

Bob Casey, Jr.

AMENDMENT NO. _____ Calendar No. _____

Purpose: To amend the Elementary and Secondary Education Act of 1965 to improve student achievement by giving students increased access to high-quality instruction for a well-rounded education.

IN THE SENATE OF THE UNITED STATES—112th Cong., 1st Sess.

(no.) _____

To amend the Elementary and Secondary Education Act of 1965.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. CASEY *For himself and*

Viz:

Ms. Murray, Ms. Mikulski, Mr. Merkley

1 On page 455, between lines 6 and 7, insert the following:
2

3 **SEC. 4103A. INCREASING ACCESS TO A WELL-ROUNDED**
4 **EDUCATION.**

5 Title IV (20 U.S.C. 7101 et seq.) is amended by inserting after part B, as added by section 4103 of this Act,
6
7 the following:

1 **“PART C—INCREASING ACCESS TO A WELL-**
2 **ROUNDED EDUCATION**

3 **“SEC. 4301. PURPOSE.**

4 “The purpose of this part is to improve student
5 achievement by giving students increased access to high-
6 quality instruction for a well-rounded education.

7 **“SEC. 4302. DEFINITIONS.**

8 “In this part:

9 “(1) COVERED SUBJECTS.—The term ‘covered
10 subjects’ means any of the following academic sub-
11 jects:

12 “(A) Arts.

13 “(B) Civics and government.

14 “(C) Economics.

15 “(D) Environmental education.

16 “(E) Financial literacy.

17 “(F) Foreign languages.

18 “(G) Geography.

19 “(H) Health education.

20 “(I) History.

21 “(J) Physical education.

22 “(K) Social studies.

23 “(2) ELIGIBLE ENTITY.—The term ‘eligible en-
24 tity’ means a State educational agency in partner-
25 ship with—

1 “(A) a nonprofit organization with a dem-
2 onstrated record of success in improving stu-
3 dent achievement in 1 or more covered subjects;

4 “(B) an institution of higher education;

5 “(C) a local educational agency;

6 “(D) an educational service agency; or

7 “(E) one or more other State educational
8 agencies.

9 “(3) ELIGIBLE SUBGRANTEE.—The term ‘eligi-
10 ble subgrantee’ means—

11 “(A) a high-need local educational agency;

12 “(B) an educational service agency serving
13 more than 1 high-need local educational agency;
14 or

15 “(C) a consortium of high-need local edu-
16 cational agencies.

17 “(4) LOW-INCOME STUDENT.—The term ‘low-
18 income student’ means a student—

19 “(A) from a family with an income below
20 the poverty line; or

21 “(B) who is eligible for free or reduced-
22 price lunch under the Richard B. Russell Na-
23 tional School Lunch Act (42 U.S.C. 1751 et
24 seq.).

1 **“SEC. 4303. GRANT PROGRAM.**

2 “(a) GRANTS TO ELIGIBLE ENTITIES.—From
3 amounts appropriated to carry out this part for a fiscal
4 year, and not reserved in accordance with section 9601,
5 the Secretary shall make grants to eligible entities to en-
6 able the eligible entities to carry out the activities de-
7 scribed in subsection (e).

8 “(b) DURATION.—A grant under this section shall be
9 for a period of not more than 5 years.

10 “(c) PAYMENTS.—

11 “(1) CONTINGENT PAYMENTS.—After the third
12 year of a grant under this section, the Secretary
13 shall make continued funding under the grant con-
14 tingent upon the eligible entity’s progress toward
15 reaching the goals established under the metrics de-
16 scribed in subsection (h)(1).

17 “(2) FORMULA.—

18 “(A) DISTRIBUTION TRIGGER.—

19 “(i) AMOUNT TO TRIGGER FOR-
20 MULA.—If the amount of funds appro-
21 priated to carry out this part for a fiscal
22 year equals or exceeds \$500,000,000, then
23 the Secretary shall award grants to eligible
24 entities based on the formula described
25 under subparagraph (B).

1 “(ii) AMOUNT TO TRIGGER COMPETITIVE GRANT PROCESS.—If the funds appropriated to carry out this part for a fiscal year are less than \$500,000,000, then the Secretary shall award grants to eligible entities on a competitive basis.

2 “(B) FORMULA.—From funds made available under to carry out this part for a fiscal year, and not reserved in accordance with section 9601, the Secretary shall allot to each eligible entity having an application approved under subparagraph (C)—

3 “(i) an amount that bears the same relationship to 80 percent of the remainder as the number of individuals ages 5 through 17 from families with incomes below the poverty line, in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all States that have an application approved under such subparagraph; and

4 “(ii) an amount that bears the same relationship to 20 percent of the remainder as the number of individuals ages 5 to 17

1 in the State, as determined by the Sec-
2 retary on the basis of the most recent sat-
3 isfactory data, bears to the number of
4 those individuals in all States that have an
5 application approved under such subpara-
6 graph.

7 “(C) EXCEPTIONS.—

8 “(i) MINIMUM GRANT AMOUNT.—Sub-
9 ject to clause (ii), no State receiving an al-
10 lotment under subparagraph (B) may re-
11 ceive less than 1 percent of the total
12 amount allotted under such subparagraph.

13 “(ii) PUERTO RICO.—The percentage
14 of the amount allotted under subparagraph
15 (B) that is allotted to the Commonwealth
16 of Puerto Rico for a fiscal year may not
17 exceed the amount under clause (i).

18 “(D) PEER REVIEW REQUIREMENTS.—The
19 Secretary shall establish a peer review process
20 to ensure that applications submitted for for-
21 mula funding, as described in subparagraph
22 (B), are of high quality and meet the require-
23 ments and purposes of this part.

24 “(d) APPLICATION.—

1 “(1) IN GENERAL.—Each eligible entity desir-
2 ing a grant under this section shall submit an appli-
3 cation to the Secretary at such time, in such man-
4 ner, and accompanied by such information as the
5 Secretary may require.

6 “(2) CONTENTS.—The application shall, at a
7 minimum—

8 “(A) describe the needs identified by the
9 eligible entity, based on the eligible entity’s
10 analysis of—

11 “(i) student access to, and quality of
12 instruction in, covered subjects, including a
13 comparison of such access and quality be-
14 tween low-income and non-low-income stu-
15 dents in the State served by the eligible en-
16 tity;

17 “(ii) the capacity of high-need local
18 educational agencies in such State to de-
19 liver high-quality instruction in covered
20 subjects, including an analysis of instruc-
21 tional supports, curricula, teacher evalua-
22 tion systems, and teacher qualifications, ef-
23 fectiveness, knowledge, and skills;

24 “(iii) the capacity of the eligible entity
25 to provide local educational agencies with

1 the support, including professional develop-
2 ment and technical assistance, needed to
3 deliver high-quality instruction and cur-
4 ricula in covered subjects; and

5 “(iv) standards, assessments, cur-
6 ricula, accommodations, and other sup-
7 ports used in such State in covered sub-
8 jects;

9 “(B) identify the covered subjects that the
10 eligible entity will address through the activities
11 described in subsection (e), consistent with the
12 needs identified in subparagraph (A);

13 “(C) describe, in a manner that addresses
14 the needs identified in subparagraph (A)—

15 “(i) how access to high-quality courses
16 in the subjects identified in subparagraph
17 (B) will be increased for low-income stu-
18 dents in such State;

19 “(ii) how the knowledge and skills of
20 teachers will be evaluated and improved so
21 that such teachers will deliver high-quality
22 instruction in such subjects;

23 “(iii) how the eligible entity will pro-
24 vide assistance to high-need local edu-
25 cational agencies to improve student access

1 to, and achievement in, the subjects identi-
2 fied in subparagraph (B), including
3 through principal training; and

4 “(iv) how the eligible entity will en-
5 sure that all activities funded through a
6 grant awarded under this section are evi-
7 dence-based;

8 “(D) describe how activities funded
9 through a grant awarded under this section will
10 be aligned with other Federal, State, and local
11 funding, programs, and strategies, as appro-
12 priate; and

13 “(E) if applicable, describe the eligible en-
14 tity’s plan for disbursing funds to eligible sub-
15 grantees to implement the activities described
16 in subsection (e).

17 “(3) COMPETITIVE PRIORITY.—If grants are
18 awarded competitively, consistent with subsection
19 (c)(2)(A)(ii), the Secretary shall give priority to ap-
20 plications from eligible entities that—

21 “(A) include in the application a plan to
22 implement an interdisciplinary approach, by in-
23 tegrating instruction in 1 or more covered sub-
24 jects with reading, English, language arts,
25 science, or mathematics instruction; and

1 “(B) include in the application a plan to
2 provide expanded learning time in the schools
3 served by eligible subgrantees, in order to in-
4 crease access to covered subjects.

5 “(e) AUTHORIZED ACTIVITIES.—

6 “(1) IN GENERAL.—Each eligible entity that re-
7 ceives a grant under this section shall use the grant
8 funds to increase access for low-income students to
9 high-quality courses in the subjects identified in sub-
10 section (d)(2)(B) by carrying out 1 or more of the
11 following activities:

12 “(A) Improving the knowledge and skills of
13 teachers through rigorous evaluation systems,
14 professional development, and other instruc-
15 tional supports in order to deliver high-quality
16 instruction in such subjects, including to stu-
17 dents who are English learners and students
18 who are children with disabilities.

19 “(B) Providing assistance to high-need
20 local educational agencies to improve low-in-
21 come student access to, and achievement in,
22 such subjects.

23 “(C) Developing and implementing, or
24 building local capacity to develop and imple-
25 ment, high-quality curricula, instructional sup-

1 ports, and assessments that are aligned with
2 the State college and career ready academic
3 content and achievement standards, consistent
4 with section 1111(a)(1), in such subjects.

5 “(2) SPECIAL RULE.—Each eligible entity that
6 receives a grant under this section shall use grant
7 funds to meet the needs identified in subsection
8 (d)(2)(A) and the Secretary shall not require any eli-
9 gible entity to address a specific subject or to ad-
10 dress all covered subjects.

11 “(3) STATE ADMINISTRATION.—Each eligible
12 entity that receives a grant under this section may
13 reserve not more than 4 percent of grant funds for
14 administration costs of the grant.

15 “(f) SUBGRANTS.—

16 “(1) IN GENERAL.—Each eligible entity that re-
17 ceives a grant under this section may, in accordance
18 with paragraph (2), award subgrants, on a competi-
19 tive basis, to eligible subgrantees to enable such eli-
20 gible subgrantees to carry out the activities de-
21 scribed in subsection (e).

22 “(2) MINIMUM GRANT.—Each subgrant under
23 this subsection shall be of sufficient size and scope
24 to support a high-quality, effective program that is
25 consistent with the purpose of this part.

1 “(g) EVALUATION.—From the amount reserved in
2 accordance with section 9601, the Secretary shall—

3 “(1) acting through the Director of the Insti-
4 tute of Education Sciences—

5 “(A) evaluate, in consultation with the rel-
6 evant program office at the Department of
7 Education, the implementation and impact of
8 the activities supported under this section, in-
9 cluding progress as measured by the metrics es-
10 tablished under subsection (h)(1); and

11 “(B) identify best practices to improve in-
12 struction in covered subjects; and

13 “(2) disseminate research on best practices to
14 improve instruction in covered subjects.

15 “(h) ACCOUNTABILITY.—

16 “(1) PERFORMANCE METRICS.—The Secretary,
17 acting through the Director of the Institute of Edu-
18 cation Sciences, shall, in consultation with the rel-
19 evant program office at the Department, establish
20 performance metrics to evaluate the outcomes of
21 grant projects that are assisted under this part.

22 “(2) ANNUAL REPORTS.—Each eligible entity
23 that receives a grant under this section shall prepare
24 and submit an annual report to the Secretary, which

1 shall include information about the performance
2 metrics described in paragraph (1).

3 “(i) SUPPLEMENT NOT SUPPLANT.—An eligible enti-
4 ty shall use federal funds received under this section only
5 to supplement the funds that would, in the absence of such
6 federal funds, be made available from other Federal and
7 non-Federal sources for the activities described in this sec-
8 tion, and not to supplement such funds.

9 “(j) MAINTENANCE OF EFFORT.—A State that re-
10 ceives assistance under this part shall maintain the fiscal
11 effort provided by the State for the subjects supported by
12 a grant under this part at a level equal to or greater than
13 the level of such fiscal effort for the preceding fiscal
14 year.”.