

## S 1177

### Every Student Succeeds Act

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### Sponsor

**Name:** Sen. Alexander, Lamar [R-TN]

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### Cosponsors

No cosponsors are listed for this bill.

### Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Reported Original Measure	Apr 30, 2015

### Subjects & Policy Tags

#### Policy Area:

Education

## Related Bills

Bill	Relationship	Last Action
114 HRES 542	Procedurally related	<b>Dec 2, 2015:</b> Motion to reconsider laid on the table Agreed to without objection.
114 HRES 526	Procedurally related	<b>Nov 17, 2015:</b> Motion to reconsider laid on the table Agreed to without objection.
114 HR 3087	Related bill	<b>Nov 16, 2015:</b> Referred to the Subcommittee on Early Childhood, Elementary, and Secondary Education.
114 S 1787	Related bill	<b>Jul 16, 2015:</b> Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
114 HR 5	Related bill	<b>Jul 13, 2015:</b> Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 147.
114 SCONRES 6	Related bill	<b>Feb 26, 2015:</b> Referred to the Committee on the Judiciary. (text of measure as introduced: CR S1172)
114 HCONRES 14	Related bill	<b>Feb 19, 2015:</b> Referred to the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations.
114 S 308	Related bill	<b>Jan 29, 2015:</b> Read twice and referred to the Committee on Health, Education, Labor, and Pensions.
114 S 316	Related bill	<b>Jan 29, 2015:</b> Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

## **Every Student Succeeds Act**

### **TITLE I--IMPROVING BASIC PROGRAMS OPERATED BY STATE AND LOCAL EDUCATIONAL AGENCIES**

#### **Part A--Improving Basic Programs Operated by State and Local Educational Agencies**

(Sec. 1002) This bill amends the Elementary and Secondary Education Act of 1965 (ESEA) to reauthorize through FY2020 the following programs: (1) state assessments; (2) education of migratory children; (3) prevention and intervention for children and youth who are neglected, delinquent, or at-risk; and (4) federal evaluation activities.

(Sec. 1003) The bill consolidates funding for School Improvement Grants, which are aimed at turning around the lowest-performing schools, into the title I-A funding formula. (Title I-A funding supports the instructional needs of students from low-income families.) Specifically, the bill: (1) eliminates the standalone grant program, and (2) increases the proportion of title I-A funding that a state shall reserve for school improvement.

Of the amount reserved, a state shall: (1) allocate 95% to local educational agencies (LEAs), whether on a formula or competitive basis, for activities to support the improvement of the lowest-performing schools; or (2) with the LEA's approval, provide for these activities directly.

(Sec. 1004) A state may reserve up to 3% of its title I-A funding to award grants for direct student services to geographically diverse LEAs that serve low-performing schools. An LEA shall use these grant funds to support direct student services including: (1) a student's enrollment and participation in academic courses not otherwise available at the student's school; (2) credit recovery and academic acceleration courses that lead to a regular high school diploma; (3) activities that assist students in successfully completing postsecondary level instruction and examinations that are accepted for credit at institutions of higher education; and (4) if applicable, transportation to allow a student enrolled in a low-performing school to transfer to another public school. This option to reserve funding replaces several smaller competitive grant programs and supports similar activities.

(Sec. 1005) Current law requires a state that receives title I-A funding to submit a state plan for approval by the Department of Education (ED). The bill specifies that a state plan must be reviewed by peer reviewers whose names are made public. If ED rejects a state's plan, the state shall: (1) have the opportunity to revise its plan, (2) be provided technical assistance, and (3) be afforded a hearing.

Current law requires a state that receives title I-A funding to adopt academic standards in reading and language arts, mathematics, and science. The bill requires a state to demonstrate that such standards are aligned with: (1) the entrance requirements of the state's system of public higher education, and (2) relevant state career and technical education standards. A state's standards shall include at least three levels of achievement. A state shall not be required to submit its standards to ED for review or approval.

The bill maintains the requirement for a state to administer student assessments in reading, mathematics, and science, according to an established testing schedule. A state may administer either a single assessment or multiple assessments that result in a single, summative score. If specified requirements are met, a state may administer computer adaptive assessments. (Such assessments adapt to the examinee's ability level.)

An LEA may administer a locally selected, nationally recognized assessment in lieu of the statewide high school

assessment if specified standards and notice requirements are met.

With respect to students with the most significant cognitive disabilities, a state may: (1) adopt alternative academic achievement standards, and (2) administer alternative assessments that are aligned with those standards. Neither a state nor ED may cap the percentage of students taking an alternative assessment at the LEA level, but if that percentage exceeds 1%: (1) the LEA must submit justification to the state, and (2) the state must provide additional oversight.

A state may cap the amount of time spent on assessments for each grade.

Under current law, a state is required to establish long-term goals based on the requirement that all students attain a proficient or higher level of achievement within a specified timeframe. The bill instead requires a state to establish long-term goals for all students and individual subgroups based on: (1) academic achievement as measured by proficiency on required state assessments, and (2) graduation rates. With respect to subgroups, goals must account for the level of improvement necessary to make significant progress in closing statewide gaps in proficiency and graduation rates. With respect to English learners, a state shall establish goals for increasing the percentage of students achieving English language proficiency within a timeframe determined by the state.

Under current law, a state must determine the average yearly progress (AYP) for all students and subgroups at the school, LEA, and state level; AYP standards mandate specified thresholds of performance with respect to assessments and graduation rates. The bill replaces AYP standards with a requirement for states to annually measure all students and individual subgroups by: (1) academic achievement as measured by state assessments; (2) for high schools, graduation rates; (3) for schools that are not high schools, a measure of student growth or another valid and reliable statewide indicator; (4) if applicable, progress in achieving English proficiency by English learners; and (5) at least one additional valid and reliable statewide indicator that allows for meaningful differentiation in school performance.

A state is required to assign weight to each indicator and establish a system for meaningfully differentiating, on an annual basis, among schools based on those indicators. Based on this system, a state shall develop a methodology for identifying low-performing schools for support and improvement. Specifically, a state shall identify: (1) the lowest-performing 5% of schools receiving title I-A funds; (2) high schools failing to graduate at least one third of students; (3) schools that have been required to implement additional targeted support but have not improved within a specified timeframe, as determined by the state; and (4) additional statewide categories, at the state's discretion. With respect to identified schools, LEAs shall be required to develop a plan to improve outcomes. Schools with a consistently underperforming subgroup must develop and implement targeted support and improvement plans. For schools that continue to fail to improve, a state shall take more rigorous action, as determined by the state.

A state plan shall describe how the state will assist LEAs in: (1) providing early childhood education programs, (2) improving school conditions for learning and meeting the needs of students, and (3) serving homeless children and youths. In addition, a state plan must describe how the state will address disparities that result in low-income and minority students being taught by ineffective teachers at a disproportionate rate.

A state shall make public any criteria for measuring the effectiveness of teachers and school leaders.

Each state shall prepare and publicly disseminate an annual report card that describes the state's accountability system and includes information regarding student performance, as specified by the bill. Similarly, an LEA shall prepare and disseminate an annual local report card.

ED shall provide to Congress an annual report card that provides specified national and state-level data.

The bill prohibits ED from attempting to influence, incentivize, or coerce a state to adopt the Common Core State Standards or any other academic standards common to a significant number of states.

(Sec. 1006) The bill requires an LEA plan to include contents similar to those required of state plans.

An LEA must inform a child's parents that they may request information regarding the professional qualifications of their child's teacher. In addition, an LEA must notify parents: (1) of policies regarding students' participation in statewide assessments; and (2) in the event that their child was identified as an English learner, the services for which the child is eligible.

(Sec. 1007) Under current law, if title I-A funds are insufficient to serve all eligible school attendance areas, an LEA shall serve in descending order of concentration such areas in which the concentration of children from low-income families exceeds 75%. The bill lowers this threshold to 50%.

Current law requires an LEA to use specified measures of poverty to identify, and determine allocations to, eligible school attendance areas. The bill allows an LEA, with the approval of a majority of secondary schools, to calculate poverty in such schools based on data regarding elementary school attendance areas that feed into the secondary school.

Under current law, an LEA shall reserve funds to serve children and youths who are homeless, delinquent, or neglected. The amount of such funds may be determined based on a needs assessment, as specified by the bill.

An LEA may reserve a portion of funds to provide early childhood education programs for eligible children.

(Sec. 1008) If granted a waiver from the state educational agency (SEA), a school in which less than 40% of the children enrolled are from low-income families may consolidate and use title I-A funds to operate a schoolwide program. An eligible school operating a schoolwide program shall develop a comprehensive plan or amend its existing plan, as specified by the bill.

A secondary school operating a schoolwide program may use title I-A funds to operate dual or concurrent enrollment programs that address the needs of low-achieving secondary school students.

(Sec. 1009) Under current law, a school that does not operate a schoolwide program may use title I-A funds to provide targeted assistance to eligible children identified as having the greatest need for assistance. The bill allows a secondary school that operates such a targeted assistance program to use title I-A funds to provide dual or concurrent enrollment program services.

(Sec. 1010) The bill expands parental involvement policies to involve other family members. An LEA may receive title I-A funds only if it conducts outreach to all children's parents and family members.

Funds reserved for parent and family engagement shall be distributed with priority given to high-need schools. An LEA shall use such funds to carry out activities and strategies consistent with its parent and family engagement policy, as specified by the bill.

(Sec. 1011) An SEA shall designate an ombudsman to monitor and enforce requirements related to the equitable provision of services to children enrolled in private schools.

With respect to the equitable provision of services, an LEA shall consult with appropriate private school officials and explain any disagreements in writing, as specified by the bill.

(Sec. 1012) An educational agency shall use title I-A funds to supplement, rather than supplant, nonfederal funds for the education of students participating in assisted programs.

(Sec. 1013) LEAs using title I-A funds to provide early childhood education programs shall develop agreements with Head Start agencies and other entities to carry out such activities.

(Sec. 1014) The bill: (1) increases by 0.1% the portion of title I-A funds that ED must reserve to meet the educational needs of Indian children and children in the outlying areas, and (2) specifies how such funds are to be allocated between the two groups. (The outlying areas include the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.)

(Sec. 1017) Under current law, ED shall reduce a state's funding under the Education Finance Incentive grant program if the state fails to satisfy certain maintenance of effort requirements. The bill specifies that a state that fails to satisfy such requirements is entitled to receive its full allotment of funds unless it also failed to meet those requirements in at least one of the five immediately preceding fiscal years.

#### Part B--State Assessment Grants

(Sec. 1201) The bill retains state assessment grants for the development and administration of state assessments.

In addition, ED shall award grants to a state for the purpose of auditing the state's assessment system.

ED may also authorize a limited number of SEAs to establish innovative assessment systems, as described by the bill. Once ED has submitted a required progress report, it: (1) may extend such authority to additional SEAs, and (2) shall disseminate best practices related to innovative assessment systems.

#### Part C--Education of Migratory Children

(Sec. 1301) The bill revises the formula for allocating program funding to states by eliminating the base amount. Through FY2019, no state shall receive less than 90% of its allocation for the preceding fiscal year.

ED shall develop and implement a procedure for monitoring the accuracy of information regarding the actual number of migratory children in each state.

#### Part D--Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At-risk

(Sec. 1401) The bill retains grants for prevention and intervention programs for children and youth who are neglected, delinquent, or at-risk. To be eligible, a state must describe how it will prioritize the attainment of a regular high school diploma for such children. Furthermore, an SEA must establish: (1) procedures to ensure the timely reenrollment of each student who has been placed in the juvenile justice system, and (2) opportunities for such students to participate in credit-bearing coursework.

The bill specifies that an SEA may use grant funds for pay-for-success initiatives or to provide targeted services for youth who have come in contact with both the child welfare system and the juvenile justice system.

With respect to subgrants, the bill specifies that an LEA may use funds for pay-for-success initiatives or to provide programs for at-risk Indian children and youth.

A correctional facility that contracts with a subgrantee LEA must, upon a youth's entry into the correctional facility: (1)

work with the youth's family members and the applicable LEA to facilitate the youth's transition, and (2) consult with the LEA upon the youth's discharge from the facility.

For purposes of the grant program, the bill expands the definition "at-risk" to include school-aged individuals who: (1) have come into contact with the child welfare system in the past, or (2) are at risk of dependency adjudication or delinquency adjudication.

#### Part E--Flexibility for Equitable Per-pupil Funding

(Sec. 1501) The bill authorizes ED to enter into up to 50 local flexibility demonstration agreements, through which LEAs may consolidate and use funds to develop and implement a school funding system based on weighted per-pupil allocations for low-income and disadvantaged students.

Such a funding system shall ensure that each high-poverty school receives, in the first year of the demonstration agreement: (1) more per-pupil funding for low-income students than it received in the preceding year, and (2) at least as much per-pupil-funding for English learners as it received in the preceding year. An LEA shall ensure that the system allocates substantially more funding to English learners and low-income or otherwise disadvantaged students than to other students.

ED may extend the demonstration program if specified requirements are met.

#### Part F--General Provisions

(Sec. 1601) The bill allows ED to propose a regulation according to an alternative process, as specified by the bill, under certain circumstances.

### TITLE II--PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, OR OTHER SCHOOL LEADERS

(Sec. 2002) The bill reauthorizes the program through FY2020.

With respect to grant funds to states for improving teacher quality, the bill phases in several modifications to the funding formula. Specifically, over several fiscal years, the bill: (1) reduces and ultimately eliminates the base funding amount; (2) adjusts the funding formula, such that population is weighted less heavily and poverty is weighted more heavily; and (3) eliminates the applicability of specified hold harmless provisions.

The bill makes several modifications to state activities and application procedures under the grant program. A state may use grant funds, in part, to improve equitable access to effective teachers. If a state plans to use grant funds for this purpose, it shall describe in its application for grant funds how it will do so. A state shall also include, in its application for grant funds, descriptions of: (1) the state's system for certifying and licensing teachers and school leaders, and (2) how the SEA will encourage opportunities for increased autonomy for teachers and school leaders.

With respect to subgrants to LEAs, the bill: (1) eliminates the base funding amount, and (2) makes several modifications to application requirements and allowable uses of subgrant funds.

A state shall report on: (1) how it is using grant funds to meet the purpose of the program, and (2) other specified information. An LEA shall submit to the SEA such information as the state requires.

A state shall reserve a portion of these grant funds to carry out the following national programs:

- Teacher and School Leader Incentive Program;
- Literacy Education for All, Results for the Nation;
- American History and Civics Education;
- Supporting Effective Educator Development;
- School Leader Recruitment and Support;
- Technical Assistance and National Evaluation; and
- STEM (Science, Technology, Engineering, and Mathematics) Master Teacher Corp.

Through the Teachers and School Leader Incentive Program, ED shall award competitive grants to eligible entities for the development, implementation, or expansion of performance-based compensation systems or human capital management systems. While ensuring equitable geographic distribution to the extent practicable, ED shall give priority to eligible entities that concentrate proposed grant activities on teachers and school leaders in high-need schools. Grantees shall provide matching funds equal to 50% of the grant amount.

Through the literacy education program, ED shall award competitive grants to enable SEAs to: (1) develop or enhance comprehensive literacy instruction plans and effective strategies in reading and writing, and (2) provide subgrants to eligible entities for literacy education activities. In awarding grant funds under the program, ED shall give priority to SEAs that will use the grant funds for evidence-based activities.

ED shall award competitive grants to eligible entities for the establishment of Presidential and Congressional Academies for the Teaching of American History and Civics, through which seminars or institutes shall be offered to teachers and students. Grantees shall provide matching funds equal to 100% of the grant amount. ED shall also award competitive grants to eligible entities for innovative approaches or professional development programs in American history, civics, and geography.

In addition, ED shall award competitive grants to eligible entities for: (1) effective educator development, and (2) school leader recruitment and support. Grantees shall provide at least 25% of the cost of grant activities. ED shall give grant priority to eligible entities that will implement evidence-based activities.

ED must also establish a comprehensive center on students at risk of not attaining full literacy skills due to disability. With respect to such students, the center shall: (1) identify evidence-based assessment tools, strategies, and accommodations; (2) identify professional development for teachers and school leaders; and (3) disseminate specified information and resources.

Additionally, ED may award grant funds to SEAs for: (1) implementation or expansion of effective STEM professional development programs; or (2) the development of state-wide STEM Master Teacher Corps to attract and retain outstanding STEM teachers, particularly in high-need and rural schools.

These programs replace several smaller competitive grant programs and support similar activities.

The bill eliminates the requirement that teachers be "highly qualified" and instead requires that they meet applicable state requirements for certification and licensure.

### TITLE III--LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS

(Sec. 3001) The bill reauthorizes through FY2020 and revises language instruction programs for English learners and immigrant students.

(Sec. 3003) The bill retains formula grants to states for English language acquisition. A state may use such a grant, in part, to establish and implement standardized statewide entrance and exit procedures. A state shall describe how it will do so in its state plan.

A state shall also describe in its state plan: (1) how it will monitor subgrantees' progress in helping English learners achieve English proficiency, and (2) the steps it will take to further assist subgrantees if strategies are ineffective.

Eligible entities receiving subgrants shall use the funds, in part, to implement effective activities and strategies that enhance or supplement language instruction educational programs for English learners. Such activities shall include parent, family, and community engagement activities.

A subgrantee may use the funds, in part, to offer early college or dual enrollment programs or courses to help English learners achieve success in postsecondary education.

A subgrantee shall include in its local plan an assurance that it will, if applicable, coordinate activities and share relevant data with local Head Start agencies and other early childhood education providers.

The bill retains National Professional Development Project grants and extends grant eligibility to public or private entities with relevant experience and capacity. Additionally, the bill allows such grants to be used to: (1) support strategies to increase parent, family, and community engagement in the education of English learners; (2) develop and share effective practices in the instruction of English learners; and (3) support strategies that promote English learners school readiness.

## TITLE IV--21ST CENTURY SCHOOLS

### Part A--Student Support and Academic Enrichment Grants

(Sec. 4101) The bill establishes the Student Support and Academic Grant Program, through which states and LEAs may receive formula-based grants to support activities related to: (1) well-rounded educational opportunities, (2) student health and safety, and (3) the effective use of technology. This program replaces several smaller competitive grant programs and supports similar activities.

### Part B--21st Century Community Learning Centers

(Sec. 4201) The bill makes several administrative changes to the 21st Century Community Learning Centers Program, which supports academic enrichment opportunities for children during non-school hours.

### Part C--Empowering Opportunity Through Quality Charter Schools

(Sec. 4301) The bill replaces the existing charter school grant program with a program awarding competitive grants to state entities and, through them, competitive subgrants to charter school developers to open new charter schools and expand and replicate high-quality charter schools.

ED is authorized to award a competitive grant directly to a charter school developer in a state that does not receive such a grant.

Grantees shall: (1) provide technical assistance to subgrantees and authorized public chartering agencies, and (2) work with those agencies to improve the charter school authorization process.

ED may waive certain statutory or regulatory requirements, as specified by the bill.

With respect to the per-pupil facilities aid program (under which the Secretary makes competitive matching grants to states to provide per-pupil financing to charter schools), the bill allows states to: (1) partner with organizations to provide up to 50% of the state share of funding for the program; and (2) receive more than one program grant, so long as the amount of the grant funds provided to charter schools increases with each successive grant.

ED shall: (1) provide technical assistance to grantees, (2) disseminate best practices, and (3) evaluate the program's impact on student achievement.

A charter school may serve students in early childhood education programs or postsecondary school students.

The bill reauthorizes the program through FY2020.

#### Part D--Magnet Schools Assistance

(Sec. 4401) In awarding grants to magnet schools, ED shall prioritize applicants that propose to increase racial integration by accounting for socioeconomic diversity in program in design and implementation.

Grant funds available to magnet schools may be used for transportation under specified circumstances.

The bill reauthorizes the program through FY2020.

#### Part E--Family Engagement in Education Programs

(Sec. 4501) The bill authorizes ED to award grants to organizations to establish statewide family engagement centers. A grantee shall use the grant funds to train and assist educational agencies and other organizations in: (1) helping parents to participate effectively in their child's education, and (2) developing and implementing statewide family engagement policies and systemic initiatives.

The Department of the Interior shall establish and operate, or contract with specified organizations to establish and operate, family engagement centers.

#### Part F--National Activities

(Sec. 4601) The bill establishes several new programs that replace smaller competitive grant programs and support similar activities.

ED shall award grants to eligible entities for the development and implementation of entrepreneurial, evidence-based, field-initiated innovations to improve student achievement and attainment for high-need students. ED must award a portion of grant funds to grantees in rural areas, as specified by the bill. Unless granted a waiver, a grantee shall provide matching funds equal to 10% of the grant amount. Each grant recipient shall conduct an independent evaluation of the effectiveness of the program carried out under the grant.

In addition, the bill establishes the Full-Service Community Schools grant program. A "full-service community school" is a public elementary or secondary school that participates in a community-based effort to coordinate, integrate, and provide year-round access to educational, developmental, family, health, and other comprehensive services for students, families, and the community. Each grant recipient shall provide matching funds based on a sliding scale that accounts for the grantee's ability to obtain matching funds and the relative poverty of the grantee's targeted population. However, ED may not consider an applicant's ability to match funds when determining which applicants will be awarded grants under the program. ED must award a portion of grant funds to grantees in rural areas, as specified by the bill.

With respect to program guidance, the bill establishes principles of effectiveness as well as a Full-Service Community Schools Advisory Committee.

The bill also establishes a Promise Neighborhoods grant program, through which eligible entities shall provide pipeline services to address the needs of children in low-income and distressed neighborhoods. "Pipeline services" form a continuum of coordinated supports, services, and opportunities from a child's birth through postsecondary education and career attainment. The bill establishes certain limitations on the use of grant funds for early childhood education programs with respect to assessment activities. Unless granted a waiver, each grant recipient shall provide matching funds equal to at least 100% of the amount of the grant. ED must award a portion of grant funds to grantees in rural areas, as specified by the bill.

ED shall establish performance indicators for the program as well as provide technical assistance and program evaluation.

The bill establishes the Project School Emergency Response to Violence program (Project SERV), through which eligible entities may initiate or strengthen violence prevention activities designed to restore a learning environment that was disrupted by a violent or traumatic crisis. Grant funds shall be made at ED's discretion and shall not be used for facility construction or repair.

ED may use a portion of grant funds for national activities to carry out other efforts to improve students' safety and well-being, as specified by the bill.

In addition, ED shall annually award competitive grants, contracts, or cooperative agreements to eligible entities for the purposes of enriching students' academic experience by promoting: (1) arts education for disadvantaged and disabled students, (2) school readiness through the development and dissemination of accessible instructional programing for preschool and elementary school children and their families, and (3) support for high-ability learners and high-ability learning through the Jacob K. Javits Gifted and Talented Students Education Program.

ED must establish a National Research Center for the Education of Gifted and Talented Children and Youth for the purpose of carrying out activities under the Jacob K. Javits Gifted and Talented Students Education Program.

## **TITLE V--STATE INNOVATION AND LOCAL FLEXIBILITY**

(Sec. 5003) The bill increases the minimum and maximum grant award amounts under the Rural Education Assistance Programs. An LEA that is eligible for grant funds under both the Small, Rural School Achievement Program and the Rural and Low-Income School Program may elect the program under which it receives funds.

## **TITLE VI--INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION**

(Sec. 6002) The bill retains competitive grant funding for Indian, Native Hawaiian, and Alaska Native Education.

(Sec. 6005) ED shall evaluate and report on all levels of education being provided primarily in Native American languages.

(Sec. 6006) ED shall report on efforts to address suicides among Indian students in elementary and secondary schools.

## **TITLE VII--IMPACT AID**

(Sec. 7001) The bill makes permanent certain formula changes in the Impact Aid program, which provides financial

assistance to school districts that are affected by federal activities and are accordingly exempt from local property taxes.

(Sec. 7003) With respect to payments relating to federal acquisition of real property under the Impact Aid program, the bill: (1) specifies the types of records that may be used to assess a property's value; (2) modifies the method for calculating, on an LEA's request, the taxable value of an eligible federal property that is within the boundaries of multiple LEAs; and (3) modifies program eligibility requirements for LEAs that contain forest service land or have consolidated boundaries with former LEAs.

(Sec. 7004) With respect to payments to LEAs for federally connected children under the Impact Aid program, the bill: (1) modifies eligibility requirements for heavily impacted LEAs and LEAs serving on-base children during renovation or repair projects, (2) makes certain formula adjustments that apply when appropriations are insufficient to make payments in full, (3) establishes hold harmless provisions with respect to LEAs facing payment reductions, and (4) eliminates maintenance of effort requirements for LEAs.

(Sec. 7007) The bill expands eligibility for emergency and modernization grants to an LEA that meets specified existing requirements if at least 10% of the LEA's acreage is exempt from state and local taxation under federal law.

(Sec. 7012) For purposes of the Impact Aid program, the bill expands the definition of "Armed Forces" to include the Coast Guard.

(Sec. 7013) The bill reauthorizes the program through FY2020.

## TITLE VIII--GENERAL PROVISIONS

(Sec. 8005) A state or LEA may use certain administrative funds to implement fiscal support teams that provide technical assistance related to key operational functions.

(Sec. 8007) For schools funded by the Bureau of Indian Education, Interior shall define standards, assessments, and an accountability system consistent with the bill. Such requirements may be waived under specified circumstances.

(Sec. 8008) ED shall: (1) identify the number of full-time equivalent (FTE) employees who worked on or administered programs eliminated by the bill, (2) reduce its workforce by that number of FTEs within a specified timeframe, and (3) report to Congress on the workforce reduction.

(Sec. 8011) Two or more rural LEAs may submit a consolidated plan for covered programs.

(Sec. 8013) The bill modifies application and reporting requirements for SEAs and LEAs to request waivers of statutory or regulatory requirements from ED.

ED may not require an applicant to include in or delete from its request specific elements of state academic standards, assessments, accountability systems, or teacher evaluation systems.

(Sec. 8014) The bill establishes processes for approving or disapproving state plans and LEA applications.

(Sec. 8019) Under current law, an SEA must reduce funding for a covered program to the extent that an LEA fails to meet certain maintenance of effort requirements. The bill specifies that such reduction is required only if the LEA has also failed to meet those requirements in at least one of the five preceding fiscal years.

ED may waive these maintenance of effort requirements if doing so would be equitable due to a change in the LEA's

organizational structure.

(Sec. 8022) Unless otherwise authorized, funds shall not be used for transportation or for the construction, renovation, or repair of any school facility.

(Sec. 8023) The federal government may not mandate, direct, control, or condition or incentivize financial support upon the adoption of specific instructional content, academic standards and assessments, curricula, or programs of instruction to meet the requirements of the bill.

(Sec. 8027) Current law prohibits the use of funds available under the ESEA to mandate nationwide testing or certification of teachers or education paraprofessionals. The bill extends this prohibition to also cover: (1) nationwide testing or certification of principals and other school leaders, and (2) any incentive regarding such nationwide testing or certification.

(Sec. 8030) An LEA must consult with appropriate officials from Indian tribes or tribal organizations prior to submitting a required plan or application for a covered program if the LEA: (1) has an enrollment of American Indian or Alaska Native students that equals at least half of its total enrollment, or (2) received specified grant funding with respect to such students.

(Sec. 8031) ED shall provide outreach and technical assistance to rural LEAs regarding applications for grant programs under the Act.

(Sec. 8032) An SEA shall consult with the state's governor prior to submitting its plan to ED, as specified by the bill.

(Sec. 8038) With specified exceptions, a state or educational agency that receives funds under the Act must prohibit any school employee, contractor, agent, or educational agency from assisting a school employee, contractor, or agent in obtaining a new job if the individual or agency knows, or has probable cause to believe, that the job-seeker engaged in unlawful sexual misconduct regarding a minor or student.

(Sec. 8041) ED shall develop procedures for the approval and periodic review of departmental guidance, as specified by the bill.

(Sec. 8042) The Institute of Education Sciences (IES) shall, on a biennial basis, submit to Congress and make publicly available an evaluation plan with respect to programs authorized under the Act.

## TITLE IX--EDUCATION FOR THE HOMELESS AND OTHER LAWS

### Part A--Homeless Children and Youths

(Sec. 9102) The bill amends the McKinney-Vento Homeless Assistance Act to reauthorize through FY2020 an existing grant program that supports state and local activities related to the education of homeless children and youths.

The bill also modifies program requirements with respect to: (1) the duties of the Coordinator for Education of Homeless Children and Youths established in each state, and (2) the contents of a state plan for the education of homeless children and youths within the state.

(Sec. 9104) ED shall update and disseminate a public notice of the educational rights of homeless children and youths. In addition, ED shall issue updated enrollment guidelines for states with respect to homeless children and youths.

ED shall provide technical assistance to states with respect to areas with persistent documented barriers to a free appropriate public education for homeless children and youths.

(Sec. 9105) The bill alters the definition of "homeless children and youths" to exclude children who are awaiting foster care placement.

(Sec. 9106) The bill reauthorizes the program through FY2020.

#### Part B--Miscellaneous; Other Laws

(Sec. 9203) ED must undertake various oversight and reporting activities related to accountability to taxpayers.

(Sec. 9206) Congress recommends that John Arthur "Jack" Johnson receive a posthumous pardon.

(Sec. 9207) The bill amends the Education Flexibility Partnership Act of 1999 to make several changes to the Educational Flexibility Program, through which ED may authorize an SEA to waive certain statutory or regulatory program requirements established under either the ESEA or the Carl D. Perkins Career and Technical Education Act of 2006. (States participating in the program are known as "Ed-Flex partnership states.")

ED shall automatically extend the authority of a state to continue as an Ed-Flex partnership state pending a state's renewal request and ED's completion of the required performance review. ED must complete the performance review within 180 days and must then approve or deny the renewal request within 90 days.

Under specified circumstances, ED shall terminate or suspend a state's agency to grant waivers under the program. Such a state shall have no more than one additional fiscal year to come into compliance for purposes of renewal.

ED shall immediately extend for up to five years any existing designation of a state as an Ex-Flex partnership state, provided that ED determines that such extension is justified by the relevant SEA's performance.

(Sec. 9208) IES must evaluate and report on: (1) the reduction in the number and percentage of students who drop out of school, (2) best practices with respect to student subgroup sample size, (3) student home access to digital learning resources, and (4) the effectiveness of title I funding formulas.

(Sec. 9212) The Department of Health and Human Services (HHS), jointly with ED, shall award preschool development grants to states on a competitive basis. States shall use the grant funds to: (1) conduct periodic statewide needs assessments, (2) develop strategic plans, (3) maximize parental choice and knowledge, (4) share best practices among early childhood education program providers, and (5) improve the overall quality of early childhood education programs. HHS may also award renewal grants to enable states to continue these activities as well as award subgrants to early education programs designed to benefit low-income and disadvantaged children. With respect to both initial and renewal grants, states must provide matching funds.

(Sec. 9213) HHS must conduct an interdepartmental review of all early childhood education programs for children younger than age six.

## Actions Timeline

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- **Mar 17, 2016:** By Senator Alexander from Committee on Health, Education, Labor, and Pensions filed written report. Report No. 114-231. Additional views filed.
- **Dec 10, 2015:** Signed by President.
- **Dec 10, 2015:** Became Public Law No: 114-95.
- **Dec 9, 2015:** Conference report considered in Senate. (consideration: CR S8509-8513)
- **Dec 9, 2015:** Conference report agreed to in Senate: Senate agreed to conference report by Yea-Nay Vote. 85 - 12. Record Vote Number: 334.
- **Dec 9, 2015:** Senate agreed to conference report by Yea-Nay Vote. 85 - 12. Record Vote Number: 334.
- **Dec 9, 2015:** Message on Senate action sent to the House.
- **Dec 9, 2015:** Presented to President.
- **Dec 8, 2015:** Conference report considered in Senate. (consideration: CR S8447-8457, S8457-8479)
- **Dec 8, 2015:** Cloture on the conference report to accompany S.1177 invoked in Senate by Yea-Nay Vote. 84 - 12. Record Vote Number: 333. (consideration: CR S8453; text: CR S8453)
- **Dec 3, 2015:** Conference papers: message on House action held at the desk in Senate.
- **Dec 3, 2015:** Conference report considered in Senate. (consideration: CR S8425-8426)
- **Dec 3, 2015:** Cloture motion on the conference report to accompany S. 1177 presented in Senate. (consideration: CR S8425-8426; text: CR S8425-8426)
- **Dec 2, 2015:** Rule H. Res. 542 passed House.
- **Dec 2, 2015:** Mr. Kline brought up conference report H. Rept. 114-354 for consideration under the provisions of H. Res. 542. (consideration: CR H8884-8894)
- **Dec 2, 2015:** DEBATE - The House proceeded with one hour of debate on the conference report to accompany S. 1177.
- **Dec 2, 2015:** The previous question was ordered pursuant to the rule. (consideration: CR H8894)
- **Dec 2, 2015:** POSTPONED PROCEEDINGS - At the conclusion of debate on the conference report to accompany S. 1177, the Chair put the question on adoption of the conference report and by voice vote, announced that the ayes had prevailed. Mr. Kline demanded the yeas and nays and the Chair postponed further proceedings on the question of adoption of the conference report until a time to be announced.
- **Dec 2, 2015:** Considered as unfinished business. (consideration: CR H8951-8952)
- **Dec 2, 2015:** Conference report agreed to in House: On agreeing to the conference report Agreed to by the Yeas and Nays: 359 - 64 (Roll No. 665).
- **Dec 2, 2015:** On agreeing to the conference report Agreed to by the Yeas and Nays: 359 - 64 (Roll No. 665).
- **Dec 2, 2015:** Motions to reconsider laid on the table Agreed to without objection.
- **Dec 1, 2015:** Conference papers: Senate report and manager's statement held at the desk in Senate.
- **Dec 1, 2015:** Rules Committee Resolution H. Res. 542 Reported to House. Resolution provides for further amendment consideration of H.R. 8 and also provides for consideration of the conference report to accompany S. 1177.
- **Nov 30, 2015:** Conference report filed: Conference report H. Rept. 114-354 filed.(text of conference report: CR H8444-8634)
- **Nov 30, 2015:** Conference report H. Rept. 114-354 filed. (text of conference report: CR H8444-8634)
- **Nov 19, 2015:** Conference committee actions: Conferees agreed to file conference report.
- **Nov 19, 2015:** Conferees agreed to file conference report.
- **Nov 18, 2015:** Message on House action received in Senate and at desk: House amendment to Senate bill and House requests a conference.
- **Nov 18, 2015:** Measure laid before Senate by unanimous consent. (consideration: CR S8029-8034)
- **Nov 18, 2015:** Motion to disagree to the House amendment to the Senate bill, agree to the request for conference, and authorize the Presiding Officer to appoint conferees made in Senate. (consideration: CR S8029)
- **Nov 18, 2015:** Cloture motion on the motion to disagree to the House amendment to the Senate bill, agree to the request for conference, and authorize the Presiding Officer to appoint conferees presented in Senate. (consideration: CR S8029-8030; text: CR S8030)
- **Nov 18, 2015:** Cloture on the motion to disagree to the House amendment to the Senate bill, agree to the request for conference, and authorize the Presiding Officer to appoint conferees invoked in Senate by Yea-Nay Vote. 91 - 6. Record Vote Number: 308. (consideration: CR S8033-8034; text: CR S8033)
- **Nov 18, 2015:** Motion to disagree to the House amendment to the Senate bill, agree to the request for conference, and

authorize the Presiding Officer to appoint conferees agreed to in Senate by Voice Vote.

- **Nov 18, 2015:** Senate disagrees to the House amendment to the Senate bill, agrees to the request for conference, and authorizes the Presiding Officer to appoint conferees.
- **Nov 18, 2015:** Senate appointed conferees: Alexander, Enzi, Burr, Isakson, Paul, Collins, Murkowski, Kirk, Scott, Hatch, Roberts, Cassidy, Murray, Mikulski, Sanders, Casey, Franken, Bennet, Whitehouse, Baldwin, Murphy, Warren. (consideration: CR S8034)
- **Nov 18, 2015:** Message on Senate action sent to the House.
- **Nov 18, 2015:** Conference committee actions: Conference held.
- **Nov 18, 2015:** Conference held.
- **Nov 17, 2015:** Passed/agreed to in House: Pursuant to the provisions of H. Res. 526, S. 1177 is considered passed House as amended.
- **Nov 17, 2015:** Pursuant to the provisions of H. Res. 526, S. 1177 is considered passed House as amended.
- **Nov 17, 2015:** Mr. Kline moved that the House insist upon its amendment, and request a conference. (consideration: CR H8271-8272)
- **Nov 17, 2015:** On motion that the House insist upon its amendment, and request a conference Agreed to by voice vote.
- **Nov 17, 2015:** The Speaker appointed conferees: Kline, Foxx, Roe of Tennessee, Thompson of Pennsylvania, Guthrie, Rokita, Messer, Grothman, Russell, Curbelo of Florida, Scott of Virginia, Davis of California, Fudge, Polis, Wilson of Florida, Bonamici, and Clark of Massachusetts. (consideration: CR H8272)
- **Jul 21, 2015:** Message on Senate action sent to the House.
- **Jul 21, 2015:** Received in the House.
- **Jul 21, 2015:** Held at the desk.
- **Jul 16, 2015:** Considered by Senate. (consideration: CR S5134-5150)
- **Jul 16, 2015:** Cloture on the measure invoked in Senate by Yea-Nay Vote. 79 - 18. Record Vote Number: 248. (consideration: CR S5149; text; CR S5149)
- **Jul 16, 2015:** Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 81 - 17. Record Vote Number: 249.
- **Jul 16, 2015:** Passed Senate with an amendment by Yea-Nay Vote. 81 - 17. Record Vote Number: 249.
- **Jul 15, 2015:** Considered by Senate. (consideration: CR S5092-5125)
- **Jul 14, 2015:** Considered by Senate. (consideration: CR S5023-5035, S5035-5057, S5058-5059)
- **Jul 13, 2015:** Considered by Senate. (consideration: CR S4994-5002)
- **Jul 13, 2015:** Cloture motion on the measure presented in Senate. (consideration: CR S5002; text: CR S5002)
- **Jul 9, 2015:** Considered by Senate. (consideration: CR S4904-4915, S4920-4926)
- **Jul 8, 2015:** Considered by Senate. (consideration: CR S4806-4816, S4816-4831)
- **Jul 7, 2015:** Measure laid before Senate by unanimous consent. (consideration: CR S4661-4677)
- **Apr 30, 2015:** Introduced in Senate
- **Apr 30, 2015:** Committee on Health, Education, Labor, and Pensions. Original measure reported to Senate by Senator Alexander. Without written report.
- **Apr 30, 2015:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 63. (Sponsor introductory remarks on measure: CR S2165-2166)