

“(1) The development, improvement, or implementation of elements of any teacher, principal, or other school leader evaluation system.

“(2) Any State or local educational agency’s definition of teacher, principal, or other school leader effectiveness.

“(3) Any teacher, principal, or other school leader professional standards, certification, or licensing.

**“SEC. 2102. SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.**

**“(a) ALLOCATION OF FUNDS TO LOCAL EDUCATIONAL AGENCIES.—**

“(1) **IN GENERAL.**—From funds reserved by a State under section 2101(c)(1) for a fiscal year, the State, acting through the State educational agency, shall award subgrants to eligible local educational agencies from allocations described in paragraph (2).

“(2) **ALLOCATION FORMULA.**—From the funds described in paragraph (1), the State educational agency shall allocate to each of the eligible local educational agencies in the State for a fiscal year the sum of—

“(A) an amount that bears the same relationship to 20 percent of such funds for such fiscal year as the number of individuals aged 5 through 17 in the geographic area served by the agency, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in the geographic areas served by all eligible local educational agencies in the State, as so determined; and

“(B) an amount that bears the same relationship to 80 percent of the funds for such fiscal year as the number of individuals aged 5 through 17 from families with incomes below the poverty line in the geographic area served by the agency, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in the geographic areas served by all the eligible local educational agencies in the State, as so determined.

“(3) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to prohibit a consortium of local educational agencies that are designated with a locale code of 41, 42, or 43, or such local educational agencies designated with a locale code of 41, 42, or 43 that work in cooperation with an educational service agency, from voluntarily combining allocations received under this part for the collective use of funding by the consortium for activities under this section.

**“(b) LOCAL APPLICATIONS.—**

“(1) **IN GENERAL.**—To be eligible to receive a subgrant under this section, a local educational agency shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require.

“(2) **CONTENTS OF APPLICATION.**—Each application submitted under paragraph (1) shall include the following:

“(A) A description of the activities to be carried out by the local educational agency under this section and how these activities will be aligned with challenging State academic standards.

“(B) A description of the local educational agency’s systems of professional growth and improvement, such as induction for teachers, principals, or other school leaders and opportunities for building the capacity of teachers and opportunities to develop meaningful teacher leadership.

“(C) A description of how the local educational agency will prioritize funds to schools served by the agency that are implementing comprehensive support and improvement activities and targeted support and improvement activities under section 1111(d) and have the highest percentage of children counted under section 1124(c).

“(D) A description of how the local educational agency will use data and ongoing consultation described in paragraph (3) to continually update and improve activities supported under this part.

“(E) An assurance that the local educational agency will comply with section 8501 (regarding participation by private school children and teachers).

“(F) An assurance that the local educational agency will coordinate professional development activities authorized under this part with professional development activities provided through other Federal, State, and local programs.

“(3) CONSULTATION.—In developing the application described in paragraph (2), a local educational agency shall—

“(A) meaningfully consult with teachers, principals, other school leaders, paraprofessionals (including organizations representing such individuals), specialized instructional support personnel, charter school leaders (in a local educational agency that has charter schools), parents, community partners, and other organizations or partners with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this title;

“(B) seek advice from the individuals and organizations described in subparagraph (A) regarding how best to improve the local educational agency’s activities to meet the purpose of this title; and

“(C) coordinate the local educational agency’s activities under this part with other related strategies, programs, and activities being conducted in the community.

“(4) LIMITATION.—Consultation required under paragraph (3) shall not interfere with the timely submission of the application required under this section.

**“SEC. 2103. LOCAL USES OF FUNDS.**

“(a) IN GENERAL.—A local educational agency that receives a subgrant under section 2102 shall use the funds made available through the subgrant to develop, implement, and evaluate comprehensive programs and activities described in subsection (b), which may be carried out—

“(1) through a grant or contract with a for-profit or non-profit entity; or

“(2) in partnership with an institution of higher education or an Indian tribe or tribal organization (as such terms are defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

“(b) TYPES OF ACTIVITIES.—The programs and activities described in this subsection—

“(1) shall be in accordance with the purpose of this title;

“(2) shall address the learning needs of all students, including children with disabilities, English learners, and gifted and talented students; and

“(3) may include, among other programs and activities—

“(A) developing or improving a rigorous, transparent, and fair evaluation and support system for teachers, principals, or other school leaders that—

“(i) is based in part on evidence of student achievement, which may include student growth; and

“(ii) shall include multiple measures of educator performance and provide clear, timely, and useful feedback to teachers, principals, or other school leaders;

“(B) developing and implementing initiatives to assist in recruiting, hiring, and retaining effective teachers, particularly in low-income schools with high percentages of ineffective teachers and high percentages of students who do not meet the challenging State academic standards, to improve within-district equity in the distribution of teachers, consistent with section 1111(g)(1)(B), such as initiatives that provide—

“(i) expert help in screening candidates and enabling early hiring;

“(ii) differential and incentive pay for teachers, principals, or other school leaders in high-need academic subject areas and specialty areas, which may include performance-based pay systems;

“(iii) teacher, paraprofessional, principal, or other school leader advancement and professional growth, and an emphasis on leadership opportunities, multiple career paths, and pay differentiation;

“(iv) new teacher, principal, or other school leader induction and mentoring programs that are designed to—

“(I) improve classroom instruction and student learning and achievement; and

“(II) increase the retention of effective teachers, principals, or other school leaders;

“(v) the development and provision of training for school leaders, coaches, mentors, and evaluators on how accurately to differentiate performance, provide useful feedback, and use evaluation results to inform decisionmaking about professional development, improvement strategies, and personnel decisions; and

“(vi) a system for auditing the quality of evaluation and support systems;

“(C) recruiting qualified individuals from other fields to become teachers, principals, or other school leaders, including mid-career professionals from other occupations, former military personnel, and recent graduates of institutions of higher education with records of academic distinction who demonstrate potential to become effective teachers, principals, or other school leaders;

“(D) reducing class size to a level that is evidence-based, to the extent the State (in consultation with local

educational agencies in the State) determines that such evidence is reasonably available, to improve student achievement through the recruiting and hiring of additional effective teachers;

“(E) providing high-quality, personalized professional development that is evidence-based, to the extent the State (in consultation with local educational agencies in the State) determines that such evidence is reasonably available, for teachers, instructional leadership teams, principals, or other school leaders, that is focused on improving teaching and student learning and achievement, including supporting efforts to train teachers, principals, or other school leaders to—

“(i) effectively integrate technology into curricula and instruction (including education about the harms of copyright piracy);

“(ii) use data to improve student achievement and understand how to ensure individual student privacy is protected, as required under section 444 of the General Education Provisions Act (commonly known as the ‘Family Educational Rights and Privacy Act of 1974’) (20 U.S.C. 1232g) and State and local policies and laws in the use of such data;

“(iii) effectively engage parents, families, and community partners, and coordinate services between school and community;

“(iv) help all students develop the skills essential for learning readiness and academic success;

“(v) develop policy with school, local educational agency, community, or State leaders; and

“(vi) participate in opportunities for experiential learning through observation;

“(F) developing programs and activities that increase the ability of teachers to effectively teach children with disabilities, including children with significant cognitive disabilities, and English learners, which may include the use of multi-tier systems of support and positive behavioral intervention and supports, so that such children with disabilities and English learners can meet the challenging State academic standards;

“(G) providing programs and activities to increase—

“(i) the knowledge base of teachers, principals, or other school leaders on instruction in the early grades and on strategies to measure whether young children are progressing; and

“(ii) the ability of principals or other school leaders to support teachers, teacher leaders, early childhood educators, and other professionals to meet the needs of students through age 8, which may include providing joint professional learning and planning activities for school staff and educators in preschool programs that address the transition to elementary school;

“(H) providing training, technical assistance, and capacity-building in local educational agencies to assist teachers, principals, or other school leaders with selecting

and implementing formative assessments, designing classroom-based assessments, and using data from such assessments to improve instruction and student academic achievement, which may include providing additional time for teachers to review student data and respond, as appropriate;

“(I) carrying out in-service training for school personnel in—

“(i) the techniques and supports needed to help educators understand when and how to refer students affected by trauma, and children with, or at risk of, mental illness;

“(ii) the use of referral mechanisms that effectively link such children to appropriate treatment and intervention services in the school and in the community, where appropriate;

“(iii) forming partnerships between school-based mental health programs and public or private mental health organizations; and

“(iv) addressing issues related to school conditions for student learning, such as safety, peer interaction, drug and alcohol abuse, and chronic absenteeism;

“(J) providing training to support the identification of students who are gifted and talented, including high-ability students who have not been formally identified for gifted education services, and implementing instructional practices that support the education of such students, such as—

“(i) early entrance to kindergarten;

“(ii) enrichment, acceleration, and curriculum compacting activities; and

“(iii) dual or concurrent enrollment programs in secondary school and postsecondary education;

“(K) supporting the instructional services provided by effective school library programs;

“(L) providing training for all school personnel, including teachers, principals, other school leaders, specialized instructional support personnel, and paraprofessionals, regarding how to prevent and recognize child sexual abuse;

“(M) developing and providing professional development and other comprehensive systems of support for teachers, principals, or other school leaders to promote high-quality instruction and instructional leadership in science, technology, engineering, and mathematics subjects, including computer science;

“(N) developing feedback mechanisms to improve school working conditions, including through periodically and publicly reporting results of educator support and working conditions feedback;

“(O) providing high-quality professional development for teachers, principals, or other school leaders on effective strategies to integrate rigorous academic content, career and technical education, and work-based learning (if appropriate), which may include providing common planning time, to help prepare students for postsecondary education and the workforce; and

“(P) carrying out other activities that are evidence-based, to the extent the State (in consultation with local educational agencies in the State) determines that such evidence is reasonably available, and identified by the local educational agency that meet the purpose of this title.

**“SEC. 2104. REPORTING.**

“(a) STATE REPORT.—Each State educational agency receiving funds under this part shall annually submit to the Secretary a report that provides—

“(1) a description of how the State is using grant funds received under this part to meet the purpose of this title, and how such chosen activities improved teacher, principal, or other school leader effectiveness, as determined by the State or local educational agency;

“(2) if funds are used under this part to improve equitable access to teachers for low-income and minority students, consistent with section 1111(g)(1)(B), a description of how funds have been used to improve such access;

“(3) for a State that implements a teacher, principal, or other school leader evaluation and support system, consistent with section 2101(c)(4)(B)(ii), using funds under this part, the evaluation results of teachers, principals, or other school leaders, except that such information shall not provide personally identifiable information on individual teachers, principals, or other school leaders; and

“(4) where available, the annual retention rates of effective and ineffective teachers, principals, or other school leaders, using any methods or criteria the State has or develops under section 1111(g)(2)(A), except that nothing in this paragraph shall be construed to require any State educational agency or local educational agency to collect and report any data the State educational agency or local educational agency is not collecting or reporting as of the day before the date of enactment of the Every Student Succeeds Act.

“(b) LOCAL EDUCATIONAL AGENCY REPORT.—Each local educational agency receiving funds under this part shall submit to the State educational agency such information as the State requires, which shall include the information described in subsection (a) for the local educational agency.

“(c) AVAILABILITY.—The reports and information provided under subsections (a) and (b) shall be made readily available to the public.

“(d) LIMITATION.—The reports and information provided under subsections (a) and (b) shall not reveal personally identifiable information about any individual.

**“PART B—NATIONAL ACTIVITIES**

**“SEC. 2201. RESERVATIONS.**

“From the amounts appropriated under section 2003(b) for a fiscal year, the Secretary shall reserve—

“(1) to carry out activities authorized under subpart 1—  
“(A) 49.1 percent for each of fiscal years 2017 through 2019; and

“(B) 47 percent for fiscal year 2020;

“(2) to carry out activities authorized under subpart 2—