

# Business Coalition for Student Achievement

## Legislative Recommendations for Reauthorizing the No Child Left Behind Act (NCLB)

Issue	BCSA Recommendation	Legislative Language	Comments
<b>College and Workplace Readiness</b>  – Standards and Assessments	<p>Provide incentives for states to raise academic standards and improve assessments to align them with college and workplace expectations.</p> <p>These incentives should enable states to:</p> <p>Improve state standards and assessments regularly, with input from business and higher education, so that students graduate from high school having demonstrated proficiency on assessments of the core knowledge, advanced problem-solving skills and critical thinking capacities needed to succeed in both postsecondary education and the workplace.</p> <p>Develop state consortia to collaborate on the development of standards and assessments benchmarked to the best in the world</p>	<p><i>Amend Sec. 6111, Grants for State Assessments and Related Activities, as follows:</i></p> <p><b>SEC. 6111. GRANTS FOR STATE ASSESSMENTS AND RELATED ACTIVITIES.</b></p> <p>The Secretary shall make grants to States to enable the States —</p> <p>(1) to pay the costs of the development of the additional State assessments and standards required by section 1111(b), \which may include the costs of working in voluntary partnerships with other States, at the sole discretion of each such State; and</p> <p>(2) if a State has developed the assessments and standards required by section 1111(b), to administer those assessments or to carry out other activities described in this subpart and other activities related to ensuring that the State's schools and local educational agencies are held accountable for results, such as the following:</p> <p>(A) Developing challenging State academic content and student</p>	

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		<p>academic achievement standards and aligned assessments in academic subjects for which standards and assessments are not required by section 1111(b).</p> <p>(B) Improving State academic content and student academic achievement standards and the alignment of assessments in academic subjects, particularly those at the secondary level, with input from the business and higher education communities, which demonstrate an increase in rigor, so that students graduate from high school having demonstrated proficiency on assessments of the core knowledge, advanced problem-solving skills and critical thinking capacities needed to succeed in both postsecondary education and the workplace.</p> <p><i>Amend Sec. 1111, State Plans, as follows:</i></p> <p>(2) ACCOUNTABILITY.—</p> <p>(A) IN GENERAL.—Each State plan shall demonstrate that the State has developed and is implementing a single, statewide State accountability system that will be effective in ensuring that all local educational agencies, public elementary schools, and public secondary schools make adequate yearly progress as defined</p>	

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		<p>under this paragraph. Each State accountability system shall—</p> <p>(i) be based on the academic standards and academic assessments adopted under paragraphs (1) and (3), and other academic indicators consistent with subparagraph (C)(vi) and (vii), and shall take into account the achievement of all public elementary school and secondary school students;</p> <p>(ii) be the same accountability system the State uses for all public elementary schools and secondary schools or all local educational agencies in the State, except that public elementary schools, secondary schools, and local educational agencies not participating under this part are not subject to the requirements of section 1116</p> <p>(iii) be of sufficient rigor as to ensure that students graduate from high school having demonstrated proficiency on assessments of the core knowledge, advanced problem-solving skills and critical thinking capacities necessary to succeed in either postsecondary education or the workplace, as determined by the State with input from representatives from the business and higher education communities.</p>	

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		(iii) include sanctions and rewards, such as bonuses and recognition, the State will use to hold local educational agencies and public elementary schools and secondary schools accountable for student achievement and for ensuring that they make adequate yearly progress in accordance with the State's definition under subparagraphs (B) and (C).	
<b>College and Workplace Readiness</b>  – Increasing graduation rates	Reform secondary schools and hold them accountable for increasing the graduation rate, using the common definition adopted by the nation's governors, and graduating students who are ready for college and work.	<p><i>Amend Sec. 1111(b)(2)(C)(vi), as follows:</i></p> <p>“(vi) in accordance with subparagraph (D), includes graduation rates for public secondary school students (as defined under section 9101) and at least one other academic indicator, as determined by the State for all public elementary school students; and</p> <p>Sec. 9101 Definitions</p> <p>(23) The term “graduation rates” means --</p> <p>(1) the percentage of students determined by dividing the number of on-time graduates (those receiving a high school diploma) in a given year by the number of first-time entering ninth graders four years</p>	

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		<p>earlier;</p> <p>(2) in determining the calculation under paragraph (1), adjustments may be made for –</p> <p>(A) student transfers in and out of the system; and</p> <p>(B) special education students and recent immigrants with [limited English proficiency,] which can be assigned to different cohorts to allow additional time to graduate.</p>	
<p><b>College and Workplace Readiness</b></p>		<p><b>Striving Readers</b></p> <p><i>Amend Title I, Subpart 2 – “Early Reading First” as “Early Reading First and Striving Readers” as follows:</i></p> <p>Insert a new Sec. 1227 to read as follows:</p> <p><b>Sec. 1227. PURPOSES, DEFINITIONS</b></p> <p>(a) PURPOSES- The purposes of this subpart are to implement and evaluate reading interventions for middle- or high-school students reading significantly below grade level.</p> <p>(b) DEFINITIONS- For purposes of this subpart:</p>	

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		<p>(1) ELIGIBLE APPLICANT- The term eligible applicant' means —</p> <p>(A) local educational agencies (LEAs) eligible to receive funds under Part A of Title I that have one or more high schools or middle schools with significant numbers of students reading below grade level or at risk of not meeting Title I annual yearly progress requirements.</p> <p>(B) partnerships of one or more LEAs described in subparagraph (A) and institutions of higher education and public or private, nonprofit or for-profit organizations.</p> <p>(C) State educational agencies on behalf of LEAs described in subparagraph (A) and in partnership with other entities</p> <p>(2) SCIENTIFICALLY BASED READING RESEARCH- The term scientifically based reading research' has the same meaning given to that term in section 1208.</p> <p><b>SEC. 1228. LOCAL STRIVING READERS GRANTS.</b></p> <p>(a) PROGRAM AUTHORIZED- From amounts appropriated under</p>	

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		<p>section -- , the Secretary shall award grants, on a competitive basis, for periods of not more than 6 years, to eligible applicants to enable the eligible applicants to carry out the authorized activities described in subsection (c).</p> <p>(b) APPLICATIONS- An eligible applicant that desires to receive a grant under this section shall submit an application to the Secretary, at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.</p> <p>(c) AUTHORIZED ACTIVITIES- An eligible applicant that receives a grant under this subpart shall use the funds provided under the grant to –</p> <p>(1) serve students who attend schools eligible to receive funds under Part A of Title I and are in grades 6 through 12;</p> <p>(2) implement school-level strategies designed to increase reading achievement by integrating enhanced literacy instruction throughout the curriculum and the entire school;</p> <p>(3) implement an intensive, targeted intervention for students reading at least 2 years below grade level; and</p>	

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		<p>(4) implement professional development in reading instruction for secondary-school teachers in the core academic subjects and the implementation of reading curricula that are appropriate for teenage students.</p> <p>SEC. 1229. REPORTING REQUIREMENTS.(a) Each eligible applicant receiving a grant under this subpart shall report annually to the Secretary regarding the eligible applicant's progress in addressing the purposes of this subpart.</p>	
College and Workplace Readiness		<p><b>Establishment of P-16 Councils:</b></p> <p>SEC. 6111. GRANTS FOR STATE ASSESSMENTS AND RELATED ACTIVITIES.</p> <p>The Secretary shall make grants to States to enable the States –</p> <p>(1) to pay the costs of the development of the additional State assessments; and</p> <p>(2) if a State has developed the assessments and standards...</p> <p>(A) Developing challenging State academic content and student academic achievement standards..</p>	



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		<p>(B) Establishing or strengthening existing state-based P-16 councils composed of state education officials and representatives of elementary and secondary education, postsecondary education and business communities, to address issues related to –</p> <p>(i) Alignment of K-12 standards, assessments, and curricula with the expectations of postsecondary education and the workforce;</p> <p>(ii) Alignment of teacher preparation/certification with K-12 standards;</p> <p>(iii) Adoption and/or improvement by states of high-quality standards and assessments in science, technology, engineering and mathematics subject areas;</p> <p>(iv) Systemic issues, especially related to the improvement of struggling schools and teacher recruitment; and</p> <p>(v) Alignment and rigor for all students by supporting secondary school college preparatory programs with outcomes directly tied to college and work readiness, as validated by external examinations, such as the Advanced Placement program.</p>	

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<p><b>Science, Technology, Engineering and Math (STEM)</b></p> <p>– Funding, alignment and evaluation</p> <p>– Math Now, MSP</p>	<p>Increase and align STEM funding with the goals of NCLB and require rigorous program evaluation.</p> <p>Focus funding on scaling up programs to improve teaching and learning, such as Math Now and Math and Science Partnerships.</p>	<p><b>Math Now</b></p> <p>Propose inclusion of modified version of Math Now Program as included in S. 761 the “America Competes Act” (attached below)</p> <p><b>Amend Sec. 2202, GRANTS FOR MATHEMATICS AND SCIENCE PARTNERSHIPS.</b></p> <p>Sec. 2202 (b)(2)(C)</p> <p>(C) a description of how the activities to be carried out by the eligible partnership will be based on a review of scientifically based research on mathematics and science education programs that are effective in improving student academic achievement, which may include such programs as identified by the Director of the National Science Foundation to be replicated on a more expansive basis, and an explanation of how the activities are expected to improve student academic achievement and strengthen the quality of mathematics and science instruction</p> <p>Restructure (c), (d), (e), and (f) as (d), (e), (f), and (g)</p> <p>Insert new (c)SPECIAL</p>	

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		<p>CONSIDERATION— In awarding grants under this part -</p> <p>(A) the Secretary, in the case of awarding grants pursuant to subsection (a)(1), shall give special consideration to eligible partnerships that carry out activities modeled after programs identified by the Director of the National Science Foundation to be replicated on a more expansive basis.</p> <p>(B) a State educational agency, in the case of awarding subgrants pursuant to subsection (a)(2), shall give special consideration to eligible partnerships that carry out activities modeled after programs identified by the Director of the National Science Foundation to be replicated on a more expansive basis.</p> <p>Amend new (e)(2)</p> <p>CONSULTATION. — In carrying out the activities authorized by this part, the Secretary shall -</p> <p>(A) consult with the Director of the National Science Foundation, particularly in the conduct of summer workshops, institutes, or partnerships to improve mathematics and science teaching in elementary schools and secondary schools; and</p>	

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		<p>(B) consult with the Director of the National Science Foundation regarding the dissemination of model programs identified by the Director of the National Science Foundation to be replicated on a more expansive basis.</p> <p>Amend new (f) EVALUATION AND ACCOUNTABILITY PLAN.—</p> <p>(1) IN GENERAL.—Each eligible partnership receiving a grant or subgrant under this part shall develop an evaluation and accountability plan for activities assisted under this part that includes rigorous objectives that measure the impact of activities funded under this part.</p> <p>(2) CONTENTS.—The plan developed pursuant to paragraph (1)—</p> <p>(A) shall include measurable objectives to increase the number of mathematics and science teachers who participate in content-based professional development activities;</p> <p>(B) shall include measurable objectives for improved student academic achievement on State mathematics and science assessments or, where applicable, an International</p>	

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		<p>Mathematics and Science Study assessment; and</p> <p>(C) may include objectives and measures for—</p> <p>(i) increased participation by students in advanced courses in mathematics and science;</p> <p>(ii) increased percentages of elementary school teachers with academic majors or minors, or group majors or minors, in mathematics, engineering, or the sciences; and</p> <p>(iii) increased percentages of secondary school classes in mathematics and science taught by teachers with academic majors in mathematics, engineering, and science.</p> <p>____(D) shall describe how the activities supported under this section will be coordinated with other programs to improve math and science academic achievement being implemented by the local educational agency that is a member of the partnership.</p> <p>(3) REPORTS.—</p> <p>(A) Each eligible partnership receiving a grant or subgrant under</p>	

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		<p>this part shall report annually to the Secretary regarding the eligible partnership's progress in meeting the objectives described in the accountability plan of the partnership under subsection (e).</p> <p>(B) The Secretary shall annually report to the appropriate committees of Congress on the effectiveness of programs supported under this section in improving student math and science academic achievement.</p> <p>(4) REVOCATION OF GRANT.—If the Secretary determines that an eligible partnership is not making substantial progress in meeting the objectives described in the accountability plan of the partnership under subsection (e), as appropriate, by the end of the second year of the grant under this part, then the grant payment shall not be made for the third year of the grant.</p>	
<b>Science, Technology, Engineering and Math (STEM)</b>	Add science to the adequate yearly progress (AYP) accountability system and support state participation in National Assessment	<p><b>Science AYP</b></p> <p><i>Amend Sec. 1111(b)(2), as follows:</i></p>	

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– Science assessments	of Educational Progress (NAEP) science assessments.	<p>“(G) MEASURABLE OBJECTIVES- Each State shall establish statewide annual measurable objectives, pursuant to subparagraph (C)(v), for meeting the requirements of this paragraph, and which—</p> <p>(i) shall be set separately for the assessments of mathematics, science and reading or language arts under subsection (a)(3);”</p> <p>Amend Sec. 1111(b)(3)(C)(vii), as follows:</p> <p>(vii) measure the achievement of students against the challenging State academic content and student academic achievement standards in each of grades 3 through 8 in, at a minimum, mathematics, and reading or language arts, and beginning in the 2008-2009 school year, measure the achievement of students against challenging state academic content and student academic achievement standards not less than on time during grades 3 through 5, grades 6 through 9, and grades 10 through 12, in science, except that the Secretary may provide the State 1 additional year...”</p> <p><b>NAEP Science Assessments..</b></p>	

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		<p><i>Amend Education Sciences Reform Act of 2002 as follows:</i></p> <p>Title III National Assessment Educational Progress</p> <p>Sec. 303 National Assessment of Educational Progress</p> <p>Amend Sec 303(b) as follows:</p> <p>(1) by amending subparagraph (2)(B), as follows:</p> <p>(B) conduct a national assessment and collect and report assessment data, including achievement data trends in a valid and reliable manner on student academic achievement in public and private elementary schools and secondary schools at least once every 2 years, in grades 4 and 8 in reading, mathematics, and science.</p> <p>(2) by amending subparagraph (2)(D), by striking “science”;</p> <p>(3) by amending subparagraph (2)(E), by striking “reading and mathematics” and inserting “reading, mathematics and science”</p> <p>(4) by amending clause (i) of subparagraph (3)(A), by striking “reading and mathematics” and inserting “reading, mathematics and</p>	



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		<p>science”</p> <p>(5) by amending clause (ii) of subparagraph (3)(A), by striking “reading and mathematics” and inserting “reading, mathematics and science”; and</p> <p>(6) by amending clause (ii) of subparagraph (3)(C), by striking “reading and mathematics” and inserting “reading, mathematics and science”;</p>	
<b>Data Driven Decision Making</b>	Based on commitments from states, provide resources to develop statewide data systems that offer timely and accurate collection, analysis and use of high quality longitudinal data that align to district systems to inform decision making and ultimately to improve teacher effectiveness and student achievement.	<p><i>Amend Sec. 6112 as follows:</i></p> <p>SEC. 6112. GRANTS FOR ENHANCED ASSESSMENT INSTRUMENTS- AND DATA SYSTEMS.</p> <p>(a) GRANT PROGRAM AUTHORIZED.—From funds made available to carry out this subpart, the Secretary shall award, on a competitive basis, grants for enhanced assessment instruments and grants for enhanced data systems, to State educational agencies that have submitted an application at such time, in such manner, and containing such information as the Secretary may require, which demonstrate to the satisfaction of the Secretary, that the requirements of this section will be met, for the following:</p>	

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		<p>(1) with respect to grants for enhanced assessment instruments –</p> <p>(A) To enable States (or consortia of States) to collaborate with institutions of higher education, other research institutions, or other organizations to improve the quality, validity, and reliability of State academic assessments beyond the requirements for such assessments described in section 1111(b)(3).</p> <p>(B) To measure student academic achievement using multiple measures of student academic achievement from multiple sources.</p> <p>(C) To chart student progress over time.</p> <p>(D) To evaluate student academic achievement through the development of comprehensive academic assessment instruments, such as performance and technology-based academic assessments.</p> <p>(2) with respect to grants for enhanced data systems –</p> <p>(A) To enable the development, acquisition, and implementation of a statewide longitudinal data system to assist in the collection, management, and analysis of information related to</p>	

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	<p>Provide educator training on the use of data to differentiate instruction for students, especially for those who are not yet proficient and those who are more advanced.</p>	<p>the requirements listed in this subsection, including data on the effectiveness of elementary school and secondary school teachers and principals, based on value-added achievement gains for the purposes of --</p> <p>(i) determining the distribution of effective teacher and principals;</p> <p>(ii) developing measures to assist teachers and principals to improve their instruction and effectiveness; and</p> <p>(iii) other uses deemed appropriate.</p> <p><i>Amend Title II, Preparing, Training and Recruiting High Quality Principals and Teachers, as follows..</i></p> <p>State Uses of Funds</p> <p>“(11) Encouraging and supporting the training of teachers and administrators to effectively integrate technology into curricula and instruction, including training to improve the ability to collect, manage, and analyze data to improve, decision making, school improvement efforts, accountability- and teaching, including on the use of data to differentiate instruction for students based upon their academic</p>	

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		<p>level of achievement.</p> <p>Sec. 2123 Local Uses of Funds</p> <p>“(D) understand and use data and assessments to improve classroom practice and student learning., including to differentiate instruction for students based upon their academic level of achievement.</p>	
<p><b>Teacher and Principal Effectiveness</b></p> <p>– Highly Effective Teachers</p>	<p>Shift current definition of “highly qualified teachers” to a focus on “highly effective teachers.”</p>	<p>The definition of “highly qualified teachers” would be retained and continue to be implemented by States.</p> <p><i>Amend Sec. 2112 State Application for Title II-A Teacher and Principal Training and Recruiting Fund, as follows</i></p> <p><b>“SEC. 2112. STATE APPLICATIONS.</b></p> <p>(a) IN GENERAL.—For a State to be eligible to receive a grant under this part, the State educational agency shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.</p> <p>(b) CONTENTS.—Each application submitted under this section shall include the following:</p>	

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		<p>(13) A description of how the State will implement a system of identifying and rewarding teachers they determine as being “highly effective” which shall at a minimum, include demonstrated success in</p> <p>(A) effectively conveying and explaining academic subject matter, as evidenced by increased student academic achievement; and</p> <p>(B) employing strategies that—</p> <p>(i) are based on scientifically based research;</p> <p>(ii) are specific to academic subject matter; and</p> <p>(iii) focus on the identification of, and tailoring of academic instruction to, students' specific learning needs, particularly children with disabilities, students who are limited English proficient, and students who are gifted and talented.”</p>	
<b>Teacher and Principal Effectiveness</b>		<p><b>Teacher Incentive Fund</b></p> <p>Specifically authorize the Teacher Incentive Fund under NCLB.</p> <p>Title II – Subpart 6 – TEACHER</p>	

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		<p>INCENTIVE FUND PROGRAM</p> <p>SEC.2369. PURPOSE; DEFINITIONS.</p> <p>(a) Purpose- The purpose of this part is to assist States, local educational agencies, and non-profit or for-profit organizations to develop and implement, or expand, innovative compensation initiatives to provide financial rewards for teachers and principals who raise student academic achievement and close the achievement gap, especially in the highest-need local educational agencies.</p> <p>(b) Definitions- For purposes of this part:</p> <p>(1) ELIGIBLE ENTITY - The term 'eligible entity' means –</p> <p>(A) a local educational agency, including a charter school that is a local educational agency;</p> <p>(B) a State educational agency, or other State agency designated by the chief executive of the State; or</p> <p>(C) a partnership of –</p> <p>(i) one or more agencies described in subparagraph (A) or (B), or both; and</p>	

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		<p>(ii) at least one non-profit or for-profit organization.</p> <p>(2) HIGH-NEED LOCAL EDUCATIONAL AGENCY- The term ‘high-need local educational agency’ has the meaning given that term in section 201.</p> <p>SEC. 2370. TEACHER INCENTIVE FUND GRANTS.</p> <p>(a) Program Authorized-</p> <p>(1) IN GENERAL- From the amounts appropriated to carry out this part, the Secretary is authorized to award competitive grants of up to 5 years in length to eligible entities to develop and implement, or expand, a comprehensive performance-based compensation system for teachers and principals for one or more local educational agencies.</p> <p>(2) COMPREHENSIVE PERFORMANCE-BASED COMPENSATION SYSTEMS- A comprehensive performance-based compensation initiative developed and implemented, or expanded with funds under this part –</p> <p>(A) shall differentiate levels of compensation primarily on the basis of increases in student academic achievement; and</p>	

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		<p>(B) may –</p> <p>(i) differentiate levels of compensation on the basis of high-quality teachers’ and principals’ employment and success in hard-to-staff schools or high-need subject areas; and</p> <p>(ii) recognize teachers’ and principals’ skills and knowledge as demonstrated through –</p> <p>(I) successful fulfillment of additional responsibilities or job functions; and</p> <p>(II) evidence of high achievement and mastery of content knowledge and teaching skills.</p> <p>(b) Use of Funds- A grantee shall use grant funds provided under this part only to design and implement, or expand, in collaboration with teachers, principals, other school administrators, and members of the public, a compensation system consistent with the requirements of this part. Authorized activities under this part may include the following:</p> <p>(1) Developing appraisal systems that reflect clear and fair measures of student academic achievement.</p>	



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		<p>(2) Conducting outreach within the local educational agency (or agencies) or the State to gain input on how to construct the appraisal system and to develop support for it.</p> <p>(3) Paying, as part of a comprehensive performance-based compensation initiative, bonuses and increased salaries to teachers and principals who raise student academic achievement, so long as the grantee uses an increasing share of non-Federal funds to pay these monetary rewards each year of the grant.</p> <p>(4) Paying, as part of a comprehensive performance-based compensation initiative, additional bonuses to teachers who both raise student academic achievement and either teach in high-poverty schools or teach subjects that are difficult to staff, such as mathematics, science, critical foreign languages or special education, so long as the grantee uses an increasing share of non-Federal funds to pay these monetary rewards each year of the grant.</p> <p>(5) Paying, as part of a comprehensive performance-based compensation initiative, additional bonuses to principals who both raise student academic achievement and serve in high-poverty schools, so</p>	

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		<p>long as the grantee uses an increasing share of non-Federal funds to pay these monetary rewards each year of the grant.</p> <p>(c) Applications- To be eligible to receive a grant under this part, an eligible entity shall submit an application that includes –</p> <p>(1) a description of the local educational agency or local educational agencies to be served by the project, including such demographic information as the Secretary may request;</p> <p>(2) information on student academic achievement and the quality of the teachers and principals in the local educational agency or agencies to be served by the project;</p> <p>(3) a description of the performance-based teacher and principal compensation initiative that the applicant proposes to develop and implement or expand;</p> <p>(4) a description of how the applicant will use grant funds under this part in each year of the grant;</p> <p>(5) an explanation of how the applicant will meet the requirement in subsection (b)(3) and how the</p>	

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		<p>grantee will continue its performance-based compensation initiative after the grant ends;</p> <p>(6) a description of the support and commitment from teachers, the community or local educational agency or agencies for the development and implementation, or expansion, of a performance-based teacher and principal compensation initiative;</p> <p>(7) a description of how teacher, principal and student performance will be measured and the baseline measurement units; and</p> <p>(8) a description, if applicable, of how the applicant will define the term 'high-quality' for the purposes of subsection (a)(2)(B)(i), through the use of measurable indicators, such as effectiveness in raising student academic achievement, or demonstrated mastery of subject matter knowledge.</p> <p>(d) Priority- The Secretary shall give priority to applications for projects that would establish comprehensive performance-based compensation initiative in high-need local educational agencies.</p> <p>'SEC. 2371. EVALUATIONS.</p>	

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		<p>‘The Secretary shall conduct an independent evaluation of the program under this part and may use up to 1 percent of the funds made available under this part or \$1,000,000, whichever is less, for any fiscal year for the cost of the evaluation.</p>	
<p><b>Teacher and Principal Effectiveness</b></p> <p>– Uses of Funds</p>	<p>Focus resources on supporting and rewarding both teacher and principal effectiveness at improving student achievement by funding programs that:</p> <p>Align preparation, recruitment, induction, retention and professional development with the knowledge and skills needed to improve student performance and to enable all students to graduate from high school ready for postsecondary education and the workplace.</p>	<p>Amend Title II, Section 2123, Local Uses of Funds, by striking current language, and replacing with the following:</p> <p><b>“SEC. 2123. LOCAL USE OF FUNDS.</b></p> <p>(a) IN GENERAL.—A local educational agency that receives a subgrant under section 2121 shall use the funds made available through the subgrant to carry out one or more of the following activities, including carrying out the activities through a grant or contract with a for-profit or nonprofit entity:</p> <p>(1) Align preparation, recruitment, induction, retention and professional development with the knowledge and skills needed to improve student performance and to enable all students to graduate from high school ready for postsecondary education</p>	

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	<p>Require the institutions and other entities that receive funding for these purposes to evaluate their impact on increased educator effectiveness.</p> <p>Institute performance- and market-based pay programs that: reward educators whose performance contributes to substantial growth in student achievement, attract and retain effective math and science teachers and adjunct faculty, and draw effective teachers and leaders to high-need schools.</p> <p>Develop evaluation systems based principally on improved student performance.</p> <p>Implement policies and practices to quickly and fairly remove ineffective educators.</p>	<p>and the workplace;</p> <p>(2) Require the institutions and other entities that receive funding for these purposes to evaluate their impact on increased educator effectiveness.</p> <p>(3) Institute performance- and market-based pay programs that: reward educators whose performance contributes to substantial growth in student achievement, attract and retain effective math and science teachers and adjunct faculty, and draw effective teachers and leaders to high-need schools.</p> <p>(4) Develop evaluation systems based principally on improved student performance.</p> <p>(5) Implement policies and practices to quickly and fairly remove ineffective educators.</p> <p>(6) understand and use data and assessments to improve classroom practice and student learning., including to differentiate instruction for students based upon their academic level of achievement.</p>	
<p><b>Strengthen and Refine Accountability</b></p> <p>– AYP Determinations</p>	<p>Provide guidance on ways that States can differentiate among districts and schools that are close to or far from making adequate yearly progress, and ensure that resources for</p>	<p>Amend 1116(b) – school improvement general requirements.</p> <p>(8) RESTRUCTURING.—</p>	<p>Change restructuring language</p>

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	improvement focus on those with the highest concentrations of underperforming students.	<p>(A) FAILURE TO MAKE ADEQUATE YEARLY PROGRESS.—</p> <p>If, after 1 full school year of corrective action under paragraph (7), a school subject to such corrective action continues to fail to make adequate yearly progress, then the local educational agency shall—</p> <p>(i) continue to provide all students enrolled in the school with the option to transfer to another public school served by the local educational agency, in accordance with paragraph (1)(E) and (F);</p> <p>(ii) continue to make supplemental educational services available, in accordance with subsection (e), to children who remain in the school; and</p> <p>(iii) prepare a plan and make necessary arrangements to carry out subparagraph (B).</p> <p>(B) ALTERNATIVE GOVERNANCE.—Subject to subparagraph (D), Not later than the beginning of the school year following the year in which the local educational agency implements subparagraph (A), the local educational agency shall implement one of the</p>	

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		<p>following alternative governance arrangements for the school consistent with State law:</p> <p>(i) Reopening the school as a public charter school, notwithstanding any state law or district policy which limits the number of charter schools allowed.</p> <p>(ii) Replacing all or most of the school staff (which may include the principal) who are relevant to the failure to make adequate yearly progress.</p> <p>(iii) Entering into a contract with an entity, such as a private management company, with a demonstrated record of effectiveness, to operate the public school; or</p> <p>(iv) Turning the operation of the school over to the State educational agency, if permitted under State law and agreed to by the State.</p> <p>In the case of a rural local educational agency with a total of less than 600 students in average daily attendance at the schools that are served by the agency and all of whose schools have a School Locale Code of 7 or 8, as determined by the Secretary, the Secretary shall, at such agency's request, provide technical assistance</p>	

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		<p>to such agency for the purpose of implementing this clause.</p> <p>(C) PROMPT NOTICE.—The local educational agency shall—</p> <p>(i) provide prompt notice to teachers and parents whenever subparagraph (A) or (B) applies; and</p> <p>(ii) provide the teachers and parents with an adequate opportunity to—</p> <p>(I) comment before taking any action under those subparagraphs; and</p> <p>(II) participate in developing any plan under subparagraph (A)(iii).</p> <p>(D) SPECIAL RULE-</p> <p>(1) At the option of the State, the percentage of schools throughout the State, required to implement an alternative governance arrangement under subparagraph (B) during any school year, may be limited to not less than 20 percent of all such schools that would have otherwise been required to implement such strategies pursuant to this Section.</p> <p>(2) in identifying those schools required to implement alternative governance strategies pursuant to paragraph (1), the State shall utilize objective criteria, which targets those</p>	



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		schools that are furthest away from meeting AYP.	
<b>Strengthen and Refine Accountability</b>  – Growth Models	Permit states to use rigorous measures of year-to-year growth in student academic achievement and other methods verified by the Secretary that are consistent with the goal of all students reaching proficiency in reading, math and science.	<p>Amend Sec. 1111(b)(2)(C) Definition of Adequate Yearly Progress, by inserting a new clause (viii), to read as follows:</p> <p>Amend Sec. 1111(b)(2)(C) Definition of Adequate Yearly Progress, by inserting a new clause (viii), to read as follows:</p> <p>“(viii) in accordance with subparagraph (L), bases the measure of progress required under this paragraph on cohorts of students moving from grade to grade or on the same grade levels from year to year.</p> <p>(L) Growth Models -- In carrying out subparagraph (C)(viii), a State that chooses to base the measure of progress on cohorts of students moving from grade to grade shall –</p> <p>(i) Ensure that all students are proficient by 2014 and set annual goals to ensure that the achievement gap is closing for all groups of students;</p> <p>(ii) Set expectations for annual achievement based upon meeting grade-level proficiency, not based on</p>	

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		<p>student background or school characteristics;</p> <p>(iii) Hold schools accountable for student achievement in reading/language arts and mathematics;</p> <p>(iv) Ensure that all students in tested grades are included in the assessment and accountability system, hold schools and districts accountable for the performance of each student subgroup, and include all schools and districts;</p> <p>(v) Include assessments in each of grades three through eight and high school in both reading/language arts and mathematics, ;</p> <p>(vi) Produce comparable results from grade to grade and year to year;</p> <p>(vii) Track student progress as part of the State data system;</p> <p>(viii) Include student participation rates and student achievement on a separate academic indicator in the state accountability system; and</p> <p>(ix) meet other criteria as may be established by the Secretary.</p>	

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		<p>Sec. 1111(b)(2)(I)(i) is amended</p> <p>(i) each group of students described in subparagraph (C)(v) or as appropriate, (C)(viii), must meet or exceed the objectives set by the State under subparagraph (G), except that if any group described in subparagraph (C)(v), or as appropriate, (C)(viii), does not meet those objectives in any particular year, the school shall be considered to have made adequate yearly progress if the percentage of students in that group who did not meet or exceed the proficient level of academic achievement on the State assessments under paragraph (3) for that year decreased by 10 percent of that percentage from the preceding school year and that group made progress on one or more of the academic indicators described in subparagraph (C)(vi) or (vii);</p>	
<p><b>Strengthen and Refine Accountability</b></p> <p>– Close loopholes</p>	<p>Close loopholes that allow states to use statistical means to “game” the accountability system and undermine the intent of school restructuring.</p>	<p>Amend Sec. 1111(b)(2)(C)(v) as follows:</p> <p>(v)..except that disaggregating of data under subclause (II) shall not be required in a case in which the number of students in a category is insufficient [as determined by generally accepted statistical standards] to yield statistically reliable information or the results</p>	

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		would reveal personally identifiable information about an individual student.	
<b>Strengthen and Refine Accountability</b>  – Strengthen Choice and Tutoring Options	Require districts to provide parents with timely and easily understood information on their options and allow them to choose either supplemental education services or moving to a higher performing public school.	Amend Sec. 1116(b)(1)(E) is amended as follows  (E) PUBLIC SCHOOL CHOICE AND SUPPLEMENTAL EDUCATIONAL SERVICES.—  (i) IN GENERAL.—In the case of a school identified for school improvement under this paragraph, the local educational agency shall, not later than the first day of the school year following such identification,  <u>(I) provide all students enrolled in the school with the option to transfer to another public school served by the local educational agency, which may include a public charter school, that has not been identified for school improvement under this paragraph, unless such an option is prohibited by State law; or</u>  (II) shall make supplemental educational services available consistent with subsection (e)(1).  (ii) RULE.—In providing students the option to transfer to another public school, the local educational agency shall give priority to the	

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		<p>lowest achieving children from low-income families, as determined by the local educational agency for purposes of allocating funds to schools under section 1113(c)(1).</p> <p>Sec. 1116(d)(1) is amended by striking “paragraphs (5), (7), or (8)” and inserting, “paragraphs (1), (5), (7), or (8)”</p>	
<p><b>Strengthen and Refine Accountability</b></p> <p>– Special Education/LEP assessments</p>	<p>Fund development of better assessments for special education students and English language learners.</p>	<p><i>Amend Sec. 6111 as follows:</i></p> <p>SEC. 6111. GRANTS FOR STATE ASSESSMENTS AND RELATED ACTIVITIES.</p> <p>The Secretary shall make grants to States to enable the States—</p> <p>(1) ...</p> <p>(2) if a State has developed the assessments ...</p> <p>(A) Developing challenging State academic content and student academic achievement standards and aligned assessments in academic subjects for which standards and assessments are not required by section 1111(b).</p> <p>(B) Developing or improving assessments of English language proficiency necessary to comply with</p>	

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		section 1111(b)(7) and for special education students.	
<b>School Improvement and Innovation</b>	<p>Increase capacity of states and other entities to better assist schools that need help making AYP and that are facing corrective action and/or restructuring.</p> <p>Target funding, assistance and distribution of effective educators to high-need schools.</p> <p>Continue support for innovation, such as charter schools, diverse provider models and techniques that effectively integrate technology into appropriate aspects of teaching, learning and management</p>	<p><b>SEC. 1003. SCHOOL IMPROVEMENT.</b></p> <p>(a) STATE RESERVATIONS- Each State shall reserve 2 percent of the amount the State receives under subpart 2 of part A for fiscal years 2002 and 2003, and 4 percent of the amount received under such subpart for fiscal years 2004 through 2007, to carry out subsection (b) and to carry out the State's responsibilities under sections 1116 and 1117, including carrying out the State educational agency's statewide system of technical assistance and support for local educational agencies.</p> <p>(b) USES- Of the amount reserved under subsection (a) for any fiscal year, the State educational agency —</p> <p>(1) shall allocate not less than 95 percent of the grant funds directly to local educational agencies for schools identified for corrective action, or restructuring to carry out activities under section 1116(b) or arrange for their provision through other entities such as school support teams or educational service agencies.</p>	

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		<p>(g) ASSISTANCE FOR LOCAL SCHOOL IMPROVEMENT.—</p> <p>(1) PROGRAM AUTHORIZED.— The Secretary shall award grants to States to enable the States to provide subgrants to local educational agencies for the purpose of providing assistance for school improvement consistent with section 1116(b)(8).</p> <p>...</p> <p>(4) STATE APPLICATIONS.— Each State educational agency that desires to receive funds under this subsection shall submit an application to the Secretary at such time, and containing such information, as the Secretary shall reasonably require, except that such requirement shall be waived if a State educational agency submitted such information as part of its State plan under this part. Each State application shall describe how the State educational agency will allocate such funds in order to assist the State educational agency and local educational agencies in complying with restructuring requirements of section 1116(b)(8).</p> <p>(5) LOCAL EDUCATIONAL AGENCY GRANTS.—A grant to a local educational agency under this subsection shall be—</p>	

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		<p>(A) of sufficient size and scope to support the activities required under sections 1116(b)(8), but not less than \$50,000 for each participating school;</p> <p>...</p> <p><u>(6) ALLOCATION.</u>—A State educational agency that receives a grant under this subsection shall allocate at least 95 percent of the grant funds directly to local educational agencies for schools identified for restructuring to carry out alternative governance strategies s under section 1116(b)(8)(<u>B</u>), or may, directly provide for these activities or arrange for their provision through other entities.</p> <p>...</p> <p><u>(9) LOCAL AWARDS.</u>—Each local educational agency that applies for assistance under this subsection shall describe how it will provide the lowest-achieving schools the resources necessary to implement restructuring strategies under section 1116(b)(8)(<u>B</u>).</p>	



**SEC. [xxxx] MATH NOW FOR ELEMENTARY SCHOOL AND MIDDLE SCHOOL STUDENTS PROGRAM.**

- (a) Purpose- The purpose of this section is to enable all students to reach or exceed grade-level academic achievement standards and to prepare the students to enroll in and pass algebra courses by--
- (1) improving instruction in mathematics for students in kindergarten through grade 9 through the implementation of mathematics programs and the support of comprehensive mathematics initiatives that are based on the best available scientifically based research; and
  - (2) providing targeted help to low-income students who are struggling with mathematics and whose achievement is significantly below grade level.
- (b) Definition of Eligible Local Educational Agency- In this section, the term `eligible local educational agency' means a high-need local educational agency (as defined in section 3112(3)) serving 1 or more schools--
- (1) with significant numbers or percentages of students whose mathematics skills are below grade level;
  - (2) that are not making adequate yearly progress in mathematics under section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)); or
  - (3) in which students are receiving instruction in mathematics from teachers who do not have mathematical content knowledge or expertise in the teaching of mathematics.
- (c) Program Authorized-
- (1) IN GENERAL- From the amounts appropriated under subsection (k) for any fiscal year, the Secretary is authorized to award grants, on a competitive basis, for not more than 5 years, to State educational agencies to enable the State educational agencies to award grants to eligible local educational agencies to carry out the activities described in subsection (e).
  - (2) PRIORITY- In awarding grants under this section, the Secretary shall give priority to applications for projects that will implement statewide strategies for improving mathematics instruction and raising the mathematics achievement of students, particularly students in grades 4 through 8.
  - (3) GUIDANCE – The review of State educational agency applications and the Secretary's determination of whether to award grants shall be guided by evaluations of applications and recommendations for funding by a panel of independent researchers with expertise in the pedagogy of mathematics, research mathematicians, and math educators from high risk, high achievement schools and local educational agencies
- (d) State Uses of Funds-
- (1) IN GENERAL- Each State educational agency that receives a grant under this section for a fiscal year--
    - (A) shall expend not more than a total of 10 percent of the grant funds to carry out the activities described in paragraphs (2) for the fiscal year; and
    - (B) shall use not less than 90 percent of the grant funds to award grants, on a competitive basis, to eligible local educational agencies to enable the eligible local educational agencies to carry out the activities described in subsection (e) for the fiscal year.
  - (2) MANDATORY USES OF FUNDS- A State educational agency shall use the grant funds made available under paragraph (1)(A) to carry out each of the following activities:
    - (A) PLANNING AND ADMINISTRATION- Planning and administration, including--
      - (i) evaluating applications from eligible local educational agencies using peer review teams described in subsection (f)(1)(D);
      - (ii) administering the distribution of grants to eligible local educational agencies; and

(iii) assessing and evaluating, on a regular basis, eligible local educational agency activities assisted under this section, with respect to whether the activities have been effective in increasing the number of children--

(I) making progress toward meeting grade-level mathematics achievement; and

(II) meeting or exceeding grade-level mathematics achievement.

(B) REPORTING- Annually providing the Secretary with a report on the implementation of this section as described in subsection (i).

(C) TECHNICAL ASSISTANCE

(i) Technical assistance activities that assist an eligible local educational agency, upon request by the eligible local educational agency, in accomplishing the tasks required to design and implement a project under this section, including assistance in--

(I) selecting and implementing a program of mathematics instruction, or materials and interventions, based on the best available evidence of effectiveness;

(II) evaluating and selecting diagnostic and classroom based instructional mathematics assessments; and

(III) identifying eligible professional development providers to conduct the professional development activities described in subsection (e)(1)(B).

(ii) The technical assistance described in subparagraph (A) shall be guided by researchers with expertise in the pedagogy of mathematics, research mathematicians, and mathematics educators from high-risk, high-achievement schools and eligible local educational agencies.

(e) Local Uses of Funds-

(1) MANDATORY USES OF FUNDS- Each eligible local educational agency receiving a grant under this section shall use the grant funds to carry out each of the following activities:

(A) To implement mathematics instructional materials and interventions (including intensive instruction)--

(i) for students in the grades of a participating school as identified in the application submitted under subsection (f)(2)(A); and

(ii) that are based on the best available scientifically based research.

(B) To provide professional development and instructional leadership activities for teachers and, if appropriate, for administrators and other school staff, on the implementation of comprehensive mathematics initiatives designed--

(i) to improve the achievement of students performing significantly below grade level;

(ii) to improve the mathematical content knowledge of the teachers, administrators, and other school educational staff;

(iii) to increase the use of effective instructional practices; and

(iv) to monitor student progress.

(C) To conduct continuous progress monitoring, which may include the adoption and use of assessments that--

(i) measure student progress and identify areas in which students need help in learning mathematics; and

(ii) reflect mathematics content that is consistent with State academic achievement standards in mathematics described in section 1111(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)).

(2) PERMISSIVE USES OF FUNDS- An eligible local educational agency may use grant funds under this section to--

(A) adopt and use mathematics instructional materials, technologies, and assessments;

(B) implement classroom-based assessments, including diagnostic or formative assessments;

- (C) provide remedial coursework and interventions for students, which may be provided before or after school;
- (D) provide small groups with individualized instruction in mathematics;
- (E) conduct activities designed to improve the content knowledge and expertise of teachers, such as the use of a mathematics coach, enrichment activities, and interdisciplinary methods of mathematics instruction;
- (F) collect and report performance data; and
- (G) instructional technologies for instructional materials, assessments (including data collection and reporting components), individualized instruction, and professional development.

(f) Applications-

(1) STATE EDUCATIONAL AGENCY- Each State educational agency desiring a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. Each application shall include--

- (A) an assurance that the core mathematics instructional materials or program, supplemental instructional materials, and intervention programs used by the eligible local educational agencies for the project, are based on the best available scientifically based research and are aligned with State academic achievement standards;
- (B) an assurance that eligible local educational agencies will meet the requirements described in paragraph (2);
- (C) an assurance that local applications will be evaluated using a peer review process; and
- (D) a description of the qualifications of the peer review teams, which shall consist of--
  - (i) researchers with expertise in the pedagogy of mathematics;
  - (ii) research mathematicians; and
  - (iii) mathematics educators serving high-risk, high-achievement schools and eligible local educational agencies.

(2) ELIGIBLE LOCAL EDUCATIONAL AGENCY- Each eligible local educational agency desiring a grant under this section shall submit an application to the State educational agency at such time and in such manner as the State educational agency may require. Each application shall include--

- (A) an assurance that the eligible local educational agency will provide assistance to 1 or more schools that are--
  - (i) served by the eligible local educational agency; and
  - (ii) described in section 3201(b);
- (B) a description of the grades kindergarten through grade 9, and of the schools, that will be served;
- (C) information, on an aggregate basis, on each school to be served by the project, including such demographic, socioeconomic, and mathematics achievement data as the State educational agency may request;
- (D) a description of the core mathematics instructional materials or program, supplemental instructional materials, and intervention programs or strategies that will be used for the project, including an assurance that the programs or strategies and materials are based on the best available scientifically based research and are aligned with State academic achievement standards;
- (E) a description of the activities that will be carried out under the grant, including descriptions of the continuous progress monitoring that will be carried out, the professional development that will be provided to teachers, and, if appropriate, administrators and other school staff, and the activities that will support achievement of the purpose of this section;
- (F) an assurance that the eligible local educational agency will report to the State educational agency all data on student academic achievement that is necessary for the State educational agency's report under subsection (i);

- (G) a description of the eligible entity's plans for evaluating the impact of professional development and leadership activities in mathematics on the content knowledge and expertise of teachers, administrators, or other school staff; and
  - (H) any other information the State educational agency may reasonably require.
- (g) Prohibition on Endorsement of Curriculum-
  - (1) IN GENERAL- In implementing this section, the Secretary shall not--
    - (A) endorse, approve, or sanction any specific mathematics curriculum designed for use in any school; or
    - (B) engage in oversight, technical assistance, or activities that will require the adoption of a specific mathematics program or instructional materials by a State, local educational agency, or school.
  - (2) RULE OF CONSTRUCTION- Nothing in this title shall be construed to authorize or permit the Department of Education, or a Department of Education contractor, to mandate, direct, control, or suggest the selection of a mathematics curriculum, supplemental instructional materials, or program of instruction by a State, local educational agency, or school.
- (h) Matching Requirements-
  - (1) STATE EDUCATIONAL AGENCY- A State educational agency that receives a grant under this section shall provide, from non-Federal sources, an amount equal to 50 percent of the amount of the grant, in cash or in kind, to carry out the activities supported by the grant, of which not more than 20 percent of such 50 percent may be provided by local educational agencies within the State.
  - (2) WAIVER- The Secretary may waive all of or a portion of the matching requirement described in paragraph (1) for any fiscal year, if the Secretary determines that--
    - (A) the application of the matching requirement will result in serious hardship for the State educational agency; or
    - (B) providing a waiver best serves the purpose of the program assisted under this section.
- (i) Program Performance and Accountability-
  - (1) INFORMATION- Each State educational agency receiving a grant under this section shall collect and report to the Secretary annually such information on the results of the grant as the Secretary may reasonably require, including information on--
    - (A) mathematics achievement data that show the progress of students participating in projects under this section (including, to the extent practicable, comparable data from students not participating in such projects), based primarily on the results of State, school district wide, or classroom-based, assessments, including--
      - (i) specific identification of those schools and eligible local educational agencies that report the largest gains in mathematics achievement; and
      - (ii) evidence on whether the State educational agency and eligible local educational agencies within the State have--
        - (I) significantly increased the number of students achieving at grade level or above in mathematics;
        - (II) significantly increased the percentages of students described in section 1111(b)(2)(C)(v)(II) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(v)(II)) who are achieving at grade level or above in mathematics;
        - (III) significantly increased the number of students making significant progress toward meeting grade-level mathematics achievement standards; and
        - (IV) successfully implemented this section;
    - (B) the percentage of students in the schools served by the eligible local educational agency who enroll in algebra courses and the percentage of such students who pass algebra courses; and

(C) the progress made in increasing the quality and accessibility of professional development and leadership activities in mathematics, especially activities resulting in greater content knowledge and expertise of teachers, administrators, and other school staff, except that the Secretary shall not require such information until after the third year of a grant awarded under this section.

(2) REPORTING AND DISAGGREGATION- The information required under paragraph (1) shall be--

(A) reported in a manner that allows for a comparison of aggregated score differentials of student academic achievement before (to the extent feasible) and after implementation of the project assisted under this section; and

(B) disaggregated in the same manner as information is disaggregated under section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C)(i)).

(3) PRIVACY PROTECTION- The data in the report shall be reported in a manner that--

(A) protects the privacy of individuals; and

(B) complies with the requirements of the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g).

(j) Evaluation and Technical Assistance-

(1) EVALUATION-

(A) IN GENERAL- The Secretary shall conduct an annual independent evaluation, by grant or by contract, of the program assisted under this section, which shall include an assessment of the impact of the program on student academic achievement and teacher performance, and may use funds available to carry out this section to conduct the evaluation.

(B) REPORT- The Secretary shall annually submit, to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and the Workforce of the House of Representatives, and the Committees on Appropriations of the Senate and House of Representatives, a report on the results of the evaluation.

(2) TECHNICAL ASSISTANCE- The Secretary may use funds made available under paragraph (3) to provide technical assistance to prospective applicants and to eligible local educational agencies receiving a grant under this section.

(3) RESERVATION OF FUNDS-

(A) IN GENERAL - The Secretary may reserve not more than 2.5 percent of funds appropriated under subsection (k) for a fiscal year to carry out this subsection and to provide technical assistance to state educational agencies.

“(B) The technical assistance provided to state education agencies shall –

(i) be offered prior to the deadline for receipt of applications for funds under this section in order to inform state educational agencies of the current research findings on quality mathematics instruction programs that result in improved academic achievement for students attending high-risk schools and that meet the requirements of this section;

(ii) be guided by independent researchers with expertise in the pedagogy of mathematics, research mathematicians, and math educators from high-risk, high-achievement schools and LEAs;

(iii) disseminate information, through regional workshops or technology based means, on scientifically based research pertaining to mathematics instruction and professional development;

(k) Authorization of Appropriations- There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2008 and for each of the [X] succeeding fiscal years.