

**AMENDMENT TO H.R.**  
**OFFERED BY M**      . \_\_\_\_\_

Strike section 112 and insert the following:

1 **SEC. 112. STATE PLANS.**

2 Section 1111 (20 U.S.C. 6311) is amended to read  
3 as follows:

4 **“SEC. 1111. STATE PLANS.**

5 “(a) PLANS REQUIRED.—

6 “(1) IN GENERAL.—For any State desiring to  
7 receive a grant under this part, the State edu-  
8 cational agency shall submit to the Secretary a plan,  
9 developed by the State educational agency, in con-  
10 sultation with representatives of local educational  
11 agencies, teachers, school leaders, specialized in-  
12 structional support personnel, early childhood edu-  
13 cation providers, parents, community organizations,  
14 communities representing underserved populations,  
15 and Indian tribes, that satisfies the requirements of  
16 this section, and that is coordinated with other pro-  
17 grams of this Act, the Individuals with Disabilities  
18 Education Act, the Carl D. Perkins Career and  
19 Technical Education Act of 2006, the Head Start

1 Act, the Adult Education and Family Literacy Act,  
2 and the McKinney-Vento Homeless Assistance Act.

3 “(2) CONSOLIDATED PLAN.—A State plan sub-  
4 mitted under paragraph (1) may be submitted as a  
5 part of a consolidated plan under section 9302.

6 “(b) COLLEGE AND CAREER READY CONTENT  
7 STANDARDS, ASSESSMENTS, AND ACHIEVEMENT STAND-  
8 ARDS.—

9 “(1) GENERAL REQUIREMENTS.—Each State  
10 plan shall include evidence that the State’s college  
11 and career ready content standards, assessments,  
12 and achievement standards under this subsection  
13 are—

14 “(A) vertically aligned from kindergarten  
15 through grade 12; and

16 “(B) developed and implemented to ensure  
17 that proficiency in the content standards will  
18 signify that a student is on-track to graduate  
19 prepared for—

20 “(i) according to written affirmation  
21 from the State’s public institutions of high-  
22 er education, placement in credit-bearing,  
23 nonremedial courses at the 2-and 4-year  
24 public institutions of higher education in  
25 the State; and

1                   “(ii) success on relevant State career  
2                   and technical education standards.

3                   “(2) COLLEGE AND CAREER READY CONTENT  
4                   STANDARDS.—

5                   “(A) IN GENERAL.—Each State plan shall  
6                   demonstrate that, not later than the 2015–2016  
7                   school year the State educational agency will  
8                   adopt and implement high-quality, college and  
9                   career ready content standards that comply  
10                  with this paragraph.

11                  “(B) SUBJECTS.—The State educational  
12                  agency shall have such high-quality, academic  
13                  content standards for students in kindergarten  
14                  through grade 12 for, at a minimum, English  
15                  language arts, math, and science.

16                  “(C) ELEMENTS.—College and career  
17                  ready content standards under this paragraph  
18                  shall—

19                         “(i) be developed through participa-  
20                         tion in a State-led process that engages—

21                                 “(I) kindergarten through-grade-  
22                                 12 education experts (including teach-  
23                                 ers and educational leaders); and

24                                 “(II) representatives of institu-  
25                                 tions of higher education, the business

1 community, and the early learning  
2 community;

3 “(ii) be rigorous, internationally  
4 benchmarked, and evidence-based, requir-  
5 ing students to demonstrate the ability to  
6 think critically, solve problems, and com-  
7 municate effectively;

8 “(iii) be either—

9 “(I) validated, including through  
10 written affirmation from the State’s  
11 public institutions of higher education,  
12 to ensure that proficiency in the con-  
13 tent standards will signify that a stu-  
14 dent is on-track to graduate prepared  
15 for—

16 “(aa) placement in credit-  
17 bearing, nonremedial courses at  
18 the 2-and 4-year public institu-  
19 tions of higher education in the  
20 State; and

21 “(bb) success on relevant  
22 State career and technical edu-  
23 cation standards; or

1                   “(II) State-developed and volun-  
2                   tarily adopted by a significant number  
3                   of States;

4                   “(iv) for standards from kindergarten  
5                   through grade 3, reflect progression in how  
6                   children develop and learn the requisite  
7                   skills and content from earlier grades (in-  
8                   cluding preschool) to later grades; and

9                   “(v) apply to all schools and students  
10                  in the State.

11                  “(D) ENGLISH LANGUAGE PROFICIENCY  
12                  STANDARDS.—Each State educational agency  
13                  shall develop and implement statewide, high-  
14                  quality English language proficiency standards  
15                  that—

16                  “(i) are aligned with the State’s aca-  
17                  demic content standards;

18                  “(ii) reflect the academic language  
19                  that is required for success on the State  
20                  educational agency’s academic content as-  
21                  sessments;

22                  “(iii) predict success on the applicable  
23                  grade level English language arts content  
24                  assessment;

1                   “(iv) ensure proficiency in each of the  
2                   domains of speaking, listening, reading,  
3                   and writing in the appropriate amount of  
4                   time; and

5                   “(v) address the different proficiency  
6                   levels of English learners.

7                   “(E) EARLY LEARNING STANDARDS.—The  
8                   State educational agency shall, in collaboration  
9                   with the State agencies responsible for over-  
10                  seeing early care and education programs and  
11                  the State early care and education advisory  
12                  council, develop and implement early learning  
13                  standards across all major domains of develop-  
14                  ment for preschoolers that—

15                  “(i) demonstrate alignment with the  
16                  State academic content standards;

17                  “(ii) are implemented through dis-  
18                  semination, training, and other means to  
19                  applicable early care and education pro-  
20                  grams;

21                  “(iii) reflect research and evidence-  
22                  based developmental and learning expecta-  
23                  tions;

24                  “(iv) inform teaching practices and  
25                  professional development and services; and

1                   “(v) for preschool age children, appro-  
2                   priately assist in the transition to kinder-  
3                   garten.

4                   “(F) ASSURANCE.—Each State plan shall  
5                   include an assurance that the State has imple-  
6                   mented the same content standards for all stu-  
7                   dents in the same grade and does not have a  
8                   policy of using different content standards for  
9                   any student subgroup.

10                  “(3) HIGH-QUALITY ASSESSMENTS.—

11                   “(A) IN GENERAL.—Each State plan shall  
12                   demonstrate that the State educational agency  
13                   will adopt and implement high-quality assess-  
14                   ments in English language arts, math, and  
15                   science not later than the 2016–2017 school  
16                   year that comply with this paragraph.

17                   “(B) ELEMENTS.—Such assessments  
18                   shall—

19                   “(i) be valid, reliable, appropriate, and  
20                   of adequate technical quality for each pur-  
21                   pose required under this Act, and be con-  
22                   sistent with relevant, nationally recognized  
23                   professional and technical standards;

24                   “(ii) measure the knowledge and skills  
25                   necessary to demonstrate proficiency in the

1 academic content standards under para-  
2 graph (2) for the grade in which the stu-  
3 dent is enrolled;

4 “(iii) be developed as part of a system  
5 of assessments providing data (including  
6 individual student achievement data and  
7 individual student growth data), that shall  
8 be used to improve teaching, learning, and  
9 program outcomes;

10 “(iv) be used in determining the per-  
11 formance of each local educational agency  
12 and school in the State in accordance with  
13 the State’s accountability system under  
14 subsection (c);

15 “(v) provide an accurate measure of—

16 “(I) student achievement at all  
17 levels of student performance; and

18 “(II) student academic growth;

19 “(vi) allow for complex demonstra-  
20 tions or applications of knowledge and  
21 skills including the ability to think criti-  
22 cally, solve problems, and communicate ef-  
23 fectively;



1                   “(vii) be accessible for all students, in-  
2                   cluding students with disabilities and  
3                   English learners, by—

4                   “(I) incorporating principles of  
5                   universal design as defined by section  
6                   3(a) of the Assistive Technology Act  
7                   of 1998 (29 U.S.C. 3002(a)); and

8                   “(II) being interoperable when  
9                   using any digital assessment, such as  
10                  computer-based and online assess-  
11                  ments;

12                  “(viii) provide for accommodations,  
13                  including for computer-based and online  
14                  assessments, for students with disabilities  
15                  and English learners to provide a valid and  
16                  reliable measure of such students’ achieve-  
17                  ment;

18                  “(ix) produce individual student inter-  
19                  pretive, descriptive, and diagnostic reports  
20                  that allow parents, teachers, and school  
21                  leaders to understand and address the spe-  
22                  cific academic needs of students, and in-  
23                  clude information regarding achievement  
24                  on academic assessments, and that are  
25                  provided to parents, teachers, and school

1           leaders, as soon as is practicable after the  
2           assessment is given, in an understandable  
3           and uniform format, and to the extent  
4           practicable, in a language that parents can  
5           understand; and

6                   “(x) may be partially delivered in the  
7           form of portfolios, projects, or extended  
8           performance tasks as long as such assess-  
9           ments meet the requirements of this sub-  
10          section.

11                   “(C) ADMINISTRATION.—Such assessments  
12          shall—

13                   “(i) be administered to all students,  
14          including all subgroups described in sub-  
15          section (c)(3)(A), in the same grade level  
16          for each content area assessed, except as  
17          provided under subparagraph (E),  
18          through—

19                   “(I) a single summative assess-  
20          ment each school year; or

21                   “(II) multiple statewide assess-  
22          ments over the course of the school  
23          year that result in a single summative  
24          score that provides valid, reliable, and  
25          transparent information on student

1 achievement for each tested content  
2 area in each grade level;

3 “(ii) for English language arts and  
4 math—

5 “(I) be administered annually, at  
6 a minimum, for students in grade 3  
7 through grade 8; and

8 “(II) be administered at least  
9 once, but not earlier than 11th grade  
10 for students in grades 9 through  
11 grade 12; and

12 “(iii) for science, be administered at  
13 least once during grades 3 through 5,  
14 grades 6 through 8, and grades 9 through  
15 12.

16 “(D) NATIVE LANGUAGE ASSESSMENTS.—  
17 Each State educational agency with at least  
18 10,000 English learners, at least 25 percent of  
19 which speak the same language that is not  
20 English, shall adopt and implement native lan-  
21 guage assessments for that language consistent  
22 with State law. Such assessments shall be for  
23 students—

24 “(i) for whom the academic assess-  
25 ment in the student’s native language

1 would likely yield more accurate and reli-  
2 able information about such student's con-  
3 tent knowledge;

4 “(ii) who are literate in the native lan-  
5 guage and have received formal education  
6 in such language; or

7 “(iii) who are enrolled in a bilingual  
8 or dual language program and the native  
9 language assessment is consistent with  
10 such program's language of instruction.

11 “(E) ALTERNATE ASSESSMENTS FOR STU-  
12 DENTS WITH THE MOST SIGNIFICANT COG-  
13 NITIVE DISABILITIES.—In the case of a State  
14 educational agency that adopts alternate  
15 achievement standards for students with the  
16 most significant cognitive disabilities described  
17 in paragraph (4)(D), the State shall adopt and  
18 implement high-quality statewide alternate as-  
19 sessments aligned to such alternate achievement  
20 standards that meet the requirements of sub-  
21 paragraphs (B) and (C), so long as the State  
22 ensures that in the State the total number of  
23 students in each grade level assessed in each  
24 subject does not exceed the cap established  
25 under subsection (c)(3)(E)(iii)(II).

1           “(F) ENGLISH LANGUAGE PROFICIENCY  
2 ASSESSMENTS.—Each State educational agency  
3 shall adopt and implement statewide English  
4 language proficiency assessments that—

5           “(i) are administered annually and  
6 aligned with the State’s English language  
7 proficiency standards and academic con-  
8 tent standards;

9           “(ii) are accessible, valid, and reliable;

10           “(iii) measure proficiency in reading,  
11 listening, speaking, and writing in English  
12 both individually and collectively;

13           “(iv) assess progress and growth on  
14 language and content acquisition; and

15           “(v) allow for the local educational  
16 agency to retest a student in the individual  
17 domain areas that the student did not  
18 pass, unless the student is newly entering  
19 a school in the State, or is in the third,  
20 fifth, or eighth grades.

21           “(G) SPECIAL RULE WITH RESPECT TO  
22 BUREAU FUNDED SCHOOLS.—In determining  
23 the assessments to be used by each school oper-  
24 ated or funded by the Department of the Inte-

1           rior’s Bureau of Indian Education receiving  
2           funds under this part, the following shall apply:

3                   “(i) Each such school that is accred-  
4                   ited by the State in which it is operating  
5                   shall use the assessments the State has de-  
6                   veloped and implemented to meet the re-  
7                   quirements of this section, or such other  
8                   appropriate assessment as approved by the  
9                   Secretary of the Interior.

10                   “(ii) Each such school that is accred-  
11                   ited by a regional accrediting organization  
12                   shall adopt an appropriate assessment, in  
13                   consultation with and with the approval of,  
14                   the Secretary of the Interior and consistent  
15                   with assessments adopted by other schools  
16                   in the same State or region, that meets the  
17                   requirements of this section.

18                   “(iii) Each such school that is accred-  
19                   ited by a tribal accrediting agency or tribal  
20                   division of education shall use an assess-  
21                   ment developed by such agency or division,  
22                   except that the Secretary of the Interior  
23                   shall ensure that such assessment meets  
24                   the requirements of this section.

1           “(H) ASSURANCE.—Each State plan shall  
2 include an assurance that the State educational  
3 agency will take steps to ensure that the State  
4 assessment system, which includes all statewide  
5 assessments and local assessments is coordi-  
6 nated and streamlined to eliminate duplication  
7 of assessment purposes, practices, and use.

8           “(I) ACCOMMODATIONS.—Each State plan  
9 shall—

10                   “(i) describe the accommodations for  
11 English learners and students with disabil-  
12 ities on the assessments used by the State  
13 which may include accommodations such  
14 as text-to-speech technology or read aloud,  
15 braille, large print, calculator, speech-to-  
16 text technology or scribe, extended time,  
17 and frequent breaks;

18                   “(ii) include evidence of the effective-  
19 ness of such accommodations in maintain-  
20 ing valid results for the appropriate popu-  
21 lation; and

22                   “(iii) include evidence that such ac-  
23 commodated do not change the construct  
24 intended to be measured by the assessment  
25 or the meaning of the resulting scores.

1           “(J) ADAPTIVE ASSESSMENTS.—In the  
2 case of a State educational agency that develops  
3 and administers computer adaptive assess-  
4 ments, such assessments shall meet the require-  
5 ments of this paragraph, and must measure, at  
6 a minimum, each student’s academic proficiency  
7 against the State’s content standards as de-  
8 scribed in paragraph (2) for the grade in which  
9 the student is enrolled.

10           “(4) COLLEGE AND CAREER READY ACHIEVE-  
11 MENT AND GROWTH STANDARDS.—

12           “(A) IN GENERAL.—Each State plan shall  
13 demonstrate that the State will adopt and im-  
14 plement college and career ready achievement  
15 standards in English language arts, math, and  
16 science by the 2015–2016 school year that com-  
17 ply with this paragraph.

18           “(B) ELEMENTS.—Such academic achieve-  
19 ment standards shall establish at a minimum, 3  
20 levels of student achievement that describe how  
21 well a student is demonstrating proficiency in  
22 the State’s academic content standards that dif-  
23 ferentiate levels of performance to—

24           “(i) describe 2 levels of high achieve-  
25 ment (on-target and advanced) that indi-



1           cate, at a minimum, that a student is pro-  
2           ficient in the academic content standards  
3           under paragraph (2) as measured by the  
4           performance on assessments under para-  
5           graph (3); and

6           “ (ii) describe a third level of achieve-  
7           ment (catch-up) that provides information  
8           about the progress of a student toward be-  
9           coming proficient in the academic content  
10          standards under paragraph (2) as meas-  
11          ured by the performance on assessments  
12          under paragraph (3).

13          “(C)     VERTICAL     ALIGNMENT.—Such  
14          achievement standards are vertically aligned to  
15          ensure a student who achieves at the on-target  
16          or advanced levels under subparagraph (B)(i)  
17          signifies that student is on-track to graduate  
18          prepared for—

19                 “(i) placement in credit-bearing, non-  
20                 remedial courses at the 2- and 4-year pub-  
21                 lic institutions of higher education in the  
22                 State; and

23                 “(ii) success on relevant State career  
24                 and technical education standards.

1           “(D) ALTERNATE ACHIEVEMENT STAND-  
2           ARDS.—If a State educational agency adopts al-  
3           ternate achievement standards for students with  
4           the most significant cognitive disabilities, such  
5           academic achievement standards shall establish,  
6           at a minimum, 3 levels of student achievement  
7           that describe how well a student is dem-  
8           onstrating proficiency in the State’s academic  
9           content standards that—

10                   “(i) are aligned to the State’s college  
11                   and career ready content standards under  
12                   paragraph (2);

13                   “(ii) are vertically aligned to ensure  
14                   that a student who achieves at the on-tar-  
15                   get or advanced level under clause (v)(I)  
16                   signifies that the student is on-track to ac-  
17                   cess a postsecondary education or competi-  
18                   tive integrated employment;

19                   “(ii) reflect concepts and skills that  
20                   students should know and understand for  
21                   each grade;

22                   “(iv) are supported by evidence-based  
23                   learning progressions to age and grade-  
24                   level performance; and

25                   “(v) establish, at a minimum—

1                   “(I) 2 levels of high achievement  
2                   (on-target and advanced) that indi-  
3                   cate, at a minimum, that a student  
4                   with the most significant cognitive  
5                   disabilities is proficient in the aca-  
6                   demic content standards under para-  
7                   graph (2) as measured by the per-  
8                   formance on assessments under para-  
9                   graph (3)(E); and

10                   “(II) a third level of achievement  
11                   (catch-up) that provides information  
12                   about the progress of a student with  
13                   the most significant cognitive disabil-  
14                   ities toward becoming proficient in the  
15                   academic content standards under  
16                   paragraph (2) as measured by the  
17                   performance on assessments under  
18                   paragraph (3)(E).

19                   “(E) STUDENT GROWTH STANDARDS.—  
20                   Each State plan shall demonstrate that the  
21                   State will adopt and implement student growth  
22                   standards for students in the assessed grades  
23                   that comply with this subparagraph, as follows:

24                   “(i) ON-TARGET AND ADVANCED LEV-  
25                   ELS.—For a student who is achieving at

1           the on-target or advanced level of achieve-  
2           ment, the student growth standard is not  
3           less than the rate of academic growth nec-  
4           essary for the student to remain at that  
5           level of student achievement for not less  
6           than 3 years.

7           “(ii) CATCH-UP LEVEL.—For a stu-  
8           dent who is achieving at the catch-up level  
9           of achievement, the student growth stand-  
10          ard is not less than the rate of academic  
11          growth necessary for the student to achieve  
12          an on-target level of achievement within 3  
13          or 4 years, as determined by the State.

14          “(F) PROHIBITION.—A State may not es-  
15          tablish alternate or modified achievement stand-  
16          ards for any subgroup of students, except as  
17          provided under subparagraph (D).

18          “(5) RULE OF CONSTRUCTION.—Nothing in  
19          paragraph (3) shall be construed to prescribe the  
20          use of the academic assessments established pursu-  
21          ant to such paragraph for student promotion or  
22          graduation purposes.

23          “(c) ACCOUNTABILITY AND SCHOOL IMPROVEMENT  
24          SYSTEM.—The State plan shall demonstrate that not later  
25          than the 2016 – 2017 school year, the State educational

1 agency, in consultation with representatives of local edu-  
2 cational agencies, teachers, school leaders, parents, com-  
3 munity organizations, communities representing under-  
4 served populations and Indian tribes, has developed a sin-  
5 gle statewide accountability and school improvement sys-  
6 tem (in this subsection known as the ‘accountability sys-  
7 tem’) that ensures all students have the knowledge and  
8 skills to successfully enter the workforce or postsecondary  
9 education without the need for remediation by complying  
10 with this subsection as follows:

11           “(1) ELEMENTS.—Each State accountability  
12           system shall, at a minimum—

13                   “(A) annually measure academic achieve-  
14                   ment for all students, including each subgroup  
15                   described in paragraph (3)(A), in each public  
16                   school, including each charter school, in the  
17                   State, including—

18                           “(i) student academic achievement in  
19                           accordance with the academic achievement  
20                           standards described in subsection (b)(4);

21                           “(ii) student growth in accordance  
22                           with the student growth standards de-  
23                           scribed in subsection (b)(4)(E); and

24                           “(iii) graduation rates in diploma  
25                           granting schools;

1           “(B) set clear performance and growth  
2 targets in accordance with paragraph (2) to im-  
3 prove the academic achievement of all students  
4 as measured under subparagraph (A) of this  
5 paragraph and to close achievement gaps so  
6 that all students graduate ready for postsec-  
7 ondary education and the workforce;

8           “(C) establish equity indicators to diagnose  
9 school challenges and measure school progress  
10 within the improvement system described in  
11 section 1116, including factors to measure, for  
12 all students and each subgroup described in  
13 paragraph (3)(A)—

14           “(i) academic learning, such as—

15           “(I) percentage of students suc-  
16 cessfully completing rigorous  
17 coursework that aligns with college  
18 and career ready standards described  
19 under subsection (b)(2) such as dual  
20 enrollment, Advanced Placement (AP)  
21 or International Baccalaureate (IB)  
22 courses;

23           “(II) percentage of students en-  
24 rolled in arts courses;

1                   “(III) student success on State  
2 or local educational agency end-of  
3 course examinations; and

4                   “(IV) student success on per-  
5 formance-based assessments that are  
6 valid, reliable and comparable across a  
7 local educational agency and meet the  
8 requirements of paragraph (3)(B);

9                   “(ii) student engagement, such as—

10                   “(I) student attendance rates;

11                   “(II) student discipline data, in-  
12 cluding suspension and expulsion  
13 rates;

14                   “(III) incidents of bullying and  
15 harassment; and

16                   “(IV) surveys of student engage-  
17 ment and satisfaction;

18                   “(iii) student advancement, such as—

19                   “(I) student on-time promotion  
20 rates;

21                   “(II) on-time credit accumulation  
22 rates;

23                   “(III) course failure rates; and

24                   “(IV) post-secondary and work-  
25 force entry rates;

1 “(iv) student health and wellness;

2 “(v) student access to instructional  
3 quality, such as—

4 “(I) number of qualified teachers  
5 and paraprofessionals;

6 “(II) number of specialized in-  
7 structional support personnel;

8 “(III) instructional personnel at-  
9 tendance, vacancies, and turnover;  
10 and

11 “(IV) rates of effective teachers  
12 and principals, as determined by the  
13 State or local educational agency;

14 “(vi) school climate and conditions for  
15 student success, such as—

16 “(I) the availability of up-to-date  
17 instructional materials, technology,  
18 and supplies;

19 “(II) measures of school safety;  
20 and

21 “(III) the condition of school fa-  
22 cilities; including accounting for well-  
23 equipped instructional spaces; and

24 “(vii) family and community engage-  
25 ment in education;



1           “(D) annually differentiate performance  
2 and condition of schools based on—

3           “(i) the achievement measured under  
4 subparagraph (A);

5           “(ii) whether the school meets the  
6 performance and growth targets set under  
7 paragraph (2); and

8           “(iii) to a lesser extent, data on the  
9 State-established equity indicators, as de-  
10 scribed in subparagraph (C); and

11          “(E) identify using the differentiation de-  
12 scribed in subparagraph (D), for the purposes  
13 under section 1116—

14          “(i) high priority schools that—

15           “(I) according to the State-estab-  
16 lished parameters described in  
17 1116(a)(2), have the lowest perform-  
18 ance in the local educational agency  
19 and the State using current and prior  
20 year academic achievement, growth,  
21 and graduation rate data as described  
22 in subparagraph (A) and data on the  
23 state-established equity indicators de-  
24 scribed in subparagraph (C); or

1                   “(II) as of the date of enactment  
2                   of the Student Success Act, have been  
3                   identified under 1003(g); and

4                   “(ii) schools in need of support that  
5                   have not met one or more of the perform-  
6                   ance targets set under paragraph (2) for  
7                   any subgroup described in paragraph  
8                   (3)(A) in the same grade level and subject,  
9                   for two consecutive years; and

10                   “(iii) reward schools that have—

11                   “(I) the highest performance in  
12                   the State for all students and student  
13                   subgroups described in paragraph  
14                   (3)(A); or

15                   “(II) made the most progress  
16                   over at least the most recent 2-year  
17                   period in the State in increasing stu-  
18                   dent academic achievement and grad-  
19                   uation rates for all students and stu-  
20                   dent subgroups described in para-  
21                   graph (3)(A); and

22                   “(III) made significant progress  
23                   in overcoming school challenges identi-  
24                   fied using the State-established equity

1 indicators, as described in subpara-  
2 graph (C).

3 “(2) GOALS AND TARGETS.—

4 “(A) IN GENERAL.—Each State edu-  
5 cational agency shall establish goals and targets  
6 for the State accountability and school improve-  
7 ment system that comply with this paragraph.  
8 Such targets shall be established separately for  
9 all elementary school and secondary school stu-  
10 dents, economically disadvantaged students,  
11 students from major racial and ethnic groups,  
12 students with disabilities, and English learners  
13 and expect accelerated academic gains from  
14 subgroups who are the farthest away from col-  
15 lege and career-readiness as determined by an-  
16 nual academic achievement measures described  
17 in paragraph (1)(A).

18 “(B) ACHIEVEMENT GOALS.—Each State  
19 educational agency shall set multi-year goals  
20 that are consistent with the academic and  
21 growth achievement standards under subsection  
22 (b)(4) to ensure that all students graduate pre-  
23 pared to enter the workforce or postsecondary  
24 education without the need for remediation.

1           “(C) PERFORMANCE TARGETS.—Each  
2           State educational agency shall set ambitious,  
3           but achievable annual performance targets sep-  
4           arately for each subgroup of students described  
5           in paragraph (3)(A), for local educational agen-  
6           cies and schools, for each grade level and in  
7           English language arts and math that reflect the  
8           progress required for all students and each sub-  
9           group of students described in paragraph  
10          (3)(A) to meet the State-determined goals as  
11          required under subparagraph (B), as approved  
12          by the Secretary.

13          “(D) GROWTH TARGETS.—Each State edu-  
14          cational agency shall set ambitious but achiev-  
15          able growth targets that—

16                 “(i) assist the State in achieving the  
17                 academic achievement goals described in  
18                 subparagraph (B); and

19                 “(ii) include targets that ensure all  
20                 students, including subgroups of students  
21                 described in paragraph (3)(A), meet the  
22                 growth standards described in subsection  
23                 (b)(4)(E).

24          “(E) GRADUATION RATE GOALS AND TAR-  
25          GETS.—

1                   “(i) GRADUATION RATE GOALS.—  
2                   Each State educational agency shall set a  
3                   graduation rate goal of not less than 90  
4                   percent.

5                   “(ii) GRADUATION RATE TARGETS.—  
6                   Each State educational agency shall estab-  
7                   lish graduation rate targets which shall not  
8                   be less rigorous than the targets approved  
9                   under section 200.19 of title 34, Code of  
10                  Federal Regulations (or a successor regula-  
11                  tion).

12                  “(iii) EXTENDED-YEAR GRADUATION  
13                  RATE TARGETS.—In the case of a State  
14                  that chooses to use an extended year grad-  
15                  uation rate in the accountability and school  
16                  improvement system described under this  
17                  subsection, the State shall set extended  
18                  year graduation rate targets that are more  
19                  rigorous than the targets set under clause  
20                  (ii) and, if applicable, are not less rigorous  
21                  than the targets approved under section  
22                  200.19 of title 34, Code of Federal Regula-  
23                  tions (or a successor regulation).

24                  “(3) FAIR ACCOUNTABILITY.—Each State edu-  
25                  cational agency shall establish fair and appropriate

1 policies and practices, as a component of the ac-  
2 countability system established under this sub-  
3 section, to measure school, local educational agency,  
4 and State performance under the accountability sys-  
5 tem that, at a minimum, comply with this paragraph  
6 as follows:

7 “(A) DISAGGREGATE.—Each State edu-  
8 cational agency shall disaggregate student  
9 achievement data in a manner that complies  
10 with the State’s group size requirements under  
11 subparagraph (B) for the school’s, local edu-  
12 cational agency’s, and the State’s performance  
13 on its goals and performance targets established  
14 under paragraph (2), by each content area and  
15 each grade level for which such goals and tar-  
16 gets are established, and, if applicable, by im-  
17 provement indicators described in paragraph  
18 (1)(D) for each of the following groups:

19 “(i) All public elementary and sec-  
20 ondary school students.

21 “(ii) Economically disadvantaged stu-  
22 dents.

23 “(iii) Students from major racial and  
24 ethnic groups.

25 “(iv) Students with disabilities.

1 “(v) English learners.

2 “(B) SUBGROUP SIZE.—Each State edu-  
3 cational agency shall establish group size re-  
4 quirements for performance measurement and  
5 reporting under the accountability system  
6 that—

7 “(i) is the same for all subgroups de-  
8 scribed in subparagraph (A);

9 “(ii) does not exceed 15 students;

10 “(iii) yields statistically reliable infor-  
11 mation; and

12 “(iv) does not reveal personally identi-  
13 fiable information about an individual stu-  
14 dent.

15 “(C) PARTICIPATION.—Each State edu-  
16 cational agency shall ensure that—

17 “(i) not less than 95 percent of the  
18 students in each subgroup described sub-  
19 paragraph (A) take the State’s assess-  
20 ments under subsection (b)(2); and

21 “(ii) any school or local educational  
22 agency that does not comply with the re-  
23 quirement described in clause (i) of this  
24 subparagraph may not be considered to

1           have met its goals or performance targets  
2           under paragraph (2).

3           “(D) AVERAGING.—Each State educational  
4           agency may average achievement data with the  
5           year immediately preceding that school year for  
6           the purpose of determining whether schools,  
7           local educational agencies, and the State have  
8           met their performance targets under paragraph  
9           (2).

10          “(E) STUDENTS WITH THE MOST SIGNIFI-  
11          CANT COGNITIVE DISABILITIES.—

12                 “(i) IN GENERAL.—In calculating the  
13                 percentage of students scoring at the on-  
14                 target levels of achievement and the grad-  
15                 uation rate for the purpose of determining  
16                 whether schools, local educational agencies,  
17                 and the State have met their performance  
18                 targets under paragraph (2), a State shall  
19                 include all students with disabilities, even  
20                 those students with the most significant  
21                 cognitive disabilities, and—

22                         “(I) may include the on-target  
23                         and advanced scores of students with  
24                         the most significant cognitive disabil-  
25                         ities taking alternate assessments



1 under subsection (b)(3)(E) provided  
2 that the number and percentage of  
3 such students who score at the on-tar-  
4 get or advanced level on such alter-  
5 nate assessments at the local edu-  
6 cational agency and the State levels,  
7 respectively, does not exceed the cap  
8 established by the Secretary under  
9 clause (iii) in the grades assessed and  
10 subjects used under the accountability  
11 system established under this sub-  
12 section; and

13 “(II) may include students with  
14 the most significant cognitive disabil-  
15 ities, who are assessed using alternate  
16 assessments described in subsection  
17 (b)(3)(E) and who receive a State-de-  
18 fined standards-based alternate di-  
19 ploma aligned with alternate achieve-  
20 ment standards described in subpara-  
21 graph (4)(D) and with completion of  
22 the student’s right to a free and ap-  
23 propriate public education under the  
24 Individuals with Disabilities Edu-  
25 cation Act, as graduating with a reg-

1           ular secondary school diploma, pro-  
2           vided that the number and percentage  
3           of those students who receive a State-  
4           defined standards-based alternate di-  
5           ploma at the local educational agency  
6           and the State levels, respectively, does  
7           not exceed the cap established by the  
8           Secretary under clause (iii).

9           “(ii) STATE REQUIREMENTS.—If the  
10          number and percentage of students taking  
11          alternate assessments or receiving a State-  
12          defined standards-based alternate diploma  
13          exceeds the cap under clause (iii) at the  
14          local educational agency or State level, the  
15          State educational agency, in determining  
16          whether the local educational agency or  
17          State, respectively, has met its perform-  
18          ance targets under paragraph (2), shall—

19               “(I) include all students with the  
20               most significant cognitive disabilities;

21               “(II) count at the catch-up level  
22               of achievement or as not graduating  
23               such students who exceed the cap;

24               “(III) include such students at  
25               the catch-up level of achievement or

1 as not graduating in each applicable  
2 subgroup at the school, local edu-  
3 cational agency, and State level; and

4 “(IV) ensure that parents are in-  
5 formed of the actual academic  
6 achievement levels and graduation sta-  
7 tus of their children with the most  
8 significant cognitive disabilities.

9 “(iii) SECRETARIAL DUTIES.—The  
10 Secretary shall establish a cap for the pur-  
11 poses of this subparagraph which—

12 “(I) shall be based on the most  
13 recently available data on—

14 “(aa) the incidence of stu-  
15 dents with the most significant  
16 cognitive disabilities;

17 “(bb) the participation  
18 rates, including by disability cat-  
19 egory, on alternate assessments  
20 using alternate achievement  
21 standards pursuant to subsection  
22 (b)(3)(E);

23 “(cc) the percentage of stu-  
24 dents, including by disability cat-  
25 egory, scoring at each achieve-

1                                   ment level on such alternate as-  
2                                   essments; and

3                                   “(dd) other factors the Sec-  
4                                   retary deems necessary; and

5                                   “(II) may not exceed 1 percent of  
6                                   all students in the combined grades  
7                                   assessed.

8                   “(4) TRANSITION PROVISIONS.—

9                                   “(A) IN GENERAL.—The Secretary shall  
10                                   take such steps as necessary to provide for the  
11                                   orderly transition to the new accountability and  
12                                   school improvement systems required under this  
13                                   subsection from prior accountability and school  
14                                   improvement systems in existence on the day  
15                                   before the date of enactment of the Student  
16                                   Success Act.

17                                   “(B) TRANSITION.—To enable the success-  
18                                   ful transition described in this paragraph, each  
19                                   State educational agency receiving funds under  
20                                   this part shall—

21                                   “(i) administer assessments that were  
22                                   in existence on the day before the date of  
23                                   enactment of the Student Success Act and  
24                                   beginning not later than the 2014–2015

1 school year, administer high-quality assess-  
2 ments described in subsection (b)(3);

3 “(ii) report student performance on  
4 the assessments described in subparagraph  
5 (I), consistent with the requirements under  
6 this title;

7 “(iii) set a new baseline for perform-  
8 ance targets, as described in paragraph  
9 (2)(C) and (2)(D), once new high-quality  
10 assessments described in subsection (b)(3)  
11 are implemented;

12 “(iv) implement the accountability  
13 and school improvement requirements of  
14 sections 1111 and 1116, except—

15 “(I) the State shall not be re-  
16 quired to identify new persistently low  
17 achieving schools or schools in need of  
18 improvement under section 1116 for 1  
19 year after high-quality assessments  
20 described in subsection (b)(3) have  
21 been implemented; and

22 “(II) shall continue to implement  
23 school improvement requirements of  
24 section 1116 in persistently low  
25 achieving schools and schools in need

1 of improvement that were identified as  
2 such in the year prior to implementa-  
3 tion of new high-quality assessments;  
4 and

5 “(v) assist local educational agencies  
6 in providing training and professional de-  
7 velopment on the implementation of new  
8 college and career ready standards and  
9 high-quality assessments.

10 “(C) END OF TRANSITION.—The transition  
11 described in this paragraph shall be completed  
12 by no later than 2 years from the date of enact-  
13 ment of the Student Success Act.

14 “(d) OTHER PROVISIONS TO SUPPORT TEACHING  
15 AND LEARNING.—Each State plan shall contain the fol-  
16 lowing:

17 “(1) DESCRIPTIONS.—A description of—

18 “(A) how the State educational agency will  
19 carry out the responsibilities of the State under  
20 section 1116;

21 “(B) a plan to identify and reduce inequi-  
22 ties in the allocation of State and local re-  
23 sources, including personnel and nonpersonnel  
24 resources, between schools that are receiving  
25 funds under this title and schools that are not

1 receiving such funds under this title, consistent  
2 with the requirements in section 1120A, includ-  
3 ing—

4 “(i) a description of how the State  
5 will support local educational agencies in  
6 meeting the requirements of section  
7 1120A; and

8 “(ii) a description of how the State  
9 will support local educational agencies to  
10 align plans under subparagraph (A), ef-  
11 forts to improve educator supports and  
12 working conditions described in section  
13 2112(b)(3), and efforts to improve the eq-  
14 uitable distribution of teachers and prin-  
15 cipals described in section 2112(b)(5), with  
16 efforts to improve the equitable allocation  
17 of resources as described in this sub-  
18 section;

19 “(C) how the State educational agency will  
20 ensure that the results of the State assessments  
21 described in subsection (b)(3) and the school  
22 identifications described in subsection (c)(1), re-  
23 spectively, will be provided to local educational  
24 agencies, schools, teachers, and parents prompt-  
25 ly, but not later than before the beginning of

1 the school year following the school year in  
2 which such assessments, other indicators, or  
3 evaluations are taken or completed, and in a  
4 manner that is clear and easy to understand;

5 “(D) how the State educational agency will  
6 meet the diverse learning needs of students  
7 by—

8 “(i) identifying and addressing State-  
9 level barriers to implementation of uni-  
10 versal design for learning, as described in  
11 section 5429(b)(21), and multi-tier system  
12 of supports; and

13 “(ii) developing and making available  
14 to local educational agencies technical as-  
15 sistance for implementing universal design  
16 for learning, as described in section  
17 5429(b)(21), and multi-tier system of sup-  
18 ports;

19 “(E) for a State educational agency that  
20 adopts alternate achievement standards for stu-  
21 dents with the most significant cognitive dis-  
22 abilities under subsection (b)(4)(D)—

23 “(i) the clear and appropriate guide-  
24 lines for individualized education program  
25 teams to apply in determining when a stu-



1                   dent’s significant cognitive disability justi-  
2                   fies alternate assessment based on alter-  
3                   nate achievement standards, which shall  
4                   include guidelines to ensure—

5                   “**(I)** students with the most sig-  
6                   nificant cognitive disabilities have ac-  
7                   cess to the general education cur-  
8                   riculum for the grade in which the  
9                   student is enrolled;

10                  “**(II)** participation in an alternate  
11                  assessment does not influence a stu-  
12                  dent’s placement in the least restric-  
13                  tive environment;

14                  “**(III)** determinations are made  
15                  separately for each subject and are re-  
16                  determined each year during the an-  
17                  nual individualized education program  
18                  team meeting;

19                  “**(IV)** the student’s mode of com-  
20                  munication has been identified and  
21                  accommodated to the extent possible;  
22                  and

23                  “**(V)** parents of such students  
24                  give informed consent that—

1                   “(aa) their child’s achieve-  
2                   ment be based on alternate  
3                   achievement standards; and

4                   “(bb) if applicable, that par-  
5                   ticipation in such assessments  
6                   precludes the student from com-  
7                   pleting the requirements for a  
8                   regular secondary school diploma;  
9                   and

10                  “(ii) the procedures the State edu-  
11                  cational agency will use to ensure and  
12                  monitor that individualized education pro-  
13                  gram teams implement the requirements of  
14                  clause (i); and

15                  “(iii) the plan to disseminate informa-  
16                  tion on and promote use of appropriate ac-  
17                  commodations to increase the number of  
18                  students with the most significant cog-  
19                  nitive disabilities who are assessed using  
20                  achievement standards described in sub-  
21                  paragraphs (B) and (C) of subsection  
22                  (b)(4);

23                  “(F) how the State educational agency will  
24                  meet the needs of English learners, including—

1                   “(i) the method for identifying an  
2                   English learner that shall be used by all  
3                   local educational agencies in the State;

4                   “(ii) the entrance and exit require-  
5                   ments for students enrolled in limited  
6                   English proficient classes, which shall—

7                                 “(I) be based on rigorous English  
8                                 language standards; and

9                                 “(II) prepare such students to  
10                                successfully complete the State’s as-  
11                                sessments; and

12                               “(iii) timelines and targets for moving  
13                               students from the lowest levels of English  
14                               language proficiency to the State-defined  
15                               English proficient level, including an assur-  
16                               ance that—

17   “(I) such targets will be based on  
18   student’s initial language proficiency  
19   level when first identified as limited  
20   English proficient and grade; and

21   “(II) such timelines will ensure  
22   students achieve English proficiency  
23   by 18 years of age, unless the State  
24   has obtained prior approval by the  
25   Secretary;

1           “(G) how the State educational agency will  
2 assist local educational agencies in improving  
3 instruction in all core academic subjects;

4           “(H) how the State educational agency will  
5 develop and improve the capacity of local edu-  
6 cational agencies to use technology to improve  
7 instruction; and

8           “(I) how any State educational agency  
9 with a charter school law will support high-  
10 quality public charter schools that receive funds  
11 under this title by—

12           “(i) ensuring the quality of the au-  
13 thorized public chartering agencies in the  
14 State by establishing—

15           “(I) a system of periodic evalua-  
16 tion and certification of public char-  
17 tering agencies using nationally-recog-  
18 nized professional standards; or

19           “(II) a statewide, independent  
20 chartering agency that meets nation-  
21 ally-recognized professional standards;

22           “(ii) including in the procedure estab-  
23 lished pursuant to clause (i) requirements  
24 for—

1                   “(I) the annual filing and public  
2 reporting of independently audited fi-  
3 nancial statements including disclo-  
4 sure of amount and duration of any  
5 nonpublic financial and in-kind con-  
6 tributions of support, by each public  
7 chartering agency, for each school au-  
8 thorized by such agency, and by each  
9 local educational agency and the  
10 State;

11                   “(II) the adoption and enforce-  
12 ment of school employee compensation  
13 and conflict of interest guidelines for  
14 all schools authorized, which shall in-  
15 clude disclosure of executive pay and  
16 affiliated parties with financial inter-  
17 est in the management operations, or  
18 contractual obligations of the school;

19                   “(III) a legally binding charter or  
20 performance contract between each  
21 charter school and the school’s au-  
22 thorized public chartering agency  
23 that—

24                   “(aa) describes the rights,  
25 duties, and remedies of the

1 school and the public chartering  
2 agency; and

3 “(bb) bases charter renewal  
4 and revocation decisions on an  
5 agreed-to school accountability  
6 plan which includes financial and  
7 organizational indicators, with  
8 significant weight given to the  
9 student achievement on the  
10 achievement goals, performance  
11 targets, and growth targets es-  
12 tablished pursuant to subpara-  
13 graphs (B), (C), and (D) of sub-  
14 section (c)(2), respectively, for  
15 each student subgroup described  
16 in subsection (c)(3)(A), as well as

17 “(iii) developing and implementing, in  
18 consultation and coordination with local  
19 educational agencies, a system of interven-  
20 tion, revocation, or closure for charter  
21 schools and public chartering agencies fail-  
22 ing to meet the requirements and stand-  
23 ards described in clauses (i) and (ii),  
24 which, at a minimum provides for—

1                   “(I) initial and regular review, no  
2                   less than once every 3 years, of each  
3                   public chartering agency; and

4                   “(II) intervention, revocation, or  
5                   closure of any charter school identi-  
6                   fied for school improvement under  
7                   section 1116.

8                   “(2) ASSURANCES.—Assurances that—

9                   “(A) the State educational agency will par-  
10                  ticipate in biennial State academic assessments  
11                  of 4th, 8th, and 12th grade reading, mathe-  
12                  matics, and science under the National Assess-  
13                  ment of Educational Progress carried out under  
14                  section 303(b)(2) of the National Assessment of  
15                  Educational Progress Authorization Act, if the  
16                  Secretary pays the costs of administering such  
17                  assessments;

18                  “(B) the State educational agency will—

19                  “(i) notify local educational agencies  
20                  and the public of the content and student  
21                  academic achievement standards and aca-  
22                  demic assessments developed under this  
23                  section, and of the authority to operate  
24                  schoolwide programs; and

1                   “(ii) fulfill the State educational agen-  
2                   cy’s responsibilities regarding local edu-  
3                   cational agency and school improvement  
4                   under section 1116;

5                   “(C) the State educational agency will en-  
6                   courage local educational agencies to consoli-  
7                   date funds from other Federal, State, and local  
8                   sources for school improvement activities under  
9                   1116 and for schoolwide programs under sec-  
10                  tion 1114;

11                  “(D) the State educational agency has  
12                  modified or eliminated State fiscal and account-  
13                  ing barriers so that schools can easily consoli-  
14                  date funds from other Federal, State, and local  
15                  sources for schoolwide programs under section  
16                  1114;

17                  “(E) that State educational agency will co-  
18                  ordinate data collection efforts to fulfill the re-  
19                  quirements of this Act and reduce the duplica-  
20                  tion of data collection to the extent practicable;

21                  “(F) the State educational agency will pro-  
22                  vide the least restrictive and burdensome regu-  
23                  lations for local educational agencies and indi-  
24                  vidual schools participating in a program as-  
25                  sisted under this part;



1           “(G) the State educational agency will in-  
2 form local educational agencies in the State of  
3 the local educational agency’s authority—

4                   “(i) to transfer funds under title VI;

5                   “(ii) to obtain waivers under part D  
6 of title IX; and

7                   “(iii) if the State is an Ed-Flex Part-  
8 nership State, to obtain waivers under the  
9 Education Flexibility Partnership Act of  
10 1999;

11           “(H) the State educational agency will  
12 work with other agencies, including educational  
13 service agencies or other local consortia and  
14 comprehensive centers established under the  
15 Educational Technical Assistance Act of 2002,  
16 and institutions to provide professional develop-  
17 ment and technical assistance to local edu-  
18 cational agencies and schools;

19           “(I) the State educational agency will en-  
20 sure that local educational agencies in the State  
21 comply with the requirements of subtitle B of  
22 title VII of the McKinney-Vento Homeless As-  
23 sistance Act (42 U.S.C. 1117); and

24           “(J) the State educational agency has en-  
25 gaged in timely and meaningful consultation

1 with representatives of Indian tribes located in  
2 the State in the development of the State plan  
3 to serve local educational agencies under its ju-  
4 risdiction in order to—

5 “(i) improve the coordination of ac-  
6 tivities under this Act;

7 “(ii) meet the purpose of this title;  
8 and

9 “(iii) meet the unique cultural, lan-  
10 guage, and educational needs of Indian  
11 students.

12 “(e) FAMILY ENGAGEMENT.—Each State plan shall  
13 include a plan for strengthening family engagement in  
14 education. Each such plan shall, at a minimum, include—

15 “(1) a description of the State’s criteria and  
16 schedule for review and approval of local educational  
17 agency engagement policies and practices pursuant  
18 to section 1112(e)(3);

19 “(2) a description of the State’s system and  
20 process for assessing local educational agency imple-  
21 mentation of section 1118 responsibilities;

22 “(3) a description of the State’s criteria for  
23 identifying local educational agencies that would  
24 benefit from training and support related to family  
25 engagement in education;

1           “(4) a description of the State’s statewide sys-  
2           tem of capacity-building and technical assistance for  
3           local educational agencies and schools on effectively  
4           implementing family engagement in education prac-  
5           tices and policies to increase student achievement;

6           “(5) an assurance that the State will refer to  
7           Statewide Family Engagement Centers, as described  
8           in section 5702, those local educational agencies that  
9           would benefit from training and support related to  
10          family engagement in education; and

11          “(6) a description of the relationship between  
12          the State educational agency and Statewide Family  
13          Engagement Centers, parent training and informa-  
14          tion centers, and community parent resource centers  
15          in the State established under sections 671 and 672  
16          of the Individuals with Disabilities Education Act.

17          “(f) PEER REVIEW AND SECRETARIAL APPROVAL.—

18                 “(1) SECRETARIAL DUTIES.—The Secretary  
19                 shall—

20                         “(A) establish a peer-review process to as-  
21                         sist in the review of State plans;

22                         “(B) appoint individuals to the peer-review  
23                         process who are representative of parents,  
24                         teachers, State educational agencies, local edu-  
25                         cational agencies, and experts and who are fa-

1           miliar with educational standards, assessments,  
2           accountability, the needs of low-performing  
3           schools, and other educational needs of stu-  
4           dents;

5           “(C) approve a State plan within 120 days  
6           of its submission unless the Secretary deter-  
7           mines that the plan does not meet the require-  
8           ments of this section;

9           “(D) if the Secretary determines that the  
10          State plan does not meet the requirements of  
11          this section immediately notify the State of  
12          such determination and the reasons for such de-  
13          termination;

14          “(E) not decline to approve a State’s plan  
15          before—

16                 “(i) offering the State an opportunity  
17                 to revise its plan;

18                 “(ii) providing technical assistance in  
19                 order to assist the State to meet the re-  
20                 quirements of this section; and

21                 “(iii) providing a hearing; and

22          “(F) have the authority to disapprove a  
23          State plan for not meeting the requirements of  
24          this part, but shall not have the authority to re-  
25          quire a State, as a condition of approval of the

1 State plan, to include in, or delete from, such  
2 plan one or more specific elements of the  
3 State’s academic content standards or to use  
4 specific academic assessment instruments or  
5 items.

6 “(2) STATE REVISIONS.—A State plan shall be  
7 revised by the State educational agency if the revi-  
8 sion is necessary to satisfy the requirements of this  
9 section.

10 “(3) PUBLIC REVIEW.—Notifications under this  
11 subsection shall be made available to the public  
12 through the website of the Department, including—

13 “(A) State plans submitted or resubmitted  
14 by a State;

15 “(B) peer review comments;

16 “(C) State plan determinations by the Sec-  
17 retary, including approvals or disapprovals;

18 “(D) amendments or changes to State  
19 plans; and

20 “(E) hearings.

21 “(g) DURATION OF THE PLAN.—

22 “(1) IN GENERAL.—Each State plan shall—

23 “(A) remain in effect for the duration of  
24 the State’s participation under this part or 4  
25 years, whichever is shorter; and

1           “(B) be periodically reviewed and revised  
2           as necessary by the State educational agency to  
3           reflect changes in the State’s strategies and  
4           programs under this part, including information  
5           on the progress the State has made in fulfilling  
6           the requirements of this section.

7           “(2) RENEWAL.—A State educational agency  
8           that desires to continue participation under this part  
9           shall submit a renewed plan every 4 years, including  
10          information on progress the State has made in—

11           “(A) implementing college- and career-  
12          ready content and achievement standards and  
13          high-quality assessments described in paragraph  
14          (b);

15           “(B) meeting its goals and performance  
16          targets described in subsection (c)(2); and

17           “(C) improving the capacity and skills of  
18          teachers and principals as described in section  
19          2112.

20          “(2) ADDITIONAL INFORMATION.—If significant  
21          changes are made to a State’s plan, such as the  
22          adoption of new State academic content standards  
23          and State student achievement standards, new aca-  
24          demic assessments, or new performance goals or tar-  
25          get, growth goals or targets, or graduation rate

1 goals or targets, such information shall be submitted  
2 to the Secretary for approval.

3 “(h) FAILURE TO MEET REQUIREMENTS.—If a State  
4 fails to meet any of the requirements of this section, the  
5 Secretary may withhold funds for State administration  
6 under this part until the Secretary determines that the  
7 State has fulfilled those requirements.

8 “(i) REPORTS.—

9 “(1) ANNUAL STATE REPORT CARD.—

10 “(A) IN GENERAL.—A State that receives  
11 assistance under this part shall prepare and  
12 disseminate an annual State report card. Such  
13 dissemination shall include, at a minimum, pub-  
14 licly posting the report card on the home page  
15 of the State educational agency’s website.

16 “(B) IMPLEMENTATION.—The State report  
17 card shall be—

18 “(i) concise; and

19 “(ii) presented in an understandable  
20 and uniform format and, to the extent  
21 practicable, provided in a language that  
22 the parents can understand.

23 “(C) REQUIRED INFORMATION.—The  
24 State shall include in its annual State report  
25 card—

1           “(i) information, in the aggregate,  
2           and disaggregated and cross-tabulated by  
3           the same major groups as the decennial  
4           census of the population, ethnicity, gender,  
5           disability status, migrant status, English  
6           proficiency, and status as economically dis-  
7           advantaged, except that such  
8           disaggregation and cross-tabulation shall  
9           not be required in a case in which the  
10          number of students in a category is insuffi-  
11          cient to yield statistically reliable informa-  
12          tion or the results would reveal personally  
13          identifiable information about an individual  
14          student on—

15               “(I) student achievement at each  
16               achievement level on the State aca-  
17               demic assessments described in sub-  
18               section (b)(3), including the most re-  
19               cent 2-year trend;

20               “(II) student growth on the State  
21               academic assessments described in  
22               subsection (b)(3), including the most-  
23               recent 2-year trend;

24               “(III) the four-year adjusted co-  
25               hort rate, the extended-year gradua-



1                   tion rate (where applicable), and the  
2                   graduation rate by type of diploma,  
3                   including the most recent 2-year  
4                   trend;

5                   “(IV) the State established eq-  
6                   uity indicators under subsection  
7                   (c)(1)(C);

8                   “(V) the percentage of students  
9                   who did not take the State assess-  
10                  ments; and

11                  “(VI) the most recent 2-year  
12                  trend in student achievement and stu-  
13                  dent growth in each subject area and  
14                  for each grade level, for which assess-  
15                  ments under this section are required;

16                  “(ii) information that provides a com-  
17                  parison between the actual achievement  
18                  levels and growth of each group of stu-  
19                  dents described in subsection (c)(3)(A) and  
20                  the performance targets and growth tar-  
21                  gets in subsection (c)(2) for each such  
22                  group of students on each of the academic  
23                  assessments and for graduation rates re-  
24                  quired under this part;

1           “(iii) if a State adopts alternate  
2           achievement standards for students with  
3           the most significant cognitive disabilities,  
4           the number and percentage of students  
5           taking the alternate assessments and infor-  
6           mation on student achievement at each  
7           achievement level and student growth, by  
8           grade and subject;

9           “(iv) the number of students who are  
10          English learners, and the performance of  
11          such students, on the State’s English lan-  
12          guage proficiency assessments, including  
13          the students’ attainment of, and progress  
14          toward, higher levels of English language  
15          proficiency;

16          “(v) information on the performance  
17          of local educational agencies in the State  
18          regarding school improvement, including  
19          the number and names of each school iden-  
20          tified for school improvement under section  
21          1116 and information on the outcomes of  
22          the equity indicators outlined in section  
23          1111(c)(1)(C);

24          “(vi) the professional qualifications of  
25          teachers in the State, the percentage of

1           such teachers teaching with emergency or  
2           provisional credentials, and the percentage  
3           of classes in the State not taught by quali-  
4           fied teachers, in the aggregate and  
5           disaggregated by high-poverty compared to  
6           low-poverty schools which, for the purpose  
7           of this clause, means schools in the top  
8           quartile of poverty and the bottom quartile  
9           of poverty in the State;

10           “(vii) information on teacher effective-  
11           ness, as determined by the State, in the  
12           aggregate and disaggregated by high-pov-  
13           erty compared to low-poverty schools  
14           which, for the purpose of this clause,  
15           means schools in the top quartile of pov-  
16           erty and the bottom quartile of poverty in  
17           the State;

18           “(viii) a clear and concise description  
19           of the State’s accountability system, in-  
20           cluding a description of the criteria by  
21           which the State educational agency evalu-  
22           ates school performance, and the criteria  
23           that the State educational agency has es-  
24           tablished, consistent with subsection (c), to

1 determine the status of schools with re-  
2 spect to school improvement; and

3 “(ix) outcomes related to quality char-  
4 ter authorizing standards as described in  
5 subsection (d)(1)(I), including, at a min-  
6 imum, annual filing as described in sub-  
7 section (d)(1)(I)(ii)(I).

8 “(2) ANNUAL LOCAL EDUCATIONAL AGENCY  
9 REPORT CARDS.—

10 “(A) REPORT CARDS.—A local educational  
11 agency that receives assistance under this part  
12 shall prepare and disseminate an annual local  
13 educational agency report card.

14 “(B) MINIMUM REQUIREMENTS.—The  
15 State educational agency shall ensure that each  
16 local educational agency collects appropriate  
17 data and includes in the local educational agen-  
18 cy’s annual report the information described in  
19 paragraph (1)(C) as applied to the local edu-  
20 cational agency and each school served by the  
21 local educational agency, and—

22 “(i) in the case of a local educational  
23 agency—

24 “(I) the number and percentage  
25 of schools identified for school im-

1                   provement under section 1116 and  
2                   how long the schools have been so  
3                   identified; and

4                   “(II) information that shows how  
5                   students served by the local edu-  
6                   cational agency achieved on the state-  
7                   wide academic assessment compared  
8                   to students in the State as a whole;

9                   “(III) per-pupil expenditures  
10                  from Federal, State, and local  
11                  sources, including personnel and non-  
12                  personnel resources, for each school in  
13                  the local educational agency, con-  
14                  sistent with the requirements under  
15                  section 1120A;

16                  “(IV) the number and percentage  
17                  of secondary school students who have  
18                  been removed from the 4-year ad-  
19                  justed cohort by leaver code, and the  
20                  number and percentage of students  
21                  from each adjusted cohort that have  
22                  been enrolled in high school for more  
23                  than 4 years but have not graduated  
24                  with a regular diploma; and

1                   “(V) information on the number  
2                   of military-connected students (stu-  
3                   dents who are a dependent of a mem-  
4                   ber of the Armed Forces, including re-  
5                   serve components thereof) served by  
6                   the local educational agency and how  
7                   such military-dependent students  
8                   achieved on the statewide academic  
9                   assessment compared to all students  
10                  served by the local educational agency;  
11                  and

12                  “(ii) in the case of a school—

13                         “(I) whether the school has been  
14                         identified for school improvement; and

15                         “(II) information that shows how  
16                         the school’s students achievement on  
17                         the statewide academic assessments  
18                         and other improvement indicators  
19                         compared to students in the local edu-  
20                         cational agency and the State as a  
21                         whole.

22                         “(C) OTHER INFORMATION.—A local edu-  
23                         cational agency may include in its annual local  
24                         educational agency report card any other appro-  
25                         priate information, whether or not such infor-

1           mation is included in the annual State report  
2           card.

3           “(D) DATA.—A local educational agency  
4           or school shall only include in its annual local  
5           educational agency report card data that are  
6           sufficient to yield statistically reliable informa-  
7           tion, as determined by the State, and that do  
8           not reveal personally identifiable information  
9           about an individual student.

10          “(E) PUBLIC DISSEMINATION.—The local  
11          educational agency shall publicly disseminate  
12          the report cards described in this paragraph to  
13          all schools in the school district served by the  
14          local educational agency and to all parents of  
15          students attending those schools in an acces-  
16          sible, understandable, and uniform format and,  
17          to the extent practicable, provided in a lan-  
18          guage that the parents can understand, and  
19          make the information widely available through  
20          public means, such as posting on the Internet,  
21          distribution to the media, and distribution  
22          through public agencies.

23          “(3) PREEXISTING REPORT CARDS.—A State  
24          educational agency or local educational agency that  
25          was providing public report cards on the perform-

1       ance of students, schools, local educational agencies,  
2       or the State prior to the date of enactment of the  
3       Student Success Act may use those report cards for  
4       the purpose of this subsection, so long as any such  
5       report card is modified, as may be needed, to con-  
6       tain the information required by this subsection.

7               “(4) COST REDUCTION.—Each State edu-  
8       cational agency and local educational agency receiv-  
9       ing assistance under this part shall, wherever pos-  
10      sible, take steps to reduce data collection costs and  
11      duplication of effort by obtaining the information re-  
12      quired under this subsection through existing data  
13      collection efforts.

14              “(5) ANNUAL STATE REPORT TO THE SEC-  
15      RETARY.—Each State educational agency receiving  
16      assistance under this part shall report annually to  
17      the Secretary, and make widely available within the  
18      State—

19                      “(A) information on the State’s progress in  
20                      developing and implementing

21                              “(i) the college and career ready  
22                              standards described in subsection (b)(2);

23                              “(ii) the academic assessments de-  
24                              scribed in subsection (b)(3); and



1                   “(iii) the accountability and school im-  
2                   provement system described in subsection  
3                   (c); and

4                   “(B) the annual State report card under  
5                   paragraph (1).

6                   “(6) REPORT TO CONGRESS.—The Secretary  
7                   shall transmit annually to the Committee on Edu-  
8                   cation and the Workforce of the House of Rep-  
9                   resentatives and the Committee on Health, Edu-  
10                  cation, Labor, and Pensions of the Senate a report  
11                  that provides national and State-level data on the in-  
12                  formation collected under paragraph (5).

13                  “(7) PARENTS RIGHT-TO-KNOW.—

14                  “(A) ACHIEVEMENT INFORMATION.—At  
15                  the beginning of each school year, a school that  
16                  receives funds under this subpart shall provide  
17                  to each individual parent—

18                         “(i) information on the level of  
19                         achievement and growth of the parent’s  
20                         child on each of the State academic assess-  
21                         ments and, as appropriate, other improve-  
22                         ment indicators adopted in accordance with  
23                         this subpart; and

24                         “(ii) timely notice that the parent’s  
25                         child has been assigned, or has been

1           taught for four or more consecutive weeks  
2           by, a teacher who is not qualified or has  
3           been found to be ineffective, as determined  
4           by the State or local educational agency.

5           “(B) QUALIFICATIONS.—At the beginning  
6           of each school year, a local educational agency  
7           that receives funds under this part shall notify  
8           the parents of each student attending any  
9           school receiving funds under this part, informa-  
10          tion regarding the professional qualifications of  
11          the student’s classroom teachers, including, at a  
12          minimum, the following:

13               “(i) Whether the teacher has met  
14               State qualification and licensing criteria  
15               for the grade levels and subject areas in  
16               which the teacher provides instruction.

17               “(ii) Whether the teacher is teaching  
18               under emergency or other provisional sta-  
19               tus through which State qualification or li-  
20               censing criteria have been waived.

21               “(iii) Whether the teacher is currently  
22               enrolled in an alternative certification pro-  
23               gram.

24               “(iv) Whether the child is provided  
25               services by paraprofessionals or specialized

1 instructional support personnel and, if so,  
2 their qualifications.

3 “(C) **FORMAT.**—The notice and informa-  
4 tion provided to parents under this paragraph  
5 shall be in an understandable and uniform for-  
6 mat and, to the extent practicable, provided in  
7 a language that the parents can understand.

8 “(j) **PRIVACY.**—Information collected under this sec-  
9 tion shall be collected and disseminated in a manner that  
10 protects the privacy of individuals.

11 “(k) **TECHNICAL ASSISTANCE.**—The Secretary shall  
12 provide a State educational agency, at the State edu-  
13 cational agency’s request, technical assistance in meeting  
14 the requirements of this section, including the provision  
15 of advice by experts in the development of college and ca-  
16 reer ready standards, high-quality academic assessments,  
17 and goals and targets that are valid and reliable, and other  
18 relevant areas.

19 “(l) **VOLUNTARY PARTNERSHIPS.**—A State may  
20 enter into a voluntary partnership with another State to  
21 develop and implement the academic assessments and  
22 standards required under this section.

23 “(m) **DEFINITIONS.**—In this section:

1           “(1) ADJUSTED COHORT; EXTENDED-YEAR; EN-  
2           TERING COHORT; TRANSFERRED INTO; TRANS-  
3           FERRED OUT.—

4           “(A) ADJUSTED COHORT.—Subject to sub-  
5           paragraph (D)(ii) through (G), the term ‘ad-  
6           justed cohort’ means the difference of—

7           “(i) the sum of—

8                   “(I) the entering cohort; plus

9                   “(II) any students that trans-  
10                  ferred into the cohort in any of grades  
11                  9 through 12; minus

12                  “(ii) any students that are removed  
13                  from the cohort as described in subpara-  
14                  graph (E).

15           “(B) EXTENDED YEAR.—The term ‘ex-  
16           tended year’ when used with respect to a grad-  
17           uation rate, means the fifth or sixth year after  
18           the school year in which the entering cohort, as  
19           described in subparagraph (C), is established  
20           for the purpose of calculating the adjusted co-  
21           hort.

22           “(C) ENTERING COHORT.—The term ‘en-  
23           tering cohort’ means the number of first-time  
24           9th graders enrolled in a secondary school 1

1 month after the start of the secondary school's  
2 academic year.

3 “(D) TRANSFERRED INTO.—The term  
4 ‘transferred into’ when used with respect to a  
5 secondary school student, means a student  
6 who—

7 “(i) was a first-time 9th grader dur-  
8 ing the same school year as the entering  
9 cohort; and

10 “(ii) enrolls after the entering cohort  
11 is calculated as described in subparagraph  
12 (B).

13 “(E) TRANSFERRED OUT.—

14 “(i) IN GENERAL.—The term ‘trans-  
15 ferred out’ when used with respect to a  
16 secondary school student, means a student  
17 who the secondary school or local edu-  
18 cational agency has confirmed has trans-  
19 ferred to another—

20 “(I) school from which the stu-  
21 dent is expected to receive a regular  
22 secondary school diploma; or

23 “(II) educational program from  
24 which the student is expected to re-

1                   ceive a regular secondary school di-  
2                   ploma.

3                   “(ii)     CONFIRMATION     REQUIRE-  
4                   MENTS.—

5                   “(I)     DOCUMENTATION     RE-  
6                   QUIRED.—The confirmation of a stu-  
7                   dent’s transfer to another school or  
8                   educational program described in  
9                   clause (i) requires documentation  
10                  from the receiving school or program  
11                  that the student enrolled in the receiv-  
12                  ing school or program.

13                  “(II) LACK OF CONFIRMATION.—  
14                  A student who was enrolled, but for  
15                  whom there is no confirmation of the  
16                  student having transferred out, shall  
17                  remain in the cohort as a non-grad-  
18                  uate for reporting and accountability  
19                  purposes under this section.

20                  “(iii) PROGRAMS NOT PROVIDING  
21                  CREDIT.—A student enrolled in a GED or  
22                  other alternative educational program that  
23                  does not issue or provide credit toward the  
24                  issuance of a regular secondary school di-

1           ploma shall not be considered transferred  
2           out.

3           “(F) COHORT REMOVAL.—To remove a  
4           student from a cohort, a school or local edu-  
5           cational agency shall require documentation to  
6           confirm that the student has transferred out,  
7           emigrated to another country, or is deceased.

8           “(G) TREATMENT OF OTHER LEAVERS  
9           AND WITHDRAWALS.—A student who was re-  
10          tained in a grade, enrolled in a GED program,  
11          aged-out of a secondary school or secondary  
12          school program, or left secondary school for any  
13          other reason, including expulsion, shall not be  
14          considered transferred out, and shall remain in  
15          the adjusted cohort.

16          “(H) SPECIAL RULE.—For those sec-  
17          ondary schools that start after grade 9, the en-  
18          tering cohort shall be calculated 1 month after  
19          the start of the secondary school’s academic  
20          year in the earliest secondary school grade at  
21          the secondary school.

22          “(2) 4-YEAR ADJUSTED COHORT GRADUATION  
23          RATE.—The term ‘4-year adjusted cohort graduation  
24          rate’ means the percent obtained by calculating the  
25          product of—

1                   “(A) the result of—  
2                    “(i) the number of students who—  
3                      “(I) formed the adjusted cohort 4  
4                    years earlier; and  
5                      “(II) graduate in 4 years or less  
6                    with a regular secondary school di-  
7                    ploma; divided by  
8                      “(ii) the number of students who  
9                    formed the adjusted cohort for that year’s  
10                    graduating class 4 years earlier; multiplied  
11                    by  
12                    “(B) 100.

13                   “(3) EXTENDED-YEAR GRADUATION RATE.—  
14                    The term ‘extended-year graduation rate’ for a  
15                    school year is defined as the percent obtained by cal-  
16                    culating the product of the result of—

17                    “(A) the sum of—  
18                      “(i) the number of students who—  
19                          “(I) form the adjusted cohort for  
20                          that year’s graduating class; and  
21                          “(II) graduate in an extended  
22                          year with a regular secondary school  
23                          diploma; or  
24                          “(III) graduate before exceeding  
25                          the age for eligibility for a free appro-



1           priate public education (as defined in  
2           section 602 of the Individuals with  
3           Disabilities Education Act) under  
4           State law; divided by  
5           “(ii) the result of—

6                   “(I) the number of students who  
7                   form the adjusted cohort for that  
8                   year’s graduating class; plus

9                   “(II) the number of students who  
10                  transferred in during the extended  
11                  year defined in paragraph (1)(B),  
12                  minus

13                  “(III) students who transferred  
14                  out, emigrated, or died during the ex-  
15                  tended year defined in paragraph  
16                  (1)(B); multiplied by

17                  “(B) 100.

18                  “(4) LEAVER CODE.—The term ‘leaver code’  
19                  means a number or series of numbers and letters as-  
20                  signed to a categorical reason for why a student left  
21                  the high school from which she or he is enrolled  
22                  without having earned a regular high school di-  
23                  ploma, except that—

24                   “(A) an individual student with either a  
25                   duplicative code or whom has not been assigned

1 a leaver code shall not be removed from the co-  
2 hort assigned for the purpose of calculating the  
3 adjusted cohort graduation rate; and

4 “(B) the number of students with either a  
5 duplicative leaver code or who have not been as-  
6 signed a leaver code shall be included in report-  
7 ing requirements for the leaver code.

8 “(5) MULTI-TIER SYSTEM OF SUPPORTS.—The  
9 term ‘multi-tier system of supports’ means a com-  
10 prehensive system of differentiated supports that in-  
11 cludes evidence-based instruction, universal screen-  
12 ing, progress monitoring, formative assessment, and  
13 research-based interventions matched to student  
14 needs, and educational decision-making using stu-  
15 dent outcome data.

16 “(6) GRADUATION RATE.—The term ‘gradua-  
17 tion rate’ means a 4-year adjusted cohort graduation  
18 rate and the extended-year graduation rate.

19 “(7) REGULAR SECONDARY SCHOOL DI-  
20 PLOMA.—

21 “(A) The term ‘regular secondary school  
22 diploma’ means standard secondary school di-  
23 ploma awarded to the preponderance of stu-  
24 dents in the State that is fully aligned with the  
25 State’s college and career ready achievement

1 standards as described under subsection (b)(4),  
2 or a higher diploma. Such term shall not in-  
3 clude GED's, certificates of attendance, or any  
4 lesser diploma awards.

5 “(B) If a State adopts different paths to  
6 the regular secondary school diploma, such dif-  
7 ferent paths shall—

8 “(i) be available to all students in the  
9 State;

10 “(ii) be equally rigorous in their re-  
11 quirements; and

12 “(iii) signify that a student is pre-  
13 pared for college or a career without the  
14 need for remediation.”.

