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(Original Signature of Member)

111TH CONGRESS
2D SESSION

H. R. _____

To provide incentives for States and local educational agencies to implement comprehensive reforms and innovative strategies that are designed to lead to significant improvement in outcomes for all students and significant reductions in achievement gaps among subgroups of students, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. POLIS of Colorado introduced the following bill; which was referred to the Committee on _____

A BILL

To provide incentives for States and local educational agencies to implement comprehensive reforms and innovative strategies that are designed to lead to significant improvement in outcomes for all students and significant reductions in achievement gaps among subgroups of students, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Race to the Top Act
3 of 2010”.

4 **SEC. 2. RACE TO THE TOP.**

5 (a) IN GENERAL.—Title VI of the Elementary and
6 Secondary Education Act of 1965 (20 U.S.C. 7301 et
7 seq.) is amended—

8 (1) by redesignating part C as part D;

9 (2) by redesignating sections 6301 and 6302 as
10 sections 6401 and 6402, respectively; and

11 (3) by inserting after part B, the following:

12 **“PART C—RACE TO THE TOP**

13 **“SEC. 6301. PURPOSES.**

14 “The purposes of this part are to—

15 “(1) provide incentives for States and local edu-
16 cational agencies to implement comprehensive re-
17 forms and innovative strategies that are designed to
18 lead to—

19 “(A) significant improvements in outcomes
20 for all students, including improvements in stu-
21 dent achievement, high school graduation rates,
22 college enrollment rates and rates of college
23 persistence; and

24 “(B) significant reductions in achievement
25 gaps among subgroups of students; and

1 “(2) encourage the broad identification, adop-
2 tion, use, dissemination, replication, and expansion
3 of effective State and local policies and practices
4 that lead to significant improvement in outcomes for
5 all students, and the elimination of those policies
6 and practices that are not effective in improving stu-
7 dent outcomes.

8 **“SEC. 6302. RESERVATION OF FUNDS.**

9 “From the amounts made available under section
10 6308 for a fiscal year, the Secretary may reserve not more
11 than 10 percent to carry out activities related to technical
12 assistance, monitoring, outreach, dissemination, and prize
13 awards.

14 **“SEC. 6303. PROGRAM AUTHORIZED.**

15 “(a) PROGRAM AUTHORIZATION.—From the
16 amounts made available under section 6308 for a fiscal
17 year, the Secretary shall award grants, on a competitive
18 basis, to States, local educational agencies, or both for the
19 purposes described in section 6301.

20 “(a) GRANT AND SUBGRANT ELIGIBILITY LIMITA-
21 TIONS.—

22 “(1) ARRA.—A State that has received a grant
23 under section 14006 of division A of the American
24 Recovery and Reinvestment Act of 2009 (Public
25 Law 111-5; 123 Stat. 283) may not receive a grant

1 under this part during the period of its grant under
2 section 14006 (Public Law 111-5; 123 Stat. 283).

3 “(2) NUMBER OF GRANTS.—A State or local
4 educational agency may not receive more than 1
5 grant under this part per grant period.

6 “(3) NUMBER OF SUBGRANTS.—A local edu-
7 cational agency may receive a grant and a subgrant
8 for the same fiscal year.

9 “(b) DURATION OF GRANTS.—

10 “(1) IN GENERAL.—A grant under this part
11 shall be awarded for a period of not more than 4
12 years.

13 “(2) CONTINUATION OF GRANTS.—In order to
14 receive a grant for a full grant period, a State or
15 local educational agency under this part shall dem-
16 onstrate to the Secretary, at such time and in such
17 manner as determined by the Secretary, that it is—

18 “(A) making progress in implementing its
19 plan under section 6304(a)(3) at a rate that the
20 Secretary determines will result in the State or
21 agency fully implementing its plan during the
22 remainder of the grant period; or

23 “(B) making progress against the perform-
24 ance measures set forth in section 6305 at a
25 rate that the Secretary determines will result in

1 the State or agency reaching its targets and
2 achieving the objectives of the grant during the
3 remainder of the grant period.

4 **“SEC. 6304. APPLICATIONS.**

5 “(a) APPLICATIONS.—Each State or local educational
6 agency that desires to receive a grant under this part shall
7 submit an application to the Secretary at such time, in
8 such manner, and containing such information as the Sec-
9 retary may reasonably require. At a minimum, each such
10 application shall include—

11 “(1) documentation of the applicant’s record, as
12 applicable, in—

13 “(A) increasing student achievement, in-
14 cluding for all subgroups described in section
15 1111(b)(2)(C)(v)(II);

16 “(B) decreasing achievement gaps, includ-
17 ing for all subgroups described in section
18 1111(b)(2)(C)(v)(II);

19 “(C) increasing high school graduation
20 rates, including for all subgroups described in
21 section 1111(b)(2)(C)(v)(II);

22 “(D) increasing college enrollment and per-
23 sistence rates, including for all subgroups de-
24 scribed in section 1111(b)(2)(C)(v)(II); and

1 “(E) any other measure described in sec-
2 tion 6305 that is not listed in subparagraph (A)
3 through (D);

4 “(2) evidence of conditions of innovation and
5 reform that the applicant has established and its
6 proposed plan for implementing additional conditions
7 for innovation and reform, including—

8 “(A) a description of how the applicant has
9 identified and eliminated ineffective practices in
10 the past and its plan for doing so in the future;

11 “(B) a description of how the applicant
12 has identified and promoted effective practices
13 in the past and its plan for doing so in the fu-
14 ture; and

15 “(C) steps the applicant has taken and will
16 take to eliminate statutory, regulatory, proce-
17 dural, or other barriers and to facilitate the full
18 implementation of its proposed plan;

19 “(3) a comprehensive and coherent plan for
20 using funds under this part, and other Federal,
21 State, and local funds, to improve the applicant’s
22 performance on the measures described in section
23 6305, consistent with criteria set forth by the Sec-
24 retary, including how the applicant will, if applica-
25 ble—

1 “(A) improve the effectiveness of teachers
2 and school leaders, and promote equity in the
3 distribution of effective teachers and school
4 leaders to ensure that low-income and minority
5 children are not—

6 “(i) taught by ineffective teachers at
7 higher rates than other children; and

8 “(ii) enrolled in schools led by ineffec-
9 tive leaders at higher rates than other chil-
10 dren;

11 “(B) strengthen the use of high-quality
12 and timely data to improve instructional prac-
13 tices, policies, and student outcomes, including
14 teacher evaluations;

15 “(C) implement internationally
16 benchmarked, college- and career-ready elemen-
17 tary and secondary academic standards, includ-
18 ing in the areas of assessment, instructional
19 materials, professional development, and strate-
20 gies that translate the standards into classroom
21 practice;

22 “(D) turn around the persistently lowest-
23 achieving schools;

24 “(E) support or coordinate with early
25 learning programs for high-need children from

1 birth through third grade to improve school
2 readiness and ensure that students complete
3 third grade on track for school success; and

4 “(F) create or maintain successful condi-
5 tions for high-performing charter schools and
6 other innovative, autonomous public schools;

7 “(4) if the applicant is a State—

8 “(A) evidence of collaboration between the
9 State, its local educational agencies, schools (as
10 appropriate), parents, teachers, and other
11 stakeholders in developing and implementing
12 the plan described in paragraph (3), including
13 evidence of the commitment and capacity to im-
14 plement that plan; and

15 “(B) the names of those local educational
16 agencies the State has selected to participate in
17 carrying out the plan; or

18 “(C) a description of how it will select local
19 educational agencies to participate in carrying
20 out the plan;

21 “(5) if the applicant is a local educational agen-
22 cy, evidence of collaboration between the local edu-
23 cational agency, schools, parents, teachers, and other
24 stakeholders, in developing the plan described in

1 paragraph (3), including evidence of the commitment
2 and capacity to implement the plan;

3 “(6) the applicant’s annual performance meas-
4 ures and targets, consistent with the requirements of
5 section 6305; and

6 “(7) a description of the applicant’s plan to
7 conduct a rigorous evaluation of the effectiveness of
8 activities carried out with funds under this part.

9 “(b) CRITERIA FOR EVALUATING APPLICATIONS.—

10 “(1) IN GENERAL.—The Secretary shall award
11 grants under this part on a competitive basis, based
12 on the quality of the applications submitted under
13 subsection (a), including—

14 “(A) each applicant’s record in the areas
15 described in subsection (a)(1);

16 “(B) each applicant’s record of, and com-
17 mitment to, establishing conditions for innova-
18 tion and reform, as described in subsection
19 (a)(2);

20 “(C) the quality and likelihood of success
21 of each applicant’s plan described in subsection
22 (a)(3) in showing improvement in the areas de-
23 scribed in subsection (a)(1), including each ap-
24 plicant’s capacity to implement the plan and

1 evidence of collaboration as described in sub-
2 section (a)(4) or (a)(5), as applicable; and

3 “(D) each applicant’s evaluation plan as
4 described in subsection (a)(7).

5 “(2) PUBLICATION OF EXPLANATION.—The
6 Secretary shall publish an explanation of how the
7 application review process will ensure an equitable
8 and objective evaluation based on the criteria de-
9 scribed in paragraph (1).

10 “(c) PRIORITY.—In awarding grants to local edu-
11 cational agencies under this part, the Secretary shall give
12 priority to—

13 “(1) local educational agencies with the highest
14 numbers or percentages of children from families
15 with incomes below the poverty line; and

16 “(2) local educational agencies that serve
17 schools designated with a school locale code of 41,
18 42, or 43, as determined by the Secretary.

19 **“SEC. 6305. PERFORMANCE MEASURES.**

20 “Each State and each local educational agency receiv-
21 ing a grant under this part shall establish performance
22 measures and targets, approved by the Secretary, for the
23 programs and activities carried out under this part. These
24 measures shall, at a minimum, track the State’s or agen-
25 cy’s progress in—

1 “(1) implementing its plan described in section
2 6304(a)(3); and

3 “(2) improving outcomes for all subgroups de-
4 scribed in section 1111(b)(2)(C)(v)(II) including, as
5 applicable, by—

6 “(A) increasing student achievement;

7 “(B) decreasing achievement gaps;

8 “(C) increasing high school graduation;

9 “(D) increasing college enrollment and per-
10 sistence rates;

11 “(E) improving the effectiveness of teach-
12 ers and school leaders, increasing the retention
13 of effective teachers and school leaders, and
14 promoting equity in the distribution of effective
15 teachers and school leaders to ensure that low-
16 income and minority children are not—

17 “(i) taught by ineffective teachers at
18 higher rates than other children; and

19 “(ii) enrolled in schools led by ineffec-
20 tive leaders at higher rates than other chil-
21 dren; and

22 “(F) making progress on any other meas-
23 ures identified by the Secretary.

24 **“SEC. 6306. USES OF FUNDS.**

25 “(a) GRANTS TO STATES.—

1 “(1) SUBGRANTS.—Each State that receives a
2 grant under this part shall use at least 50 percent
3 of its grant to make subgrants to those local edu-
4 cational agencies in the State that participate in the
5 State’s plan under section 6304(a)(3), based on
6 those local educational agencies’ relative shares of
7 funds under part A of title I for the most recent
8 year for which those data are available.

9 “(2) ACTIVITIES UNDER PLAN.—Each State or
10 local educational agency that receives a grant or
11 subgrant, respectively, under this part shall use
12 those funds for any purpose included in the State’s
13 plan under section 6304(a)(3).

14 “(b) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—
15 Each local educational agency that receives a grant under
16 this part shall use those funds for any purpose included
17 in the local educational agency’s plan under section
18 6304(a)(3).

19 **“SEC. 6307. REPORTING.**

20 “(a) ANNUAL REPORT.—A State or local educational
21 agency that receives a grant under this part shall submit
22 to the Secretary, at such time and in such manner as the
23 Secretary may require, an annual report including—

1 “(1) data on the State’s or agency’s progress in
2 achieving the performance targets established under
3 section 6305;

4 “(2) a description of the challenges the State or
5 agency has faced in implementing its program and
6 how it has addressed or plans to address those chal-
7 lenges; and

8 “(3) findings from the evaluation plan as de-
9 scribed in section 6304(a)(7).

10 “(b) LOCAL REPORT.—Each local educational agency
11 that receives a subgrant from a State under this part shall
12 submit to the State such information as the State may
13 require to complete the annual report required under sub-
14 section (a).

15 **“SEC. 6308. AUTHORIZATION OF APPROPRIATIONS.**

16 ““There are authorized to be appropriated to carry out
17 this part \$1,350,000,000 for fiscal year 2011 and such
18 sums as may be necessary for each of the 5 succeeding
19 fiscal years.”.

20 (b) CONFORMING AMENDMENTS.—

21 (1) GENERAL PROVISIONS.—The table of con-
22 tents of the Elementary and Secondary Education
23 Act of 1965 (20 U.S.C.6301 et seq.) is amended by
24 striking the items relating to part C of title VI and
25 inserting the following:

“PART D—GENERAL PROVISIONS

“Sec. 6401. Prohibition against Federal mandates, direction, or control.
“Sec. 6402. Rule of construction on equalized spending.”.

1 (2) RACE TO THE TOP.—The table of contents
2 of the Elementary and Secondary Education Act of
3 1965 (20 U.S.C. 6301 et seq.) is amended by adding
4 after the items relating to part B of title VI, the fol-
5 lowing:

PART C—RACE TO THE TOP

- Sec. 6301. Purposes.
- Sec. 6302. Reservation of funds.
- Sec. 6303. Program authorized.
- Sec. 6304. Applications.
- Sec. 6305. Performance measures.
- Sec. 6306. Uses of funds.
- Sec. 6307. Reporting.
- Sec. 6308. Authorization of Appropriations.