

Whitehouse / Title I / Amendment #2



Cosponsor:

AMENDMENT NO. _____

Calendar No. _____

Sen. Baldwin

Purpose: To amend title I in order to provide grants to States to ensure that all students in the middle grades are taught an academically rigorous curriculum with effective supports so that students complete the middle grades prepared for success in secondary school and postsecondary endeavors, to improve State and district policies and programs relating to the academic achievement of students in the middle grades, to develop and implement effective middle grades models for struggling students, and for other purposes.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

S. _____

To reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

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. WHITEHOUSE

Viz:

- 1 On page 215, between lines 15 and 16, insert the fol-
- 2 lowing:
- 3 **SECTION 1012A. SUCCESS IN THE MIDDLE.**
- 4 Title I (20 U.S.C. 6311 et seq.), as amended by this
- 5 title, is further amended by adding at the end the fol-
- 6 lowing:

1 **PART F—SUCCESS IN THE MIDDLE**

2

3 **“SEC. 1601. SHORT TITLE.**

4 “‘This part may be cited as the ‘Success in the Middle
5 Act of 2015’.

6 **“SEC. 1602. FINDINGS.**

7 “Congress finds the following:

8 “(1) International comparisons indicate that
9 students in the United States do not start out be-
10 hind students of other nations in mathematics and
11 science, but that they fall behind by the end of the
12 middle grades.

13 “(2) Approximately 64 percent of students in
14 grade 8 read below the proficient level on the 2013
15 National Assessment of Educational Progress. A lit-
16 tle over one-third of students in grade 8 in the
17 United States, and approximately 3 percent of such
18 students who are English learners, can read with
19 proficiency, according to the 2013 National Assess-
20 ment on Educational Progress (referred to in this
21 section as ‘NAEP’).

22 “(3) In mathematics, 35 percent of students in
23 grade 8 show skills at or above the NAEP proficient
24 level in 2013. However, the percentage of students
25 in grade 4 at the NAEP proficient and above level
26 was 42 percent. In grade 8, the gaps between the

1 average mathematics scores of white and black stu-
2 dents and between white and Hispanic students were
3 approximately as wide in 2013 as in 2009.

4 “(4) Combining measures of academic achieve-
5 ment and motivation, social engagement, and self-
6 regulation—the behavioral domains essential for suc-
7 cess across the school and work continuum—pro-
8 vides a more holistic picture of students, including
9 their likelihood of enrolling in college following high
10 school graduation. This information, available in
11 middle school, allows for early identification of and
12 intervention with students who may be less likely to
13 complete secondary school and attend an institution
14 of higher education.

15 “(5) Higher education readiness should begin in
16 middle school. A student in grade 8 has at least a
17 75 percent chance of dropping out of secondary
18 school if the student attended school less than 80
19 percent of the time in grade 8 and failed English or
20 mathematics in that grade.

21 “(6) Middle grades students are hopeful about
22 their future, with 93 percent believing that they will
23 complete secondary school and 90 percent believing
24 they will find a good job after high school gradua-
25 tion.

1 “(7) Students who do not attend school regu-
2 larly, who are subjected to frequent disciplinary ac-
3 tions, or who fail mathematics or English have less
4 than a 15 percent chance of graduating secondary
5 school on time and a 20 percent chance of grad-
6 uating 1 year late. Without effective interventions
7 and proper supports, these students are at risk of
8 subsequent failure in secondary school, or of drop-
9 ping out.

10 “(8) Student transitions from elementary school
11 to the middle grades and to secondary school are
12 often complicated by poor curriculum alignment, in-
13 adequate counseling services, and unsatisfactory
14 sharing of student performance and academic
15 achievement data between grades.

16 “(9) Middle grades improvement strategies
17 should be tailored based on a variety of performance
18 indicators and data, so that educators can create
19 and implement successful school improvement strate-
20 gies to address the needs of the middle grades, and
21 so that teachers can provide effective instruction and
22 adequate assistance to meet the needs of at-risk stu-
23 dents.

24 “(10) To stem a secondary school dropout rate
25 nearly 3 times the average—

1 “(A) students with disabilities in the crit-
2 ical middle grades must receive appropriate aca-
3 demic accommodations and access to assistive
4 technology;

5 “(B) high-risk behaviors in such students,
6 such as chronic absenteeism and course failure,
7 must be monitored; and

8 “(C) problem-solving skills with broad ap-
9 plication must be taught to such students.

10 “(11) Local educational agencies and State
11 educational agencies often do not have the capacity
12 to provide support for school improvement strate-
13 gies. Successful models do exist for turning around
14 low-performing middle grades, and Federal support
15 should be provided to increase the capacity to apply
16 promising practices based on evidence from success-
17 ful schools.

18 **“SEC. 1603. DEFINITIONS.**

19 “In this part:

20 “(1) CHRONIC ABSENTEEISM.—The term
21 ‘chronic absenteeism’ means the percentage of indi-
22 vidual students missing 10 percent, or more, of the
23 days of school in a school year.

24 “(2) DIGITAL LITERACY SKILLS.—The term
25 ‘digital literacy skills’ has the meaning given the

1 term in section 202 of the Museum and Library
2 Services Act (20 U.S.C. 9101).

3 “(3) ELIGIBLE ENTITY.—The term ‘eligible en-
4 tity’ means a partnership that includes—

5 “(A) not less than 1 eligible local edu-
6 cational agency; and

7 “(B)(i) an institution of higher education;

8 “(ii) an educational service agency; or

9 “(iii) a nonprofit organization with dem-
10 onstrated expertise in high-quality middle
11 grades intervention.

12 “(4) ELIGIBLE LOCAL EDUCATIONAL AGEN-
13 cy.—The term ‘eligible local educational agency’
14 means a local educational agency that serves not less
15 than 1 eligible school.

16 “(5) ELIGIBLE SCHOOL.—The term ‘eligible
17 school’ means an elementary or secondary school
18 that contains not less than 2 or more successive
19 grades beginning with grade 5 and ending with
20 grade 8 and for which—

21 “(A) a high proportion of the middle
22 grades students attending such school will at-
23 tend a secondary school with a graduation rate
24 of less than 65 percent;

1 “(B) more than 25 percent of the students
2 who finish grade 6 at such school, or the ear-
3 liest middle grade level at the school, exhibit 1
4 or more of the key risk factors and early risk
5 identification signs, including—

6 “(i) student attendance below 90 per-
7 cent;

8 “(ii) a failing grade in a mathematics
9 or reading or language arts course;

10 “(iii) 2 failing grades in any courses;
11 and

12 “(iv) out-of-school suspension or other
13 evidence of at-risk behavior; or

14 “(C) more than 50 percent of the middle
15 grades students attending such school do not
16 perform at a proficient level on State student
17 academic assessments required under section
18 1111(b)(2) in mathematics or reading or lan-
19 guage arts.

20 “(6) INSTITUTION OF HIGHER EDUCATION.—

21 The term ‘institution of higher education’ has the
22 meaning given the term in section 101 of the Higher
23 Education Act of 1965 (20 U.S.C. 1001).

24 “(7) MIDDLE GRADES.—The term ‘middle
25 grades’ means any of grades 5 through 8.

1 “(8) PRINCIPLES OF SCIENTIFIC RESEARCH.—

2 The term ‘principles of scientific research’ has the
3 meaning given the term in section 200 of the Higher
4 Education Act of 1965 (20 U.S.C. 1021).

5 “(9) SCIENTIFICALLY VALID RESEARCH.—The
6 term ‘scientifically valid research’ has the meaning
7 given the term in section 200 of the Higher Edu-
8 cation Act of 1965 (20 U.S.C. 1021).

9 “(10) STATE.—The term ‘State’ means each of
10 the 50 States, the District of Columbia, and the
11 Commonwealth of Puerto Rico.

12 “(11) STUDENT WITH A DISABILITY.—The
13 term ‘student with a disability’ means a student who
14 is a child with a disability, as defined in section 602
15 of the Individuals with Disabilities Education Act
16 (20 U.S.C. 1401).

17 **“Subpart 1—Middle Grades Improvement**

18 **“SEC. 1611. PURPOSES.**

19 “The purposes of this subpart are to—

20 “(1) ensure that middle grade students develop
21 deep content knowledge and the ability to use knowl-
22 edge to think critically, solve problems, communicate
23 effectively, collaborate with others, and be self-di-
24 rected so that they can graduate from secondary
25 school ready for higher education and careers;

1 “(2) ensure that curricula and student supports
2 for middle grades education align with the curricula
3 and student supports provided for elementary school
4 and secondary school grades;

5 “(3) provide resources to State educational
6 agencies and local educational agencies to collabo-
7 ratively develop school improvement plans in order
8 to deliver support and technical assistance to schools
9 serving students in the middle grades; and

10 “(4) increase the capacity of States and local
11 educational agencies to develop effective, sustainable,
12 and replicable school improvement programs and
13 models and evidence-based or, when available, sci-
14 entifically valid student interventions for implemen-
15 tation by schools serving students in the middle
16 grades.

17 **“SEC. 1612. FORMULA GRANTS TO STATE EDUCATIONAL**
18 **AGENCIES FOR MIDDLE GRADES IMPROVE-**
19 **MENT.**

20 “(a) IN GENERAL.—From amounts appropriated
21 under section 1617, the Secretary shall make grants under
22 this subpart for a fiscal year to each State educational
23 agency for which the Secretary has approved an applica-
24 tion under subsection (f) in an amount equal to the allot-

1 ment determined for such agency under subsection (c) for
2 such fiscal year.

3 “(b) RESERVATIONS.—From the total amount made
4 available to carry out this subpart for a fiscal year, the
5 Secretary—

6 “(1) shall reserve not more than 1 percent for
7 the Secretary of the Interior (on behalf of the Bu-
8 reau of Indian Education) and the outlying areas for
9 activities carried out in accordance with this section;

10 “(2) shall reserve 1 percent to evaluate the ef-
11 fectiveness of this subpart in achieving the purposes
12 of this subpart and ensuring that results are peer-
13 reviewed and widely disseminated, which may in-
14 clude hiring an outside evaluator; and

15 “(3) shall reserve 5 percent for technical assist-
16 ance and dissemination of best practices in middle
17 grades education to States and local educational
18 agencies.

19 “(c) AMOUNT OF STATE ALLOTMENTS.—

20 “(1) IN GENERAL.—Except as provided in para-
21 graph (2), of the total amount made available to
22 carry out this subpart for a fiscal year and not re-
23 served under subsection (b), the Secretary shall allot
24 such amount among the States in proportion to the
25 number of children, aged 5 to 17, who reside within

1 the State and are from families with incomes below
2 the poverty level for the most recent fiscal year for
3 which satisfactory data are available, compared to
4 the number of such individuals who reside in all
5 such States for that fiscal year, determined in ac-
6 cordance with section 1124(c)(1)(A).

7 “(2) MINIMUM ALLOTMENTS.—No State edu-
8 cational agency shall receive an allotment under this
9 subsection for a fiscal year that is less than $\frac{1}{2}$ of
10 1 percent of the amount made available to carry out
11 this subpart for such fiscal year.

12 “(d) SPECIAL RULE.—For any fiscal year for which
13 the funds appropriated to carry out this subpart are less
14 than \$500,000,000, the Secretary is authorized to award
15 grants to State educational agencies, on a competitive
16 basis, rather than as allotments described in this section,
17 to enable such agencies to award subgrants under section
18 1614 on a competitive basis.

19 “(e) REALLOTMENT.—

20 “(1) FAILURE TO APPLY; APPLICATION NOT AP-
21 PROVED.—If any State educational agency does not
22 apply for an allotment under this subpart for a fiscal
23 year, or if the application from the State educational
24 agency is not approved, the Secretary shall reallo-

1 the amount of the State's allotment to the remaining
2 States in accordance with this section.

3 “(2) UNUSED FUNDS.—The Secretary may
4 reallocate any amount of an allotment to a State if the
5 Secretary determines that the State will be unable to
6 use such amount within 2 years of such allotment.
7 Such reallocations shall be made on the same basis
8 as allotments are made under subsection (c).

9 “(f) APPLICATION.—In order to receive an allotment
10 under this subpart, a State educational agency shall sub-
11 mit an application to the Secretary at such time, in such
12 manner, and accompanied by such information as the Sec-
13 retary may reasonably require, including a State middle
14 grades improvement plan described in section 1613(a)(4).

15 “(g) PEER REVIEW AND SELECTION.—The Sec-
16 retary—

17 “(1) shall establish a peer-review process to as-
18 sist in the review and approval of proposed State ap-
19 plications;

20 “(2) shall appoint individuals to participate in
21 the peer-review process who are educators and ex-
22 perts in identifying, evaluating, and implementing
23 effective education programs and practices (includ-
24 ing in the areas of teaching and learning, edu-
25 cational standards and assessments, school improve-

1 ment, school climate, rates of suspension and expul-
2 sion, and academic and behavioral supports for mid-
3 dle grades students, and in addressing the needs of
4 students with disabilities and English learners in the
5 middle grades), which individuals may include recog-
6 nized exemplary middle grades teachers and middle
7 grades principals who have been recognized at the
8 State or national level for exemplary work or con-
9 tributions to the field;

10 “(3) shall ensure that State educational agen-
11 cies are given the opportunity to receive timely feed-
12 back, and to interact with peer-review panels, in per-
13 son or via electronic communication, on issues that
14 need clarification during the peer-review process;

15 “(4) shall approve an application submitted
16 under this subpart not later than 120 days after the
17 date of submission of the application unless the Sec-
18 retary determines that the application does not meet
19 the requirements of this subpart;

20 “(5) may not decline to approve an application
21 from a State educational agency before—

22 “(A) offering the State educational agency
23 an opportunity to revise the application;

1 “(B) providing the State educational agency
2 with technical assistance in order to submit
3 a successful application; and

4 “(C) providing an opportunity for a hearing
5 to the State educational agency; and

6 “(6) shall direct the Inspector General of the
7 Department of Education to—

8 “(A) review final determinations reached
9 by the Secretary to approve or deny State applications;
10

11 “(B) analyze the consistency of the process
12 used by peer-review panels in reviewing and recommending
13 to the Secretary approval or denial
14 of such State applications; and

15 “(C) report the findings of this review and
16 analysis to Congress.

17 **“SEC. 1613. STATE PLAN; AUTHORIZED ACTIVITIES.**

18 “(a) MANDATORY ACTIVITIES.—

19 “(1) IN GENERAL.—A State educational agency
20 that receives a grant under this subpart shall use
21 the grant funds—

22 “(A) to prepare and implement the needs
23 analysis and middle grades improvement plan,
24 as described in paragraphs (3) and (4), of such
25 agency;

1 “(B) to make subgrants to eligible local
2 educational agencies or eligible entities under
3 section 1614; and

4 “(C) to assist eligible local educational
5 agencies and eligible entities, when determined
6 necessary by the State educational agency or at
7 the request of an eligible local educational agen-
8 cy or eligible entity, in designing a comprehen-
9 sive schoolwide improvement plan and carrying
10 out the activities under section 1614.

11 “(2) FUNDS FOR SUBGRANTS.—A State edu-
12 cational agency that receives a grant under this sub-
13 part shall use not less than 80 percent of the grant
14 funds to make subgrants to eligible local educational
15 agencies or eligible entities under section 1614.

16 “(3) MIDDLE GRADES NEEDS ANALYSIS.—

17 “(A) IN GENERAL.—A State educational
18 agency that receives a grant under this subpart
19 shall enter into a contract, or similar formal
20 agreement, to work with entities such as na-
21 tional and regional comprehensive centers (as
22 described in section 203 of the Educational
23 Technical Assistance Act of 2002 (20 U.S.C.
24 9602)), institutions of higher education, or non-
25 profit organizations with demonstrated exper-

1 tise in high-quality middle grades reform, to
2 prepare a plan that analyzes how to strengthen
3 the programs, practices, and policies of the
4 State in supporting students in the middle
5 grades, including the factors, such as local im-
6 plementation, that influence variation in the ef-
7 fectiveness of such programs, practices, and
8 policies.

9 “(B) PREPARATION OF PLAN.—In pre-
10 paring the plan under subparagraph (A), the
11 State educational agency shall examine policies
12 and practices of the State, and of local edu-
13 cational agencies within the State, affecting—

14 “(i) middle grades curriculum instruc-
15 tion and assessment;

16 “(ii) education accountability and
17 data systems;

18 “(iii) teacher preparation, quality, ex-
19 perience, and equitable distribution;

20 “(iv) interventions that support learn-
21 ing in school, including personal academic
22 plans;

23 “(v) student engagement activities;

24 “(vi) in-school and out-of-school sus-
25 pensions;

1 “(vii) family and community engage-
2 ment in education; and

3 “(viii) student and academic support
4 services, such as effective school library
5 programs and school counseling on the
6 transition to secondary school and plan-
7 ning for entry into postsecondary edu-
8 cation and the workforce.

9 “(4) MIDDLE GRADES IMPROVEMENT PLAN.—

10 “(A) IN GENERAL.—A State educational
11 agency that receives a grant under this subpart
12 shall develop a middle grades improvement plan
13 that—

14 “(i) shall be a statewide plan to im-
15 prove student academic achievement in the
16 middle grades, based on the needs analysis
17 described in paragraph (3); and

18 “(ii) describes what students are re-
19 quired to know and do to successfully—

20 “(I) complete the middle grades;

21 and

22 “(II) develop the competencies
23 of—

1 “(aa) the ability to acquire
2 and use deep content knowledge
3 to solve problems;

4 “(bb) critical thinking;

5 “(cc) effective communica-
6 tion;

7 “(dd) self-direction; and

8 “(ee) the ability to collabo-
9 rate; and

10 “(III) make a successful transi-
11 tion to academically rigorous sec-
12 ondary school coursework that pre-
13 pares students to graduate from sec-
14 ondary school ready for higher edu-
15 cation and a career.

16 “(B) PLAN COMPONENTS.—A middle
17 grades improvement plan described in subpara-
18 graph (A) shall also describe how the State edu-
19 cational agency will do each of the following:

20 “(i)(I) Ensure that the curricula and
21 assessments for middle grades education
22 are aligned with secondary school curricula
23 and assessments and prepare students to
24 take challenging secondary school courses

1 and successfully engage in postsecondary
2 education.

3 “(II) Ensure coordination, where ap-
4 plicable, with the activities carried out
5 through grants under section 6201(c)(1) of
6 the America COMPETES Act (20 U.S.C.
7 9871) for alignment of P-16 education, as
8 defined in section 6201(b) of such Act.

9 “(III) Ensure that the transition from
10 elementary school to the middle grades is
11 supported through programs that promote
12 successful social, emotional, and cognitive
13 development.

14 “(ii) Ensure that professional develop-
15 ment is provided to school leaders, teach-
16 ers, and other school personnel in—

17 “(I) addressing the needs of di-
18 verse learners, including students with
19 disabilities and English learners;

20 “(II) using challenging and rel-
21 evant research-based best practices
22 and curricula;

23 “(III) using data to inform in-
24 struction; and

1 “(IV) increasing student engage-
2 ment and social and emotional learn-
3 ing competencies.

4 “(iii) Identify and disseminate infor-
5 mation on effective schools and instruc-
6 tional strategies for middle grades students
7 based on high-quality research.

8 “(iv) Include specific provisions for
9 students most at risk of not graduating
10 from secondary school, including English
11 learners, students with disabilities, and
12 low-income students.

13 “(v) Provide technical assistance to el-
14 igible entities to develop and implement
15 their early warning indicator and interven-
16 tion systems, as described in section
17 1614(d)(2)(D).

18 “(vi) Define a set of comprehensive
19 school performance indicators that shall be
20 used, in addition to the indicators used for
21 purposes of section 1111(b)(3), to evaluate
22 school performance and guide the school
23 improvement process, such as—

24 “(I) student attendance and
25 chronic absenteeism;

1 “(II) earned on-time promotion
2 rates from grade to grade;

3 “(III) percentage of students fail-
4 ing a mathematics, reading or lan-
5 guage arts, or science course, or fail-
6 ing 2 or more of any courses;

7 “(IV) teacher preparation, expe-
8 rience, effectiveness, and attendance
9 measures;

10 “(V) in-school and out-of-school
11 suspension or other measurable evi-
12 dence of at-risk behavior, including
13 any disparities in rates among any of
14 the categories of students, as defined
15 in section 1111(b)(3)(A);

16 “(VI) data collected by the Civil
17 Rights Data Collection survey con-
18 ducted by the Office of Civil Rights of
19 the Department of Education; and

20 “(VII) additional indicators pro-
21 posed by the State educational agen-
22 cy, and approved by the Secretary
23 pursuant to the peer-review process
24 described in section 1612(g).

1 “(vii) Ensure that such plan is coordi-
2 nated with State activities to turn around
3 other schools in need of improvement, in-
4 cluding State activities to improve sec-
5 ondary schools and elementary schools.

6 “(viii) Ensure that such plan includes
7 specific provisions to improve family and
8 community engagement in education in the
9 middle grades.

10 “(b) PERMISSIBLE ACTIVITIES.—A State educational
11 agency that receives a grant under this subpart may use
12 the grant funds to—

13 “(1) develop and encourage collaborations
14 among researchers at institutions of higher edu-
15 cation, State educational agencies, educational serv-
16 ice agencies, local educational agencies, and non-
17 profit organizations with demonstrated expertise in
18 high-quality middle grades interventions, to expand
19 the use of effective practices in the middle grades
20 and to improve middle grades education;

21 “(2) support local educational agencies in im-
22 plementing effective middle grades practices, models,
23 and programs that—

24 “(A) are evidence-based or, when available,
25 scientifically valid; and

1 “(B) lead to improved student academic
2 achievement;

3 “(3) support collaborative communities of mid-
4 dle grades teachers, administrators, school librar-
5 ians, and researchers in creating and sustaining in-
6 formational databases to disseminate results from
7 rigorous research on effective practices and pro-
8 grams for middle grades education; and

9 “(4) increase middle grades student and aca-
10 demic support services, such as effective school li-
11 brary programs and school counseling on the transi-
12 tion to secondary school, such as summer bridge
13 programs and student mentors, and planning for
14 entry into postsecondary education and the work-
15 force.

16 **“SEC. 1614. COMPETITIVE SUBGRANTS TO IMPROVE LOW-**
17 **PERFORMING MIDDLE GRADES.**

18 “(a) IN GENERAL.—A State educational agency that
19 receives a grant under this subpart shall make competitive
20 subgrants to eligible local educational agencies and eligible
21 entities to enable the eligible local educational agencies
22 and eligible entities to improve low-performing middle
23 grades in schools served by the agencies or entities.

24 “(b) PRIORITIES.—In making subgrants under sub-
25 section (a), a State educational agency shall give priority

1 to eligible local educational agencies or eligible entities
2 based on—

3 “(1) the respective populations of children de-
4 scribed in section 1612(c)(1) served by the eligible
5 local educational agencies that are participating in
6 the subgrant application process; and

7 “(2) the respective populations of children
8 served by the participating eligible local educational
9 agencies who attend eligible schools.

10 “(c) APPLICATION.—An eligible local educational
11 agency or eligible entity that desires to receive a subgrant
12 under subsection (a) shall submit an application to the
13 State educational agency at such time, in such manner,
14 and accompanied by such information as the State edu-
15 cational agency may reasonably require, including—

16 “(1) a comprehensive schoolwide improvement
17 plan described in subsection (d);

18 “(2) a description of how activities described in
19 such plan will be coordinated with activities specified
20 in plans for schoolwide programs under section
21 1113(c)(2); and

22 “(3) a description of how activities described in
23 such plan will be complementary to, and coordinated
24 with, school improvement activities for elementary
25 schools and secondary schools in need of improve-

1 ment that serve the same students within the par-
2 ticipating local educational agency.

3 “(d) COMPREHENSIVE SCHOOLWIDE IMPROVEMENT
4 PLAN.—An eligible local educational agency or eligible en-
5 tity that desires to receive a subgrant under subsection
6 (a) shall develop a comprehensive schoolwide improvement
7 plan for the middle grades that shall—

8 “(1) include the information described in sub-
9 section (c)(2);

10 “(2) describe how the eligible local educational
11 agency or eligible entity will—

12 “(A) identify eligible schools;

13 “(B) ensure that funds go to the highest
14 priority eligible schools first, based on the eligi-
15 ble schools’ populations of children described in
16 section 1612(c)(1);

17 “(C) use funds to close achievement gaps
18 and improve the academic achievement of all
19 students, including English learners and stu-
20 dents with disabilities, in eligible schools;

21 “(D) implement an early warning indicator
22 and intervention system to alert schools when
23 students begin to exhibit outcomes or behaviors
24 that indicate the student is at increased risk for
25 low academic achievement or is unlikely to

1 progress to secondary school graduation, and to
2 create a system of evidence-based interventions
3 to be used by schools to effectively intervene,
4 by—

5 “(i) identifying and analyzing, such as
6 through the use of longitudinal data of
7 past cohorts of students, the academic and
8 behavioral indicators in the middle grades
9 that most reliably predict dropping out of
10 secondary school, such as attendance,
11 chronic absenteeism, behavior measures
12 (including suspensions, officer referrals, or
13 conduct marks), academic performance in
14 core courses, and earned on-time pro-
15 motion from grade-to-grade;

16 “(ii) analyzing student progress and
17 performance on the indicators identified
18 under clause (i) to guide decisionmaking;

19 “(iii) analyzing academic indicators to
20 determine whether students are on track to
21 graduate on time, and developing appro-
22 priate evidence-based intervention; and

23 “(iv) identifying or developing a mech-
24 anism for regularly collecting and report-
25 ing—

1 “(I) student-level data on the in-
2 dicators identified under clause (i);

3 “(II) student-level progress and
4 performance, as described in clause
5 (ii);

6 “(III) student-level data on the
7 indicators described in clause (iii);
8 and

9 “(IV) information about the im-
10 pact of interventions on student out-
11 comes and progress;

12 “(E) increase academic rigor and foster
13 student engagement to ensure students are en-
14 tering secondary school prepared for success in
15 a rigorous college- and career-ready curriculum,
16 including a description of how such readiness
17 will be measured;

18 “(F) implement a systemic transition plan
19 for all students and encourage collaboration
20 among elementary grades, middle grades, and
21 secondary school grades to support the success-
22 ful transition between grades;

23 “(G) increase community and family en-
24 gagement in education in the middle grades to
25 support student success; and

1 “(H) provide evidence that the strategies,
2 programs, supports, and instructional practices
3 proposed under the schoolwide improvement
4 plan are new and have not been implemented
5 before by the eligible local educational agency
6 or eligible entity; and

7 “(3) provide evidence of an ongoing commit-
8 ment to sustain the plan for a period of not less
9 than 4 years.

10 “(c) REVIEW AND SELECTION OF SUBGRANTS.—In
11 making subgrants under subsection (a), the State edu-
12 cational agency shall—

13 “(1) establish a peer-review process to assist in
14 the review and approval of applications under sub-
15 section (c); and

16 “(2) appoint individuals to participate in the
17 peer-review process who are educators and experts in
18 identifying, evaluating, and implementing effective
19 education programs and practices, including—

20 “(A) experts—

21 “(i) in areas of teaching and learning,
22 educational standards and assessments,
23 and school improvement;

1 “(ii) in addressing the needs of stu-
2 dents with disabilities and English learners
3 in the middle grades; and

4 “(iii) in the academic and behavioral
5 supports for middle grades students; and

6 “(B) recognized exemplary middle grades
7 teachers and principals who have been recog-
8 nized at the State or national level for exem-
9 plary work or contributions to the field.

10 “(f) REVISION OF SUBGRANTS.—If a State edu-
11 cational agency, using the peer-review process described
12 in subsection (e), determines that an application for a
13 grant under subsection (a) does not meet the requirements
14 of this subpart, the State educational agency shall notify
15 the eligible local educational agency or eligible entity of
16 such determination and the reasons for such determina-
17 tion, and offer—

18 “(1) the eligible local educational agency or eli-
19 gible entity an opportunity to revise and resubmit
20 the application; and

21 “(2) technical assistance to the eligible local
22 educational agency or eligible entity, by the State
23 educational agency or a nonprofit organization with
24 demonstrated expertise in high-quality middle grades
25 interventions, to revise the application.

1 “(g) MANDATORY USES OF FUNDS.—An eligible local
2 educational agency or eligible entity that receives a
3 subgrant under subsection (a) shall carry out the fol-
4 lowing:

5 “(1) Align the curricula for grades kindergarten
6 through 12 for schools within the local educational
7 agency to improve transitions from elementary
8 grades to middle grades to secondary school grades.

9 “(2) In each eligible school served by the eligi-
10 ble local educational agency receiving or partici-
11 pating in the subgrant:

12 “(A) Align the curricula for all grade levels
13 within eligible schools to improve grade to grade
14 transitions.

15 “(B) Implement evidence-based or, when
16 available, scientifically valid instructional strate-
17 gies, programs, and learning environments that
18 meet the needs of all students and ensure that
19 school leaders and teachers receive professional
20 development on the use of these strategies.

21 “(C) Ensure that school leaders, teachers,
22 pupil service personnel, school librarians, and
23 other school staff understand the developmental
24 stages of adolescents in the middle grades and

1 how to deal with those stages appropriately in
2 an educational setting.

3 “(D) Implement organizational practices
4 and school schedules that allow for effective
5 leadership, collaborative staff participation, pro-
6 fessional development, effective teacher instruc-
7 tional teaming, and parent and community in-
8 volvement.

9 “(E) Create a more personalized and en-
10 gaging learning environment for middle grades
11 students by developing a personal academic
12 plan for each student and assigning not less
13 than 1 adult who has received the appropriate
14 training to monitor, evaluate, and support the
15 progress of each individual student attending
16 the eligible school.

17 “(F) Provide all students, and the stu-
18 dents’ families, with information about, and as-
19 sistance with, the requirements for secondary
20 school graduation, admission to an institution
21 of higher education, and career success.

22 “(G) Utilize data from an early warning
23 indicator and intervention system described in
24 subsection (d)(2)(D) to identify struggling stu-
25 dents and assist the students as the students

1 transition from elementary school to middle
2 grades to secondary school.

3 “(H) Implement academic supports, such
4 as effective school library programs, and effective
5 and coordinated additional assistance programs
6 to ensure that students have a strong
7 foundation in reading, writing, mathematics,
8 and science skills.

9 “(I) Implement evidence-based or, when
10 available, scientifically valid schoolwide programs
11 and targeted supports to promote positive
12 academic outcomes, such as increased attendance
13 rates, decreased chronic absenteeism,
14 and the promotion of physical, personal, and social
15 development.

16 “(J) Develop and use effective formative
17 assessments to inform instruction.

18 “(K) Provide integrated student support
19 services, such as access to health and mental
20 health care, to address the comprehensive needs
21 of students attending eligible schools.

22 “(h) PERMISSIBLE USES OF FUNDS.—An eligible
23 local educational agency or eligible entity that receives a
24 subgrant under subsection (a) may use the subgrant funds
25 to carry out the following:

1 “(1) Implement extended learning opportunities
2 in core academic areas, including more instructional
3 time in literacy, mathematics, science, history, and
4 civics in addition to opportunities for language in-
5 struction and understanding other cultures and the
6 arts.

7 “(2) Provide evidence-based professional devel-
8 opment activities with specific benchmarks to enable
9 teachers and other school staff to appropriately
10 monitor academic and behavioral progress of, and
11 modify curricula and implement accommodations
12 and assistive technology services for, students with
13 disabilities, consistent with the students’ individual-
14 ized education programs under section 614(d) of the
15 Individuals with Disabilities Education Act (20
16 U.S.C. 1414(d)).

17 “(3) Employ and use instructional coaches, in-
18 cluding literacy, mathematics, and English learner
19 coaches.

20 “(4) Provide professional development for con-
21 tent-area teachers and school librarians on working
22 effectively with English learners and students with
23 disabilities, as well as professional development for
24 English as a second language educators, bilingual
25 educators, and special education personnel.

1 “(5) Provide professional development in areas
2 that support improving school climate and increasing
3 student engagement such as culturally responsive
4 pedagogy, restorative justice programs, social and
5 emotional learning, Response to Intervention, and
6 positive behavior intervention support.

7 “(6) Encourage and facilitate the sharing of
8 data among elementary grades, middle grades, sec-
9 ondary school grades, institutions of higher edu-
10 cation, and other postsecondary educational institu-
11 tions.

12 “(7) Create collaborative study groups com-
13 posed of principals or middle grades teachers, or
14 both, among eligible schools within the eligible local
15 educational agency receiving or participating in the
16 subgrant, or between such eligible local educational
17 agency and another local educational agency, with a
18 focus on developing and sharing methods to increase
19 student learning and academic achievement.

20 “(8) Ensure students are prepared to enter sec-
21 ondary school by linking secondary school attend-
22 ance, retention, and achievement to the account-
23 ability system of each middle school that feeds into
24 the secondary school.

25 “(i) PLANNING SUBGRANTS.—

1 “(1) IN GENERAL.—In addition to the sub-
2 grants described in subsection (a), a State edu-
3 cational agency may (without regard to the pre-
4 ceding provisions of this section) make planning sub-
5 grants, and provide technical assistance, to eligible
6 local educational agencies and eligible entities that
7 have not received a subgrant under subsection (a) to
8 assist the local educational agencies and eligible en-
9 tities in meeting the requirements of subsections (c)
10 and (d).

11 “(2) AMOUNT AND DURATION.—Each subgrant
12 under this subsection shall be in an amount of not
13 more than \$100,000 and shall be for a period of not
14 more than 1 year in duration.

15 **“SEC. 1615. DURATION OF GRANTS; SUPPLEMENT NOT SUP-**
16 **PLANT.**

17 “(a) DURATION OF GRANTS.—

18 “(1) IN GENERAL.—Except as provided in para-
19 graph (2), grants under this subpart and subgrants
20 under section 1614(a) may not exceed 3 years in du-
21 ration.

22 “(2) RENEWALS.—

23 “(A) IN GENERAL.—Grants under this
24 subpart and subgrants under section 1614(a)
25 may be renewed in 2-year increments.

1 “(B) CONDITIONS.—In order to be eligible
2 to have a grant or subgrant renewed under this
3 paragraph, the grant or subgrant recipient shall
4 demonstrate, to the satisfaction of the granting
5 entity, that—

6 “(i) the recipient has complied with
7 the terms of the grant or subgrant, includ-
8 ing by undertaking all required activities;
9 and

10 “(ii) during the period of the grant or
11 subgrant, there has been significant
12 progress in—

13 “(I) student academic achieve-
14 ment, as measured by the annual
15 goals established pursuant to section
16 1111(b)(3)(B)(i); and

17 “(II) other key risk factors such
18 as attendance, chronic absenteeism,
19 and on-time promotion.

20 “(b) FEDERAL FUNDS TO SUPPLEMENT, NOT SUP-
21 PLANT, NON-FEDERAL FUNDS.—

22 “(1) IN GENERAL.—A State educational agen-
23 cy, eligible local educational agency, or eligible entity
24 shall use Federal funds received under this subpart
25 only to supplement the funds that would, in the ab-

1 sence of such Federal funds, be made available from
2 non-Federal sources for the education of students
3 participating in programs assisted under this sub-
4 part, and not to supplant such funds.

5 “(2) SPECIAL RULE.—Nothing in this subpart
6 shall be construed to authorize an officer, employee,
7 or contractor of the Federal Government to man-
8 date, direct, limit, or control a State, local edu-
9 cational agency, or school’s specific instructional
10 content, academic achievement standards and as-
11 sessments, curriculum, or program of instruction.

12 **“SEC. 1616. EVALUATION AND REPORTING.**

13 “(a) EVALUATION.—Not later than 180 days after
14 the date of enactment of the Every Child Achieves Act
15 of 2015, and annually thereafter for the period of the
16 grant, each State educational agency receiving a grant
17 under this subpart shall—

18 “(1) conduct an evaluation of the State’s
19 progress regarding the impact of the changes made
20 to the policies and practices of the State in accord-
21 ance with this subpart, including—

22 “(A) a description of the specific changes
23 made, or in the process of being made, to poli-
24 cies and practices as a result of the grant;

1 “(B) a discussion of any barriers hindering
2 the identified changes in policies and practices,
3 and implementation strategies to overcome such
4 barriers;

5 “(C) evidence of the impact of changes to
6 policies and practices on behavior and actions
7 at the local educational agency and school level;
8 and

9 “(D) evidence of the impact of the changes
10 to State and local policies and practices on im-
11 proving measurable learning gains by middle
12 grades students;

13 “(2) use the results of the evaluation conducted
14 under paragraph (1) to adjust the policies and prac-
15 tices of the State as necessary to achieve the pur-
16 poses of this subpart; and

17 “(3) submit the results of the evaluation to the
18 Secretary.

19 “(b) AVAILABILITY.—The Secretary shall make the
20 results of each State educational agency’s evaluation
21 under subsection (a) available to other States and local
22 educational agencies.

23 “(c) LOCAL EDUCATIONAL AGENCY REPORTING.—
24 On an annual basis, each eligible local educational agency
25 and eligible entity receiving a subgrant under section

1 1614(a) shall report to the State educational agency and
2 to the public on—

3 “(1) the performance on the school performance
4 indicators (as described in section
5 1613(a)(4)(B)(vi)) for each eligible school served by
6 the eligible local educational agency or eligible enti-
7 ty, in the aggregate and disaggregated by each of
8 the categories of students, as defined in section
9 1111(b)(3)(A); and

10 “(2) the use of funds by the eligible local edu-
11 cational agency or eligible entity and each such
12 school.

13 “(d) STATE EDUCATIONAL AGENCY REPORTING.—
14 On an annual basis, each State educational agency receiv-
15 ing grant funds under this subpart shall report to the Sec-
16 retary and to the public on—

17 “(1) the performance of eligible schools in the
18 State, based on the school performance indicators
19 described in section 1613(a)(4)(B)(vi), in the aggre-
20 gate and disaggregated by each of the categories of
21 students, as defined in section 1111(b)(3)(A); and

22 “(2) the use of such funds by each eligible
23 school, eligible entity, and eligible local educational
24 agency in the State receiving such funds.

1 “(c) REPORT TO CONGRESS.—Every 2 years, the
2 Secretary shall report to the public and to Congress—

3 “(1) a summary of the State educational agen-
4 cy reports under subsection (d); and

5 “(2) the use of funds by each State educational
6 agency under this part.

7 **“SEC. 1617. AUTHORIZATION OF APPROPRIATIONS.**

8 “There are authorized to be appropriated to carry out
9 this subpart, such sums as may be necessary for each of
10 fiscal years 2016 through 2021.

11 **“Subpart 2—Research Recommendations**

12 **“SEC. 1621. PURPOSE.**

13 “The purpose of this subpart is to facilitate the gen-
14 eration, dissemination, and application of research needed
15 to identify and implement effective practices that lead to
16 continual student learning and high academic achievement
17 in the middle grades.

18 **“SEC. 1622. RESEARCH RECOMMENDATIONS.**

19 “(a) STUDY ON PROMISING PRACTICES.—

20 “(1) IN GENERAL.—Not later than 60 days
21 after the date of enactment of the Every Child
22 Achieves Act of 2015, the Secretary shall enter into
23 a contract with the National Academies to study and
24 identify promising practices for the improvement of
25 middle grades education.

1 “(2) CONTENT OF STUDY.—The study de-
2 scribed in paragraph (1) shall identify promising
3 practices currently being implemented for the im-
4 provement of middle grades education. The study
5 shall be conducted in an open and transparent way
6 that provides interim information to the public about
7 criteria being used to identify—

8 “(A) such promising practices;

9 “(B) the practices that are being consid-
10 ered; and

11 “(C) the kind of evidence needed to docu-
12 ment effectiveness.

13 “(3) REPORT.—The contract entered into pur-
14 suant to this subsection shall require that the Na-
15 tional Academies submit to the Secretary, the Com-
16 mittee on Health, Education, Labor, and Pensions
17 of the Senate, and the Committee on Education and
18 the Workforce of the House of Representatives a
19 final report regarding the study conducted under
20 this subsection not later than 1 year after the date
21 of the commencement of the contract.

22 “(4) PUBLICATION.—The Secretary shall make
23 public and post on the website of the Department of
24 Education the findings of the study conducted under
25 this subsection.

1 “(b) SYNTHESIS STUDY OF EFFECTIVE TEACHING
2 AND LEARNING IN MIDDLE GRADES.—

3 “(1) IN GENERAL.—Not later than 60 days
4 after the date of enactment of the Every Child
5 Achieves Act of 2015, the Secretary shall enter into
6 a contract with the National Academies to review ex-
7 isting research on middle grades education, and on
8 factors that might lead to increased effectiveness
9 and enhanced innovation in middle grades education.

10 “(2) CONTENT OF STUDY.—The study de-
11 scribed in paragraph (1) shall review research on
12 education programs, practices, and policies and re-
13 search on the cognitive, social, and emotional devel-
14 opment of children in the middle grades age range,
15 in order to provide an enriched understanding of the
16 factors that might lead to the development of inno-
17 vative and effective middle grades programs, prac-
18 tices, and policies. The study shall focus on—

19 “(A) the areas of curriculum, instruction,
20 and assessment (including additional supports
21 for students who are below grade level in read-
22 ing, writing, mathematics, and science, and the
23 identification of students with disabilities) to
24 better prepare all students for subsequent suc-

1 cess in secondary school, postsecondary edu-
2 cation, and cognitively challenging employment;

3 “(B) the quality of (including experience,
4 certification, and demonstrated effectiveness),
5 and supports for, the teacher workforce;

6 “(C) aspects of student behavioral and so-
7 cial development, and of social interactions
8 within schools that affect the learning of aca-
9 demic content;

10 “(D) the ways in which schools and local
11 educational agencies are organized and operated
12 that may be linked to student outcomes;

13 “(E) how development and use of early
14 warning indicator and intervention systems can
15 reduce risk factors for dropping out of school
16 and low academic achievement; and

17 “(F) identification of areas where further
18 research and evaluation may be needed on these
19 topics to further the development of effective
20 middle grades practices.

21 “(3) REPORT.—The contract entered into pur-
22 suant to this subsection shall require that the Na-
23 tional Academies submit to the Secretary, the Com-
24 mittee on Health, Education, Labor, and Pensions
25 of the Senate, and the Committee on Education and

1 the Workforce of the House of Representatives a
2 final report regarding the study conducted under
3 this subsection not later than 2 years after the date
4 of commencement of the contract.

5 “(4) PUBLICATION.—The Secretary shall make
6 public and post on the website of the Department of
7 Education the findings of the study conducted under
8 this subsection.

9 “(c) OTHER ACTIVITIES.—The Secretary shall carry
10 out each of the following:

11 “(1) Create a national clearinghouse, in coordi-
12 nation with entities such as the What Works Clear-
13 inghouse of the Institute of Education Sciences, for
14 research in best practices in the middle grades and
15 in the approaches that successfully take those best
16 practices to scale in schools and local educational
17 agencies.

18 “(2) Create a national middle grades database
19 accessible to educational researchers, practitioners,
20 and policymakers that identifies factors at the
21 school, classroom, and system level that facilitate or
22 impede student academic achievement in the middle
23 grades.

24 “(3) Require the Institute of Education
25 Sciences to develop a strand of field-initiated and

1 scientifically valid research designed to enhance per-
2 formance of schools serving middle grades students,
3 and of middle grades students who are most at risk
4 of educational failure, which may be coordinated
5 with the regional educational laboratories established
6 under section 174 of the Education Sciences Reform
7 Act of 2002, institutions of higher education, agen-
8 cies recognized for their research work that has been
9 published in peer-reviewed journals, and organiza-
10 tions that have such regional educational labora-
11 tories. Such research shall target specific issues such
12 as—

13 “(A) effective practices for instruction and
14 assessment in mathematics, science, technology,
15 and literacy;

16 “(B) effective practices for developing in
17 students the competencies of—

18 “(i) the ability to acquire and use
19 deep content knowledge to solve problems;

20 “(ii) critical thinking;

21 “(iii) effective communication;

22 “(iv) self-direction; and

23 “(v) the ability to collaborate;

24 “(C) academic interventions for adolescent
25 English learners;

1 “(D) school improvement programs and
2 strategies for closing the academic achievement
3 gap between any of the categories of students,
4 as defined in section 1111(b)(3)(A), and for de-
5 creasing rates of suspension and expulsion;

6 “(E) evidence-based or, when available, sci-
7 entifically valid professional development plan-
8 ning targeted to improve pedagogy and student
9 academic achievement and student engagement;

10 “(F) the effects of increased learning or
11 extended school time in the middle grades; and

12 “(~~(G)~~) the effects of decreased class size or
13 increased instructional and support staff.

14 “(4) Strengthen the work of the existing na-
15 tional research and development centers under sec-
16 tion 133(c) of the Education Sciences Reform Act of
17 2002, as of the date of enactment of the Every Child
18 Achieves Act of 2015, by adding an educational re-
19 search and development center dedicated to address-
20 ing—

21 “(A) curricular, instructional, and assess-
22 ment issues pertinent to the middle grades
23 (such as mathematics, science, technological flu-
24 ency, and the needs of English learners and
25 students with disabilities);

1 “(B) comprehensive reforms for low-per-
2 forming middle grades; and

3 “(C) other topics pertinent to improving
4 the academic achievement of middle grades stu-
5 dents.

6 “(5) Provide grants to nonprofit organizations,
7 for-profit organizations, institutions of higher edu-
8 cation, and others to partner with State educational
9 agencies and local educational agencies to develop,
10 adapt, or replicate effective models for turning
11 around low-performing schools serving middle grades
12 students.

13 **“SEC. 1623. AUTHORIZATION OF APPROPRIATIONS; RES-**
14 **ERVATIONS.**

15 “(a) AUTHORIZATION.—There are authorized to be
16 appropriated to carry out this subpart \$100,000,000 for
17 fiscal year 2016 and such sums as may be necessary for
18 each of the 5 succeeding fiscal years.

19 “(b) RESERVATIONS.—From the total amount made
20 available to carry out this subpart for a fiscal year, the
21 Secretary shall reserve—

22 “(1) 2.5 percent for the studies described in
23 subsections (a) and (b) of section 1622;

24 “(2) 5 percent for the clearinghouse described
25 in section 1622(c)(1);

1 “(3) 5 percent for the database described in
2 section 1622(c)(2);

3 “(4) 42.5 percent for the activities described in
4 section 1622(c)(3);

5 “(5) 15 percent for the activities described in
6 section 1622(c)(4); and

7 “(6) 30 percent for the activities described in
8 section 1622(c)(5).”.