 seq.) is amended to read as follows:





1           “(B) in which students are provided some  
2           control over time, path, or pace.

3           “(2) CONTROLLED SUBSTANCE.—The term  
4           ‘controlled substance’ means a drug or other sub-  
5           stance identified under Schedule I, II, III, IV, or V  
6           in section 202(c) of the Controlled Substances Act  
7           (21 U.S.C. 812(e)).

8           “(3) DIGITAL LEARNING.—The term ‘digital  
9           learning’ means any instructional practice that effec-  
10          tively uses technology to strengthen a student’s  
11          learning experience and encompasses a wide spec-  
12          trum of tools and practices, including—

13               “(A) interactive learning resources, digital  
14               learning content (which may include openly li-  
15               censed content), software, or simulations, that  
16               engage students in academic content;

17               “(B) access to online databases and other  
18               primary source documents;

19               “(C) the use of data and information to  
20               personalize learning and provide targeted sup-  
21               plementary instruction;

22               “(D) online and computer-based assess-  
23               ments;

24               “(E) learning environments that allow for  
25               rich collaboration and communication, which

1 may include student collaboration with content  
2 experts and peers;

3 “(F) hybrid or blended learning, which oc-  
4 curs under direct instructor supervision at a  
5 school or other location away from home and,  
6 at least in part, through online delivery of in-  
7 struction with some element of student control  
8 over time, place, path, or pace; and

9 “(G) access to online course opportunities  
10 for students in rural or remote areas.

11 “(4) DRUG.—The term ‘drug’ includes—

12 “(A) controlled substances;

13 “(B) the illegal use of alcohol or tobacco,  
14 including smokeless tobacco products and elec-  
15 tronic cigarettes; and

16 “(C) the harmful, abusive, or addictive use  
17 of substances, including inhalants and anabolic  
18 steroids.

19 “(5) DRUG AND VIOLENCE PREVENTION.—The  
20 term ‘drug and violence prevention’ means—

21 “(A) with respect to drugs, prevention,  
22 early intervention, rehabilitation referral, recov-  
23 ery support services, or education related to the  
24 illegal use of drugs, such as raising awareness  
25 about the consequences of drug use that are

1 evidence-based (to the extent a State, in con-  
2 sultation with local educational agencies in the  
3 State, determines that such evidence is reason-  
4 ably available); and

5 “(B) with respect to violence, the pro-  
6 motion of school safety, such that students and  
7 school personnel are free from violent and dis-  
8 ruptive acts, including sexual harassment and  
9 abuse, and victimization associated with preju-  
10 dice and intolerance, on school premises, going  
11 to and from school, and at school-sponsored ac-  
12 tivities, through the creation and maintenance  
13 of a school environment that is free of weapons  
14 and fosters individual responsibility and respect  
15 for the rights of others.

16 “(6) SCHOOL-BASED MENTAL HEALTH SERV-  
17 ICES PROVIDER.—The term ‘school-based mental  
18 health services provider’ includes a State-licensed or  
19 State-certified school counselor, school psychologist,  
20 school social worker, or other State licensed or cer-  
21 tified mental health professional qualified under  
22 State law to provide mental health services to chil-  
23 dren and adolescents.

1           “(7) STATE.—The term ‘State’ means each of  
2           the 50 States, the District of Columbia, and the  
3           Commonwealth of Puerto Rico.

4           “(8) STEM-FOCUSED SPECIALTY SCHOOL.—The  
5           term ‘STEM-focused specialty school’ means a  
6           school, or dedicated program within a school, that  
7           engages students in rigorous, relevant, and inte-  
8           grated learning experiences focused on science, tech-  
9           nology, engineering, and mathematics, including  
10          computer science, which include authentic schoolwide  
11          research.

12   **“SEC. 4103. FORMULA GRANTS TO STATES.**

13          “(a) RESERVATIONS.—From the total amount appro-  
14          priated under section 4112 for a fiscal year, the Secretary  
15          shall reserve—

16               “(1) one-half of 1 percent for allotments for  
17               payments to the outlying areas, to be distributed  
18               among those outlying areas on the basis of their rel-  
19               ative need, as determined by the Secretary, in ac-  
20               cordance with the purpose of this subpart;

21               “(2) one-half of 1 percent for the Secretary of  
22               the Interior for programs under this subpart in  
23               schools operated or funded by the Bureau of Indian  
24               Education; and

1           “(3) 2 percent for technical assistance and ca-  
2           pacity building.

3           “(b) STATE ALLOTMENTS.—

4           “(1) ALLOTMENT.—

5           “(A) IN GENERAL.—Subject to subpara-  
6           graphs (B) and (C), from the amount appro-  
7           priated to carry out this subpart that remains  
8           after the Secretary makes the reservations  
9           under subsection (a), the Secretary shall allot  
10          to each State having a plan approved under  
11          subsection (c), an amount that bears the same  
12          relationship to the remainder as the amount the  
13          State received under subpart 2 of part A of title  
14          I for the preceding fiscal year bears to the  
15          amount all States received under that subpart  
16          for the preceding fiscal year.

17          “(B) SMALL STATE MINIMUM.—No State  
18          receiving an allotment under this paragraph  
19          shall receive less than one-half of 1 percent of  
20          the total amount allotted under this paragraph.

21          “(C) PUERTO RICO.—The amount allotted  
22          under this paragraph to the Commonwealth of  
23          Puerto Rico for a fiscal year may not exceed  
24          one-half of 1 percent of the total amount allot-  
25          ted under this paragraph.

1           “(2) REALLOTMENT.—If a State does not re-  
2           ceive an allotment under this subpart for a fiscal  
3           year, the Secretary shall reallocate the amount of the  
4           State’s allotment to the remaining States in accord-  
5           ance with this subsection.

6           “(c) STATE PLAN.—

7           “(1) IN GENERAL.—In order to receive an allot-  
8           ment under this section for any fiscal year, a State  
9           shall submit a plan to the Secretary, at such time  
10          and in such manner as the Secretary may reason-  
11          ably require.

12          “(2) CONTENTS.—Each plan submitted by a  
13          State under this section shall include the following:

14               “(A) A description of how the State edu-  
15               cational agency will use funds received under  
16               this subpart for State-level activities.

17               “(B) A description of how the State edu-  
18               cational agency will ensure that awards made to  
19               local educational agencies under this subpart  
20               are in amounts that are consistent with section  
21               4105(a)(2).

22               “(C) Assurances that the State educational  
23               agency will—

24                       “(i) review existing resources and pro-  
25                       grams across the State and will coordinate

1 any new plans and resources under this  
2 subpart with such existing resources and  
3 programs;

4 “(ii) monitor the implementation of  
5 activities under this subpart and provide  
6 technical assistance to local educational  
7 agencies in carrying out such activities;  
8 and

9 “(iii) provide for equitable access for  
10 all students to the activities supported  
11 under this subpart, including aligning  
12 those activities with the requirements of  
13 other Federal laws.

14 **“SEC. 4104. STATE USE OF FUNDS.**

15 “(a) IN GENERAL.—Each State that receives an al-  
16 lotment under section 4103 for a fiscal year shall—

17 “(1) reserve not less than 95 percent of the al-  
18 lotment to make allocations to local educational  
19 agencies under section 4105;

20 “(2) reserve not more than 1 percent of the al-  
21 lotment for the administrative costs of carrying out  
22 its responsibilities under this subpart, including pub-  
23 lic reporting on how funds made available under this  
24 subpart are being expended by local educational  
25 agencies, including the degree to which the local



1 educational agencies have made progress toward  
2 meeting the objectives and outcomes described in  
3 section 4106(e)(1)(E); and

4 “(3) use the amount made available to the  
5 State and not reserved under paragraphs (1) and  
6 (2) for activities described in subsection (b).

7 “(b) STATE ACTIVITIES.—Each State that receives  
8 an allotment under section 4103 shall use the funds avail-  
9 able under subsection (a)(3) for activities and programs  
10 designed to meet the purposes of this subpart, which may  
11 include—

12 “(1) providing monitoring of, and training,  
13 technical assistance, and capacity building to, local  
14 educational agencies that receive an allotment under  
15 section 4105;

16 “(2) identifying and eliminating State barriers  
17 to the coordination and integration of programs, ini-  
18 tiatives, and funding streams that meet the purposes  
19 of this subpart, so that local educational agencies  
20 can better coordinate with other agencies, schools,  
21 and community-based services and programs; or

22 “(3) supporting local educational agencies in  
23 providing programs and activities that—

24 “(A) offer well-rounded educational experi-  
25 ences to all students, as described in section

1 4107, including female students, minority stu-  
2 dents, English learners, children with disabil-  
3 ities, and low-income students who are often  
4 underrepresented in critical and enriching sub-  
5 jects, which may include—

6 “(i) increasing student access to and  
7 improving student engagement and  
8 achievement in—

9 “(I) high-quality courses in  
10 science, technology, engineering, and  
11 mathematics, including computer  
12 science;

13 “(II) activities and programs in  
14 music and the arts;

15 “(III) foreign languages;

16 “(IV) accelerated learning pro-  
17 grams that provide—

18 “(aa) postsecondary level  
19 courses accepted for credit at in-  
20 stitutions of higher education, in-  
21 cluding dual or concurrent enroll-  
22 ment programs, and early college  
23 high schools; or

24 “(bb) postsecondary level in-  
25 struction and examinations that

1 are accepted for credit at institu-  
2 tions of higher education, includ-  
3 ing Advanced Placement and  
4 International Baccalaureate pro-  
5 grams;

6 “(V) American history, civics, ec-  
7 onomics, geography, social studies, or  
8 government education;

9 “(VI) environmental education;  
10 or

11 “(VII) other courses, activities,  
12 and programs or other experiences  
13 that contribute to a well-rounded edu-  
14 cation; or

15 “(ii) reimbursing low-income students  
16 to cover part or all of the costs of acceler-  
17 ated learning examination fees, as de-  
18 scribed in clause (i)(IV);

19 “(B) foster safe, healthy, supportive, and  
20 drug-free environments that support student  
21 academic achievement, as described in section  
22 4108, which may include—

23 “(i) coordinating with any local edu-  
24 cational agencies or consortia of such  
25 agencies implementing a youth PROMISE

1 plan to reduce exclusionary discipline, as  
2 described in section 4108(5)(F);

3 “(ii) supporting local educational  
4 agencies to—

5 “(I) implement mental health  
6 awareness training programs that are  
7 evidence-based (to the extent the  
8 State determines that such evidence is  
9 reasonably available) to provide edu-  
10 cation to school personnel regarding  
11 resources available in the community  
12 for students with mental illnesses and  
13 other relevant resources relating to  
14 mental health or the safe de-escalation  
15 of crisis situations involving a student  
16 with a mental illness; or

17 “(II) expand access to or coordi-  
18 nate resources for school-based coun-  
19 seling and mental health programs,  
20 such as through school-based mental  
21 health services partnership programs;

22 “(iii) providing local educational agen-  
23 cies with resources that are evidence-based  
24 (to the extent the State determines that  
25 such evidence is reasonably available) ad-

1 dressing ways to integrate health and safe-  
2 ty practices into school or athletic pro-  
3 grams; and

4 “(iv) disseminating best practices and  
5 evaluating program outcomes relating to  
6 any local educational agency activities to  
7 promote student safety and violence pre-  
8 vention through effective communication as  
9 described in section 4108(5)(C)(iv); and

10 “(C) increase access to personalized, rig-  
11 orous learning experiences supported by tech-  
12 nology by—

13 “(i) providing technical assistance to  
14 local educational agencies to improve the  
15 ability of local educational agencies to—

16 “(I) identify and address tech-  
17 nology readiness needs, including the  
18 types of technology infrastructure and  
19 access available to the students served  
20 by the local educational agency, in-  
21 cluding computer devices, access to  
22 school libraries, Internet connectivity,  
23 operating systems, software, related  
24 network infrastructure, and data secu-  
25 rity;

1                   “(II) use technology, consistent  
2                   with the principles of universal design  
3                   for learning, to support the learning  
4                   needs of all students, including chil-  
5                   dren with disabilities and English  
6                   learners; and

7                   “(III) build capacity for prin-  
8                   cipals, other school leaders, and local  
9                   educational agency administrators to  
10                  support teachers in using data and  
11                  technology to improve instruction and  
12                  personalize learning;

13                  “(ii) supporting schools in rural and  
14                  remote areas to expand access to high-  
15                  quality digital learning opportunities;

16                  “(iii) developing or using strategies  
17                  that are innovative or evidence-based (to  
18                  the extent the State determines that such  
19                  evidence is reasonably available) for the de-  
20                  livery of specialized or rigorous academic  
21                  courses and curricula through the use of  
22                  technology, including digital learning tech-  
23                  nologies and assistive technology, which  
24                  may include increased access to online dual  
25                  or concurrent enrollment opportunities, ca-

1 reer and technical courses, and programs  
2 leading to a recognized postsecondary cre-  
3 dential (as defined in section 3 of the  
4 Workforce Innovation and Opportunity Act  
5 (29 U.S.C. 3102));

6 “(iv) disseminating promising prac-  
7 tices related to technology instruction, data  
8 security, and the acquisition and imple-  
9 mentation of technology tools and applica-  
10 tions, including through making such  
11 promising practices publicly available on  
12 the website of the State educational agen-  
13 cy;

14 “(v) providing teachers, paraprofes-  
15 sionals, school librarians and media per-  
16 sonnel, specialized instructional support  
17 personnel, and administrators with the  
18 knowledge and skills to use technology ef-  
19 fectively, including effective integration of  
20 technology, to improve instruction and stu-  
21 dent achievement, which may include co-  
22 ordination with teacher, principal, and  
23 other school leader preparation programs;  
24 and

1                   “(vi) making instructional content  
2                   widely available through open educational  
3                   resources, which may include providing  
4                   tools and processes to support local edu-  
5                   cational agencies in making such resources  
6                   widely available.

7                   “(c) SPECIAL RULE.—A State that receives a grant  
8                   under this subpart for fiscal year 2017 may use the  
9                   amount made available to the State and not reserved  
10                  under paragraphs (1) and (2) of subsection (a) for such  
11                  fiscal year to reimburse low-income students to cover part  
12                  or all of the costs of accelerated learning examination fees  
13                  incurred during the 2016-2017 school year, in accordance  
14                  with subsection (b)(3)(A)(ii).

15                  **“SEC. 4105. ALLOCATIONS TO LOCAL EDUCATIONAL AGEN-**  
16                  **CIES.**

17                  “(a) ALLOCATIONS TO LOCAL EDUCATIONAL AGEN-  
18                  CIES.—

19                  “(1) IN GENERAL.—From the funds reserved  
20                  by a State under section 4104(a)(1), the State shall  
21                  allocate to each local educational agency in the State  
22                  that has an application approved by the State edu-  
23                  cational agency under section 4106 an amount that  
24                  bears the same relationship to the total amount of  
25                  such reservation as the amount the local educational



1 agency received under subpart 2 of part A of title  
2 I for the preceding fiscal year bears to the total  
3 amount received by all local educational agencies in  
4 the State under such subpart for the preceding fiscal  
5 year.

6 “(2) MINIMUM LOCAL EDUCATIONAL AGENCY  
7 ALLOCATION.—No allocation to a local educational  
8 agency under this subsection may be made in an  
9 amount that is less than \$10,000, subject to sub-  
10 section (b).

11 “(3) CONSORTIA.—Local educational agencies  
12 in a State may form a consortium with other sur-  
13 rounding local educational agencies and combine the  
14 funds each such agency in the consortium receives  
15 under this section to jointly carry out the local ac-  
16 tivities described in this subpart.

17 “(b) RATABLE REDUCTION.—If the amount reserved  
18 by the State under section 4104(a)(1) is insufficient to  
19 make allocations to local educational agencies in an  
20 amount equal to the minimum allocation described in sub-  
21 section (a)(2), such allocations shall be ratably reduced.

22 “(c) ADMINISTRATIVE COSTS.—Of the amount re-  
23 ceived under subsection (a)(2), a local educational agency  
24 may reserve not more than 2 percent for the direct admin-

1 istrative costs of carrying out the local educational agen-  
2 cy's responsibilities under this subpart.

3 **“SEC. 4106. LOCAL EDUCATIONAL AGENCY APPLICATIONS.**

4 “(a) ELIGIBILITY.—To be eligible to receive an allo-  
5 cation under section 4105(a), a local educational agency  
6 shall—

7 “(1) submit an application, which shall contain,  
8 at a minimum, the information described in sub-  
9 section (e), to the State educational agency at such  
10 time, in such manner, and containing such informa-  
11 tion as the State educational agency may reasonably  
12 require; and

13 “(2) complete a needs assessment in accordance  
14 with subsection (d).

15 “(b) CONSORTIUM.—If a local educational agency de-  
16 sires to carry out the activities described in this subpart  
17 in consortium with one or more surrounding local edu-  
18 cational agencies as described in section 4105(a)(3), such  
19 local educational agencies shall submit a single application  
20 as required under subsection (a).

21 “(c) CONSULTATION.—

22 “(1) IN GENERAL.—A local educational agency,  
23 or consortium of such agencies, shall develop its ap-  
24 plication through consultation with parents, teach-  
25 ers, principals, other school leaders, specialized in-

1        instructional support personnel, students, community-  
2        based organizations, local government representa-  
3        tives (which may include a local law enforcement  
4        agency, local juvenile court, local child welfare agen-  
5        cy, or local public housing agency), Indian tribes or  
6        tribal organizations that may be located in the re-  
7        gion served by the local educational agency (where  
8        applicable), charter school teachers, principals, and  
9        other school leaders (if such agency or consortium of  
10       such agencies supports charter schools), and others  
11       with relevant and demonstrated expertise in pro-  
12       grams and activities designed to meet the purpose of  
13       this subpart.

14            “(2) CONTINUED CONSULTATION.—The local  
15        educational agency, or consortium of such agencies,  
16        shall engage in continued consultation with the enti-  
17        ties described in paragraph (1) in order to improve  
18        the local activities in order to meet the purpose of  
19        this subpart and to coordinate such implementation  
20        with other related strategies, programs, and activi-  
21        ties being conducted in the community.

22            “(d) NEEDS ASSESSMENT.—

23            “(1) IN GENERAL.—Except as provided in para-  
24        graph (2) and prior to receiving an allocation under  
25        this subpart, a local educational agency or consor-

1       tium of such agencies shall conduct a comprehensive  
2       needs assessment of the local educational agency or  
3       agencies proposed to be served under this subpart in  
4       order to examine needs for improvement of—

5               “(A) access to, and opportunities for, a  
6       well-rounded education for all students;

7               “(B) school conditions for student learning  
8       in order to create a healthy and safe school en-  
9       vironment; and

10              “(C) access to personalized learning experi-  
11       ences supported by technology and professional  
12       development for the effective use of data and  
13       technology.

14              “(2) EXCEPTION.—A local educational agency  
15       receiving an allocation under section 4105(a) in an  
16       amount that is less than \$30,000 shall not be re-  
17       quired to conduct a comprehensive needs assessment  
18       under paragraph (1).

19              “(3) FREQUENCY OF NEEDS ASSESSMENT.—  
20       Each local educational agency, or consortium of local  
21       educational agencies, shall conduct the needs assess-  
22       ment described in paragraph (1) once every 3 years.

23              “(e) CONTENTS OF LOCAL APPLICATION.—Each ap-  
24       plication submitted under this section by a local edu-

1 cational agency, or a consortium of such agencies, shall  
2 include the following:

3 “(1) DESCRIPTIONS.—A description of the ac-  
4 tivities and programming that the local educational  
5 agency, or consortium of such agencies, will carry  
6 out under this subpart, including a description of—

7 “(A) any partnership with an institution of  
8 higher education, business, nonprofit organiza-  
9 tion, community-based organization, or other  
10 public or private entity with a demonstrated  
11 record of success in implementing activities  
12 under this subpart;

13 “(B) if applicable, how funds will be used  
14 for activities related to supporting well-rounded  
15 education under section 4107;

16 “(C) if applicable, how funds will be used  
17 for activities related to supporting safe and  
18 healthy students under section 4108;

19 “(D) if applicable, how funds will be used  
20 for activities related to supporting the effective  
21 use of technology in schools under section 4109;  
22 and

23 “(E) the program objectives and intended  
24 outcomes for activities under this subpart, and  
25 how the local educational agency, or consortium

1 of such agencies, will periodically evaluate the  
2 effectiveness of the activities carried out under  
3 this section based on such objectives and out-  
4 comes.

5 “(2) ASSURANCES.—Each application shall in-  
6 clude assurances that the local educational agency,  
7 or consortium of such agencies, will—

8 “(A) prioritize the distribution of funds to  
9 schools served by the local educational agency,  
10 or consortium of such agencies, that—

11 “(i) are among the schools with the  
12 greatest needs, as determined by such local  
13 educational agency, or consortium;

14 “(ii) have the highest percentages or  
15 numbers of children counted under section  
16 1124(c);

17 “(iii) are identified for comprehensive  
18 support and improvement under section  
19 1111(c)(4)(D)(i);

20 “(iv) are implementing targeted sup-  
21 port and improvement plans as described  
22 in section 1111(d)(2); or

23 “(v) are identified as a persistently  
24 dangerous public elementary school or sec-  
25 ondary school under section 8532;

1           “(B) comply with section 8501 (regarding  
2 equitable participation by private school chil-  
3 dren and teachers);

4           “(C) use not less than 20 percent of funds  
5 received under this subpart to support one or  
6 more of the activities authorized under section  
7 4107;

8           “(D) use not less than 20 percent of funds  
9 received under this subpart to support one or  
10 more activities authorized under section 4108;

11           “(E) use a portion of funds received under  
12 this subpart to support one or more activities  
13 authorized under section 4109(a), including an  
14 assurance that the local educational agency, or  
15 consortium of local educational agencies, will  
16 comply with section 4109(b); and

17           “(F) annually report to the State for inclu-  
18 sion in the report described in section  
19 4104(a)(2) how funds are being used under this  
20 subpart to meet the requirements of subpara-  
21 graphs (C) through (E).

22           “(f) SPECIAL RULE.—Any local educational agency  
23 receiving an allocation under section 4105(a)(1) in an  
24 amount less than \$30,000 shall be required to provide only

1 one of the assurances described in subparagraphs (C),  
2 (D), and (E) of subsection (e)(2).

3 **“SEC. 4107. ACTIVITIES TO SUPPORT WELL-ROUNDED EDU-**  
4 **CATIONAL OPPORTUNITIES.**

5 “(a) IN GENERAL.—Subject to section 4106(f), each  
6 local educational agency, or consortium of such agencies,  
7 that receives an allocation under section 4105(a) shall use  
8 a portion of such funds to develop and implement pro-  
9 grams and activities that support access to a well-rounded  
10 education and that—

11 “(1) are coordinated with other schools and  
12 community-based services and programs;

13 “(2) may be conducted in partnership with an  
14 institution of higher education, business, nonprofit  
15 organization, community-based organization, or  
16 other public or private entity with a demonstrated  
17 record of success in implementing activities under  
18 this section; and

19 “(3) may include programs and activities, such  
20 as—

21 “(A) college and career guidance and coun-  
22 seling programs, such as—

23 “(i) postsecondary education and ca-  
24 reer awareness and exploration activities;



1                   “(ii) training counselors to effectively  
2                   use labor market information in assisting  
3                   students with postsecondary education and  
4                   career planning; and

5                   “(iii) financial literacy and Federal fi-  
6                   nancial aid awareness activities;

7                   “(B) programs and activities that use  
8                   music and the arts as tools to support student  
9                   success through the promotion of constructive  
10                  student engagement, problem solving, and con-  
11                  flict resolution;

12                  “(C) programming and activities to im-  
13                  prove instruction and student engagement in  
14                  science, technology, engineering, and mathe-  
15                  matics, including computer science, (referred to  
16                  in this section as ‘STEM subjects’) such as—

17                         “(i) increasing access for students  
18                         through grade 12 who are members of  
19                         groups underrepresented in such subject  
20                         fields, such as female students, minority  
21                         students, English learners, children with  
22                         disabilities, and economically disadvan-  
23                         tagged students, to high-quality courses;

24                         “(ii) supporting the participation of  
25                         low-income students in nonprofit competi-

1 tions related to STEM subjects (such as  
2 robotics, science research, invention, math-  
3 ematics, computer science, and technology  
4 competitions);

5 “(iii) providing hands-on learning and  
6 exposure to science, technology, engineer-  
7 ing, and mathematics and supporting the  
8 use of field-based or service learning to en-  
9 hance the students’ understanding of the  
10 STEM subjects;

11 “(iv) supporting the creation and en-  
12 hancement of STEM-focused specialty  
13 schools;

14 “(v) facilitating collaboration among  
15 school, after-school program, and informal  
16 program personnel to improve the integra-  
17 tion of programming and instruction in the  
18 identified subjects; and

19 “(vi) integrating other academic sub-  
20 jects, including the arts, into STEM sub-  
21 ject programs to increase participation in  
22 STEM subjects, improve attainment of  
23 skills related to STEM subjects, and pro-  
24 mote well-rounded education;

1           “(D) efforts to raise student academic  
2 achievement through accelerated learning pro-  
3 grams described in section  
4 4104(b)(3)(A)(i)(IV), such as—

5           “(i) reimbursing low-income students  
6 to cover part or all of the costs of acceler-  
7 ated learning examination fees, if the low-  
8 income students are enrolled in accelerated  
9 learning courses and plan to take acceler-  
10 ated learning examinations; or

11           “(ii) increasing the availability of, and  
12 enrollment in, accelerated learning courses,  
13 accelerated learning examinations, dual or  
14 concurrent enrollment programs, and early  
15 college high school courses;

16           “(E) activities to promote the development,  
17 implementation, and strengthening of programs  
18 to teach traditional American history, civics, ec-  
19 onomics, geography, or government education;

20           “(F) foreign language instruction;

21           “(G) environmental education;

22           “(H) programs and activities that promote  
23 volunteerism and community involvement;

24           “(I) programs and activities that support  
25 educational programs that integrate multiple

1 disciplines, such as programs that combine arts  
2 and mathematics; or

3 “(J) other activities and programs to sup-  
4 port student access to, and success in, a variety  
5 of well-rounded education experiences.

6 “(b) SPECIAL RULE.—A local educational agency, or  
7 consortium of such agencies, that receives a subgrant  
8 under this subpart for fiscal year 2017 may use such  
9 funds to reimburse low-income students to cover part or  
10 all of the costs of accelerated learning examination fees  
11 incurred during the 2016-2017 school year, in accordance  
12 with subsection (a)(3)(D)(i).

13 **“SEC. 4108. ACTIVITIES TO SUPPORT SAFE AND HEALTHY**  
14 **STUDENTS.**

15 “Subject to section 4106(f), each local educational  
16 agency, or consortium of such agencies, that receives an  
17 allocation under section 4105(a) shall use a portion of  
18 such funds to develop, implement, and evaluate com-  
19 prehensive programs and activities that—

20 “(1) are coordinated with other schools and  
21 community-based services and programs;

22 “(2) foster safe, healthy, supportive, and drug-  
23 free environments that support student academic  
24 achievement;

1           “(3) promote the involvement of parents in the  
2 activity or program;

3           “(4) may be conducted in partnership with an  
4 institution of higher education, business, nonprofit  
5 organization, community-based organization, or  
6 other public or private entity with a demonstrated  
7 record of success in implementing activities de-  
8 scribed in this section; and

9           “(5) may include, among other programs and  
10 activities—

11           “(A) drug and violence prevention activi-  
12 ties and programs that are evidence-based (to  
13 the extent the State, in consultation with local  
14 educational agencies in the State, determines  
15 that such evidence is reasonably available) in-  
16 cluding—

17           “(i) programs to educate students  
18 against the use of alcohol, tobacco, mari-  
19 juana, smokeless tobacco products, and  
20 electronic cigarettes; and

21           “(ii) professional development and  
22 training for school and specialized instruc-  
23 tional support personnel and interested  
24 community members in prevention, edu-  
25 cation, early identification, intervention

1 mentoring, recovery support services and,  
2 where appropriate, rehabilitation referral,  
3 as related to drug and violence prevention;  
4 “(B) in accordance with sections 4001 and  
5 4111—

6 “(i) school-based mental health serv-  
7 ices, including early identification of men-  
8 tal health symptoms, drug use, and vio-  
9 lence, and appropriate referrals to direct  
10 individual or group counseling services,  
11 which may be provided by school-based  
12 mental health services providers; and

13 “(ii) school-based mental health serv-  
14 ices partnership programs that—

15 “(I) are conducted in partnership  
16 with a public or private mental health  
17 entity or health care entity; and

18 “(II) provide comprehensive  
19 school-based mental health services  
20 and supports and staff development  
21 for school and community personnel  
22 working in the school that are—

23 “(aa) based on trauma-in-  
24 formed practices that are evi-  
25 dence-based (to the extent the

1 State, in consultation with local  
2 educational agencies in the State,  
3 determines that such evidence is  
4 reasonably available);

5 “(bb) coordinated (where  
6 appropriate) with early inter-  
7 vening services provided under  
8 the Individuals with Disabilities  
9 Education Act (20 U.S.C. 1400  
10 et seq.); and

11 “(cc) provided by qualified  
12 mental and behavioral health pro-  
13 fessionals who are certified or li-  
14 censed by the State involved and  
15 practicing within their area of ex-  
16 pertise;

17 “(C) programs or activities that—

18 “(i) integrate health and safety prac-  
19 tices into school or athletic programs;

20 “(ii) support a healthy, active life-  
21 style, including nutritional education and  
22 regular, structured physical education ac-  
23 tivities and programs, that may address  
24 chronic disease management with instruc-  
25 tion led by school nurses, nurse practi-

1 tioners, or other appropriate specialists or  
2 professionals to help maintain the well-  
3 being of students;

4 “(iii) help prevent bullying and har-  
5 assment;

6 “(iv) improve instructional practices  
7 for developing relationship-building skills,  
8 such as effective communication, and im-  
9 prove safety through the recognition and  
10 prevention of coercion, violence, or abuse,  
11 including teen and dating violence, stalk-  
12 ing, domestic abuse, and sexual violence  
13 and harassment;

14 “(v) provide mentoring and school  
15 counseling to all students, including chil-  
16 dren who are at risk of academic failure,  
17 dropping out of school, involvement in  
18 criminal or delinquent activities, or drug  
19 use and abuse;

20 “(vi) establish or improve school drop-  
21 out and re-entry programs; or

22 “(vii) establish learning environments  
23 and enhance students’ effective learning  
24 skills that are essential for school readiness  
25 and academic success, such as by providing



1 integrated systems of student and family  
2 supports;

3 “(D) high-quality training for school per-  
4 sonnel, including specialized instructional sup-  
5 port personnel, related to—

6 “(i) suicide prevention;

7 “(ii) effective and trauma-informed  
8 practices in classroom management;

9 “(iii) crisis management and conflict  
10 resolution techniques;

11 “(iv) human trafficking (defined, for  
12 purposes of this subparagraph, as an act  
13 or practice described in paragraph (9) or  
14 (10) of section 103 of the Trafficking Vic-  
15 tims Protection Act of 2000 (22 U.S.C.  
16 7102));

17 “(v) school-based violence prevention  
18 strategies;

19 “(vi) drug abuse prevention, including  
20 educating children facing substance abuse  
21 at home; and

22 “(vii) bullying and harassment pre-  
23 vention;

24 “(E) in accordance with sections 4001 and  
25 4111, child sexual abuse awareness and preven-

1           tion programs or activities, such as programs or  
2           activities designed to provide—

3                   “(i) age-appropriate and develop-  
4                   mentally-appropriate instruction for stu-  
5                   dents in child sexual abuse awareness and  
6                   prevention, including how to recognize  
7                   child sexual abuse and how to safely report  
8                   child sexual abuse; and

9                   “(ii) information to parents and  
10                  guardians of students about child sexual  
11                  abuse awareness and prevention, including  
12                  how to recognize child sexual abuse and  
13                  how to discuss child sexual abuse with a  
14                  child;

15                  “(F) designing and implementing a locally-  
16                  tailored plan to reduce exclusionary discipline  
17                  practices in elementary and secondary schools  
18                  that—

19                           “(i) is consistent with best practices;

20                           “(ii) includes strategies that are evi-  
21                           dence-based (to the extent the State, in  
22                           consultation with local educational agencies  
23                           in the State, determines that such evidence  
24                           is reasonably available); and

1           “(iii) is aligned with the long-term  
2           goal of prison reduction through opportuni-  
3           ties, mentoring, intervention, support, and  
4           other education services, referred to as a  
5           ‘youth PROMISE plan’; or

6           “(G) implementation of schoolwide positive  
7           behavioral interventions and supports, including  
8           through coordination with similar activities car-  
9           ried out under the Individuals with Disabilities  
10          Education Act (20 U.S.C. 1400 et seq.), in  
11          order to improve academic outcomes and school  
12          conditions for student learning;

13          “(H) designating a site resource coordi-  
14          nator at a school or local educational agency to  
15          provide a variety of services, such as—

16               “(i) establishing partnerships within  
17               the community to provide resources and  
18               support for schools;

19               “(ii) ensuring that all service and  
20               community partners are aligned with the  
21               academic expectations of a community  
22               school in order to improve student success;  
23               and

24               “(iii) strengthening relationships be-  
25               tween schools and communities; or

1                   “(I) pay for success initiatives aligned with  
2                   the purposes of this section.

3   **“SEC. 4109. ACTIVITIES TO SUPPORT THE EFFECTIVE USE**  
4                   **OF TECHNOLOGY.**

5           “(a) USES OF FUNDS.—Subject to section 4106(f),  
6 each local educational agency, or consortium of such agen-  
7 cies, that receives an allocation under section 4015(a)  
8 shall use a portion of such funds to improve the use of  
9 technology to improve the academic achievement, aca-  
10 demic growth, and digital literacy of all students, includ-  
11 ing by meeting the needs of such agency or consortium  
12 that are identified in the needs assessment conducted  
13 under section 4106(d) (if applicable), which may include—

14                   “(1) providing educators, school leaders, and  
15                   administrators with the professional learning tools,  
16                   devices, content, and resources to—

17                           “(A) personalize learning to improve stu-  
18                           dent academic achievement;

19                           “(B) discover, adapt, and share relevant  
20                           high-quality educational resources;

21                           “(C) use technology effectively in the class-  
22                           room, including by administering computer-  
23                           based assessments and blended learning strate-  
24                           gies; and

1           “(D) implement and support school- and  
2           district-wide approaches for using technology to  
3           inform instruction, support teacher collabora-  
4           tion, and personalize learning;

5           “(2) building technological capacity and infra-  
6           structure, which may include—

7           “(A) procuring content and ensuring con-  
8           tent quality; and

9           “(B) purchasing devices, equipment, and  
10          software applications in order to address readi-  
11          ness shortfalls;

12          “(3) developing or using effective or innovative  
13          strategies for the delivery of specialized or rigorous  
14          academic courses and curricula through the use of  
15          technology, including digital learning technologies  
16          and assistive technology;

17          “(4) carrying out blended learning projects,  
18          which shall include—

19          “(A) planning activities, which may include  
20          development of new instructional models (in-  
21          cluding blended learning technology software  
22          and platforms), the purchase of digital instruc-  
23          tional resources, initial professional develop-  
24          ment activities, and one-time information tech-  
25          nology purchases, except that such expenditures

1           may not include expenditures related to signifi-  
2           cant construction or renovation of facilities; or

3           “(B) ongoing professional development for  
4           teachers, principals, other school leaders, or  
5           other personnel involved in the project that is  
6           designed to support the implementation and  
7           academic success of the project;

8           “(5) providing professional development in the  
9           use of technology (which may be provided through  
10          partnerships with outside organizations) to enable  
11          teachers and instructional leaders to increase stu-  
12          dent achievement in the areas of science, technology,  
13          engineering, and mathematics, including computer  
14          science; and

15          “(6) providing students in rural, remote, and  
16          underserved areas with the resources to take advan-  
17          tage of high-quality digital learning experiences, digi-  
18          tal resources, and access to online courses taught by  
19          effective educators.

20          “(b) SPECIAL RULE.—A local educational agency, or  
21          consortium of such agencies, shall not use more than 15  
22          percent of funds for purchasing technology infrastructure  
23          as described in subsection (a)(2)(B), which shall include  
24          technology infrastructure purchased for the activities  
25          under subsection (a)(4)(A) .

1 **“SEC. 4110. SUPPLEMENT, NOT SUPPLANT.**

2 “Funds made available under this subpart shall be  
3 used to supplement, and not supplant, non-Federal funds  
4 that would otherwise be used for activities authorized  
5 under this subpart.

6 **“SEC. 4111. RULE OF CONSTRUCTION.**

7 “Nothing in this subpart may be construed to—

8 “(1) authorize activities or programming that  
9 encourages teenage sexual activity; or

10 “(2) prohibit effective activities or programming  
11 that meet the requirements of section 8526.

12 **“SEC. 4112. AUTHORIZATION OF APPROPRIATIONS.**

13 “(a) IN GENERAL.—There are authorized to be ap-  
14 propriated to carry out this subpart \$1,650,000,000 for  
15 fiscal year 2017 and \$1,600,000,000 for each of fiscal  
16 years 2018 through 2020.

17 “(b) FORWARD FUNDING.—Section 420 of the Gen-  
18 eral Education Provisions Act (20 U.S.C. 1223) shall  
19 apply to this subpart.”.

20 **PART B—21ST CENTURY COMMUNITY LEARNING**

21 **CENTERS**

22 **SEC. 4201. 21ST CENTURY COMMUNITY LEARNING CEN-**

23 **TERS.**

24 (a) PROGRAM AUTHORIZED.—Part B of title IV (20  
25 U.S.C. 7171 et seq.) is amended to read as follows:

1 **“PART B—21ST CENTURY COMMUNITY LEARNING**  
2 **CENTERS**

3 **“SEC. 4201. PURPOSE; DEFINITIONS.**

4 “(a) PURPOSE.—The purpose of this part is to pro-  
5 vide opportunities for communities to establish or expand  
6 activities in community learning centers that—

7 “(1) provide opportunities for academic enrich-  
8 ment, including providing tutorial services to help  
9 students, particularly students who attend low-per-  
10 forming schools, to meet the challenging State aca-  
11 demic standards;

12 “(2) offer students a broad array of additional  
13 services, programs, and activities, such as youth de-  
14 velopment activities, service learning, nutrition and  
15 health education, drug and violence prevention pro-  
16 grams, counseling programs, arts, music, physical  
17 fitness and wellness programs, technology education  
18 programs, financial literacy programs, environmental  
19 literacy programs, mathematics, science, career and  
20 technical programs, internship or apprenticeship  
21 programs, and other ties to an in-demand industry  
22 sector or occupation for high school students that  
23 are designed to reinforce and complement the reg-  
24 ular academic program of participating students;  
25 and



1           “(3) offer families of students served by com-  
2           munity learning centers opportunities for active and  
3           meaningful engagement in their children’s education,  
4           including opportunities for literacy and related edu-  
5           cational development.

6           “(b) DEFINITIONS.—In this part:

7           “(1) COMMUNITY LEARNING CENTER.—The  
8           term ‘community learning center’ means an entity  
9           that—

10                   “(A) assists students to meet the chal-  
11                   lenging State academic standards by providing  
12                   the students with academic enrichment activi-  
13                   ties and a broad array of other activities (such  
14                   as programs and activities described in sub-  
15                   section (a)(2)) during nonschool hours or peri-  
16                   ods when school is not in session (such as be-  
17                   fore and after school or during summer recess)  
18                   that—

19                           “(i) reinforce and complement the  
20                           regular academic programs of the schools  
21                           attended by the students served; and

22                                   “(ii) are targeted to the students’ aca-  
23                                   demic needs and aligned with the instruc-  
24                                   tion students receive during the school day;  
25                                   and

1           “(B) offers families of students served by  
2           such center opportunities for active and mean-  
3           ingful engagement in their children’s education,  
4           including opportunities for literacy and related  
5           educational development.

6           “(2) COVERED PROGRAM.—The term ‘covered  
7           program’ means a program for which—

8           “(A) the Secretary made a grant under  
9           this part (as this part was in effect on the day  
10          before the effective date of this part under the  
11          Every Student Succeeds Act); and

12          “(B) the grant period had not ended on  
13          that effective date.

14          “(3) ELIGIBLE ENTITY.—The term ‘eligible en-  
15          tity’ means a local educational agency, community-  
16          based organization, Indian tribe or tribal organiza-  
17          tion (as such terms are defined in section 4 of the  
18          Indian Self-Determination and Education Act (25  
19          U.S.C. 450b)), another public or private entity, or a  
20          consortium of 2 or more such agencies, organiza-  
21          tions, or entities.

22          “(4) EXTERNAL ORGANIZATION.—The term ‘ex-  
23          ternal organization’ means—

24          “(A) a nonprofit organization with a  
25          record of success in running or working with

1 before and after school (or summer recess) pro-  
2 grams and activities; or

3 “(B) in the case of a community where  
4 there is no such organization, a nonprofit orga-  
5 nization in the community that enters into a  
6 written agreement or partnership with an orga-  
7 nization described in subparagraph (A) to re-  
8 ceive mentoring and guidance in running or  
9 working with before and after school (or sum-  
10 mer recess) programs and activities.

11 “(5) RIGOROUS PEER-REVIEW PROCESS.—The  
12 term ‘rigorous peer-review process’ means a process  
13 by which—

14 “(A) employees of a State educational  
15 agency who are familiar with the programs and  
16 activities assisted under this part review all ap-  
17 plications that the State receives for awards  
18 under this part for completeness and applicant  
19 eligibility;

20 “(B) the State educational agency selects  
21 peer reviewers for such applications, who  
22 shall—

23 “(i) be selected for their expertise in  
24 providing effective academic, enrichment,

1 youth development, and related services to  
2 children; and

3 “(ii) not include any applicant, or rep-  
4 resentative of an applicant, that has sub-  
5 mitted an application under this part for  
6 the current application period; and

7 “(C) the peer reviewers described in sub-  
8 paragraph (B) review and rate the applications  
9 to determine the extent to which the applica-  
10 tions meet the requirements under sections  
11 4204(b) and 4205.

12 “(6) STATE.—The term ‘State’ means each of  
13 the 50 States, the District of Columbia, and the  
14 Commonwealth of Puerto Rico.

15 **“SEC. 4202. ALLOTMENTS TO STATES.**

16 “(a) RESERVATION.—From the funds appropriated  
17 under section 4206 for any fiscal year, the Secretary shall  
18 reserve—

19 “(1) such amounts as may be necessary to  
20 make continuation awards to subgrant recipients  
21 under covered programs (under the terms of those  
22 grants);

23 “(2) not more than 1 percent for national ac-  
24 tivities, which the Secretary may carry out directly  
25 or through grants and contracts, such as providing

1 technical assistance to eligible entities carrying out  
2 programs under this part or conducting a national  
3 evaluation; and

4 “(3) not more than 1 percent for payments to  
5 the outlying areas and the Bureau of Indian Edu-  
6 cation, to be allotted in accordance with their respec-  
7 tive needs for assistance under this part, as deter-  
8 mined by the Secretary, to enable the outlying areas  
9 and the Bureau to carry out the purpose of this  
10 part.

11 “(b) STATE ALLOTMENTS.—

12 “(1) DETERMINATION.—From the funds appro-  
13 priated under section 4206 for any fiscal year and  
14 remaining after the Secretary makes reservations  
15 under subsection (a), the Secretary shall allot to  
16 each State for the fiscal year an amount that bears  
17 the same relationship to the remainder as the  
18 amount the State received under subpart 2 of part  
19 A of title I for the preceding fiscal year bears to the  
20 amount all States received under that subpart for  
21 the preceding fiscal year, except that no State shall  
22 receive less than an amount equal to one-half of 1  
23 percent of the total amount made available to all  
24 States under this subsection.

1           “(2) REALLOTMENT OF UNUSED FUNDS.—If a  
2 State does not receive an allotment under this part  
3 for a fiscal year, the Secretary shall reallocate the  
4 amount of the State’s allotment to the remaining  
5 States in accordance with this part.

6           “(c) STATE USE OF FUNDS.—

7           “(1) IN GENERAL.—Each State that receives an  
8 allotment under this part shall reserve not less than  
9 93 percent of the amount allotted to such State  
10 under subsection (b), for each fiscal year for awards  
11 to eligible entities under section 4204.

12           “(2) STATE ADMINISTRATION.—A State edu-  
13 cational agency may use not more than 2 percent of  
14 the amount made available to the State under sub-  
15 section (b) for—

16           “(A) the administrative costs of carrying  
17 out its responsibilities under this part;

18           “(B) establishing and implementing a rig-  
19 orous peer-review process for subgrant applica-  
20 tions described in section 4204(b) (including  
21 consultation with the Governor and other State  
22 agencies responsible for administering youth de-  
23 velopment programs and adult learning activi-  
24 ties); and

1           “(C) awarding of funds to eligible entities  
2           (in consultation with the Governor and other  
3           State agencies responsible for administering  
4           youth development programs and adult learning  
5           activities).

6           “(3) STATE ACTIVITIES.—A State educational  
7           agency may use not more than 5 percent of the  
8           amount made available to the State under subsection  
9           (b) for the following activities:

10           “(A) Monitoring and evaluating programs  
11           and activities assisted under this part.

12           “(B) Providing capacity building, training,  
13           and technical assistance under this part.

14           “(C) Conducting a comprehensive evalua-  
15           tion (directly, or through a grant or contract)  
16           of the effectiveness of programs and activities  
17           assisted under this part.

18           “(D) Providing training and technical as-  
19           sistance to eligible entities that are applicants  
20           for or recipients of awards under this part.

21           “(E) Ensuring that any eligible entity that  
22           receives an award under this part from the  
23           State aligns the activities provided by the pro-  
24           gram with the challenging State academic  
25           standards.

1           “(F) Ensuring that any such eligible entity  
2 identifies and partners with external organiza-  
3 tions, if available, in the community.

4           “(G) Working with teachers, principals,  
5 parents, the local workforce, the local commu-  
6 nity, and other stakeholders to review and im-  
7 prove State policies and practices to support the  
8 implementation of effective programs under this  
9 part.

10           “(H) Coordinating funds received under  
11 this part with other Federal and State funds to  
12 implement high-quality programs.

13           “(I) Providing a list of prescreened exter-  
14 nal organizations, as described under section  
15 4203(a)(11).

16 **“SEC. 4203. STATE APPLICATION.**

17           “(a) IN GENERAL.—In order to receive an allotment  
18 under section 4202 for any fiscal year, a State shall sub-  
19 mit to the Secretary, at such time as the Secretary may  
20 require, an application that—

21           “(1) designates the State educational agency as  
22 the agency responsible for the administration and  
23 supervision of programs assisted under this part;



1           “(2) describes how the State educational agency  
2 will use funds received under this part, including  
3 funds reserved for State-level activities;

4           “(3) contains an assurance that the State edu-  
5 cational agency—

6           “(A) will make awards under this part to  
7 eligible entities that serve—

8           “(i) students who primarily attend—

9           “(I) schools implementing com-  
10 prehensive support and improvement  
11 activities or targeted support and im-  
12 provement activities under section  
13 1111(d); and

14           “(II) other schools determined by  
15 the local educational agency to be in  
16 need of intervention and support; and

17           “(ii) the families of such students;

18           and

19           “(B) will further give priority to eligible  
20 entities that propose in the application to serve  
21 students described in subclauses (I) and (II) of  
22 section 4204(i)(1)(A)(i);

23           “(4) describes the procedures and criteria the  
24 State educational agency will use for reviewing appli-  
25 cations and awarding funds to eligible entities on a

1 competitive basis, which shall include procedures and  
2 criteria that take into consideration the likelihood  
3 that a proposed community learning center will help  
4 participating students meet the challenging State  
5 academic standards and any local academic stand-  
6 ards;

7 “(5) describes how the State educational agency  
8 will ensure that awards made under this part are—

9 “(A) of sufficient size and scope to support  
10 high-quality, effective programs that are con-  
11 sistent with the purpose of this part; and

12 “(B) in amounts that are consistent with  
13 section 4204(h);

14 “(6) describes the steps the State educational  
15 agency will take to ensure that programs implement  
16 effective strategies, including providing ongoing  
17 technical assistance and training, evaluation, dis-  
18 semination of promising practices, and coordination  
19 of professional development for staff in specific con-  
20 tent areas and youth development;

21 “(7) describes how programs under this part  
22 will be coordinated with programs under this Act,  
23 and other programs as appropriate;

24 “(8) contains an assurance that the State edu-  
25 cational agency—

1           “(A) will make awards for programs for a  
2           period of not less than 3 years and not more  
3           than 5 years; and

4           “(B) will require each eligible entity seek-  
5           ing such an award to submit a plan describing  
6           how the activities to be funded through the  
7           award will continue after funding under this  
8           part ends;

9           “(9) contains an assurance that funds appro-  
10          priated to carry out this part will be used to supple-  
11          ment, and not supplant, other Federal, State, and  
12          local public funds expended to provide programs and  
13          activities authorized under this part and other simi-  
14          lar programs;

15          “(10) contains an assurance that the State edu-  
16          cational agency will require eligible entities to de-  
17          scribe in their applications under section 4204(b)  
18          how the transportation needs of participating stu-  
19          dents will be addressed;

20          “(11) describes how the State will—

21                 “(A) prescreen external organizations that  
22                 could provide assistance in carrying out the ac-  
23                 tivities under this part; and

1           “(B) develop and make available to eligible  
2 entities a list of external organizations that suc-  
3 cessfully completed the prescreening process;

4           “(12) provides—

5           “(A) an assurance that the application was  
6 developed in consultation and coordination with  
7 appropriate State officials, including the chief  
8 State school officer, and other State agencies  
9 administering before and after school (or sum-  
10 mer recess) programs and activities, the heads  
11 of the State health and mental health agencies  
12 or their designees, statewide after-school net-  
13 works (where applicable) and representatives of  
14 teachers, local educational agencies, and com-  
15 munity-based organizations; and

16           “(B) a description of any other representa-  
17 tives of teachers, parents, students, or the busi-  
18 ness community that the State has selected to  
19 assist in the development of the application, if  
20 applicable;

21           “(13) describes the results of the State’s needs  
22 and resources assessment for before and after school  
23 (or summer recess) programs and activities, which  
24 shall be based on the results of on-going State eval-  
25 uation activities;

1           “(14) describes how the State educational agen-  
2           cy will evaluate the effectiveness of programs and  
3           activities carried out under this part, which shall in-  
4           clude, at a minimum—

5                   “(A) a description of the performance indi-  
6                   cators and performance measures that will be  
7                   used to evaluate programs and activities with  
8                   emphasis on alignment with the regular aca-  
9                   demic program of the school and the academic  
10                  needs of participating students, including per-  
11                  formance indicators and measures that—

12                           “(i) are able to track student success  
13                           and improvement over time;

14                           “(ii) include State assessment results  
15                           and other indicators of student success and  
16                           improvement, such as improved attendance  
17                           during the school day, better classroom  
18                           grades, regular (or consistent) program at-  
19                           tendance, and on-time advancement to the  
20                           next grade level; and

21                           “(iii) for high school students, may in-  
22                           clude indicators such as career com-  
23                           petencies, successful completion of intern-  
24                           ships or apprenticeships, or work-based  
25                           learning opportunities;

1           “(B) a description of how data collected  
2           for the purposes of subparagraph (A) will be  
3           collected; and

4           “(C) public dissemination of the evalua-  
5           tions of programs and activities carried out  
6           under this part; and

7           “(15) provides for timely public notice of intent  
8           to file an application and an assurance that the ap-  
9           plication will be available for public review after sub-  
10          mission.

11          “(b) DEEMED APPROVAL.—An application submitted  
12          by a State educational agency pursuant to subsection (a)  
13          shall be deemed to be approved by the Secretary unless  
14          the Secretary makes a written determination, prior to the  
15          expiration of the 120-day period beginning on the date on  
16          which the Secretary received the application, that the ap-  
17          plication is not in compliance with this part.

18          “(c) DISAPPROVAL.—The Secretary shall not finally  
19          disapprove the application, except after giving the State  
20          educational agency notice and an opportunity for a hear-  
21          ing.

22          “(d) NOTIFICATION.—If the Secretary finds that the  
23          application is not in compliance, in whole or in part, with  
24          this part, the Secretary shall—

1           “(1) give the State educational agency notice  
2           and an opportunity for a hearing; and

3           “(2) notify the State educational agency of the  
4           finding of noncompliance and, in such notification—

5                   “(A) cite the specific provisions in the ap-  
6                   plication that are not in compliance; and

7                   “(B) request additional information, only  
8                   as to the noncompliant provisions, needed to  
9                   make the application compliant.

10          “(e) RESPONSE.—If the State educational agency re-  
11          sponds to the Secretary’s notification described in sub-  
12          section (d)(2) during the 45-day period beginning on the  
13          date on which the agency received the notification, and  
14          resubmits the application with the requested information  
15          described in subsection (d)(2)(B), the Secretary shall ap-  
16          prove or disapprove such application prior to the later of—

17                   “(1) the expiration of the 45-day period begin-  
18                   ning on the date on which the application is resub-  
19                   mitted; or

20                   “(2) the expiration of the 120-day period de-  
21                   scribed in subsection (b).

22          “(f) FAILURE TO RESPOND.—If the State edu-  
23          cational agency does not respond to the Secretary’s notifi-  
24          cation described in subsection (d)(2) during the 45-day pe-  
25          riod beginning on the date on which the agency received

1 the notification, such application shall be deemed to be  
2 disapproved.

3 “(g) LIMITATION.—The Secretary may not give a pri-  
4 ority or a preference for States or eligible entities that  
5 seek to use funds made available under this part to extend  
6 the regular school day.

7 **“SEC. 4204. LOCAL COMPETITIVE SUBGRANT PROGRAM.**

8 “(a) IN GENERAL.—

9 “(1) COMMUNITY LEARNING CENTERS.—A  
10 State that receives funds under this part for a fiscal  
11 year shall provide the amount made available under  
12 section 4202(c)(1) to award subgrants to eligible en-  
13 tities for community learning centers in accordance  
14 with this part.

15 “(2) EXPANDED LEARNING PROGRAM ACTIVI-  
16 TIES.—A State that receives funds under this part  
17 for a fiscal year may use funds under section  
18 4202(c)(1) to support those enrichment and engag-  
19 ing academic activities described in section 4205(a)  
20 that—

21 “(A) are included as part of an expanded  
22 learning program that provide students at least  
23 300 additional program hours before, during, or  
24 after the traditional school day;



1           “(B) supplement but do not supplant reg-  
2           ular school day requirements; and

3           “(C) are carried out by entities that meet  
4           the requirements of subsection (i).

5           “(b) APPLICATION.—

6           “(1) IN GENERAL.—To be eligible to receive a  
7           subgrant under this part, an eligible entity shall sub-  
8           mit an application to the State educational agency  
9           at such time, in such manner, and including such in-  
10          formation as the State educational agency may rea-  
11          sonably require.

12          “(2) CONTENTS.—Each application submitted  
13          under paragraph (1) shall include—

14                 “(A) a description of the activities to be  
15                 funded, including—

16                         “(i) an assurance that the program  
17                         will take place in a safe and easily acces-  
18                         sible facility;

19                         “(ii) a description of how students  
20                         participating in the program carried out by  
21                         the community learning center will travel  
22                         safely to and from the center and home, if  
23                         applicable; and

24                         “(iii) a description of how the eligible  
25                         entity will disseminate information about

1 the community learning center (including  
2 its location) to the community in a manner  
3 that is understandable and accessible;

4 “(B) a description of how such activities  
5 are expected to improve student academic  
6 achievement as well as overall student success;

7 “(C) a demonstration of how the proposed  
8 program will coordinate Federal, State, and  
9 local programs and make the most effective use  
10 of public resources;

11 “(D) an assurance that the proposed pro-  
12 gram was developed and will be carried out—

13 “(i) in active collaboration with the  
14 schools that participating students attend  
15 (including through the sharing of relevant  
16 data among the schools), all participants of  
17 the eligible entity, and any partnership en-  
18 tities described in subparagraph (H), in  
19 compliance with applicable laws relating to  
20 privacy and confidentiality; and

21 “(ii) in alignment with the challenging  
22 State academic standards and any local  
23 academic standards;

1           “(E) a description of how the activities will  
2 meet the measures of effectiveness described in  
3 section 4205(b);

4           “(F) an assurance that the program will  
5 target students who primarily attend schools el-  
6 igible for schoolwide programs under section  
7 1114 and the families of such students;

8           “(G) an assurance that subgrant funds  
9 under this part will be used to increase the level  
10 of State, local, and other non-Federal funds  
11 that would, in the absence of funds under this  
12 part, be made available for programs and activi-  
13 ties authorized under this part, and in no case  
14 supplant Federal, State, local, or non-Federal  
15 funds;

16           “(H) a description of the partnership be-  
17 tween a local educational agency, a community-  
18 based organization, and another public entity or  
19 private entity, if appropriate;

20           “(I) an evaluation of the community needs  
21 and available resources for the community  
22 learning center, and a description of how the  
23 program proposed to be carried out in the cen-  
24 ter will address those needs (including the  
25 needs of working families);

1           “(J) a demonstration that the eligible enti-  
2           ty will use best practices, including research or  
3           evidence-based practices, to provide educational  
4           and related activities that will complement and  
5           enhance academic performance, achievement,  
6           postsecondary and workforce preparation, and  
7           positive youth development of the students;

8           “(K) a description of a preliminary plan  
9           for how the community learning center will con-  
10          tinue after funding under this part ends;

11          “(L) an assurance that the community will  
12          be given notice of an intent to submit an appli-  
13          cation and that the application and any waiver  
14          request will be available for public review after  
15          submission of the application;

16          “(M) if the eligible entity plans to use vol-  
17          unteers in activities carried out through the  
18          community learning center, a description of how  
19          the eligible entity will encourage and use appro-  
20          priately qualified persons to serve as the volun-  
21          teers; and

22          “(N) such other information and assur-  
23          ances as the State educational agency may rea-  
24          sonably require.

1           “(c) APPROVAL OF CERTAIN APPLICATIONS.—The  
2 State educational agency may approve an application  
3 under this part for a program to be located in a facility  
4 other than an elementary school or secondary school only  
5 if the program will be at least as available and accessible  
6 to the students to be served as if the program were located  
7 in an elementary school or secondary school.

8           “(d) PERMISSIVE LOCAL MATCH.—

9                 “(1) IN GENERAL.—A State educational agency  
10 may require an eligible entity to match subgrant  
11 funds awarded under this part, except that such  
12 match may not exceed the amount of the subgrant  
13 and may not be derived from other Federal or State  
14 funds.

15                 “(2) SLIDING SCALE.—The amount of a match  
16 under paragraph (1) shall be established based on a  
17 sliding scale that takes into account—

18                         “(A) the relative poverty of the population  
19 to be targeted by the eligible entity; and

20                         “(B) the ability of the eligible entity to ob-  
21 tain such matching funds.

22                 “(3) IN-KIND CONTRIBUTIONS.—Each State  
23 educational agency that requires an eligible entity to  
24 match funds under this subsection shall permit the

1 eligible entity to provide all or any portion of such  
2 match in the form of in-kind contributions.

3 “(4) CONSIDERATION.—Notwithstanding this  
4 subsection, a State educational agency shall not con-  
5 sider an eligible entity’s ability to match funds when  
6 determining which eligible entities will receive sub-  
7 grants under this part.

8 “(e) PEER REVIEW.—In reviewing local applications  
9 under this part, a State educational agency shall use a  
10 rigorous peer-review process or other methods to ensure  
11 the quality of funded projects.

12 “(f) GEOGRAPHIC DIVERSITY.—To the extent prac-  
13 ticable, a State educational agency shall distribute  
14 subgrant funds under this part equitably among geo-  
15 graphic areas within the State, including urban and rural  
16 communities.

17 “(g) DURATION OF AWARDS.—A subgrant awarded  
18 under this part shall be awarded for a period of not less  
19 than 3 years and not more than 5 years.

20 “(h) AMOUNT OF AWARDS.—A subgrant awarded  
21 under this part may not be made in an amount that is  
22 less than \$50,000.

23 “(i) PRIORITY.—

1           “(1) IN GENERAL.—In awarding subgrants  
2           under this part, a State educational agency shall  
3           give priority to applications—

4                   “(A) proposing to target services to—

5                           “(i) students who primarily attend  
6                   schools that—

7                                   “(I) are implementing com-  
8                                   prehensive support and improvement  
9                                   activities or targeted support and im-  
10                                  provement activities under section  
11                                  1111(d) or other schools determined  
12                                  by the local educational agency to be  
13                                  in need of intervention and support to  
14                                  improve student academic achieve-  
15                                  ment and other outcomes; and

16                                   “(II) enroll students who may be  
17                                   at risk for academic failure, dropping  
18                                   out of school, involvement in criminal  
19                                   or delinquent activities, or who lack  
20                                   strong positive role models; and

21                                   “(ii) the families of students described  
22                   in clause (i);

23                           “(B) submitted jointly by eligible entities  
24           consisting of not less than 1—

1 “(i) local educational agency receiving  
2 funds under part A of title I; and

3 “(ii) another eligible entity; and

4 “(C) demonstrating that the activities pro-  
5 posed in the application—

6 “(i) are, as of the date of the submis-  
7 sion of the application, not accessible to  
8 students who would be served; or

9 “(ii) would expand accessibility to  
10 high-quality services that may be available  
11 in the community.

12 “(2) SPECIAL RULE.—The State educational  
13 agency shall provide the same priority under para-  
14 graph (1) to an application submitted by a local edu-  
15 cational agency if the local educational agency dem-  
16 onstrates that it is unable to partner with a commu-  
17 nity-based organization in reasonable geographic  
18 proximity and of sufficient quality to meet the re-  
19 quirements of this part.

20 “(3) LIMITATION.—A State educational agency  
21 may not give a priority or a preference to eligible en-  
22 tities that seek to use funds made available under  
23 this part to extend the regular school day.

24 “(j) RENEWABILITY OF AWARDS.—A State edu-  
25 cational agency may renew a subgrant provided under this



1 part to an eligible entity, based on the eligible entity's per-  
2 formance during the preceding subgrant period.

3 **“SEC. 4205. LOCAL ACTIVITIES.**

4 “(a) AUTHORIZED ACTIVITIES.—Each eligible entity  
5 that receives an award under section 4204 may use the  
6 award funds to carry out a broad array of activities that  
7 advance student academic achievement and support stu-  
8 dent success, including—

9 “(1) academic enrichment learning programs,  
10 mentoring programs, remedial education activities,  
11 and tutoring services, that are aligned with—

12 “(A) the challenging State academic stand-  
13 ards and any local academic standards; and

14 “(B) local curricula that are designed to  
15 improve student academic achievement;

16 “(2) well-rounded education activities, including  
17 such activities that enable students to be eligible for  
18 credit recovery or attainment;

19 “(3) literacy education programs, including fi-  
20 nancial literacy programs and environmental literacy  
21 programs;

22 “(4) programs that support a healthy and ac-  
23 tive lifestyle, including nutritional education and  
24 regular, structured physical activity programs;

25 “(5) services for individuals with disabilities;

1           “(6) programs that provide after-school activi-  
2 ties for students who are English learners that em-  
3 phasize language skills and academic achievement;

4           “(7) cultural programs;

5           “(8) telecommunications and technology edu-  
6 cation programs;

7           “(9) expanded library service hours;

8           “(10) parenting skills programs that promote  
9 parental involvement and family literacy;

10           “(11) programs that provide assistance to stu-  
11 dents who have been truant, suspended, or expelled  
12 to allow the students to improve their academic  
13 achievement;

14           “(12) drug and violence prevention programs  
15 and counseling programs;

16           “(13) programs that build skills in science,  
17 technology, engineering, and mathematics (referred  
18 to in this paragraph as ‘STEM’), including com-  
19 puter science, and that foster innovation in learning  
20 by supporting nontraditional STEM education teach-  
21 ing methods; and

22           “(14) programs that partner with in-demand  
23 fields of the local workforce or build career com-  
24 petencies and career readiness and ensure that local  
25 workforce and career readiness skills are aligned

1 with the Carl D. Perkins Career and Technical Edu-  
2 cation Act of 2006 (20 U.S.C. 2301 et seq.) and the  
3 Workforce Innovation and Opportunity Act (29  
4 U.S.C. 3101 et seq.).

5 “(b) MEASURES OF EFFECTIVENESS.—

6 “(1) IN GENERAL.—For a program or activity  
7 developed pursuant to this part to meet the meas-  
8 ures of effectiveness, monitored by the State edu-  
9 cational agency as described in section 4203(a)(14),  
10 such program or activity shall—

11 “(A) be based upon an assessment of ob-  
12 jective data regarding the need for before and  
13 after school (or summer recess) programs and  
14 activities in the schools and communities;

15 “(B) be based upon an established set of  
16 performance measures aimed at ensuring the  
17 availability of high-quality academic enrichment  
18 opportunities;

19 “(C) if appropriate, be based upon evi-  
20 dence-based research that the program or activ-  
21 ity will help students meet the challenging State  
22 academic standards and any local academic  
23 standards;

24 “(D) ensure that measures of student suc-  
25 cess align with the regular academic program of

1 the school and the academic needs of partici-  
2 pating students and include performance indica-  
3 tors and measures described in section  
4 4203(a)(14)(A); and

5 “(E) collect the data necessary for the  
6 measures of student success described in sub-  
7 paragraph (D).

8 “(2) PERIODIC EVALUATION.—

9 “(A) IN GENERAL.—The program or activ-  
10 ity shall undergo a periodic evaluation in con-  
11 junction with the State educational agency’s  
12 overall evaluation plan as described in section  
13 4203(a)(14), to assess the program’s progress  
14 toward achieving the goal of providing high-  
15 quality opportunities for academic enrichment  
16 and overall student success.

17 “(B) USE OF RESULTS.—The results of  
18 evaluations under subparagraph (A) shall be—

19 “(i) used to refine, improve, and  
20 strengthen the program or activity, and to  
21 refine the performance measures;

22 “(ii) made available to the public upon  
23 request, with public notice of such avail-  
24 ability provided; and

1                   “(iii) used by the State to determine  
2                   whether a subgrant is eligible to be re-  
3                   newed under section 4204(j).

4 **“SEC. 4206. AUTHORIZATION OF APPROPRIATIONS.**

5                   “There are authorized to be appropriated to carry out  
6 this part \$1,000,000,000 for fiscal year 2017 and  
7 \$1,100,000,000 for each of fiscal years 2018 through  
8 2020.”.

9                   **PART C—EXPANDING OPPORTUNITY THROUGH**  
10                   **QUALITY CHARTER SCHOOLS**

11 **SEC. 4301. CHARTER SCHOOLS.**

12                   Part C of title IV (20 U.S.C. 7221 et seq.), as redes-  
13 igned by section 4001, is amended—

14                   (1) by striking sections 4301 through 4305, as  
15                   redesignated by section 4001, and inserting the fol-  
16                   lowing:

17 **“SEC. 4301. PURPOSE.**

18                   “It is the purpose of this part to—

19                   “(1) improve the United States education sys-  
20                   tem and education opportunities for all people in the  
21                   United States by supporting innovation in public  
22                   education in public school settings that prepare stu-  
23                   dents to compete and contribute to the global econ-  
24                   omy and a stronger Nation;

1           “(2) provide financial assistance for the plan-  
2           ning, program design, and initial implementation of  
3           charter schools;

4           “(3) increase the number of high-quality char-  
5           ter schools available to students across the United  
6           States;

7           “(4) evaluate the impact of charter schools on  
8           student achievement, families, and communities, and  
9           share best practices between charter schools and  
10          other public schools;

11          “(5) encourage States to provide support to  
12          charter schools for facilities financing in an amount  
13          more nearly commensurate to the amount States  
14          typically provide for traditional public schools;

15          “(6) expand opportunities for children with dis-  
16          abilities, English learners, and other traditionally  
17          underserved students to attend charter schools and  
18          meet the challenging State academic standards  
19          under section 1111(b)(1);

20          “(7) support efforts to strengthen the charter  
21          school authorizing process to improve performance  
22          management, including transparency, oversight and  
23          monitoring (including financial audits), and evalua-  
24          tion of such schools; and

1           “(8) support quality, accountability, and trans-  
2           parency in the operational performance of all au-  
3           thorized public chartering agencies, including State  
4           educational agencies, local educational agencies, and  
5           other authorizing entities.

6   **“SEC. 4302. PROGRAM AUTHORIZED.**

7           “(a) IN GENERAL.—The Secretary may carry out a  
8           charter school program that supports charter schools that  
9           serve early childhood, elementary school, or secondary  
10          school students by—

11           “(1) supporting the startup of new charter  
12          schools, the replication of high-quality charter  
13          schools, and the expansion of high-quality charter  
14          schools;

15           “(2) assisting charter schools in accessing cred-  
16          it to acquire and renovate facilities for school use;  
17          and

18           “(3) carrying out national activities to sup-  
19          port—

20           “(A) the activities described in paragraph  
21          (1);

22           “(B) the dissemination of best practices of  
23          charter schools for all schools;





1           “(1) a State educational agency;

2           “(2) a State charter school board;

3           “(3) a Governor of a State; or

4           “(4) a charter school support organization.

5           “(b) PROGRAM AUTHORIZED.—From the amount  
6 available under section 4302(b)(3), the Secretary shall  
7 award, on a competitive basis, grants to State entities hav-  
8 ing applications approved under subsection (f) to enable  
9 such entities to—

10           “(1) award subgrants to eligible applicants to  
11 enable eligible applicants to—

12           “(A) open and prepare for the operation of  
13 new charter schools;

14           “(B) open and prepare for the operation of  
15 replicated high-quality charter schools; or

16           “(C) expand high-quality charter schools;  
17 and

18           “(2) provide technical assistance to eligible ap-  
19 plicants and authorized public chartering agencies in  
20 carrying out the activities described in paragraph  
21 (1), and work with authorized public chartering  
22 agencies in the State to improve authorizing quality,  
23 including developing capacity for, and conducting,  
24 fiscal oversight and auditing of charter schools.

25           “(c) STATE ENTITY USES OF FUNDS.—

1           “(1) IN GENERAL.—A State entity receiving a  
2 grant under this section shall—

3           “(A) use not less than 90 percent of the  
4 grant funds to award subgrants to eligible ap-  
5 plicants, in accordance with the quality charter  
6 school program described in the State entity’s  
7 application pursuant to subsection (f), for the  
8 purposes described in subsection (b)(1);

9           “(B) reserve not less than 7 percent of  
10 such funds to carry out the activities described  
11 in subsection (b)(2); and

12           “(C) reserve not more than 3 percent of  
13 such funds for administrative costs, which may  
14 include technical assistance.

15           “(2) CONTRACTS AND GRANTS.—A State entity  
16 may use a grant received under this section to carry  
17 out the activities described in subsection (b)(2) di-  
18 rectly or through grants, contracts, or cooperative  
19 agreements.

20           “(3) RULE OF CONSTRUCTION.—

21           “(A) USE OF LOTTERY.—Nothing in this  
22 Act shall prohibit the Secretary from awarding  
23 grants to State entities, or prohibit State enti-  
24 ties from awarding subgrants to eligible appli-  
25 cants, that use a weighted lottery to give slight-

1 ly better chances for admission to all, or a sub-  
2 set of, educationally disadvantaged students  
3 if—

4 “(i) the use of weighted lotteries in  
5 favor of such students is not prohibited by  
6 State law, and such State law is consistent  
7 with laws described in section 4310(2)(G);  
8 and

9 “(ii) such weighted lotteries are not  
10 used for the purpose of creating schools ex-  
11 clusively to serve a particular subset of  
12 students.

13 “(B) STUDENTS WITH SPECIAL NEEDS.—  
14 Nothing in this paragraph shall be construed to  
15 prohibit schools from specializing in providing  
16 specific services for students with a dem-  
17 onstrated need for such services, such as stu-  
18 dents who need specialized instruction in read-  
19 ing, spelling, or writing.

20 “(d) PROGRAM PERIODS; PEER REVIEW; DISTRIBU-  
21 TION OF SUBGRANTS; WAIVERS.—

22 “(1) PROGRAM PERIODS.—

23 “(A) GRANTS.—A grant awarded by the  
24 Secretary to a State entity under this section  
25 shall be for a period of not more than 5 years.

1           “(B) SUBGRANTS.—A subgrant awarded  
2           by a State entity under this section shall be for  
3           a period of not more than 5 years, of which an  
4           eligible applicant may use not more than 18  
5           months for planning and program design.

6           “(2) PEER REVIEW.—The Secretary, and each  
7           State entity awarding subgrants under this section,  
8           shall use a peer-review process to review applications  
9           for assistance under this section.

10          “(3) GRANT AWARDS.—

11           “(A) IN GENERAL.—The Secretary—

12           “(i) shall for each fiscal year for  
13           which funds are appropriated under section  
14           4311—

15           “(I) award not less than 3 grants  
16           under this section; and

17           “(II) fully obligate the first 2  
18           years of funds appropriated for the  
19           purpose of awarding grants under this  
20           section in the first fiscal year for  
21           which such grants are awarded; and

22           “(ii) prior to the start of the third  
23           year of the grant period and each suc-  
24           ceeding year of each grant awarded under  
25           this section to a State entity—

85

1 “(I) shall review—

2 “(aa) whether the State en-  
3 tity is using the grant funds for  
4 the agreed upon uses of funds;  
5 and

6 “(bb) whether the full  
7 amount of the grant will be need-  
8 ed for the remainder of the grant  
9 period; and

10 “(II) may, as determined nec-  
11 essary based on that review, terminate  
12 or reduce the amount of the grant  
13 and reallocate the remaining grant  
14 funds to other State entities—

15 “(aa) by using such funds to  
16 award grants under this section  
17 to other State entities; or

18 “(bb) in a fiscal year in  
19 which the amount of such re-  
20 maining funds is insufficient to  
21 award grants under item (aa), in  
22 accordance with subparagraph  
23 (B).

24 “(B) REMAINING FUNDING.—For a fiscal  
25 year for which there are remaining grant funds

1 under this paragraph, but the amount of such  
2 funds is insufficient to award a grant to a State  
3 entity under this section, the Secretary shall  
4 use such remaining grants funds—

5 “(i) to supplement funding for grants  
6 under section 4305(a)(2), but not to sup-  
7 plant—

8 “(I) the funds reserved under  
9 section 4305(a)(2); and

10 “(II) funds otherwise reserved  
11 under section 4302(b)(2) to carry out  
12 national activities under section 4305;

13 “(ii) to award grants to State entities  
14 to carry out the activities described in sub-  
15 section (b)(1) for the next fiscal year; or

16 “(iii) to award one year of a grant  
17 under subsection (b)(1) to a high-scoring  
18 State entity, in an amount at or above the  
19 minimum amount the State entity needs to  
20 be successful for such year.

21 “(4) DIVERSITY OF PROJECTS.—Each State en-  
22 tity awarding subgrants under this section shall  
23 award subgrants in a manner that, to the extent  
24 practicable and applicable, ensures that such sub-  
25 grants—

1           “(A) are distributed throughout different  
2           areas, including urban, suburban, and rural  
3           areas; and

4           “(B) will assist charter schools rep-  
5           resenting a variety of educational approaches.

6           “(5) WAIVERS.—The Secretary may waive any  
7           statutory or regulatory requirement over which the  
8           Secretary exercises administrative authority, except  
9           any such requirement relating to the elements of a  
10          charter school described in section 4310(2), if—

11           “(A) the waiver is requested in an ap-  
12          proved application under this section; and

13           “(B) the Secretary determines that grant-  
14          ing such waiver will promote the purpose of this  
15          part.

16          “(e) LIMITATIONS.—

17           “(1) GRANTS.—No State entity may receive a  
18          grant under this section for use in a State in which  
19          a State entity is currently using a grant received  
20          under this section.

21           “(2) SUBGRANTS.—An eligible applicant may  
22          not receive more than 1 subgrant under this section  
23          for each individual charter school for a 5-year pe-  
24          riod, unless the eligible applicant demonstrates to  
25          the State entity that such individual charter school

1 has at least 3 years of improved educational results  
2 for students enrolled in such charter school with re-  
3 spect to the elements described in subparagraphs  
4 (A) and (D) of section 4310(8).

5 “(f) APPLICATIONS.—A State entity desiring to re-  
6 ceive a grant under this section shall submit an application  
7 to the Secretary at such time and in such manner as the  
8 Secretary may require. The application shall include the  
9 following:

10 “(1) DESCRIPTION OF PROGRAM.—A descrip-  
11 tion of the State entity’s objectives in running a  
12 quality charter school program under this section  
13 and how the objectives of the program will be car-  
14 ried out, including—

15 “(A) a description of how the State entity  
16 will—

17 “(i) support the opening of charter  
18 schools through the startup of new charter  
19 schools and, if applicable, the replication of  
20 high-quality charter schools, and the ex-  
21 pansion of high-quality charter schools (in-  
22 cluding the proposed number of new char-  
23 ter schools to be opened, high-quality char-  
24 ter schools to be opened as a result of the  
25 replication of a high-quality charter school,



1 or high-quality charter schools to be ex-  
2 panded under the State entity’s program);

3 “(ii) inform eligible charter schools,  
4 developers, and authorized public char-  
5 tering agencies of the availability of funds  
6 under the program;

7 “(iii) work with eligible applicants to  
8 ensure that the eligible applicants access  
9 all Federal funds that such applicants are  
10 eligible to receive, and help the charter  
11 schools supported by the applicants and  
12 the students attending those charter  
13 schools—

14 “(I) participate in the Federal  
15 programs in which the schools and  
16 students are eligible to participate;

17 “(II) receive the commensurate  
18 share of Federal funds the schools  
19 and students are eligible to receive  
20 under such programs; and

21 “(III) meet the needs of students  
22 served under such programs, including  
23 students with disabilities and English  
24 learners;

1 “(iv) ensure that authorized public  
2 chartering agencies, in collaboration with  
3 surrounding local educational agencies  
4 where applicable, establish clear plans and  
5 procedures to assist students enrolled in a  
6 charter school that closes or loses its char-  
7 ter to attend other high-quality schools;

8 “(v) in the case of a State entity that  
9 is not a State educational agency—

10 “(I) work with the State edu-  
11 cational agency and charter schools in  
12 the State to maximize charter school  
13 participation in Federal and State  
14 programs for which charter schools  
15 are eligible; and

16 “(II) work with the State edu-  
17 cational agency to operate the State  
18 entity’s program under this section, if  
19 applicable;

20 “(vi) ensure that each eligible appli-  
21 cant that receives a subgrant under the  
22 State entity’s program—

23 “(I) is using funds provided  
24 under this section for one of the ac-

1 activities described in subsection (b)(1);  
2 and

3 “(II) is prepared to continue to  
4 operate charter schools funded under  
5 this section in a manner consistent  
6 with the eligible applicant’s applica-  
7 tion for such subgrant once the  
8 subgrant funds under this section are  
9 no longer available;

10 “(vii) support—

11 “(I) charter schools in local edu-  
12 cational agencies with a significant  
13 number of schools identified by the  
14 State for comprehensive support and  
15 improvement under section  
16 1111(e)(4)(D)(i); and

17 “(II) the use of charter schools  
18 to improve struggling schools, or to  
19 turn around struggling schools;

20 “(viii) work with charter schools on—

21 “(I) recruitment and enrollment  
22 practices to promote inclusion of all  
23 students, including by eliminating any  
24 barriers to enrollment for education-  
25 ally disadvantaged students (who in-

1 include foster youth and unaccompanied  
2 homeless youth); and

3 “(II) supporting all students once  
4 they are enrolled to promote retention,  
5 including by reducing the overuse of  
6 discipline practices that remove stu-  
7 dents from the classroom;

8 “(ix) share best and promising prac-  
9 tices between charter schools and other  
10 public schools;

11 “(x) ensure that charter schools re-  
12 ceiving funds under the State entity’s pro-  
13 gram meet the educational needs of their  
14 students, including children with disabil-  
15 ities and English learners;

16 “(xi) support efforts to increase char-  
17 ter school quality initiatives, including  
18 meeting the quality authorizing elements  
19 described in paragraph (2)(D);

20 “(xii)(I) in the case of a State entity  
21 not described in subclause (II), a descrip-  
22 tion of how the State entity will provide  
23 oversight of authorizing activity, including  
24 how the State will help ensure better au-  
25 thorizing, such as by establishing author-

1           izing standards that may include approv-  
2           ing, monitoring, and re-approving or revok-  
3           ing the authority of an authorized public  
4           chartering agency based on the perform-  
5           ance of the charter schools authorized by  
6           such agency in the areas of student  
7           achievement, student safety, financial and  
8           operational management, and compliance  
9           with all applicable statutes and regula-  
10          tions; and

11                 “(II) in the case of a State entity de-  
12                 scribed in subsection (a)(4), a description  
13                 of how the State entity will work with the  
14                 State to support the State’s system of  
15                 technical assistance and oversight, as de-  
16                 scribed in subclause (I), of the authorizing  
17                 activity of authorized public chartering  
18                 agencies; and

19                 “(xiii) work with eligible applicants receiv-  
20                 ing a subgrant under the State entity’s pro-  
21                 gram to support the opening of new charter  
22                 schools or charter school models described in  
23                 clause (i) that are high schools;

24                 “(B) a description of the extent to which  
25                 the State entity—

1 “(i) is able to meet and carry out the  
2 priorities described in subsection (g)(2);

3 “(ii) is working to develop or  
4 strengthen a cohesive statewide system to  
5 support the opening of new charter schools  
6 and, if applicable, the replication of high-  
7 quality charter schools, and the expansion  
8 of high-quality charter schools; and

9 “(iii) is working to develop or  
10 strengthen a cohesive strategy to encour-  
11 age collaboration between charter schools  
12 and local educational agencies on the shar-  
13 ing of best practices;

14 “(C) a description of how the State entity  
15 will award subgrants, on a competitive basis, in-  
16 cluding—

17 “(i) a description of the application  
18 each eligible applicant desiring to receive a  
19 subgrant will be required to submit, which  
20 application shall include—

21 “(I) a description of the roles  
22 and responsibilities of eligible appli-  
23 cants, partner organizations, and  
24 charter management organizations,  
25 including the administrative and con-

1 tractual roles and responsibilities of  
2 such partners;

3 “(II) a description of the quality  
4 controls agreed to between the eligible  
5 applicant and the authorized public  
6 chartering agency involved, such as a  
7 contract or performance agreement,  
8 how a school’s performance in the  
9 State’s accountability system and im-  
10 pact on student achievement (which  
11 may include student academic growth)  
12 will be one of the most important fac-  
13 tors for renewal or revocation of the  
14 school’s charter, and how the State  
15 entity and the authorized public char-  
16 tering agency involved will reserve the  
17 right to revoke or not renew a school’s  
18 charter based on financial, structural,  
19 or operational factors involving the  
20 management of the school;

21 “(III) a description of how the  
22 autonomy and flexibility granted to a  
23 charter school is consistent with the  
24 definition of a charter school in sec-  
25 tion 4310;

1                   “(IV) a description of how the el-  
2                   igible applicant will solicit and con-  
3                   sider input from parents and other  
4                   members of the community on the im-  
5                   plementation and operation of each  
6                   charter school that will receive funds  
7                   under the State entity’s program;

8                   “(V) a description of the eligible  
9                   applicant’s planned activities and ex-  
10                  penditures of subgrant funds to sup-  
11                  port the activities described in sub-  
12                  section (b)(1), and how the eligible  
13                  applicant will maintain financial sus-  
14                  tainability after the end of the  
15                  subgrant period; and

16                  “(VI) a description of how the el-  
17                  igible applicant will support the use of  
18                  effective parent, family, and commu-  
19                  nity engagement strategies to operate  
20                  each charter school that will receive  
21                  funds under the State entity’s pro-  
22                  gram; and

23                  “(ii) a description of how the State  
24                  entity will review applications from eligible  
25                  applicants;



1           “(D) in the case of a State entity that  
2 partners with an outside organization to carry  
3 out the State entity’s quality charter school  
4 program, in whole or in part, a description of  
5 the roles and responsibilities of the partner;

6           “(E) a description of how the State entity  
7 will ensure that each charter school receiving  
8 funds under the State entity’s program has con-  
9 sidered and planned for the transportation  
10 needs of the school’s students;

11           “(F) a description of how the State in  
12 which the State entity is located addresses  
13 charter schools in the State’s open meetings  
14 and open records laws; and

15           “(G) a description of how the State entity  
16 will support diverse charter school models, in-  
17 cluding models that serve rural communities.

18           “(2) ASSURANCES.—Assurances that—

19           “(A) each charter school receiving funds  
20 through the State entity’s program will have a  
21 high degree of autonomy over budget and oper-  
22 ations, including autonomy over personnel deci-  
23 sions;

24           “(B) the State entity will support charter  
25 schools in meeting the educational needs of

1 their students, as described in paragraph  
2 (1)(A)(x);

3 “(C) the State entity will ensure that the  
4 authorized public chartering agency of any  
5 charter school that receives funds under the  
6 State entity’s program adequately monitors  
7 each charter school under the authority of such  
8 agency in recruiting, enrolling, retaining, and  
9 meeting the needs of all students, including  
10 children with disabilities and English learners;

11 “(D) the State entity will provide adequate  
12 technical assistance to eligible applicants to  
13 meet the objectives described in clause (viii) of  
14 paragraph (1)(A) and subparagraph (B) of this  
15 paragraph;

16 “(E) the State entity will promote quality  
17 authorizing, consistent with State law, such as  
18 through providing technical assistance to sup-  
19 port each authorized public chartering agency  
20 in the State to improve such agency’s ability to  
21 monitor the charter schools authorized by the  
22 agency, including by—

23 “(i) assessing annual performance  
24 data of the schools, including, as appro-

1           priate, graduation rates, student academic  
2           growth, and rates of student attrition;

3           “(ii) reviewing the schools’ inde-  
4           pendent, annual audits of financial state-  
5           ments prepared in accordance with gen-  
6           erally accepted accounting principles, and  
7           ensuring that any such audits are pub-  
8           lically reported; and

9           “(iii) holding charter schools account-  
10          able to the academic, financial, and oper-  
11          ational quality controls agreed to between  
12          the charter school and the authorized pub-  
13          lic chartering agency involved, such as  
14          through renewal, non-renewal, or revoca-  
15          tion of the school’s charter;

16          “(F) the State entity will work to ensure  
17          that charter schools are included with the tradi-  
18          tional public schools in decisionmaking about  
19          the public school system in the State; and

20          “(G) the State entity will ensure that each  
21          charter school receiving funds under the State  
22          entity’s program makes publicly available, con-  
23          sistent with the dissemination requirements of  
24          the annual State report card under section  
25          1111(h), including on the website of the school,

1 information to help parents make informed de-  
2 cisions about the education options available to  
3 their children, including—

4 “(i) information on the educational  
5 program;

6 “(ii) student support services;

7 “(iii) parent contract requirements (as  
8 applicable), including any financial obliga-  
9 tions or fees;

10 “(iv) enrollment criteria (as applica-  
11 ble); and

12 “(v) annual performance and enroll-  
13 ment data for each of the subgroups of  
14 students, as defined in section 1111(c)(2),  
15 except that such disaggregation of per-  
16 formance and enrollment data shall not be  
17 required in a case in which the number of  
18 students in a group is insufficient to yield  
19 statically reliable information or the results  
20 would reveal personally identifiable infor-  
21 mation about an individual student.

22 “(3) REQUESTS FOR WAIVERS.—Information  
23 about waivers, including—

24 “(A) a request and justification for waivers  
25 of any Federal statutory or regulatory provi-



1           “(C) the likelihood that the eligible appli-  
2 cants receiving subgrants under the program  
3 will meet those objectives and improve edu-  
4 cational results for students;

5           “(D) the State entity’s plan to—

6           “(i) adequately monitor the eligible  
7 applicants receiving subgrants under the  
8 State entity’s program;

9           “(ii) work with the authorized public  
10 chartering agencies involved to avoid dupli-  
11 cation of work for the charter schools and  
12 authorized public chartering agencies; and

13           “(iii) provide technical assistance and  
14 support for—

15           “(I) the eligible applicants receiv-  
16 ing subgrants under the State entity’s  
17 program; and

18           “(II) quality authorizing efforts  
19 in the State; and

20           “(E) the State entity’s plan to solicit and  
21 consider input from parents and other members  
22 of the community on the implementation and  
23 operation of charter schools in the State.

24           “(2) PRIORITY.—In awarding grants under this  
25 section, the Secretary shall give priority to a State

1       entity to the extent that the entity meets the fol-  
2       lowing criteria:

3               “(A) The State entity is located in a State  
4       that—

5                       “(i) allows at least one entity that is  
6                       not a local educational agency to be an au-  
7                       thorized public chartering agency for devel-  
8                       opers seeking to open a charter school in  
9                       the State; or

10                      “(ii) in the case of a State in which  
11                      local educational agencies are the only au-  
12                      thorized public chartering agencies, the  
13                      State has an appeals process for the denial  
14                      of an application for a charter school.

15               “(B) The State entity is located in a State  
16       that ensures equitable financing, as compared  
17       to traditional public schools, for charter schools  
18       and students in a prompt manner.

19               “(C) The State entity is located in a State  
20       that provides charter schools one or more of the  
21       following:

22                      “(i) Funding for facilities.

23                      “(ii) Assistance with facilities acquisi-  
24                      tion.

25                      “(iii) Access to public facilities.

1                   “(iv) The ability to share in bonds or  
2 mill levies.

3                   “(v) The right of first refusal to pur-  
4 chase public school buildings.

5                   “(vi) Low- or no-cost leasing privi-  
6 leges.

7                   “(D) The State entity is located in a State  
8 that uses best practices from charter schools to  
9 help improve struggling schools and local edu-  
10 cational agencies.

11                   “(E) The State entity supports charter  
12 schools that serve at-risk students through ac-  
13 tivities such as dropout prevention, dropout re-  
14 covery, or comprehensive career counseling serv-  
15 ices.

16                   “(F) The State entity has taken steps to  
17 ensure that all authorizing public chartering  
18 agencies implement best practices for charter  
19 school authorizing.

20                   “(h) LOCAL USES OF FUNDS.—An eligible applicant  
21 receiving a subgrant under this section shall use such  
22 funds to support the activities described in subsection  
23 (b)(1), which shall include one or more of the following  
24 activities:



1           “(1) Preparing teachers, school leaders, and  
2 specialized instructional support personnel, including  
3 through paying the costs associated with—

4                   “(A) providing professional development;

5           and

6                   “(B) hiring and compensating, during the  
7 eligible applicant’s planning period specified in  
8 the application for subgrant funds that is re-  
9 quired under this section, one or more of the  
10 following:

11                   “(i) Teachers.

12                   “(ii) School leaders.

13                   “(iii) Specialized instructional support  
14 personnel.

15           “(2) Acquiring supplies, training, equipment  
16 (including technology), and educational materials  
17 (including developing and acquiring instructional  
18 materials).

19           “(3) Carrying out necessary renovations to en-  
20 sure that a new school building complies with appli-  
21 cable statutes and regulations, and minor facilities  
22 repairs (excluding construction).

23           “(4) Providing one-time, startup costs associ-  
24 ated with providing transportation to students to  
25 and from the charter school.

1           “(5) Carrying out community engagement ac-  
2           tivities, which may include paying the cost of stu-  
3           dent and staff recruitment.

4           “(6) Providing for other appropriate, non-sus-  
5           tained costs related to the activities described in  
6           subsection (b)(1) when such costs cannot be met  
7           from other sources.

8           “(i) REPORTING REQUIREMENTS.—Each State entity  
9           receiving a grant under this section shall submit to the  
10          Secretary, at the end of the third year of the 5-year grant  
11          period (or at the end of the second year of the grant period  
12          if the grant is less than 5 years), and at the end of such  
13          grant period, a report that includes the following:

14                 “(1) The number of students served by each  
15                 subgrant awarded under this section and, if applica-  
16                 ble, the number of new students served during each  
17                 year of the period of the subgrant.

18                 “(2) A description of how the State entity met  
19                 the objectives of the quality charter school program  
20                 described in the State entity’s application under sub-  
21                 section (f), including—

22                         “(A) how the State entity met the objective  
23                         of sharing best and promising practices de-  
24                         scribed in subsection (f)(1)(A)(ix) in areas such  
25                         as instruction, professional development, cur-

1           ricula development, and operations between  
2           charter schools and other public schools; and

3                   “(B) if known, the extent to which such  
4           practices were adopted and implemented by  
5           such other public schools.

6                   “(3) The number and amount of subgrants  
7           awarded under this section to carry out activities de-  
8           scribed in each of subparagraphs (A) through (C) of  
9           subsection (b)(1).

10                   “(4) A description of—

11                           “(A) how the State entity complied with,  
12                           and ensured that eligible applicants complied  
13                           with, the assurances included in the State enti-  
14                           ty’s application; and

15                           “(B) how the State entity worked with au-  
16                           thorized public chartering agencies, and how  
17                           the agencies worked with the management com-  
18                           pany or leadership of the schools that received  
19                           subgrant funds under this section, if applicable.

20   **“SEC. 4304. FACILITIES FINANCING ASSISTANCE.**

21                   “(a) GRANTS TO ELIGIBLE ENTITIES.—

22                           “(1) IN GENERAL.—From the amount reserved  
23                           under section 4302(b)(1), the Secretary shall use  
24                           not less than 50 percent to award, on a competitive  
25                           basis, not less than 3 grants to eligible entities that

1 have the highest-quality applications approved under  
2 subsection (d), after considering the diversity of  
3 such applications, to demonstrate innovative meth-  
4 ods of helping charter schools to address the cost of  
5 acquiring, constructing, and renovating facilities by  
6 enhancing the availability of loans or bond financing.

7 “(2) ELIGIBLE ENTITY DEFINED.—For the  
8 purposes of this section, the term ‘eligible entity’  
9 means—

10 “(A) a public entity, such as a State or  
11 local governmental entity;

12 “(B) a private nonprofit entity; or

13 “(C) a consortium of entities described in  
14 subparagraphs (A) and (B).

15 “(b) GRANTEE SELECTION.—The Secretary shall  
16 evaluate each application submitted under subsection (d),  
17 and shall determine whether the application is sufficient  
18 to merit approval.

19 “(c) GRANT CHARACTERISTICS.—Grants under sub-  
20 section (a) shall be of sufficient size, scope, and quality  
21 so as to ensure an effective demonstration of an innovative  
22 means of enhancing credit for the financing of charter  
23 school acquisition, construction, or renovation.

24 “(d) APPLICATIONS.—

1           “(1) IN GENERAL.—An eligible entity desiring  
2           to receive a grant under this section shall submit an  
3           application to the Secretary in such form as the Sec-  
4           retary may reasonably require.

5           “(2) CONTENTS.—An application submitted  
6           under paragraph (1) shall contain—

7                   “(A) a statement identifying the activities  
8                   that the eligible entity proposes to carry out  
9                   with funds received under subsection (a), in-  
10                  cluding how the eligible entity will determine  
11                  which charter schools will receive assistance,  
12                  and how much and what types of assistance  
13                  charter schools will receive;

14                   “(B) a description of the involvement of  
15                   charter schools in the application’s development  
16                   and the design of the proposed activities;

17                   “(C) a description of the eligible entity’s  
18                   expertise in capital market financing;

19                   “(D) a description of how the proposed ac-  
20                   tivities will leverage the maximum amount of  
21                   private-sector financing capital relative to the  
22                   amount of government funding used and other-  
23                   wise enhance credit available to charter schools,  
24                   including how the eligible entity will offer a  
25                   combination of rates and terms more favorable

1 than the rates and terms that a charter school  
2 could receive without assistance from the eligi-  
3 ble entity under this section;

4 “(E) a description of how the eligible enti-  
5 ty possesses sufficient expertise in education to  
6 evaluate the likelihood of success of a charter  
7 school program for which facilities financing is  
8 sought; and

9 “(F) in the case of an application sub-  
10 mitted by a State governmental entity, a de-  
11 scription of the actions that the eligible entity  
12 has taken, or will take, to ensure that charter  
13 schools within the State receive the funding  
14 that charter schools need to have adequate fa-  
15 cilities.

16 “(e) CHARTER SCHOOL OBJECTIVES.—An eligible  
17 entity receiving a grant under subsection (a) shall use the  
18 funds deposited in the reserve account established under  
19 subsection (f) to assist one or more charter schools to ac-  
20 cess private-sector capital to accomplish one or more of  
21 the following objectives:

22 “(1) The acquisition (by purchase, lease, dona-  
23 tion, or otherwise) of an interest (including an inter-  
24 est held by a third party for the benefit of a charter  
25 school) in improved or unimproved real property

1 that is necessary to commence or continue the oper-  
2 ation of a charter school.

3 “(2) The construction of new facilities, or the  
4 renovation, repair, or alteration of existing facilities,  
5 necessary to commence or continue the operation of  
6 a charter school.

7 “(3) The predevelopment costs required to as-  
8 sess sites for purposes of paragraph (1) or (2) and  
9 that are necessary to commence or continue the op-  
10 eration of a charter school.

11 “(f) RESERVE ACCOUNT.—

12 “(1) USE OF FUNDS.—To assist charter schools  
13 in accomplishing the objectives described in sub-  
14 section (e), an eligible entity receiving a grant under  
15 subsection (a) shall, in accordance with State and  
16 local law, directly or indirectly, alone or in collabora-  
17 tion with others, deposit the funds received under  
18 subsection (a) (other than funds used for adminis-  
19 trative costs in accordance with subsection (g)) in a  
20 reserve account established and maintained by the  
21 eligible entity for this purpose. Amounts deposited in  
22 such account shall be used by the eligible entity for  
23 one or more of the following purposes:

24 “(A) Guaranteeing, insuring, and rein-  
25 suring bonds, notes, evidences of debt, loans,

1 and interests therein, the proceeds of which are  
2 used for an objective described in subsection  
3 (e).

4 “(B) Guaranteeing and insuring leases of  
5 personal and real property for an objective de-  
6 scribed in subsection (e).

7 “(C) Facilitating financing by identifying  
8 potential lending sources, encouraging private  
9 lending, and other similar activities that di-  
10 rectly promote lending to, or for the benefit of,  
11 charter schools.

12 “(D) Facilitating the issuance of bonds by  
13 charter schools, or by other public entities for  
14 the benefit of charter schools, by providing  
15 technical, administrative, and other appropriate  
16 assistance (including the recruitment of bond  
17 counsel, underwriters, and potential investors  
18 and the consolidation of multiple charter school  
19 projects within a single bond issue).

20 “(2) INVESTMENT.—Funds received under sub-  
21 section (a) and deposited in the reserve account es-  
22 tablished under paragraph (1) shall be invested in  
23 obligations issued or guaranteed by the United  
24 States or a State, or in other similarly low-risk secu-  
25 rities.



1           “(3) REINVESTMENT OF EARNINGS.—Any earn-  
2           ings on funds received under subsection (a) shall be  
3           deposited in the reserve account established under  
4           paragraph (1) and used in accordance with this sub-  
5           section.

6           “(g) LIMITATION ON ADMINISTRATIVE COSTS.—An  
7           eligible entity may use not more than 2.5 percent of the  
8           funds received under subsection (a) for the administrative  
9           costs of carrying out its responsibilities under this section  
10          (excluding subsection (k)).

11          “(h) AUDITS AND REPORTS.—

12           “(1) FINANCIAL RECORD MAINTENANCE AND  
13           AUDIT.—The financial records of each eligible entity  
14           receiving a grant under subsection (a) shall be main-  
15           tained in accordance with generally accepted ac-  
16           counting principles and shall be subject to an annual  
17           audit by an independent public accountant.

18           “(2) REPORTS.—

19           “(A) GRANTEE ANNUAL REPORTS.—Each  
20           eligible entity receiving a grant under sub-  
21           section (a) shall submit to the Secretary an an-  
22           nual report of the entity’s operations and activi-  
23           ties under this section (excluding subsection  
24           (k)).

1           “(B) CONTENTS.—Each annual report  
2 submitted under subparagraph (A) shall in-  
3 clude—

4           “(i) a copy of the most recent finan-  
5 cial statements, and any accompanying  
6 opinion on such statements, prepared by  
7 the independent public accountant review-  
8 ing the financial records of the eligible en-  
9 tity;

10           “(ii) a copy of any report made on an  
11 audit of the financial records of the eligible  
12 entity that was conducted under paragraph  
13 (1) during the reporting period;

14           “(iii) an evaluation by the eligible en-  
15 tity of the effectiveness of its use of the  
16 Federal funds provided under subsection  
17 (a) in leveraging private funds;

18           “(iv) a listing and description of the  
19 charter schools served during the reporting  
20 period, including the amount of funds used  
21 by each school, the type of project facili-  
22 tated by the grant, and the type of assist-  
23 ance provided to the charter schools;

24           “(v) a description of the activities car-  
25 ried out by the eligible entity to assist

1 charter schools in meeting the objectives  
2 set forth in subsection (e); and

3 “(vi) a description of the characteris-  
4 ties of lenders and other financial institu-  
5 tions participating in the activities carried  
6 out by the eligible entity under this section  
7 (excluding subsection (k)) during the re-  
8 porting period.

9 “(C) SECRETARIAL REPORT.—The Sec-  
10 retary shall review the reports submitted under  
11 subparagraph (A) and shall provide a com-  
12 prehensive annual report to Congress on the ac-  
13 tivities conducted under this section (excluding  
14 subsection (k)).

15 “(i) NO FULL FAITH AND CREDIT FOR GRANTEE  
16 OBLIGATION.—No financial obligation of an eligible entity  
17 entered into pursuant to this section (such as an obliga-  
18 tion under a guarantee, bond, note, evidence of debt, or  
19 loan) shall be an obligation of, or guaranteed in any re-  
20 spect by, the United States. The full faith and credit of  
21 the United States is not pledged to the payment of funds  
22 that may be required to be paid under any obligation made  
23 by an eligible entity pursuant to any provision of this sec-  
24 tion.

25 “(j) RECOVERY OF FUNDS.—

1           “(1) IN GENERAL.—The Secretary, in accord-  
2           ance with chapter 37 of title 31, United States  
3           Code, shall collect—

4                   “(A) all of the funds in a reserve account  
5                   established by an eligible entity under sub-  
6                   section (f)(1) if the Secretary determines, not  
7                   earlier than 2 years after the date on which the  
8                   eligible entity first received funds under sub-  
9                   section (a), that the eligible entity has failed to  
10                  make substantial progress in carrying out the  
11                  purposes described in subsection (f)(1); or

12                   “(B) all or a portion of the funds in a re-  
13                   serve account established by an eligible entity  
14                   under subsection (f)(1) if the Secretary deter-  
15                   mines that the eligible entity has permanently  
16                   ceased to use all or a portion of the funds in  
17                   such account to accomplish any purpose de-  
18                   scribed in subsection (f)(1).

19           “(2) EXERCISE OF AUTHORITY.—The Secretary  
20           shall not exercise the authority provided in para-  
21           graph (1) to collect from any eligible entity any  
22           funds that are being properly used to achieve one or  
23           more of the purposes described in subsection (f)(1).

24           “(3) PROCEDURES.—The provisions of sections  
25           451, 452, and 458 of the General Education Provi-

1 sions Act shall apply to the recovery of funds under  
2 paragraph (1).

3 “(4) CONSTRUCTION.—This subsection shall  
4 not be construed to impair or affect the authority of  
5 the Secretary to recover funds under part D of the  
6 General Education Provisions Act (20 U.S.C. 1234  
7 et seq.).

8 “(k) PER-PUPIL FACILITIES AID PROGRAM.—

9 “(1) DEFINITION OF PER-PUPIL FACILITIES AID  
10 PROGRAM.—In this subsection, the term ‘per-pupil  
11 facilities aid program’ means a program in which a  
12 State makes payments, on a per-pupil basis, to char-  
13 ter schools to provide the schools with financing—

14 “(A) that is dedicated solely to funding  
15 charter school facilities; or

16 “(B) a portion of which is dedicated for  
17 funding charter school facilities.

18 “(2) GRANTS.—

19 “(A) IN GENERAL.—From the amount re-  
20 served under section 4302(b)(1) and remaining  
21 after the Secretary makes grants under sub-  
22 section (a), the Secretary shall make grants, on  
23 a competitive basis, to States to pay for the  
24 Federal share of the cost of establishing or en-

1 hancing, and administering, per-pupil facilities  
2 aid programs.

3 “(B) PERIOD.—The Secretary shall award  
4 grants under this subsection for periods of not  
5 more than 5 years.

6 “(C) FEDERAL SHARE.—The Federal  
7 share of the cost described in subparagraph (A)  
8 for a per-pupil facilities aid program shall be  
9 not more than—

10 “(i) 90 percent of the cost, for the  
11 first fiscal year for which the program re-  
12 ceives assistance under this subsection;

13 “(ii) 80 percent for the second such  
14 year;

15 “(iii) 60 percent for the third such  
16 year;

17 “(iv) 40 percent for the fourth such  
18 year; and

19 “(v) 20 percent for the fifth such  
20 year.

21 “(D) STATE SHARE.—A State receiving a  
22 grant under this subsection may partner with 1  
23 or more organizations, and such organizations  
24 may provide not more than 50 percent of the  
25 State share of the cost of establishing or en-

1 hancing, and administering, the per-pupil facili-  
2 ties aid program.

3 “(E) MULTIPLE GRANTS.—A State may  
4 receive more than 1 grant under this sub-  
5 section, so long as the amount of total funds  
6 provided to charter schools increases with each  
7 successive grant.

8 “(3) USE OF FUNDS.—

9 “(A) IN GENERAL.—A State that receives  
10 a grant under this subsection shall use the  
11 funds made available through the grant to es-  
12 tablish or enhance, and administer, a per-pupil  
13 facilities aid program for charter schools in the  
14 State of the applicant.

15 “(B) EVALUATIONS; TECHNICAL ASSIST-  
16 ANCE; DISSEMINATION.—From the amount  
17 made available to a State through a grant  
18 under this subsection for a fiscal year, the State  
19 may reserve not more than 5 percent to carry  
20 out evaluations, to provide technical assistance,  
21 and to disseminate information.

22 “(C) SUPPLEMENT, NOT SUPPLANT.—  
23 Funds made available under this subsection  
24 shall be used to supplement, and not supplant,  
25 State and local public funds expended to pro-

1           vide per-pupil facilities aid programs, operations  
2           financing programs, or other programs, for  
3           charter schools.

4           “(4) REQUIREMENTS.—

5                 “(A) VOLUNTARY PARTICIPATION.—No  
6           State may be required to participate in a pro-  
7           gram carried out under this subsection.

8                 “(B) STATE LAW.—

9                     “(i) IN GENERAL.—To be eligible to  
10           receive a grant under this subsection, a  
11           State shall establish or enhance, and ad-  
12           minister, a per-pupil facilities aid program  
13           for charter schools in the State, that—

14                         “(I) is specified in State law; and

15                         “(II) provides annual financing,  
16           on a per-pupil basis, for charter  
17           school facilities.

18                     “(ii) SPECIAL RULE.—A State that is  
19           required under State law to provide its  
20           charter schools with access to adequate fa-  
21           cility space, but that does not have a per-  
22           pupil facilities aid program for charter  
23           schools specified in State law, is eligible to  
24           receive a grant under this subsection if the  
25           State agrees to use the funds to develop a



1 per-pupil facilities aid program consistent  
2 with the requirements of this subsection.

3 “(5) APPLICATIONS.—To be eligible to receive a  
4 grant under this subsection, a State shall submit an  
5 application to the Secretary at such time, in such  
6 manner, and containing such information as the Sec-  
7 retary may require.

8 **“SEC. 4305. NATIONAL ACTIVITIES.**

9 “(a) IN GENERAL.—From the amount reserved  
10 under section 4302(b)(2), the Secretary shall—

11 “(1) use not more than 80 percent of such  
12 funds to award grants in accordance with subsection  
13 (b);

14 “(2) use not more than 9 percent of such funds  
15 to award grants, on a competitive basis, to eligible  
16 applicants for the purpose of carrying out the activi-  
17 ties described in section 4303(h) in a State that did  
18 not receive a grant under section 4303; and

19 “(3) after the uses described in paragraphs (1)  
20 and (2), use the remainder of such funds to—

21 “(A) disseminate technical assistance to—

22 “(i) State entities in awarding sub-  
23 grants under section 4303(b)(1); and

24 “(ii) eligible entities and States receiv-  
25 ing grants under section 4304;

1                   “(B) disseminate best practices regarding  
2 charter schools; and

3                   “(C) evaluate the impact of the charter  
4 school program carried out under this part, in-  
5 cluding the impact on student achievement.

6           “(b) GRANTS FOR THE REPLICATION AND EXPAN-  
7 SION OF HIGH-QUALITY CHARTER SCHOOLS.—

8                   “(1) IN GENERAL.—The Secretary shall make  
9 grants, on a competitive basis, to eligible entities  
10 having applications approved under paragraph (3) to  
11 enable such entities to open and prepare for the op-  
12 eration of one or more replicated high-quality char-  
13 ter schools or to expand one or more high-quality  
14 charter schools.

15                   “(2) DEFINITION OF ELIGIBLE ENTITY.—For  
16 purposes of this subsection, the term ‘eligible entity’  
17 means a charter management organization.

18                   “(3) APPLICATION REQUIREMENTS.—An eligi-  
19 ble entity desiring to receive a grant under this sub-  
20 section shall submit an application to the Secretary  
21 at such time and in such manner as the Secretary  
22 may require. The application shall include the fol-  
23 lowing:

1           “(A) EXISTING CHARTER SCHOOL DATA.—

2           For each charter school currently operated or  
3           managed by the eligible entity—

4                   “(i) student assessment results for all  
5                   students and for each subgroup of students  
6                   described in section 1111(c)(2);

7                   “(ii) attendance and student retention  
8                   rates for the most recently completed  
9                   school year and, if applicable, the most re-  
10                  cent available 4-year adjusted cohort grad-  
11                  uation rates and extended-year adjusted  
12                  cohort graduation rates; and

13                  “(iii) information on any significant  
14                  compliance and management issues en-  
15                  countered within the last 3 school years by  
16                  any school operated or managed by the eli-  
17                  gible entity, including in the areas of stu-  
18                  dent safety and finance.

19           “(B) DESCRIPTIONS.—A description of—

20                   “(i) the eligible entity’s objectives for  
21                   implementing a high-quality charter school  
22                   program with funding under this sub-  
23                   section, including a description of the pro-  
24                   posed number of high-quality charter  
25                   schools the eligible entity proposes to open

1 as a result of the replication of a high-  
2 quality charter school or to expand with  
3 funding under this subsection;

4 “(ii) the educational program that the  
5 eligible entity will implement in such char-  
6 ter schools, including—

7 “(I) information on how the pro-  
8 gram will enable all students to meet  
9 the challenging State academic stand-  
10 ards under section 1111(b)(1);

11 “(II) the grade levels or ages of  
12 students who will be served; and

13 “(III) the instructional practices  
14 that will be used;

15 “(iii) how the operation of such char-  
16 ter schools will be sustained after the grant  
17 under this subsection has ended, which  
18 shall include a multi-year financial and op-  
19 erating model for the eligible entity;

20 “(iv) how the eligible entity will en-  
21 sure that such charter schools will recruit  
22 and enroll students, including children with  
23 disabilities, English learners, and other  
24 educationally disadvantaged students; and



1           “(B) a determination that the eligible enti-  
2           ty has not operated or managed a significant  
3           proportion of charter schools that—

4                   “(i) have been closed;

5                   “(ii) have had the school’s charter re-  
6           voked due to problems with statutory or  
7           regulatory compliance; or

8                   “(iii) have had the school’s affiliation  
9           with the eligible entity revoked or termi-  
10          nated, including through voluntary dis-  
11          affiliation; and

12           “(C) a determination that the eligible enti-  
13          ty has not experienced significant problems with  
14          statutory or regulatory compliance that could  
15          lead to the revocation of a school’s charter.

16           “(5) PRIORITY.—In awarding grants under this  
17          section, the Secretary shall give priority to eligible  
18          entities that—

19                   “(A) plan to operate or manage high-qual-  
20          ity charter schools with racially and  
21          socioeconomically diverse student bodies;

22                   “(B) demonstrate success in working with  
23          schools identified by the State for comprehen-  
24          sive support and improvement under section  
25          1111(c)(4)(D)(i);

1 “(C) propose to use funds—

2 “(i) to expand high-quality charter  
3 schools to serve high school students; or

4 “(ii) to replicate high-quality charter  
5 schools to serve high school students; or

6 “(D) propose to operate or manage high-  
7 quality charter schools that focus on dropout  
8 recovery and academic reentry.

9 “(c) TERMS AND CONDITIONS.—Except as otherwise  
10 provided, grants awarded under paragraphs (1) and (2)  
11 of subsection (a) shall have the same terms and conditions  
12 as grants awarded to State entities under section 4303.”;

13 (2) in section 4306 (20 U.S.C. 7221e), as re-  
14 designated by section 4001, by adding at the end the  
15 following:

16 “(c) NEW OR SIGNIFICANTLY EXPANDING CHARTER  
17 SCHOOLS.—For purposes of implementing the hold harm-  
18 less protections in sections 1122(c) and 1125A(g)(3) for  
19 a newly opened or significantly expanded charter school  
20 under this part, a State educational agency shall calculate  
21 a hold-harmless base for the prior year that, as applicable,  
22 reflects the new or significantly expanded enrollment of  
23 the charter school.”;

1           (3) in section 4308 (20 U.S.C. 7221g), as re-  
2           designated by section 4001, by inserting “as quickly  
3           as possible and” before “to the extent practicable”;

4           (4) in section 4310 (20 U.S.C. 7221i), as redesi-  
5           gnated by section 4001—

6           (A) by redesignating paragraphs (1), (2),  
7           and (3) as paragraphs (2), (5), and (6), respec-  
8           tively;

9           (B) by redesignating paragraph (4) as  
10          paragraph (1), and moving such paragraph so  
11          as to precede paragraph (2), as redesignated by  
12          subparagraph (A);

13          (C) in paragraph (2), as redesignated by  
14          subparagraph (A)—

15               (i) in subparagraph (G), by striking “,  
16               and part B” and inserting “, the Ameri-  
17               cans with Disabilities Act of 1990 (42  
18               U.S.C. 12101 et seq.), section 444 of the  
19               General Education Provisions Act (20  
20               U.S.C. 1232g) (commonly referred to as  
21               the ‘Family Educational Rights and Pri-  
22               vacy Act of 1974’), and part B”;

23               (ii) by striking subparagraph (H) and  
24               inserting the following:



1           “(H) is a school to which parents choose to  
2           send their children, and that—

3           “(i) admits students on the basis of a  
4           lottery, consistent with section  
5           4303(c)(3)(A), if more students apply for  
6           admission than can be accommodated; or

7           “(ii) in the case of a school that has  
8           an affiliated charter school (such as a  
9           school that is part of the same network of  
10          schools), automatically enrolls students  
11          who are enrolled in the immediate prior  
12          grade level of the affiliated charter school  
13          and, for any additional student openings or  
14          student openings created through regular  
15          attrition in student enrollment in the affili-  
16          ated charter school and the enrolling  
17          school, admits students on the basis of a  
18          lottery as described in clause (i);”;

19          (iii) by striking subparagraph (I) and  
20          inserting the following:

21          “(I) agrees to comply with the same Fed-  
22          eral and State audit requirements as do other  
23          elementary schools and secondary schools in the  
24          State, unless such State audit requirements are  
25          waived by the State;”;

1 (iv) in subparagraph (K), by striking  
2 “and” at the end;

3 (v) in subparagraph (L), by striking  
4 the period at the end and inserting “;  
5 and”; and

6 (vi) by adding at the end the fol-  
7 lowing:

8 “(M) may serve students in early  
9 childhood education programs or post-  
10 secondary students.”;

11 (D) by inserting after paragraph (2), as  
12 redesignated by subparagraph (A), the fol-  
13 lowing:

14 “(3) CHARTER MANAGEMENT ORGANIZATION.—  
15 The term ‘charter management organization’ means  
16 a nonprofit organization that operates or manages a  
17 network of charter schools linked by centralized sup-  
18 port, operations, and oversight.

19 “(4) CHARTER SCHOOL SUPPORT ORGANIZA-  
20 TION.—The term ‘charter school support organiza-  
21 tion’ means a nonprofit, nongovernmental entity that  
22 is not an authorized public chartering agency and  
23 provides, on a statewide basis—

1           “(A) assistance to developers during the  
2           planning, program design, and initial implemen-  
3           tation of a charter school; and

4           “(B) technical assistance to operating  
5           charter schools.”;

6           (E) in paragraph (6)(B), as redesignated  
7           by subparagraph (A), by striking “under sec-  
8           tion 5203(d)(3)”;

9           (F) by adding at the end the following:

10           “(7) EXPAND.—The term ‘expand’, when used  
11           with respect to a high-quality charter school, means  
12           to significantly increase enrollment or add one or  
13           more grades to the high-quality charter school.

14           “(8) HIGH-QUALITY CHARTER SCHOOL.—The  
15           term ‘high-quality charter school’ means a charter  
16           school that—

17           “(A) shows evidence of strong academic re-  
18           sults, which may include strong student aca-  
19           demic growth, as determined by a State;

20           “(B) has no significant issues in the areas  
21           of student safety, financial and operational  
22           management, or statutory or regulatory compli-  
23           ance;

24           “(C) has demonstrated success in signifi-  
25           cantly increasing student academic achieve-

1           ment, including graduation rates where applica-  
2           ble, for all students served by the charter  
3           school; and

4                   “(D) has demonstrated success in increas-  
5           ing student academic achievement, including  
6           graduation rates where applicable, for each of  
7           the subgroups of students, as defined in section  
8           1111(c)(2), except that such demonstration is  
9           not required in a case in which the number of  
10          students in a group is insufficient to yield sta-  
11          tistically reliable information or the results  
12          would reveal personally identifiable information  
13          about an individual student.

14                   “(9) REPLICATE.—The term ‘replicate’, when  
15          used with respect to a high-quality charter school,  
16          means to open a new charter school, or a new cam-  
17          pus of a high-quality charter school, based on the  
18          educational model of an existing high-quality charter  
19          school, under an existing charter or an additional  
20          charter, if permitted or required by State law.”; and

21                   (5) by striking section 4311 (20 U.S.C. 7221j),  
22          as redesignated by section 4001, and inserting the  
23          following:

1 **“SEC. 4311. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out  
3 this part—

4 “(1) \$270,000,000 for fiscal year 2017;

5 “(2) \$270,000,000 for fiscal year 2018;

6 “(3) \$300,000,000 for fiscal year 2019; and

7 “(4) \$300,000,000 for fiscal year 2020.”.

8 **PART D—MAGNET SCHOOLS ASSISTANCE**

9 **SEC. 4401. MAGNET SCHOOLS ASSISTANCE.**

10 Part D of title IV (20 U.S.C. 7201 et seq.), as  
11 amended by section 4001(b)(3), is further amended—

12 (1) in section 4401—

13 (A) in subsection (a)(2)—

14 (i) by striking “2,000,000” and in-  
15 serting “2,500,000”; and

16 (ii) by striking “65” and inserting  
17 “69”; and

18 (B) in subsection (b)—

19 (i) in paragraph (2)—

20 (I) by striking “and implementa-  
21 tion” and inserting “, implementation,  
22 and expansion”; and

23 (II) by striking “content stand-  
24 ards and student academic achieve-  
25 ment standards” and inserting  
26 “standards”;

1 (ii) in paragraph (3), by striking “and  
2 design” and inserting “, design, and ex-  
3 pansion”;

4 (iii) in paragraph (4), by striking “vo-  
5 cational” and inserting “career”; and

6 (iv) in paragraph (6), by striking  
7 “productive”;

8 (2) in section 4405(b)—

9 (A) in paragraph (1)—

10 (i) in subparagraph (A), by inserting  
11 “any available evidence on, or if such evi-  
12 dence is not available, a rationale, based  
13 on current research, for” before “how the  
14 proposed magnet school programs”;

15 (ii) in subparagraph (B), by inserting  
16 “, including any evidence, or if such evi-  
17 dence is not available, a rationale based on  
18 current research findings, to support such  
19 description” before the semicolon;

20 (iii) by redesignating subparagraphs  
21 (D) and (E) as subparagraphs (E) and  
22 (F), respectively; and

23 (iv) by inserting after subparagraph  
24 (C) the following:

1           “(D) how the applicant will assess, mon-  
2           itor, and evaluate the impact of the activities  
3           funded under this part on student achievement  
4           and integration;”; and

5           (B) in paragraph (2)—

6           (i) in subparagraph (A), by striking  
7           “section 5301(b)” and inserting “section  
8           4401(b)”; and

9           (ii) in subparagraph (B), by striking  
10          “highly qualified” and inserting “effec-  
11          tive”;

12          (3) in section 4406, by striking paragraphs (2)  
13          and (3) and inserting the following:

14          “(2) propose to—

15               “(A) carry out a new, evidence-based mag-  
16               net school program;

17               “(B) significantly revise an existing mag-  
18               net school program, using evidence-based meth-  
19               ods and practices, as available; or

20               “(C) replicate an existing magnet school  
21               program that has a demonstrated record of suc-  
22               cess in increasing student academic achieve-  
23               ment and reducing isolation of minority groups;

1           “(3) propose to select students to attend mag-  
2 net school programs by methods such as lottery,  
3 rather than through academic examination; and

4           “(4) propose to increase racial integration by  
5 taking into account socioeconomic diversity in de-  
6 signing and implementing magnet school pro-  
7 grams.”;

8           (4) in section 4407—

9           (A) in subsection (a)—

10           (i) in paragraph (3), by striking  
11 “highly qualified” and inserting “effec-  
12 tive”;

13           (ii) in paragraph (6), by striking  
14 “and” at the end;

15           (iii) in paragraph (7), by striking the  
16 period at the end and inserting a semi-  
17 colon; and

18           (iv) by adding at the end the fol-  
19 lowing:

20           “(8) to enable the local educational agency, or  
21 consortium of such agencies, or other organizations  
22 partnered with such agency or consortium, to estab-  
23 lish, expand, or strengthen inter-district and regional  
24 magnet programs; and



1           “(9) notwithstanding section 426 of the General  
2           Education Provisions Act (20 U.S.C. 1228), to pro-  
3           vide transportation to and from the magnet school,  
4           provided that—

5                   “(A) such transportation is sustainable be-  
6                   yond the grant period; and

7                   “(B) the costs of providing transportation  
8                   do not represent a significant portion of the  
9                   grant funds received by the eligible local edu-  
10                  cational agency under this part .”; and

11                  (B) by striking subsection (b) and insert-  
12                  ing the following:

13           “(b) SPECIAL RULE.—Grant funds under this part  
14           may be used for activities described in paragraphs (2) and  
15           (3) of subsection (a) only if the activities are directly re-  
16           lated to improving student academic achievement based on  
17           the challenging State academic standards or directly re-  
18           lated to improving student reading skills or knowledge of  
19           mathematics, science, history, geography, English, foreign  
20           languages, art, or music, or to improving career, technical,  
21           and professional skills.”;

22                  (5) in section 4408—

23                   (A) in subsection (a), by striking “3” and  
24                   inserting “5”;

1 (B) by striking subsection (c) and insert-  
2 ing the following:

3 “(c) AMOUNT.—No grant awarded under this part to  
4 a local educational agency, or a consortium of such agen-  
5 cies, shall be for more than \$15,000,000 for the grant pe-  
6 riod described in subsection (a).”; and

7 (C) in subsection (d), by striking “July”  
8 and inserting “June”;

9 (6) in section 4409—

10 (A) by striking subsection (a) and insert-  
11 ing the following:

12 “(a) AUTHORIZATION.—There are authorized to be  
13 appropriated to carry out this part the following amounts:

14 “(1) \$94,000,000 for fiscal year 2017.

15 “(2) \$96,820,000 for fiscal year 2018.

16 “(3) \$102,387,150 for fiscal year 2019.

17 “(4) \$108,530,379 for fiscal year 2020.”.

18 (B) by redesignating subsection (b) as sub-  
19 section (c); and

20 (C) by inserting after subsection (a) the  
21 following:

22 “(b) RESERVATION FOR TECHNICAL ASSISTANCE.—  
23 The Secretary may reserve not more than 1 percent of  
24 the funds appropriated under subsection (a) for any fiscal  
25 year to provide technical assistance and share best prac-

1 tices with respect to magnet school programs assisted  
2 under this part.”.

3 **PART E—FAMILY ENGAGEMENT IN EDUCATION**  
4 **PROGRAMS**

5 **SEC. 4501. FAMILY ENGAGEMENT IN EDUCATION PRO-**  
6 **GRAMS.**

7 Title IV (20 U.S.C. 7101 et seq.), as amended by  
8 section 4001, is further amended by adding at the end  
9 the following:

10 **“PART E—FAMILY ENGAGEMENT IN EDUCATION**  
11 **PROGRAMS**

12 **“SEC. 4501. PURPOSES.**

13 “The purposes of this part are the following:

14 “(1) To provide financial support to organiza-  
15 tions to provide technical assistance and training to  
16 State educational agencies and local educational  
17 agencies in the implementation and enhancement of  
18 systemic and effective family engagement policies,  
19 programs, and activities that lead to improvements  
20 in student development and academic achievement.

21 “(2) To assist State educational agencies, local  
22 educational agencies, community-based organiza-  
23 tions, schools, and educators in strengthening part-  
24 nerships among parents, teachers, school leaders, ad-  
25 ministrators, and other school personnel in meeting

1 the educational needs of children and fostering  
2 greater parental engagement.

3 “(3) To support State educational agencies,  
4 local educational agencies, schools, educators, and  
5 parents in developing and strengthening the relation-  
6 ship between parents and their children’s school in  
7 order to further the developmental progress of chil-  
8 dren.

9 “(4) To coordinate activities funded under this  
10 part with parent involvement initiatives funded  
11 under section 1116 and other provisions of this Act.

12 “(5) To assist the Secretary, State educational  
13 agencies, and local educational agencies in the co-  
14 ordination and integration of Federal, State, and  
15 local services and programs to engage families in  
16 education.

17 **“SEC. 4502. GRANTS AUTHORIZED.**

18 “(a) STATEWIDE FAMILY ENGAGEMENT CENTERS.—  
19 From the amount appropriated under section 4506 and  
20 not reserved under subsection (d), the Secretary is author-  
21 ized to award grants for each fiscal year to statewide orga-  
22 nizations (or consortia of such organizations), to establish  
23 statewide family engagement centers that—

24 “(1) carry out parent education, and family en-  
25 gagement in education, programs; or

1           “(2) provide comprehensive training and tech-  
2           nical assistance to State educational agencies, local  
3           educational agencies, schools identified by State edu-  
4           cational agencies and local educational agencies, or-  
5           ganizations that support family-school partnerships,  
6           and other organizations that carry out such pro-  
7           grams.

8           “(b) MINIMUM AWARD.—In awarding grants under  
9           this section, the Secretary shall, to the extent practicable,  
10          ensure that a grant is awarded for a statewide family en-  
11          gagement center in an amount not less than \$500,000.

12          “(c) MATCHING FUNDS FOR GRANT RENEWAL.—  
13          Each organization or consortium receiving assistance  
14          under this part shall demonstrate that, for each fiscal year  
15          after the first fiscal year for which the organization or  
16          consortium is receiving such assistance, a portion of the  
17          services provided by the organization or consortium is sup-  
18          ported through non-Federal contributions, which may be  
19          in cash or in-kind.

20          “(d) TECHNICAL ASSISTANCE.—The Secretary shall  
21          reserve not more than 2 percent of the funds appropriated  
22          under section 4506 to carry out this part to provide tech-  
23          nical assistance, by competitive grant or contract, for the  
24          establishment, development, and coordination of statewide  
25          family engagement centers.

1 **“SEC. 4503. APPLICATIONS.**

2 “(a) SUBMISSIONS.—Each statewide organization, or  
3 a consortium of such organizations, that desires a grant  
4 under this part shall submit an application to the Sec-  
5 retary at such time and in such manner as the Secretary  
6 may require, which shall include the information described  
7 in subsection (b).

8 “(b) CONTENTS.—Each application submitted under  
9 subsection (a) shall include, at a minimum, the following:

10 “(1) A description of the applicant’s approach  
11 to family engagement in education.

12 “(2) A description of how the State educational  
13 agency and any partner organization will support  
14 the statewide family engagement center that will be  
15 operated by the applicant including a description of  
16 the State educational agency and any partner orga-  
17 nization’s commitment of such support.

18 “(3) A description of the applicant’s plan for  
19 building a statewide infrastructure for family en-  
20 gagement in education, that includes—

21 “(A) management and governance;

22 “(B) statewide leadership; or

23 “(C) systemic services for family engage-  
24 ment in education.

25 “(4) A description of the applicant’s dem-  
26 onstrated experience in providing training, informa-

1 tion, and support to State educational agencies, local  
2 educational agencies, schools, educators, parents,  
3 and organizations on family engagement in edu-  
4 cation policies and practices that are effective for  
5 parents (including low-income parents) and families,  
6 parents of English learners, minorities, students  
7 with disabilities, homeless children and youth, chil-  
8 dren and youth in foster care, and migrant students,  
9 including evaluation results, reporting, or other data  
10 exhibiting such demonstrated experience.

11 “(5) A description of the steps the applicant  
12 will take to target services to low-income students  
13 and parents.

14 “(6) An assurance that the applicant will—

15 “(A) establish a special advisory com-  
16 mittee, the membership of which includes—

17 “(i) parents, who shall constitute a  
18 majority of the members of the special ad-  
19 visory committee;

20 “(ii) representatives of education pro-  
21 fessionals with expertise in improving serv-  
22 ices for disadvantaged children;

23 “(iii) representatives of local elemen-  
24 tary schools and secondary schools, includ-  
25 ing students;

1                   “(iv) representatives of the business  
2                   community; and

3                   “(v) representatives of State edu-  
4                   cational agencies and local educational  
5                   agencies;

6                   “(B) use not less than 65 percent of the  
7                   funds received under this part in each fiscal  
8                   year to serve local educational agencies, schools,  
9                   and community-based organizations that serve  
10                  high concentrations of disadvantaged students,  
11                  including students who are English learners,  
12                  minorities, students with disabilities, homeless  
13                  children and youth, children and youth in foster  
14                  care, and migrant students;

15                  “(C) operate a statewide family engage-  
16                  ment center of sufficient size, scope, and quality  
17                  to ensure that the center is adequate to serve  
18                  the State educational agency, local educational  
19                  agencies, and community-based organizations;

20                  “(D) ensure that the statewide family en-  
21                  gagement center will retain staff with the req-  
22                  uisite training and experience to serve parents  
23                  in the State;

24                  “(E) serve urban, suburban, and rural  
25                  local educational agencies and schools;



1 “(F) work with—

2 “(i) other statewide family engage-  
3 ment centers assisted under this part; and

4 “(ii) parent training and information  
5 centers and community parent resource  
6 centers assisted under sections 671 and  
7 672 of the Individuals with Disabilities  
8 Education Act (20 U.S.C. 1471; 1472);

9 “(G) use not less than 30 percent of the  
10 funds received under this part for each fiscal  
11 year to establish or expand technical assistance  
12 for evidence-based parent education programs;

13 “(H) provide assistance to State edu-  
14 cational agencies, local educational agencies,  
15 and community-based organizations that sup-  
16 port family members in supporting student aca-  
17 demic achievement;

18 “(I) work with State educational agencies,  
19 local educational agencies, schools, educators,  
20 and parents to determine parental needs and  
21 the best means for delivery of services to ad-  
22 dress such needs;

23 “(J) conduct sufficient outreach to assist  
24 parents, including parents who the applicant

1           may have a difficult time engaging with a  
2           school or local educational agency; and

3                   “(K) conduct outreach to low-income stu-  
4           dents and parents, including low-income stu-  
5           dents and parents who are not proficient in  
6           English.

7                   “(7) An assurance that the applicant will con-  
8           duct training programs in the community to improve  
9           adult literacy, including financial literacy.

10           “(c) PRIORITY.—In awarding grants for activities de-  
11          scribed in this part, the Secretary shall give priority to  
12          statewide family engagement centers that will use funds  
13          under section 4504 for evidence-based activities, which,  
14          for the purposes of this part is defined as activities meet-  
15          ing the requirements of section 8101(21)(A)(i).

16          **“SEC. 4504. USES OF FUNDS.**

17                   “(a) IN GENERAL.—Each statewide organization or  
18          consortium receiving a grant under this part shall use the  
19          grant funds, based on the needs determined under  
20          4503(b)(6)(I), to provide training and technical assistance  
21          to State educational agencies, local educational agencies,  
22          and organizations that support family-school partnerships,  
23          and activities, services, and training for local educational  
24          agencies, school leaders, educators, and parents—

1           “(1) to assist parents in participating effectively  
2           in their children’s education and to help their chil-  
3           dren meet challenging State academic standards,  
4           such as by assisting parents—

5                   “(A) to engage in activities that will im-  
6                   prove student academic achievement, including  
7                   understanding how parents can support learn-  
8                   ing in the classroom with activities at home and  
9                   in after school and extracurricular programs;

10                   “(B) to communicate effectively with their  
11                   children, teachers, school leaders, counselors,  
12                   administrators, and other school personnel;

13                   “(C) to become active participants in the  
14                   development, implementation, and review of  
15                   school-parent compacts, family engagement in  
16                   education policies, and school planning and im-  
17                   provement;

18                   “(D) to participate in the design and pro-  
19                   vision of assistance to students who are not  
20                   making academic progress;

21                   “(E) to participate in State and local deci-  
22                   sionmaking;

23                   “(F) to train other parents; and

24                   “(G) in learning and using technology ap-  
25                   plied in their children’s education;

1           “(2) to develop and implement, in partnership  
2 with the State educational agency, statewide family  
3 engagement in education policy and systemic initia-  
4 tives that will provide for a continuum of services to  
5 remove barriers for family engagement in education  
6 and support school reform efforts; and

7           “(3) to develop and implement parental involve-  
8 ment policies under this Act.

9           “(b) **RULE OF CONSTRUCTION.**—Nothing in this sec-  
10 tion shall be construed to prohibit a statewide family en-  
11 gagement center from—

12           “(1) having its employees or agents meet with  
13 a parent at a site that is not on school grounds; or

14           “(2) working with another agency that serves  
15 children.

16           “(c) **PARENTAL RIGHTS.**—Notwithstanding any  
17 other provision of this section—

18           “(1) no person (including a parent who edu-  
19 cates a child at home, a public school parent, or a  
20 private school parent) shall be required to partici-  
21 pate in any program of parent education or develop-  
22 mental screening under this section; and

23           “(2) no program or center assisted under this  
24 section shall take any action that infringes in any

1 manner on the right of parents to direct the edu-  
2 cation of their children.

3 **“SEC. 4505. FAMILY ENGAGEMENT IN INDIAN SCHOOLS.**

4 “The Secretary of the Interior, in consultation with  
5 the Secretary of Education, shall establish, or enter into  
6 contracts and cooperative agreements with, local tribes,  
7 tribal organizations, or Indian nonprofit parent organiza-  
8 tions to establish and operate family engagement centers.

9 **“SEC. 4506. AUTHORIZATION OF APPROPRIATIONS.**

10 “There are authorized to be appropriated to carry out  
11 this part \$10,000,000 for each of fiscal years 2017  
12 through 2020.”.”.

13 **PART F—NATIONAL ACTIVITIES**

14 **SEC. 4601. NATIONAL ACTIVITIES.**

15 Title IV (20 U.S.C. 7101 et seq.), as amended by  
16 the previous provisions of this title, is further amended  
17 by adding at the end the following:

18 **“PART F—NATIONAL ACTIVITIES**

19 **“SEC. 4601. AUTHORIZATION OF APPROPRIATIONS; RES-**  
20 **ERVATIONS.**

21 “(a) AUTHORIZATION OF APPROPRIATIONS.—There  
22 are authorized to be appropriated to carry out this part—

23 “(1) \$200,741,000 for each of fiscal years 2017  
24 and 2018; and

1           “(2) \$220,741,000 for each of fiscal years 2019  
2           and 2020.

3           “(b) RESERVATIONS.—From the amounts appro-  
4           priated under subsection (a) for a fiscal year, the Sec-  
5           retary shall—

6           “(1) reserve \$5,000,000 to carry out activities  
7           authorized under subpart 3; and

8           “(2) from the amounts remaining after the res-  
9           ervation under paragraph (1)—

10           “(A) carry out activities authorized under  
11           subpart 1 using—

12           “(i) 36 percent of such remainder for  
13           each of fiscal years 2017 and 2018; and

14           “(ii) 42 percent of such remainder for  
15           each of fiscal years 2019 and 2020;

16           “(B) carry out activities authorized under  
17           subpart 2 using—

18           “(i) 36 percent of such remainder for  
19           each of fiscal years 2017 and 2018; and

20           “(ii) 32 percent of such remainder for  
21           each of fiscal years 2019 and 2020; and

22           “(C) to carry out activities authorized  
23           under subpart 4—

24           “(i) 28 percent of such remainder for  
25           each of fiscal years 2017 and 2018; and

1 “(ii) 26 percent of such remainder for  
2 each of fiscal years 2019 and 2020.

3 **“Subpart 1—Education Innovation and Research**

4 **“SEC. 4611. GRANTS FOR EDUCATION INNOVATION AND RE-**  
5 **SEARCH.**

6 “(a) PROGRAM AUTHORIZED.—

7 “(1) IN GENERAL.—From funds reserved under  
8 section 4601(b)(2)(A), the Secretary shall make  
9 grants to eligible entities to enable the eligible enti-  
10 ties to—

11 “(A) create, develop, implement, replicate,  
12 or take to scale entrepreneurial, evidence-based,  
13 field-initiated innovations to improve student  
14 achievement and attainment for high-need stu-  
15 dents; and

16 “(B) rigorously evaluate such innovations,  
17 in accordance with subsection (e).

18 “(2) DESCRIPTION OF GRANTS.—The grants  
19 described in paragraph (1) shall include—

20 “(A) early-phase grants to fund the devel-  
21 opment, implementation, and feasibility testing  
22 of a program, which prior research suggests has  
23 promise, for the purpose of determining wheth-  
24 er the program can successfully improve stu-

1 dent achievement or attainment for high-need  
2 students;

3 “(B) mid-phase grants to fund implemen-  
4 tation and a rigorous evaluation of a program  
5 that has been successfully implemented under  
6 an early-phase grant described in subparagraph  
7 (A) or other effort meeting similar criteria, for  
8 the purpose of measuring the program’s impact  
9 and cost effectiveness, if possible using existing  
10 administrative data; and

11 “(C) expansion grants to fund implementa-  
12 tion and a rigorous replication evaluation of a  
13 program that has been found to produce siz-  
14 able, important impacts under a mid-phase  
15 grant described in subparagraph (B) or other  
16 effort meeting similar criteria, for the purposes  
17 of—

18 “(i) determining whether such impacts  
19 can be successfully reproduced and sus-  
20 tained over time; and

21 “(ii) identifying the conditions in  
22 which the program is most effective.

23 “(b) ELIGIBLE ENTITY.—In this subpart, the term  
24 ‘eligible entity’ means any of the following:

25 “(1) A local educational agency.



1 “(2) A State educational agency.

2 “(3) The Bureau of Indian Education.

3 “(4) A consortium of State educational agencies  
4 or local educational agencies.

5 “(5) A nonprofit organization.

6 “(6) A State educational agency, a local edu-  
7 cational agency, a consortium described in para-  
8 graph (4), or the Bureau of Indian Education, in  
9 partnership with—

10 “(A) a nonprofit organization;

11 “(B) a business;

12 “(C) an educational service agency; or

13 “(D) an institution of higher education.

14 “(c) RURAL AREAS.—

15 “(1) IN GENERAL.—In awarding grants under  
16 subsection (a), the Secretary shall ensure that not  
17 less than 25 percent of the funds made available for  
18 any fiscal year are awarded for programs that meet  
19 both of the following requirements:

20 “(A) The grantee is—

21 “(i) a local educational agency with  
22 an urban-centric district locale code of 32,  
23 33, 41, 42, or 43, as determined by the  
24 Secretary;

1                   “(ii) a consortium of such local edu-  
2                   cational agencies;

3                   “(iii) an educational service agency or  
4                   a nonprofit organization in partnership  
5                   with such a local educational agency; or

6                   “(iv) a grantee described in clause (i)  
7                   or (ii) in partnership with a State edu-  
8                   cational agency.

9                   “(B) A majority of the schools to be served  
10                  by the program are designated with a locale  
11                  code of 32, 33, 41, 42, or 43, or a combination  
12                  of such codes, as determined by the Secretary.

13                  “(2) EXCEPTION.—Notwithstanding paragraph  
14                  (1), the Secretary shall reduce the amount of funds  
15                  made available under such paragraph if the Sec-  
16                  retary does not receive a sufficient number of appli-  
17                  cations of sufficient quality.

18                  “(d) MATCHING FUNDS.—In order to receive a grant  
19                  under subsection (a), an eligible entity shall demonstrate  
20                  that the eligible entity will provide matching funds, in cash  
21                  or through in-kind contributions, from Federal, State,  
22                  local, or private sources in an amount equal to 10 percent  
23                  of the funds provided under such grant, except that the  
24                  Secretary may waive the matching funds requirement, on

1 a case-by-case basis, upon a showing of exceptional cir-  
2 cumstances, such as—

3 “(1) the difficulty of raising matching funds for  
4 a program to serve a rural area;

5 “(2) the difficulty of raising matching funds in  
6 areas with a concentration of local educational agen-  
7 cies or schools with a high percentage of students  
8 aged 5 through 17—

9 “(A) who are in poverty, as counted in the  
10 most recent census data approved by the Sec-  
11 retary;

12 “(B) who are eligible for a free or reduced  
13 price lunch under the Richard B. Russell Na-  
14 tional School Lunch Act (42 U.S.C. 1751 et  
15 seq.);

16 “(C) whose families receive assistance  
17 under the State program funded under part A  
18 of title IV of the Social Security Act (42 U.S.C.  
19 601 et seq.); or

20 “(D) who are eligible to receive medical as-  
21 sistance under the Medicaid program; and

22 “(3) the difficulty of raising funds on tribal  
23 land.

1 “(e) EVALUATION.—Each recipient of a grant under  
2 this section shall conduct an independent evaluation of the  
3 effectiveness of the program carried out under such grant.

4 “(f) TECHNICAL ASSISTANCE.—The Secretary may  
5 reserve not more than 5 percent of the funds appropriated  
6 under section 4601(b)(2)(A) for each fiscal year to—

7 “(1) provide technical assistance for eligibility  
8 entities, which may include pre-application work-  
9 shops, web-based seminars, and evaluation support;  
10 and

11 “(2) to disseminate best practices.

12 **“Subpart 2—Community Support for School Success**

13 **“SEC. 4621. PURPOSES.**

14 “The purposes of this subpart are to—

15 “(1) significantly improve the academic and de-  
16 velopmental outcomes of children living in the most  
17 distressed communities of the United States, includ-  
18 ing ensuring school readiness, high school gradua-  
19 tion, and access to a community-based continuum of  
20 high-quality services; and

21 “(2) provide support for the planning, imple-  
22 mentation, and operation of full-service community  
23 schools that improve the coordination and integra-  
24 tion, accessibility, and effectiveness of services for  
25 children and families, particularly for children at-

1 tending high-poverty schools, including high-poverty  
2 rural schools.

3 **“SEC. 4622. DEFINITIONS.**

4 “In this subpart:

5 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
6 tity’ means the following:

7 “(A) With respect to a grant for activities  
8 described in section 4623(a)(1)(A)—

9 “(i) an institution of higher education,  
10 as defined in section 102 of the Higher  
11 Education Act of 1965 (20 U.S.C. 1002);

12 “(ii) an Indian tribe or tribal organi-  
13 zation, as defined in section 4 of the In-  
14 dian Self-Determination and Education  
15 Assistance Act (25 U.S.C. 450b); or

16 “(iii) one or more nonprofit entities  
17 working in formal partnership with not less  
18 than 1 of the following entities:

19 “(I) A high-need local edu-  
20 cational agency.

21 “(II) An institution of higher  
22 education, as defined in section 102 of  
23 the Higher Education Act of 1965 (20  
24 U.S.C. 1002).

1                   “(III) The office of a chief elect-  
2                   ed official of a unit of local govern-  
3                   ment.

4                   “(IV) An Indian tribe or tribal  
5                   organization, as defined under section  
6                   4 of the Indian Self-Determination  
7                   and Education Assistance Act (25  
8                   U.S.C. 450b).

9                   “(B) With respect to a grant for activities  
10                  described in section 4623(a)(1)(B), a consor-  
11                  tium of—

12                  “(i)(I) 1 or more local educational  
13                  agencies; or

14                  “(II) the Bureau of Indian Education;  
15                  and

16                  “(ii) 1 or more community-based or-  
17                  ganizations, nonprofit organizations, or  
18                  other public or private entities.

19                  “(2) FULL-SERVICE COMMUNITY SCHOOL.—The  
20                  term ‘full-service community school’ means a public  
21                  elementary school or secondary school that—

22                  “(A) participates in a community-based ef-  
23                  fort to coordinate and integrate educational, de-  
24                  velopmental, family, health, and other com-  
25                  prehensive services through community-based

1 organizations and public and private partner-  
2 ships; and

3 “(B) provides access to such services in  
4 school to students, families, and the community,  
5 such as access during the school year (including  
6 before- and after-school hours and weekends),  
7 as well as during the summer.

8 “(3) PIPELINE SERVICES.—The term ‘pipeline  
9 services’ means a continuum of coordinated sup-  
10 ports, services, and opportunities for children from  
11 birth through entry into and success in postsec-  
12 ondary education, and career attainment. Such serv-  
13 ices shall include, at a minimum, strategies to ad-  
14 dress through services or programs (including inte-  
15 grated student supports) the following:

16 “(A) High-quality early childhood edu-  
17 cation programs.

18 “(B) High-quality school and out-of-school-  
19 time programs and strategies.

20 “(C) Support for a child’s transition to ele-  
21 mentary school, from elementary school to mid-  
22 dle school, from middle school to high school,  
23 and from high school into and through postsec-  
24 ondary education and into the workforce, in-

1 including any comprehensive readiness assess-  
2 ment determined necessary.

3 “(D) Family and community engagement  
4 and supports, which may include engaging or  
5 supporting families at school or at home.

6 “(E) Activities that support postsecondary  
7 and workforce readiness, which may include job  
8 training, internship opportunities, and career  
9 counseling.

10 “(F) Community-based support for stu-  
11 dents who have attended the schools in the area  
12 served by the pipeline, or students who are  
13 members of the community, facilitating their  
14 continued connection to the community and  
15 success in postsecondary education and the  
16 workforce.

17 “(G) Social, health, nutrition, and mental  
18 health services and supports.

19 “(H) Juvenile crime prevention and reha-  
20 bilitation programs.

21 **“SEC. 4623. PROGRAM AUTHORIZED.**

22 “(a) PROGRAM AUTHORIZED.—

23 “(1) IN GENERAL.—The Secretary shall use not  
24 less than 95 percent of the amounts made available  
25 under section 4601(b)(2)(B) to award grants, on a



1 competitive basis and subject to subsection (e), to el-  
2 igible entities for the following activities:

3 “(A) PROMISE NEIGHBORHOODS.—The im-  
4 plementation of a comprehensive, effective con-  
5 tinuum of coordinated services that meets the  
6 purpose described in section 4621(1) by car-  
7 rying out activities in neighborhoods with—

8 “(i) high concentrations of low-income  
9 individuals;

10 “(ii) multiple signs of distress, which  
11 may include high rates of poverty, child-  
12 hood obesity, academic failure, and juvenile  
13 delinquency, adjudication, or incarceration;  
14 and

15 “(iii) schools implementing com-  
16 prehensive support and improvement ac-  
17 tivities or targeted support and improve-  
18 ment activities under section 1111(d).

19 “(B) FULL-SERVICE COMMUNITY  
20 SCHOOLS.—The provision of assistance to pub-  
21 lic elementary schools or secondary schools to  
22 function as full-service community schools.

23 “(2) SUFFICIENT SIZE AND SCOPE.—Each  
24 grant awarded under this subpart shall be of suffi-

1       cient size and scope to allow the eligible entity to  
2       carry out the applicable purposes of this subpart.

3       “(b) DURATION.—A grant awarded under this sub-  
4       part shall be for a period of not more than 5 years, and  
5       may be extended for an additional period of not more than  
6       2 years.

7       “(c) CONTINUED FUNDING.—Continued funding of a  
8       grant under this subpart, including a grant extended  
9       under subsection (b), after the third year of the initial  
10      grant period shall be contingent on the eligible entity’s  
11      progress toward meeting—

12             “(1) with respect to a grant for activities de-  
13             scribed in section 4624, the performance metrics de-  
14             scribed in section 4624(h); and

15             “(2) with respect to a grant for activities de-  
16             scribed in section 4625, annual performance objec-  
17             tives and outcomes under section 4625(a)(4)(C).

18      “(d) MATCHING REQUIREMENTS.—

19             “(1) PROMISE NEIGHBORHOOD ACTIVITIES.—

20                 “(A) MATCHING FUNDS.—Each eligible en-  
21                 tity receiving a grant under this subpart for ac-  
22                 tivities described in section 4624 shall con-  
23                 tribute matching funds in an amount equal to  
24                 not less than 100 percent of the amount of the

1 grant. Such matching funds shall come from  
2 Federal, State, local, and private sources.

3 “(B) PRIVATE SOURCES.—The Secretary  
4 shall require that a portion of the matching  
5 funds come from private sources, which may in-  
6 clude in-kind contributions.

7 “(C) ADJUSTMENT.—The Secretary may  
8 adjust the matching funds requirement under  
9 this paragraph for applicants that demonstrate  
10 high need, including applicants from rural areas  
11 and applicants that wish to provide services on  
12 tribal lands.

13 “(D) FINANCIAL HARDSHIP WAIVER.—The  
14 Secretary may waive or reduce, on a case-by-  
15 case basis, the matching requirement under this  
16 paragraph, including the requirement for funds  
17 from private sources, for a period of 1 year at  
18 a time, if the eligible entity demonstrates sig-  
19 nificant financial hardship.

20 “(2) FULL-SERVICE COMMUNITY SCHOOLS AC-  
21 TIVITIES.—

22 “(A) IN GENERAL.—Each eligible entity  
23 receiving a grant under this subpart for activi-  
24 ties described in section 4625 shall provide  
25 matching funds from non-Federal sources,

1 which may be provided in part with in-kind con-  
2 tributions.

3 “(B) SPECIAL RULE.—The Bureau of In-  
4 dian Education may meet the requirement of  
5 subparagraph (A) using funds from other Fed-  
6 eral sources.

7 “(3) SPECIAL RULES.—

8 “(A) IN GENERAL.—The Secretary may  
9 not require any eligible entity receiving a grant  
10 under this subpart to provide matching funds in  
11 an amount that exceeds the amount of the  
12 grant award.

13 “(B) CONSIDERATION.—Notwithstanding  
14 this subsection, the Secretary shall not consider  
15 the ability of an eligible entity to match funds  
16 when determining which applicants will receive  
17 grants under this subpart.

18 “(e) RESERVATION FOR RURAL AREAS.—

19 “(1) IN GENERAL.—From the amounts allo-  
20 cated under subsection (a) for grants to eligible enti-  
21 ties, the Secretary shall use not less than 15 percent  
22 of such amounts to award grants to eligible entities  
23 that propose to carry out the activities described in  
24 such subsection in rural areas.

1           “(2) EXCEPTION.—The Secretary shall reduce  
2           the amount described in paragraph (1) if the Sec-  
3           retary does not receive a sufficient number of appli-  
4           cations of sufficient quality.

5           “(f) MINIMUM NUMBER OF GRANTS.—For each fis-  
6           cal year, the Secretary shall award under this subpart not  
7           fewer than 3 grants for activities described in section 4624  
8           and not fewer than 10 grants for activities described in  
9           section 4625, subject to the availability of appropriations,  
10          the requirements of subsection (a)(2), and the number and  
11          quality of applications.

12          **“SEC. 4624. PROMISE NEIGHBORHOODS.**

13          “(a) APPLICATION REQUIREMENTS.—An eligible en-  
14          tity desiring a grant under this subpart for activities de-  
15          scribed in this section shall submit an application to the  
16          Secretary at such time and in such manner as the Sec-  
17          retary may require, including, at a minimum, all of the  
18          following:

19                 “(1) A plan to significantly improve the aca-  
20                 demic outcomes of children living in a neighborhood  
21                 that is served by the eligible entity—

22                         “(A) by providing pipeline services that ad-  
23                         dress the needs of children in the neighborhood,  
24                         as identified by the needs analysis described in  
25                         paragraph (4); and

1                   “(B) that is supported by effective prac-  
2                   tices.

3                   “(2) A description of the neighborhood that the  
4                   eligible entity will serve.

5                   “(3) Measurable annual objectives and out-  
6                   comes for the grant, in accordance with the metrics  
7                   described in subsection (h), for each year of the  
8                   grant.

9                   “(4) An analysis of the needs and assets of the  
10                  neighborhood identified in paragraph (1), includ-  
11                  ing—

12                   “(A) the size and scope of the population  
13                   affected;

14                   “(B) a description of the process through  
15                   which the needs analysis was produced, includ-  
16                   ing a description of how parents, families, and  
17                   community members were engaged in such  
18                   analysis;

19                   “(C) an analysis of community assets and  
20                   collaborative efforts (including programs al-  
21                   ready provided from Federal and non-Federal  
22                   sources) within, or accessible to, the neighbor-  
23                   hood, including, at a minimum, early learning  
24                   opportunities, family and student supports,

1 local businesses, local educational agencies, and  
2 institutions of higher education;

3 “(D) the steps that the eligible entity is  
4 taking, at the time of the application, to ad-  
5 dress the needs identified in the needs analysis;  
6 and

7 “(E) any barriers the eligible entity, public  
8 agencies, and other community-based organiza-  
9 tions have faced in meeting such needs.

10 “(5) A description of—

11 “(A) all information that the entity used to  
12 identify the pipeline services to be provided,  
13 which shall not include information that is more  
14 than 3 years old; and

15 “(B) how the eligible entity will—

16 “(i) collect data on children served by  
17 each pipeline service; and

18 “(ii) increase the percentage of chil-  
19 dren served over time.

20 “(6) A description of the process used to de-  
21 velop the application, including the involvement of  
22 family and community members.

23 “(7) A description of how the pipeline services  
24 will facilitate the coordination of the following activi-  
25 ties:

1           “(A) Providing early learning opportunities  
2 for children, including by—

3           “(i) providing opportunities for fami-  
4 lies to acquire the skills to promote early  
5 learning and child development; and

6           “(ii) ensuring appropriate diagnostic  
7 assessments and referrals for children with  
8 disabilities and children aged 3 through 9  
9 experiencing developmental delays, con-  
10 sistent with the Individuals with Disabil-  
11 ities Education Act (20 U.S.C. 1400 et  
12 seq.), where applicable.

13           “(B) Supporting, enhancing, operating, or  
14 expanding rigorous, comprehensive, effective  
15 educational improvements, which may include  
16 high-quality academic programs, expanded  
17 learning time, and programs and activities to  
18 prepare students for postsecondary education  
19 admissions and success.

20           “(C) Supporting partnerships between  
21 schools and other community resources with an  
22 integrated focus on academics and other social,  
23 health, and familial supports.

24           “(D) Providing social, health, nutrition,  
25 and mental health services and supports, for



1 children, family members, and community mem-  
2 bers, which may include services provided with-  
3 in the school building.

4 “(E) Supporting evidence-based programs  
5 that assist students through school transitions,  
6 which may include expanding access to postsec-  
7 ondary education courses and postsecondary  
8 education enrollment aid or guidance, and other  
9 supports for at-risk youth.

10 “(8) A description of the strategies that will be  
11 used to provide pipeline services (including a de-  
12 scription of which programs and services will be pro-  
13 vided to children, family members, community mem-  
14 bers, and children within the neighborhood) to sup-  
15 port the purpose described in section 4621(1).

16 “(9) An explanation of the process the eligible  
17 entity will use to establish and maintain family and  
18 community engagement, including—

19 “(A) involving representative participation  
20 by the members of such neighborhood in the  
21 planning and implementation of the activities of  
22 each grant awarded under this subpart for ac-  
23 tivities described in this section;

24 “(B) the provision of strategies and prac-  
25 tices to assist family and community members

1 in actively supporting student achievement and  
2 child development;

3 “(C) providing services for students, fami-  
4 lies, and communities within the school build-  
5 ing; and

6 “(D) collaboration with institutions of  
7 higher education, workforce development cen-  
8 ters, and employers to align expectations and  
9 programming with postsecondary education and  
10 workforce readiness,

11 “(10) An explanation of how the eligible entity  
12 will continuously evaluate and improve the con-  
13 tinuum of high-quality pipeline services to provide  
14 for continuous program improvement and potential  
15 expansion.

16 “(b) PRIORITY.—In awarding grants for activities de-  
17 scribed in this section, the Secretary shall give priority to  
18 eligible entities that will use funds under subsection (d)  
19 for evidence-based activities, which, for purposes of this  
20 subsection, is defined as activities meeting the require-  
21 ments of section 8101(21)(A)(i).

22 “(c) MEMORANDUM OF UNDERSTANDING.—As eligi-  
23 ble entity shall, as part of the application described in sub-  
24 section (a), submit a preliminary memorandum of under-  
25 standing, signed by each partner entity or agency de-

1 scribed in section 4622(1)(A)(3) (if applicable) and detail-  
2 ing each partner’s financial, programmatic, and long-term  
3 commitment with respect to the strategies described in the  
4 application.

5 “(d) USES OF FUNDS.—Each eligible entity that re-  
6 ceives a grant under this subpart to carry out a program  
7 of activities described in this section shall use the grant  
8 funds to—

9 “(1) support planning activities to develop and  
10 implement pipeline services;

11 “(2) implement the pipeline services; and

12 “(3) continuously evaluate the success of the  
13 program and improve the program based on data  
14 and outcomes.

15 “(e) SPECIAL RULES.—

16 “(1) FUNDS FOR PIPELINE SERVICES.—Each  
17 eligible entity that receives a grant under this sub-  
18 part for activities described in this section shall, for  
19 the first year of the grant, use not less than 50 per-  
20 cent of the grant funds, and, for the second year of  
21 the grant, use not less than 25 percent of the grant  
22 funds, to carry out the activities described in sub-  
23 section (d)(1).

24 “(2) OPERATIONAL FLEXIBILITY.—Each eligi-  
25 ble entity that operates a school in a neighborhood

1 served by a grant program under this subpart for  
2 activities described in this section shall provide such  
3 school with the operational flexibility, including au-  
4 tonomy over staff, time, and budget, needed to effec-  
5 tively carry out the activities described in the appli-  
6 cation under subsection (a).

7 “(3) LIMITATION ON USE OF FUNDS FOR  
8 EARLY CHILDHOOD EDUCATION PROGRAMS.—Funds  
9 provided under this subpart for activities described  
10 in this section that are used to improve early child-  
11 hood education programs shall not be used to carry  
12 out any of the following activities:

13 “(A) Assessments that provide rewards or  
14 sanctions for individual children or teachers.

15 “(B) A single assessment that is used as  
16 the primary or sole method for assessing pro-  
17 gram effectiveness.

18 “(C) Evaluating children, other than for  
19 the purposes of improving instruction, class-  
20 room environment, professional development, or  
21 parent and family engagement, or program im-  
22 provement.

23 “(f) REPORT.—Each eligible entity that receives a  
24 grant under this subpart for activities described in this

1 section shall prepare and submit an annual report to the  
2 Secretary, which shall include—

3 “(1) information about the number and per-  
4 centage of children in the neighborhood who are  
5 served by the grant program, including a description  
6 of the number and percentage of children accessing  
7 each support or service offered as part of the pipe-  
8 line services; and

9 “(2) information relating to the performance  
10 metrics described in subsection (h).

11 “(g) PUBLICLY AVAILABLE DATA.—Each eligible en-  
12 tity that receives a grant under this subpart for activities  
13 described in this section shall make publicly available, in-  
14 cluding through electronic means, the information de-  
15 scribed in subsection (f). To the extent practicable, such  
16 information shall be provided in a form and language ac-  
17 cessible to parents and families in the neighborhood served  
18 under the grant, and such information shall be a part of  
19 statewide longitudinal data systems.

20 “(h) PERFORMANCE INDICATORS.—

21 “(1) IN GENERAL.—The Secretary shall estab-  
22 lish performance indicators under paragraph (2) and  
23 corresponding metrics to be used for the purpose of  
24 reporting under paragraph (3) and program evalua-  
25 tion under subsection (i).

1           “(2) INDICATORS.—The performance indicators  
2 established by the Secretary under paragraph (1)  
3 shall be indicators of improved academic and devel-  
4 opmental outcomes for children, including indicators  
5 of school readiness, high school graduation, postsec-  
6 ondary education and career readiness, and other  
7 academic and developmental outcomes, to promote—

8           “(A) data-driven decision-making by eligi-  
9 ble entities receiving funds under this subpart;  
10 and

11           “(B) access to a community-based con-  
12 tinuum of high-quality services for children liv-  
13 ing in the most distressed communities of the  
14 United States, beginning at birth.

15           “(3) REPORTING.—Each eligible entity that re-  
16 ceives a grant under this subpart for activities de-  
17 scribed in this section shall annually collect and re-  
18 port to the Secretary data on the performance indi-  
19 cators described in paragraph (2) for use by the Sec-  
20 retary in making a determination concerning con-  
21 tinuation funding and grant extension under section  
22 4623(b) for each eligible entity.

23           “(i) EVALUATION.—The Secretary shall reserve not  
24 more than 5 percent of the funds made available under  
25 section 4601(b)(2)(A) to provide technical assistance and

1 evaluate the implementation and impact of the activities  
2 funded under this section, in accordance with section  
3 8601.

4 **“SEC. 4625. FULL-SERVICE COMMUNITY SCHOOLS.**

5 “(a) APPLICATION.—An eligible entity that desires a  
6 grant under this subpart for activities described in this  
7 section shall submit an application to the Secretary at  
8 such time and in such manner as the Secretary may re-  
9 quire. The Secretary shall require that each such applica-  
10 tion include the following:

11 “(1) A description of the eligible entity.

12 “(2) A memorandum of understanding among  
13 all partner entities in the eligible entity that will as-  
14 sist the eligible entity to coordinate and provide  
15 pipeline services and that describes the roles the  
16 partner entities will assume.

17 “(3) A description of the capacity of the eligible  
18 entity to coordinate and provide pipeline services at  
19 2 or more full-service community schools.

20 “(4) A comprehensive plan that includes de-  
21 scriptions of the following:

22 “(A) The student, family, and school com-  
23 munity to be served, including demographic in-  
24 formation.

1           “(B) A needs assessment that identifies  
2           the academic, physical, nonacademic, health,  
3           mental health, and other needs of students,  
4           families, and community residents.

5           “(C) Annual measurable performance ob-  
6           jectives and outcomes, including an increase in  
7           the number and percentage of families and stu-  
8           dents targeted for services each year of the pro-  
9           gram, in order to ensure that children are—

10                   “(i) prepared for kindergarten;

11                   “(ii) achieving academically; and

12                   “(iii) safe, healthy, and supported by  
13           engaged parents.

14           “(D) Pipeline services, including existing  
15           and additional pipeline services, to be coordi-  
16           nated and provided by the eligible entity and its  
17           partner entities, including an explanation of—

18                   “(i) why such services have been se-  
19           lected;

20                   “(ii) how such services will improve  
21           student academic achievement; and

22                   “(iii) how such services will address  
23           the annual measurable performance objec-  
24           tives and outcomes established under sub-  
25           paragraph (C).



1           “(E) Plans to ensure that each full-service  
2           community school site has a full-time coordi-  
3           nator of pipeline services at such school, includ-  
4           ing a description of the applicable funding  
5           sources, plans for professional development for  
6           the personnel managing, coordinating, or deliv-  
7           ering pipeline services, and plans for joint utili-  
8           zation and management of school facilities.

9           “(F) Plans for annual evaluation based  
10          upon attainment of the performance objectives  
11          and outcomes described in subparagraph (C).

12          “(G) Plans for sustaining the programs  
13          and services described in this subsection after  
14          the grant period.

15          “(5) An assurance that the eligible entity and  
16          its partner entities will focus services on schools eli-  
17          gible for a schoolwide program under section  
18          1114(b).

19          “(b) PRIORITY.—In awarding grants under this sub-  
20          part for activities described in this section, the Secretary  
21          shall give priority to eligible entities that—

22                 “(1)(A) will serve a minimum of 2 or more full-  
23                 service community schools eligible for a schoolwide  
24                 program under section 1114(b), as part of a  
25                 community- or district-wide strategy; or

1           “(B) include a local educational agency that  
2 satisfies the requirements of—

3           “(i) subparagraph (A), (B), or (C) of sec-  
4 tion 5211(b)(1); or

5           “(ii) subparagraphs (A) and (B) of section  
6 5221(b)(1);

7           “(2) are consortiums comprised of a broad rep-  
8 resentation of stakeholders or consortiums dem-  
9 onstrating a history of effectiveness; and

10           “(3) will use funds for evidence-based activities  
11 described in subsection (e), defined for purposes of  
12 this paragraph as activities meeting the require-  
13 ments of section 8101(21)(A)(i).

14           “(c) **PLANNING.**—The Secretary may authorize an el-  
15 igible entity receiving a grant under this subpart for ac-  
16 tivities described in this section to use not more than 10  
17 percent of the total amount of grant funds for planning  
18 purposes during the first year of the grant.

19           “(d) **MINIMUM AMOUNT.**—The Secretary may not  
20 award a grant under this subpart for activities described  
21 in this section to an eligible entity in an amount that is  
22 less than \$75,000 for each year of the grant period, sub-  
23 ject to the availability of appropriations.

1       “(e) USE OF FUNDS.—Grants awarded under this  
2 subpart for activities described in this section shall be used  
3 to—

4           “(1) coordinate not less than 3 existing pipeline  
5 services, as of the date of the grant award, and pro-  
6 vide not less than 2 additional pipeline services, at  
7 2 or more public elementary schools or secondary  
8 schools;

9           “(2) to the extent practicable, integrate mul-  
10 tiple pipeline services into a comprehensive, coordi-  
11 nated continuum to achieve the annual measurable  
12 performance objectives and outcomes under sub-  
13 section (a)(4)(C) to meet the holistic needs of chil-  
14 dren; and

15           “(3) if applicable, coordinate and integrate  
16 services provided by community-based organizations  
17 and government agencies with services provided by  
18 specialized instructional support personnel.

19       “(f) EVALUATIONS BY THE INSTITUTE OF EDU-  
20 CATION SCIENCES.—The Secretary, acting through the  
21 Director of the Institute of Education Sciences, shall con-  
22 duct evaluations of the effectiveness of grants under this  
23 subpart for activities described in this section in achieving  
24 the purpose described in section 4621(2).

1       “(g) EVALUATIONS BY GRANTEES.—The Secretary  
2 shall require each eligible entity receiving a grant under  
3 this subpart for activities described in this section to—

4               “(1) conduct annual evaluations of the progress  
5 achieved with the grant toward the purpose de-  
6 scribed in section 4621(2);

7               “(2) use such evaluations to refine and improve  
8 activities carried out through the grant and the an-  
9 nual measurable performance objectives and out-  
10 comes under subsection (a)(4)(C); and

11               “(3) make the results of such evaluations pub-  
12 licly available, including by providing public notice of  
13 such availability.

14       “(h) CONSTRUCTION CLAUSE.—Nothing in this sec-  
15 tion shall be construed to alter or otherwise affect the  
16 rights, remedies, and procedures afforded school or local  
17 educational agency employees under Federal, State, or  
18 local laws (including applicable regulations or court or-  
19 ders) or under the terms of collective bargaining agree-  
20 ments, memoranda of understanding, or other agreements  
21 between such employees and their employers.

22       “(i) SUPPLEMENT, NOT SUPPLANT.—Funds made  
23 available to an eligible entity through a grant under this  
24 subpart for activities described in this section may be used  
25 only to supplement, and not supplant, any other Federal,

1 State, or local funds that would otherwise be available to  
2 carry out the activities assisted under this section.

3 **“Subpart 3—National Activities for School Safety**

4 **“SEC. 4631. NATIONAL ACTIVITIES FOR SCHOOL SAFETY.**

5 “(a) PROGRAM AUTHORIZED.—

6 “(1) IN GENERAL.—From the funds reserved  
7 under section 4601(b)(1), the Secretary—

8 “(A) shall use a portion of such funds for  
9 the Project School Emergency Response to Vio-  
10 lence program (in this section referred to as  
11 ‘Project SERV’), in order to provide education-  
12 related services to eligible entities; and

13 “(B) may use a portion of such funds to  
14 carry out other activities to improve students’  
15 safety and well-being, during and after the  
16 school day, under this section directly or  
17 through grants, contracts, or cooperative agree-  
18 ments with public or private entities or individ-  
19 uals, or other Federal agencies, such as pro-  
20 viding technical assistance to States and local  
21 educational agencies carrying out activities  
22 under this section or conducting a national  
23 evaluation.

24 “(2) AVAILABILITY.—Amounts reserved under  
25 section 4601(b)(1) for Project SERV are authorized

1 to remain available until expended for Project  
2 SERV.

3 “(b) PROJECT SERV.—

4 “(1) ADDITIONAL USE OF FUNDS.—Funds  
5 made available under subsection (a) for extended  
6 services grants under Project SERV may be used by  
7 an eligible entity to initiate or strengthen violence  
8 prevention activities as part of the activities de-  
9 signed to restore the learning environment that was  
10 disrupted by the violent or traumatic crisis in re-  
11 sponse to which the grant was awarded.

12 “(2) APPLICATION PROCESS.—

13 “(A) IN GENERAL.—An eligible entity de-  
14 siring to use a portion of extended services  
15 grant funds under Project SERV to initiate or  
16 strengthen a violence prevention activity shall—

17 “(i) submit, in an application that  
18 meets all requirements of the Secretary for  
19 Project SERV, the information described  
20 in subparagraph (B); or

21 “(ii) in the case of an eligible entity  
22 that has already received an extended serv-  
23 ices grant under Project SERV, submit an  
24 addition to the original application that in-

1 cludes the information described in sub-  
2 paragraph (B).

3 “(B) APPLICATION REQUIREMENTS.—An  
4 application, or addition to an application, for an  
5 extended services grant pursuant to subpara-  
6 graph (A) shall include the following:

7 “(i) A demonstration of the need for  
8 funds due to a continued disruption or a  
9 substantial risk of disruption to the learn-  
10 ing environment.

11 “(ii) An explanation of the proposed  
12 activities that are designed to restore and  
13 preserve the learning environment.

14 “(iii) A budget and budget narrative  
15 for the proposed activities.

16 “(3) AWARD BASIS.—Any award of funds under  
17 Project SERV for violence prevention activities  
18 under this section shall be subject to the discretion  
19 of the Secretary and the availability of funds.

20 “(4) PROHIBITED USE.—No funds provided to  
21 an eligible entity for violence prevention activities  
22 may be used for construction, renovation, or repair  
23 of a facility or for the permanent infrastructure of  
24 the eligible entity.

1           “(c) DEFINITION OF ELIGIBLE ENTITY.—In this sec-  
2 tion, the term ‘eligible entity’ means—

3           “(1) a local educational agency, as defined in  
4 subparagraph (A), (B), or (C) of section 8101(30),  
5 or institution of higher education in which the learn-  
6 ing environment has been disrupted due to a violent  
7 or traumatic crisis; or

8           “(2) the Bureau of Indian Education in a case  
9 where the learning environment of a school operated  
10 or funded by the Bureau, including a school meeting  
11 the definition of a local educational agency under  
12 section 8101(30)(C), has been disrupted due to a  
13 violent or traumatic crisis.

14           **“Subpart 4—Academic Enrichment**

15           **“SEC. 4641. AWARDS FOR ACADEMIC ENRICHMENT.**

16           “(a) PROGRAM AUTHORIZED.—From funds reserved  
17 under section 4601(b)(2)(C), the Secretary shall award  
18 grants, contracts, or cooperative agreements, on a com-  
19 petitive basis, to eligible entities for the purposes of en-  
20 riching the academic experience of students by pro-  
21 moting—

22           “(1) arts education for disadvantaged students  
23 and students who are children with disabilities, as  
24 described in section 4642;



1           “(2) school readiness through the development  
2           and dissemination of accessible instructional pro-  
3           gramming for preschool and elementary school chil-  
4           dren and their families, as described in section 4643;  
5           and

6           “(3) support for high-ability learners and high-  
7           ability learning, as described in section 4644.

8           “(b) ANNUAL AWARDS.—The Secretary shall annu-  
9           ally make awards to fulfill each of the purposes described  
10          in paragraphs (1) through (3) of subsection (a).

11       **“SEC. 4642. ASSISTANCE FOR ARTS EDUCATION.**

12          “(a) AWARDS TO PROVIDE ASSISTANCE FOR ARTS  
13          EDUCATION.—

14               “(1) IN GENERAL.—Awards made to eligible en-  
15               tities to fulfill the purpose described in section  
16               4641(a)(1), shall be used for a program (to be  
17               known as the ‘Assistance for Arts Education pro-  
18               gram’) to promote arts education for students, in-  
19               cluding disadvantaged students and students who  
20               are children with disabilities, through activities such  
21               as—

22                       “(A) professional development for arts  
23                       educators, teachers, and principals;

24                       “(B) development and dissemination of ac-  
25                       cessible instructional materials and arts-based

1 educational programming, including online re-  
2 sources, in multiple arts disciplines; and

3 “(C) community and national outreach ac-  
4 tivities that strengthen and expand partnerships  
5 among schools, local educational agencies, com-  
6 munities, or centers for the arts, including na-  
7 tional centers for the arts.

8 “(b) CONDITIONS.—As conditions of receiving assist-  
9 ance made available under this section, the Secretary shall  
10 require each eligible entity receiving such assistance—

11 “(1) to coordinate, to the extent practicable,  
12 each project or program carried out with such assist-  
13 ance with appropriate activities of public or private  
14 cultural agencies, institutions, and organizations, in-  
15 cluding museums, arts education associations, librar-  
16 ies, and theaters; and

17 “(2) to use such assistance only to supplement,  
18 and not to supplant, any other assistance or funds  
19 made available from non-Federal sources for the ac-  
20 tivities assisted under this subpart.

21 “(c) CONSULTATION.—In carrying out this section,  
22 the Secretary shall consult with Federal agencies or insti-  
23 tutions, arts educators (including professional arts edu-  
24 cation associations), and organizations representing the

1 arts (including State and local arts agencies involved in  
2 arts education).

3 “(d) PRIORITY.—In awarding grants under this sec-  
4 tion, the Secretary shall give priority to eligible entities  
5 that are eligible national nonprofit organizations.

6 “(e) DEFINITIONS.—In this section:

7 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-  
8 tity’ means—

9 “(A) a local educational agency in which  
10 20 percent or more of the students served by  
11 the local educational agency are from families  
12 with an income below the poverty line;

13 “(B) a consortium of such local edu-  
14 cational agencies;

15 “(C) a State educational agency;

16 “(D) an institution of higher education;

17 “(E) a museum or cultural institution;

18 “(F) the Bureau of Indian Education;

19 “(G) an eligible national nonprofit organi-  
20 zation; or

21 “(H) another private agency, institution,  
22 or organization.

23 “(2) ELIGIBLE NATIONAL NONPROFIT ORGANI-  
24 ZATION.—The term ‘eligible national nonprofit orga-

1 nization’ means an organization of national scope  
2 that—

3 “(A) is supported by staff, which may in-  
4 clude volunteers, or affiliates at the State and  
5 local levels; and

6 “(B) demonstrates effectiveness or high-  
7 quality plans for addressing arts education ac-  
8 tivities for disadvantaged students or students  
9 who are children with disabilities.

10 **“SEC. 4643. READY TO LEARN PROGRAMMING.**

11 “(a) AWARDS TO PROMOTE SCHOOL READINESS  
12 THROUGH READY TO LEARN PROGRAMMING.—

13 “(1) IN GENERAL.—Awards made to eligible en-  
14 tities described in paragraph (3) to fulfill the pur-  
15 pose described in section 4641(a)(2) shall—

16 “(A) be known as ‘Ready to Learn Pro-  
17 gramming awards’; and

18 “(B) be used to—

19 “(i) develop, produce, and distribute  
20 accessible educational and instructional  
21 video programming for preschool and ele-  
22 mentary school children and their parents  
23 in order to facilitate student academic  
24 achievement;

1           “(ii) facilitate the development, di-  
2           rectly or through contracts with producers  
3           of children’s and family educational tele-  
4           vision programming, of educational pro-  
5           gramming for preschool and elementary  
6           school children, and the accompanying sup-  
7           port materials and services that promote  
8           the effective use of such programming;

9           “(iii) facilitate the development of  
10          programming and digital content con-  
11          taining Ready-to-Learn programming and  
12          resources for parents and caregivers that is  
13          specially designed for nationwide distribu-  
14          tion over public television stations’ digital  
15          broadcasting channels and the Internet;

16          “(iv) contract with entities (such as  
17          public telecommunications entities) so that  
18          programming developed under this section  
19          is disseminated and distributed to the  
20          widest possible audience appropriate to be  
21          served by the programming, and through  
22          the use of the most appropriate distribu-  
23          tion technologies; and

24          “(v) develop and disseminate edu-  
25          cation and training materials, including

1 interactive programs and programs adapt-  
2 able to distance learning technologies, that  
3 are designed—

4 “(I) to promote school readiness;  
5 and

6 “(II) to promote the effective use  
7 of materials developed under clauses  
8 (ii) and (iii) among parents, family  
9 members, teachers, principals and  
10 other school leaders, Head Start pro-  
11 viders, providers of family literacy  
12 services, child care providers, early  
13 childhood educators, elementary  
14 school teachers, public libraries, and  
15 after-school program personnel caring  
16 for preschool and elementary school  
17 children.

18 “(2) AVAILABILITY.—In awarding or entering  
19 into grants, contracts, or cooperative agreements  
20 under this section, the Secretary shall ensure that  
21 eligible entities described in paragraph (3) make  
22 programming widely available, with support mate-  
23 rials as appropriate, to young children, parents,  
24 child care workers, Head Start providers, and pro-

1       viders of family literacy services to increase the ef-  
2       fective use of such programming.

3               “(3) ELIGIBLE ENTITIES.—To be eligible to re-  
4       ceive a grant, contract, or cooperative agreement  
5       under this section, an entity shall be a public tele-  
6       communications entity that is able to demonstrate  
7       each of the following:

8               “(A) A capacity for the development and  
9       national distribution of educational and instruc-  
10      tional television programming of high quality  
11      that is accessible by a large majority of dis-  
12      advantaged preschool and elementary school  
13      children.

14              “(B) A capacity to contract with the pro-  
15      ducers of children’s television programming for  
16      the purpose of developing educational television  
17      programming of high quality.

18              “(C) A capacity, consistent with the enti-  
19      ty’s mission and nonprofit nature, to negotiate  
20      such contracts in a manner that returns to the  
21      entity an appropriate share of any ancillary in-  
22      come from sales of any program-related prod-  
23      ucts.

24              “(D) A capacity to localize programming  
25      and materials to meet specific State and local

1 needs and to provide educational outreach at  
2 the local level.

3 “(4) COORDINATION OF ACTIVITIES.—An entity  
4 receiving a grant, contract, or cooperative agreement  
5 under this section shall consult with the Secretary  
6 and the Secretary of Health and Human Services—

7 “(A) to maximize the use of high-quality  
8 educational programming by preschool and ele-  
9 mentary school children, and make such pro-  
10 gramming widely available to Federally funded  
11 programs serving such populations; and

12 “(B) to coordinate activities with Federal  
13 programs that have major training components  
14 for early childhood development, including pro-  
15 grams under the Head Start Act (42 U.S.C.  
16 9831 et seq.) and State training activities fund-  
17 ed under the Child Care and Development  
18 Block Grant Act of 1990 (42 U.S.C. 9858 et  
19 seq.), regarding the availability and utilization  
20 of materials developed under paragraph  
21 (1)(B)(v) to enhance parent and child care pro-  
22 vider skills in early childhood development and  
23 education.

24 “(b) APPLICATIONS.—To be eligible to receive a  
25 grant, contract, or cooperative agreement under sub-



1 section (a), an entity shall submit to the Secretary an ap-  
2 plication at such time and in such manner as the Sec-  
3 retary may reasonably require. The application shall in-  
4 clude—

5 “(1) a description of the activities to be carried  
6 out under this section;

7 “(2) a list of the types of entities with which  
8 such entity will enter into contracts under subsection  
9 (a)(1)(B)(iv);

10 “(3) a description of the activities the entity  
11 will undertake widely to disseminate the content de-  
12 veloped under this section; and

13 “(4) a description of how the entity will comply  
14 with subsection (a)(2).

15 “(c) REPORTS AND EVALUATIONS.—

16 “(1) ANNUAL REPORT TO SECRETARY.—An en-  
17 tity receiving a grant, contract, or cooperative agree-  
18 ment under this section shall prepare and submit to  
19 the Secretary an annual report. The report shall de-  
20 scribe the program activities undertaken with funds  
21 received under the grant, contract, or cooperative  
22 agreement, including each of the following:

23 “(A) The programming that has been de-  
24 veloped, directly or indirectly, by the eligible en-

1           tity, and the target population of the program-  
2           ming.

3           “(B) The support and training materials  
4           that have been developed to accompany the pro-  
5           gramming, and the method by which the mate-  
6           rials are distributed to consumers and users of  
7           the programming.

8           “(C) The means by which programming  
9           developed under this section has been distrib-  
10          uted, including the distance learning tech-  
11          nologies that have been utilized to make pro-  
12          gramming available, and the geographic dis-  
13          tribution achieved through such technologies.

14          “(D) The initiatives undertaken by the en-  
15          tity to develop public-private partnerships to se-  
16          cure non-Federal support for the development,  
17          distribution, and broadcast of educational and  
18          instructional programming.

19          “(2) REPORT TO CONGRESS.—The Secretary  
20          shall prepare and submit to the Committee on  
21          Health, Education, Labor, and Pensions of the Sen-  
22          ate and the Committee on Education and the Work-  
23          force of the House of Representatives a biannual re-  
24          port that includes the following:



1 Education Program’, of evidence-based research, dem-  
2 onstration projects, innovative strategies, and similar ac-  
3 tivities designed to build and enhance the ability of ele-  
4 mentary schools and secondary schools nationwide to iden-  
5 tify gifted and talented students and meet their special  
6 educational needs.

7 “(b) PROGRAM AUTHORIZED.—

8 “(1) IN GENERAL.—The Secretary (after con-  
9 sultation with experts in the field of the education  
10 of gifted and talented students) shall make awards  
11 to, or enter into contracts with, State educational  
12 agencies, local educational agencies, the Bureau of  
13 Indian Education, institutions of higher education,  
14 other public agencies, and other private agencies and  
15 organizations to assist such agencies, institutions, or  
16 organizations, or the Bureau, in carrying out pro-  
17 grams or projects to fulfill the purpose described in  
18 section 4641(a)(3), including the training of per-  
19 sonnel in the identification and education of gifted  
20 and talented students and in the use, where appro-  
21 priate, of gifted and talented services, materials, and  
22 methods for all students.

23 “(2) APPLICATION.—Each entity seeking assist-  
24 ance under this section shall submit an application  
25 to the Secretary at such time and in such manner

1 as the Secretary may reasonably require. Each appli-  
2 cation shall describe how—

3 “(A) the proposed identification methods,  
4 as well as gifted and talented services, mate-  
5 rials, and methods, can be adapted, if appro-  
6 priate, for use by all students; and

7 “(B) the proposed programs can be evalu-  
8 ated.

9 “(c) USES OF FUNDS.—Programs and projects as-  
10 sisted under this section may include any of the following:

11 “(1) Conducting evidence-based research on  
12 methods and techniques for identifying and teaching  
13 gifted and talented students and for using gifted and  
14 talented programs and methods to identify and pro-  
15 vide the opportunity for all students to be served,  
16 particularly low-income and at-risk students.

17 “(2) Establishing and operating programs and  
18 projects for identifying and serving gifted and tal-  
19 ented students, including innovative methods and  
20 strategies (such as summer programs, mentoring  
21 programs, peer tutoring programs, service learning  
22 programs, and cooperative learning programs involv-  
23 ing business, industry and education) for identifying  
24 and educating students who may not be served by  
25 traditional gifted and talented programs.

1           “(3) Providing technical assistance and dissemi-  
2           nating information, which may include how gifted  
3           and talented programs and methods may be adapted  
4           for use by all students, particularly low-income and  
5           at-risk students.

6           “(d) CENTER FOR RESEARCH AND DEVELOPMENT.—

7           “(1) IN GENERAL.—The Secretary (after con-  
8           sultation with experts in the field of the education  
9           of gifted and talented students) shall establish a Na-  
10          tional Research Center for the Education of Gifted  
11          and Talented Children and Youth through grants to,  
12          or contracts with, one or more institutions of higher  
13          education or State educational agencies, or a com-  
14          bination or consortium of such institutions and  
15          agencies and other public or private agencies and or-  
16          ganizations, for the purpose of carrying out activities  
17          described in subsection (c).

18          “(2) DIRECTOR.—The National Center shall be  
19          headed by a Director. The Secretary may authorize  
20          the Director to carry out such functions of the Na-  
21          tional Center as may be agreed upon through ar-  
22          rangements with institutions of higher education,  
23          State educational agencies, local educational agen-  
24          cies, or other public or private agencies and organi-  
25          zations.

1       “(e) COORDINATION.—Evidence-based activities sup-  
2 ported under this section—

3           “(1) shall be carried out in consultation with  
4 the Institute of Education Sciences to ensure that  
5 such activities are coordinated with and enhance the  
6 research and development activities supported by the  
7 Institute; and

8           “(2) may include collaborative evidence-based  
9 activities that are jointly funded and carried out  
10 with such Institute.

11       “(f) GENERAL PRIORITY.—In carrying out this sec-  
12 tion, the Secretary shall give highest priority to programs  
13 and projects designed to—

14           “(1) develop new information that—

15           “(A) improves the capability of schools to  
16 plan, conduct, and improve programs to identify  
17 and serve gifted and talented students; or

18           “(B) assists schools in the identification of,  
19 and provision of services to, gifted and talented  
20 students (including economically disadvantaged  
21 individuals, individuals who are English learn-  
22 ers, and children with disabilities) who may not  
23 be identified and served through traditional as-  
24 sessment methods; or

1           “(2) implement evidence-based activities, de-  
2           fined in this paragraph as activities meeting the re-  
3           quirements of section 8101(21)(A)(i).

4           “(g) PARTICIPATION OF PRIVATE SCHOOL CHIL-  
5           DREN AND TEACHERS.—In making grants and entering  
6           into contracts under this section, the Secretary shall en-  
7           sure, where appropriate, that provision is made for the eq-  
8           uitable participation of students and teachers in private  
9           nonprofit elementary schools and secondary schools, in-  
10          cluding the participation of teachers and other personnel  
11          in professional development programs serving such stu-  
12          dents.

13          “(h) REVIEW, DISSEMINATION, AND EVALUATION.—  
14          The Secretary shall—

15               “(1) use a peer-review process in reviewing ap-  
16               plications under this section;

17               “(2) ensure that information on the activities  
18               and results of programs and projects funded under  
19               this section is disseminated to appropriate State  
20               educational agencies, local educational agencies, and  
21               other appropriate organizations, including private  
22               nonprofit organizations; and

23               “(3) evaluate the effectiveness of programs  
24               under this section in accordance with section 8601,  
25               in terms of the impact on students traditionally



1 served in separate gifted and talented programs and  
2 on other students, and submit the results of such  
3 evaluation to Congress not later than 2 years after  
4 the date of enactment of the Every Student Suc-  
5 ceeds Act.

6 “(i) PROGRAM OPERATIONS.—The Secretary shall  
7 ensure that the programs under this section are adminis-  
8 tered within the Department by a person who has recog-  
9 nized professional qualifications and experience in the field  
10 of the education of gifted and talented students and who  
11 shall—

12 “(1) administer and coordinate the programs  
13 authorized under this section;

14 “(2) serve as a focal point of national leader-  
15 ship and information on the educational needs of  
16 gifted and talented students and the availability of  
17 educational services and programs designed to meet  
18 such needs;

19 “(3) assist the Director of the Institute of Edu-  
20 cation Sciences in identifying research priorities that  
21 reflect the needs of gifted and talented students; and

22 “(4) disseminate, and consult on, the informa-  
23 tion developed under this section with other offices  
24 within the Department.”.