

114TH CONGRESS
1ST SESSION

S. 581

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 26, 2015

Mr. WHITEHOUSE introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

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

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 “Success in the Middle
3 Act of 2015”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

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

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

20 (3) In mathematics, 35 percent of students in
21 grade 8 show skills at or above the NAEP proficient
22 level in 2013. However, the percentage of students
23 in grade 4 at the NAEP proficient and above level
24 was 42 percent. In grade 8, the gaps between the
25 average mathematics scores of white and black stu-

1 dents and between white and Hispanic students were
2 approximately as wide in 2013 as in 2009.

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

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

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

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

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

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

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

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

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

8 (C) problem-solving skills with broad appli-
9 cation must be taught to such students.

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

18 **SEC. 3. DEFINITIONS.**

19 In this Act:

20 (1) ESEA DEFINITIONS.—The terms “edu-
21 cational service agency”, “elementary school”, “local
22 educational agency”, “outlying area”, “secondary
23 school”, and “State educational agency” have the
24 meanings given the terms in section 9101 of the Ele-

1 elementary and Secondary Education Act of 1965 (20
2 U.S.C. 7801).

3 (2) CHRONIC ABSENTEEISM.—The term
4 “chronic absenteeism” means the percentage of indi-
5 vidual students missing 10 percent, or more, of the
6 days of school in a school year.

7 (3) DIGITAL LITERACY SKILLS.—The term
8 “digital literacy skills” has the meaning given the
9 term in section 202 of the Museum and Library
10 Services Act (20 U.S.C. 9101).

11 (4) ELIGIBLE ENTITY.—The term “eligible enti-
12 ty” means a partnership that includes—

13 (A) not less than 1 eligible local edu-
14 cational agency; and

15 (B)(i) an institution of higher education;

16 (ii) an educational service agency; or

17 (iii) a nonprofit organization with dem-
18 onstrated expertise in high-quality middle
19 grades intervention.

20 (5) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—
21 The term “eligible local educational agency” means
22 a local educational agency that serves not less than
23 1 eligible school.

24 (6) ELIGIBLE SCHOOL.—The term “eligible
25 school” means an elementary or secondary school

1 that contains not less than 2 or more successive
2 grades beginning with grade 5 and ending with
3 grade 8 and for which—

4 (A) a high proportion of the middle grades
5 students attending such school will attend a
6 secondary school with a graduation rate of less
7 than 65 percent;

8 (B) more than 25 percent of the students
9 who finish grade 6 at such school, or the ear-
10 liest middle grade level at the school, exhibit 1
11 or more of the key risk factors and early risk
12 identification signs, including—

13 (i) student attendance below 90 per-
14 cent;

15 (ii) a failing grade in a mathematics
16 or reading or language arts course;

17 (iii) 2 failing grades in any courses;
18 and

19 (iv) out-of-school suspension or other
20 evidence of at-risk behavior; or

21 (C) more than 50 percent of the middle
22 grades students attending such school do not
23 perform at a proficient level on State student
24 academic assessments required under section
25 1111(b)(3) of the Elementary and Secondary

1 Education Act of 1965 (20 U.S.C. 6311(b)(3))
2 in mathematics or reading or language arts.

3 (7) ENGLISH LANGUAGE LEARNER.—The term
4 “English language learner” means an individual who
5 is limited English proficient, as defined in section
6 9101 of the Elementary and Secondary Education
7 Act of 1965 (20 U.S.C. 7801).

8 (8) INSTITUTION OF HIGHER EDUCATION.—The
9 term “institution of higher education” has the
10 meaning given the term in section 101 of the Higher
11 Education Act of 1965 (20 U.S.C. 1001).

12 (9) MIDDLE GRADES.—The term “middle
13 grades” means any of grades 5 through 8.

14 (10) PRINCIPLES OF SCIENTIFIC RESEARCH.—
15 The term “principles of scientific research” has the
16 meaning given the term in section 200 of the Higher
17 Education Act of 1965 (20 U.S.C. 1021).

18 (11) SCIENTIFICALLY VALID RESEARCH.—The
19 term “scientifically valid research” has the meaning
20 given the term in section 200 of the Higher Edu-
21 cation Act of 1965 (20 U.S.C. 1021).

22 (12) SECRETARY.—The term “Secretary”
23 means the Secretary of Education.

1 (13) STATE.—The term “State” means each of
2 the 50 States, the District of Columbia, and the
3 Commonwealth of Puerto Rico.

4 (14) STUDENT WITH A DISABILITY.—The term
5 “student with a disability” means a student who is
6 a child with a disability, as defined in section 602
7 of the Individuals with Disabilities Education Act
8 (20 U.S.C. 1401).

9 **TITLE I—MIDDLE GRADES**
10 **IMPROVEMENT**

11 **SEC. 101. PURPOSES.**

12 The purposes of this title are to—

13 (1) ensure that middle grade students develop
14 deep content knowledge and the ability to use knowl-
15 edge to think critically, solve problems, communicate
16 effectively, collaborate with others, and be self-di-
17 rected so that they can graduate from secondary
18 school ready for higher education and careers;

19 (2) ensure that curricula and student supports
20 for middle grades education align with the curricula
21 and student supports provided for elementary school
22 and secondary school grades;

23 (3) provide resources to State educational agen-
24 cies and local educational agencies to collaboratively
25 develop school improvement plans in order to deliver

1 support and technical assistance to schools serving
2 students in the middle grades; and

3 (4) increase the capacity of States and local
4 educational agencies to develop effective, sustainable,
5 and replicable school improvement programs and
6 models and evidence-based or, when available, sci-
7 entifically valid student interventions for implemen-
8 tation by schools serving students in the middle
9 grades.

10 **SEC. 102. FORMULA GRANTS TO STATE EDUCATIONAL**
11 **AGENCIES FOR MIDDLE GRADES IMPROVE-**
12 **MENT.**

13 (a) IN GENERAL.—From amounts appropriated
14 under section 107, the Secretary shall make grants under
15 this title for a fiscal year to each State educational agency
16 for which the Secretary has approved an application under
17 subsection (f) in an amount equal to the allotment deter-
18 mined for such agency under subsection (c) for such fiscal
19 year.

20 (b) RESERVATIONS.—From the total amount made
21 available to carry out this title for a fiscal year, the Sec-
22 retary—

23 (1) shall reserve not more than 1 percent for
24 the Secretary of the Interior (on behalf of the Bu-

1 reau of Indian Education) and the outlying areas for
2 activities carried out in accordance with this section;

3 (2) shall reserve 1 percent to evaluate the effec-
4 tiveness of this title in achieving the purposes of this
5 title and ensuring that results are peer-reviewed and
6 widely disseminated, which may include hiring an
7 outside evaluator; and

8 (3) shall reserve 5 percent for technical assist-
9 ance and dissemination of best practices in middle
10 grades education to States and local educational
11 agencies.

12 (c) AMOUNT OF STATE ALLOTMENTS.—

13 (1) IN GENERAL.—Except as provided in para-
14 graph (2), of the total amount made available to
15 carry out this title for a fiscal year and not reserved
16 under subsection (b), the Secretary shall allot such
17 amount among the States in proportion to the num-
18 ber of children, aged 5 to 17, who reside within the
19 State and are from families with incomes below the
20 poverty level for the most recent fiscal year for
21 which satisfactory data are available, compared to
22 the number of such individuals who reside in all
23 such States for that fiscal year, determined in ac-
24 cordance with section 1124(c)(1)(A) of the Elemen-

1 tary and Secondary Education Act of 1965 (20
2 U.S.C. 6333(c)(1)(A)).

3 (2) MINIMUM ALLOTMENTS.—No State edu-
4 cational agency shall receive an allotment under this
5 subsection for a fiscal year that is less than $\frac{1}{2}$ of
6 1 percent of the amount made available to carry out
7 this title for such fiscal year.

8 (d) SPECIAL RULE.—For any fiscal year for which
9 the funds appropriated to carry out this title are less than
10 \$500,000,000, the Secretary is authorized to award grants
11 to State educational agencies, on a competitive basis, rath-
12 er than as allotments described in this section, to enable
13 such agencies to award subgrants under section 104 on
14 a competitive basis.

15 (e) REALLOTMENT.—

16 (1) FAILURE TO APPLY; APPLICATION NOT AP-
17 PROVED.—If any State educational agency does not
18 apply for an allotment under this title for a fiscal
19 year, or if the application from the State educational
20 agency is not approved, the Secretary shall reallocate
21 the amount of the State's allotment to the remaining
22 States in accordance with this section.

23 (2) UNUSED FUNDS.—The Secretary may
24 reallocate any amount of an allotment to a State if the
25 Secretary determines that the State will be unable to

1 use such amount within 2 years of such allotment.
2 Such reallocations shall be made on the same basis
3 as allotments are made under subsection (c).

4 (f) APPLICATION.—In order to receive an allotment
5 under this title, a State educational agency shall submit
6 an application to the Secretary at such time, in such man-
7 ner, and accompanied by such information as the Sec-
8 retary may reasonably require, including a State middle
9 grades improvement plan described in section 103(a)(4).

10 (g) PEER REVIEW AND SELECTION.—The Sec-
11 retary—

12 (1) shall establish a peer-review process to as-
13 sist in the review and approval of proposed State ap-
14 plications;

15 (2) shall appoint individuals to participate in
16 the peer-review process who are educators and ex-
17 perts in identifying, evaluating, and implementing
18 effective education programs and practices (includ-
19 ing in the areas of teaching and learning, edu-
20 cational standards and assessments, school improve-
21 ment, school climate, rates of suspension and expul-
22 sion, and academic and behavioral supports for mid-
23 dle grades students, and in addressing the needs of
24 students with disabilities and English language
25 learners in the middle grades), which individuals

1 may include recognized exemplary middle grades
2 teachers and middle grades principals who have been
3 recognized at the State or national level for exem-
4 plary work or contributions to the field;

5 (3) shall ensure that State educational agencies
6 are given the opportunity to receive timely feedback,
7 and to interact with peer-review panels, in person or
8 via electronic communication, on issues that need
9 clarification during the peer-review process;

10 (4) shall approve an application submitted
11 under this title not later than 120 days after the
12 date of submission of the application unless the Sec-
13 retary determines that the application does not meet
14 the requirements of this title;

15 (5) may not decline to approve an application
16 from a State educational agency before—

17 (A) offering the State educational agency
18 an opportunity to revise the application;

19 (B) providing the State educational agency
20 with technical assistance in order to submit a
21 successful application; and

22 (C) providing an opportunity for a hearing
23 to the State educational agency; and

24 (6) shall direct the Inspector General of the De-
25 partment of Education to—

1 (A) review final determinations reached by
2 the Secretary to approve or deny State applica-
3 tions;

4 (B) analyze the consistency of the process
5 used by peer-review panels in reviewing and rec-
6 ommending to the Secretary approval or denial
7 of such State applications; and

8 (C) report the findings of this review and
9 analysis to Congress.

10 **SEC. 103. STATE PLAN; AUTHORIZED ACTIVITIES.**

11 (a) MANDATORY ACTIVITIES.—

12 (1) IN GENERAL.—A State educational agency
13 that receives a grant under this title shall use the
14 grant funds—

15 (A) to prepare and implement the needs
16 analysis and middle grades improvement plan,
17 as described in paragraphs (3) and (4), of such
18 agency;

19 (B) to make subgrants to eligible local
20 educational agencies or eligible entities under
21 section 104; and

22 (C) to assist eligible local educational agen-
23 cies and eligible entities, when determined nec-
24 essary by the State educational agency or at the
25 request of an eligible local educational agency

1 or eligible entity, in designing a comprehensive
2 schoolwide improvement plan and carrying out
3 the activities under section 104.

4 (2) FUNDS FOR SUBGRANTS.—A State edu-
5 cational agency that receives a grant under this title
6 shall use not less than 80 percent of the grant funds
7 to make subgrants to eligible local educational agen-
8 cies or eligible entities under section 104.

9 (3) MIDDLE GRADES NEEDS ANALYSIS.—

10 (A) IN GENERAL.—A State educational
11 agency that receives a grant under this title
12 shall enter into a contract, or similar formal
13 agreement, to work with entities such as na-
14 tional and regional comprehensive centers (as
15 described in section 203 of the Educational
16 Technical Assistance Act of 2002 (20 U.S.C.
17 9602)), institutions of higher education, or non-
18 profit organizations with demonstrated exper-
19 tise in high-quality middle grades reform, to
20 prepare a plan that analyzes how to strengthen
21 the programs, practices, and policies of the
22 State in supporting students in the middle
23 grades, including the factors, such as local im-
24 plementation, that influence variation in the ef-

1 fectiveness of such programs, practices, and
2 policies.

3 (B) PREPARATION OF PLAN.—In preparing
4 the plan under subparagraph (A), the State
5 educational agency shall examine policies and
6 practices of the State, and of local educational
7 agencies within the State, affecting—

8 (i) middle grades curriculum instruc-
9 tion and assessment;

10 (ii) education accountability and data
11 systems;

12 (iii) teacher preparation, quality, ex-
13 perience, and equitable distribution;

14 (iv) interventions that support learn-
15 ing in school, including personal academic
16 plans;

17 (v) student engagement activities;

18 (vi) in-school and out-of-school sus-
19 pensions;

20 (vii) family and community engage-
21 ment in education; and

22 (viii) student and academic support
23 services, such as effective school library
24 programs and school counseling on the
25 transition to secondary school and plan-

1 ning for entry into postsecondary edu-
2 cation and the workforce.

3 (4) MIDDLE GRADES IMPROVEMENT PLAN.—

4 (A) IN GENERAL.—A State educational
5 agency that receives a grant under this title
6 shall develop a middle grades improvement plan
7 that—

8 (i) shall be a statewide plan to im-
9 prove student academic achievement in the
10 middle grades, based on the needs analysis
11 described in paragraph (3); and

12 (ii) describes what students are re-
13 quired to know and do to successfully—

14 (I) complete the middle grades;
15 and

16 (II) develop the competencies
17 of—

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

21 (bb) critical thinking;

22 (cc) effective communica-
23 tion;

24 (dd) self-direction; and

1 (ee) the ability to collabo-
2 rate; and

3 (III) make a successful transition
4 to academically rigorous secondary
5 school coursework that prepares stu-
6 dents to graduate from secondary
7 school ready for higher education and
8 a career.

9 (B) PLAN COMPONENTS.—A middle grades
10 improvement plan described in subparagraph
11 (A) shall also describe how the State edu-
12 cational agency will do each of the following:

13 (i)(I) Ensure that the curricula and
14 assessments for middle grades education
15 are aligned with secondary school curricula
16 and assessments and prepare students to
17 take challenging secondary school courses
18 and successfully engage in postsecondary
19 education.

20 (II) Ensure coordination, where appli-
21 cable, with the activities carried out
22 through grants under section 6201(c)(1) of
23 the America COMPETES Act (20 U.S.C.
24 9871) for alignment of P-16 education, as
25 defined in section 6201(b) of such Act.

1 (III) Ensure that the transition from
2 elementary school to the middle grades is
3 supported through programs that promote
4 successful social, emotional, and cognitive
5 development.

6 (ii) Ensure that professional develop-
7 ment is provided to school leaders, teach-
8 ers, and other school personnel in—

9 (I) addressing the needs of di-
10 verse learners, including students with
11 disabilities and English language
12 learners;

13 (II) using challenging and rel-
14 evant research-based best practices
15 and curricula;

16 (III) using data to inform in-
17 struction; and

18 (IV) increasing student engage-
19 ment and social and emotional learn-
20 ing competencies.

21 (iii) Identify and disseminate informa-
22 tion on effective schools and instructional
23 strategies for middle grades students based
24 on high-quality research.

1 (iv) Include specific provisions for stu-
2 dents most at risk of not graduating from
3 secondary school, including English lan-
4 guage learners, students with disabilities,
5 and low-income students.

6 (v) Provide technical assistance to eli-
7 gible entities to develop and implement
8 their early warning indicator and interven-
9 tion systems, as described in section
10 104(d)(2)(D).

11 (vi) Define a set of comprehensive
12 school performance indicators that shall be
13 used, in addition to the indicators used to
14 determine adequate yearly progress (as de-
15 fined in section 1111(b)(2)(C) of the Ele-
16 mentary and Secondary Education Act of
17 1965 (20 U.S.C. 6311(b)(2)(C))), to evalu-
18 ate school performance and guide the
19 school improvement process, such as—

20 (I) student attendance and
21 chronic absenteeism;

22 (II) earned on-time promotion
23 rates from grade to grade;

24 (III) percentage of students fail-
25 ing a mathematics, reading or lan-

1 guage arts, or science course, or fail-
2 ing 2 or more of any courses;

3 (IV) teacher preparation, experi-
4 ence, effectiveness, and attendance
5 measures;

6 (V) in-school and out-of-school
7 suspension or other measurable evi-
8 dence of at-risk behavior, including
9 any disparities in rates among
10 groups described in section
11 1111(b)(2)(C)(v)(II) of the Elemen-
12 tary and Secondary Education Act
13 of 1965 (20 U.S.C.
14 6311(b)(2)(C)(v)(II));

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

19 (VII) additional indicators pro-
20 posed by the State educational agen-
21 cy, and approved by the Secretary
22 pursuant to the peer-review process
23 described in section 102(g).

24 (vii) Ensure that such plan is coordi-
25 nated with State activities to turn around

1 other schools in need of improvement, in-
2 cluding State activities to improve sec-
3 ondary schools and elementary schools.

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

8 (b) PERMISSIBLE ACTIVITIES.—A State educational
9 agency that receives a grant under this title may use the
10 grant funds to—

11 (1) develop and encourage collaborations among
12 researchers at institutions of higher education, State
13 educational agencies, educational service agencies,
14 local educational agencies, and nonprofit organiza-
15 tions with demonstrated expertise in high-quality
16 middle grades interventions, to expand the use of ef-
17 fective practices in the middle grades and to improve
18 middle grades education;

19 (2) support local educational agencies in imple-
20 menting effective middle grades practices, models,
21 and programs that—

22 (A) are evidence-based or, when available,
23 scientifically valid; and

24 (B) lead to improved student academic
25 achievement;

1 (3) support collaborative communities of middle
2 grades teachers, administrators, school librarians,
3 and researchers in creating and sustaining informa-
4 tional databases to disseminate results from rigorous
5 research on effective practices and programs for
6 middle grades education; and

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

14 **SEC. 104. COMPETITIVE SUBGRANTS TO IMPROVE LOW-**
15 **PERFORMING MIDDLE GRADES.**

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

22 (b) PRIORITIES.—In making subgrants under sub-
23 section (a), a State educational agency shall give priority
24 to eligible local educational agencies or eligible entities
25 based on—

1 (1) the respective populations of children de-
2 scribed in section 102(c)(1) served by the eligible
3 local educational agencies that are participating in
4 the subgrant application process; and

5 (2) the respective populations of children served
6 by the participating eligible local educational agen-
7 cies who attend eligible schools.

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

14 (1) a comprehensive schoolwide improvement
15 plan described in subsection (d);

16 (2) a description of how activities described in
17 such plan will be coordinated with activities specified
18 in plans for schoolwide programs under section 1114
19 of the Elementary and Secondary Education Act of
20 1965 (20 U.S.C. 6314) and school improvement
21 plans required under section 1116(b)(3) of such Act
22 (20 U.S.C. 6316(b)(3)); and

23 (3) a description of how activities described in
24 such plan will be complementary to, and coordinated
25 with, school improvement activities for elementary

1 schools and secondary schools in need of improve-
2 ment that serve the same students within the par-
3 ticipating local educational agency.

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

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

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

13 (A) identify eligible schools;

14 (B) ensure that funds go to the highest
15 priority eligible schools first, based on the eligi-
16 ble schools' populations of children described in
17 section 102(c)(1);

18 (C) use funds to close achievement gaps
19 and improve the academic achievement of all
20 students, including English language learners
21 and students with disabilities, in eligible
22 schools;

23 (D) implement an early warning indicator
24 and intervention system to alert schools when
25 students begin to exhibit outcomes or behaviors

1 that indicate the student is at increased risk for
2 low academic achievement or is unlikely to
3 progress to secondary school graduation, and to
4 create a system of evidence-based interventions
5 to be used by schools to effectively intervene,
6 by—

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

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

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

- 1 (iv) identifying or developing a mecha-
2 nism for regularly collecting and report-
3 ing—
- 4 (I) student-level data on the indi-
5 cators identified under clause (i);
- 6 (II) student-level progress and
7 performance, as described in clause
8 (ii);
- 9 (III) student-level data on the in-
10 dicators described in clause (iii); and
- 11 (IV) information about the im-
12 pact of interventions on student out-
13 comes and progress;
- 14 (E) increase academic rigor and foster stu-
15 dent engagement to ensure students are enter-
16 ing secondary school prepared for success in a
17 rigorous college- and career-ready curriculum,
18 including a description of how such readiness
19 will be measured;
- 20 (F) implement a systemic transition plan
21 for all students and encourage collaboration
22 among elementary grades, middle grades, and
23 secondary school grades to support the success-
24 ful transition between grades;

1 (G) increase community and family en-
 2 gagement in education in the middle grades to
 3 support student success; and

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

10 (3) provide evidence of an ongoing commitment
 11 to sustain the plan for a period of not less than 4
 12 years.

13 (e) REVIEW AND SELECTION OF SUBGRANTS.—In
 14 making subgrants under subsection (a), the State edu-
 15 cational agency shall—

16 (1) establish a peer-review process to assist in
 17 the review and approval of applications under sub-
 18 section (c); and

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

23 (A) experts—

1 (i) in areas of teaching and learning,
2 educational standards and assessments,
3 and school improvement;

4 (ii) in addressing the needs of stu-
5 dents with disabilities and English lan-
6 guage learners in the middle grades; and

7 (iii) in the academic and behavioral
8 supports for middle grades students; and

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

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

21 (1) the eligible local educational agency or eligi-
22 ble entity an opportunity to revise and resubmit the
23 application; and

24 (2) technical assistance to the eligible local edu-
25 cational agency or eligible entity, by the State edu-

1 cational agency or a nonprofit organization with
2 demonstrated expertise in high-quality middle grades
3 interventions, to revise the application.

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

8 (1) Align the curricula for grades kindergarten
9 through 12 for schools within the local educational
10 agency to improve transitions from elementary
11 grades to middle grades to secondary school grades.

12 (2) In each eligible school served by the eligible
13 local educational agency receiving or participating in
14 the subgrant:

15 (A) Align the curricula for all grade levels
16 within eligible schools to improve grade to grade
17 transitions.

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

24 (C) Ensure that school leaders, teachers,
25 pupil service personnel, school librarians, and

1 other school staff understand the developmental
2 stages of adolescents in the middle grades and
3 how to deal with those stages appropriately in
4 an educational setting.

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

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

19 (F) Provide all students, and the students'
20 families, with information about, and assistance
21 with, the requirements for secondary school
22 graduation, admission to an institution of high-
23 er education, and career success.

24 (G) Utilize data from an early warning in-
25 dicator and intervention system described in

1 subsection (d)(2)(D) to identify struggling stu-
2 dents and assist the students as the students
3 transition from elementary school to middle
4 grades to secondary school.

5 (H) Implement academic supports, such as
6 effective school library programs, and effective
7 and coordinated additional assistance programs
8 to ensure that students have a strong founda-
9 tion in reading, writing, mathematics, and
10 science skills.

11 (I) Implement evidence-based or, when
12 available, scientifically valid schoolwide pro-
13 grams and targeted supports to promote posi-
14 tive academic outcomes, such as increased at-
15 tendance rates, decreased chronic absenteeism,
16 and the promotion of physical, personal, and so-
17 cial development.

18 (J) Develop and use effective formative as-
19 sessments to inform instruction.

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

24 (h) PERMISSIBLE USES OF FUNDS.—An eligible local
25 educational agency or eligible entity that receives a

1 subgrant under subsection (a) may use the subgrant funds
2 to carry out the following:

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

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

19 (3) Employ and use instructional coaches, in-
20 cluding literacy, mathematics, and English language
21 learner coaches.

22 (4) Provide professional development for con-
23 tent-area teachers and school librarians on working
24 effectively with English language learners and stu-
25 dents with disabilities, as well as professional devel-

1 opment for English as a second language educators,
2 bilingual educators, and special education personnel.

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

9 (6) Encourage and facilitate the sharing of data
10 among elementary grades, middle grades, secondary
11 school grades, institutions of higher education, and
12 other postsecondary educational institutions.

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

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

1 (i) PLANNING SUBGRANTS.—

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

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

15 **SEC. 105. DURATION OF GRANTS; SUPPLEMENT NOT SUP-**
16 **PLANT.**

17 (a) DURATION OF GRANTS.—

18 (1) IN GENERAL.—Except as provided in para-
19 graph (2), grants under this title and subgrants
20 under section 104(a) may not exceed 3 years in du-
21 ration.

22 (2) RENEWALS.—

23 (A) IN GENERAL.—Grants under this title
24 and subgrants under section 104(a) may be re-
25 newed in 2-year increments.

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

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

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

12 (I) student academic achieve-
 13 ment, as measured by the annual
 14 measurable objectives established pur-
 15 suant to section 1111(b)(2)(C)(v) of
 16 the Elementary and Secondary Edu-
 17 cation Act of 1965 (20 U.S.C.
 18 6311(b)(2)(C)(v)); and

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

22 (b) FEDERAL FUNDS TO SUPPLEMENT, NOT SUP-
 23 PLANT, NON-FEDERAL FUNDS.—

24 (1) IN GENERAL.—A State educational agency,
 25 eligible local educational agency, or eligible entity

1 shall use Federal funds received under this title only
2 to supplement the funds that would, in the absence
3 of such Federal funds, be made available from non-
4 Federal sources for the education of students par-
5 ticipating in programs assisted under this title, and
6 not to supplant such funds.

7 (2) SPECIAL RULE.—Nothing in this title shall
8 be construed to authorize an officer, employee, or
9 contractor of the Federal Government to mandate,
10 direct, limit, or control a State, local educational
11 agency, or school’s specific instructional content,
12 academic achievement standards and assessments,
13 curriculum, or program of instruction.

14 **SEC. 106. EVALUATION AND REPORTING.**

15 (a) EVALUATION.—Not later than 180 days after the
16 date of enactment of this Act, and annually thereafter for
17 the period of the grant, each State educational agency re-
18 ceiving a grant under this title shall—

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

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

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

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

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

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

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

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

23 (c) LOCAL EDUCATIONAL AGENCY REPORTING.—On
24 an annual basis, each eligible local educational agency and
25 eligible entity receiving a subgrant under section 104(a)

1 shall report to the State educational agency and to the
2 public on—

3 (1) the performance on the school performance
4 indicators (as described in section 103(a)(4)(B)(vi))
5 for each eligible school served by the eligible local
6 educational agency or eligible entity, in the aggregate
7 and disaggregated by the groups described in
8 section 1111(b)(2)(C)(v)(II) of the Elementary and
9 Secondary Education Act of 1965 (20 U.S.C.
10 6311(b)(2)(C)(v)(II)); and

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

14 (d) STATE EDUCATIONAL AGENCY REPORTING.—On
15 an annual basis, each State educational agency receiving
16 grant funds under this title shall report to the Secretary
17 and to the public on—

18 (1) the performance of eligible schools in the
19 State, based on the school performance indicators
20 described in section 103(a)(4)(B)(vi), in the aggregate
21 and disaggregated by the groups described in
22 section 1111(b)(2)(C)(v)(II) of the Elementary and
23 Secondary Education Act of 1965 (20 U.S.C.
24 6311(b)(2)(C)(v)(II)); and

1 (2) the use of such funds by each eligible
2 school, eligible entity, and eligible local educational
3 agency in the State receiving such funds.

4 (e) REPORT TO CONGRESS.—Every 2 years, the Sec-
5 retary shall report to the public and to Congress—

6 (1) a summary of the State educational agency
7 reports under subsection (d); and

8 (2) the use of funds by each State educational
9 agency under this title.

10 **SEC. 107. AUTHORIZATION OF APPROPRIATIONS.**

11 There are authorized to be appropriated to carry out
12 this title—

13 (1) \$500,000,000 for fiscal year 2016;

14 (2) \$525,000,000 for fiscal year 2017;

15 (3) \$550,000,000 for fiscal year 2018;

16 (4) \$600,000,000 for fiscal year 2019; and

17 (5) \$650,000,000 for fiscal year 2020.

18 **TITLE II—RESEARCH**

19 **RECOMMENDATIONS**

20 **SEC. 201. PURPOSE.**

21 The purpose of this title is to facilitate the genera-
22 tion, dissemination, and application of research needed to
23 identify and implement effective practices that lead to con-
24 tinual student learning and high academic achievement in
25 the middle grades.

1 **SEC. 202. RESEARCH RECOMMENDATIONS.**

2 (a) STUDY ON PROMISING PRACTICES.—

3 (1) IN GENERAL.—Not later than 60 days after
4 the date of enactment of this Act, the Secretary
5 shall enter into a contract with the National Acad-
6 emies to study and identify promising practices for
7 the improvement of middle grades education.

8 (2) CONTENT OF STUDY.—The study described
9 in paragraph (1) shall identify promising practices
10 currently being implemented for the improvement of
11 middle grades education. The study shall be con-
12 ducted in an open and transparent way that provides
13 interim information to the public about criteria
14 being used to identify—

15 (A) such promising practices;

16 (B) the practices that are being consid-
17 ered; and

18 (C) the kind of evidence needed to docu-
19 ment effectiveness.

20 (3) REPORT.—The contract entered into pursu-
21 ant to this subsection shall require that the National
22 Academies submit to the Secretary, the Committee
23 on Health, Education, Labor, and Pensions of the
24 Senate, and the Committee on Education and the
25 Workforce of the House of Representatives a final
26 report regarding the study conducted under this sub-

1 section not later than 1 year after the date of the
2 commencement of the contract.

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

7 (b) SYNTHESIS STUDY OF EFFECTIVE TEACHING
8 AND LEARNING IN MIDDLE GRADES.—

9 (1) IN GENERAL.—Not later than 60 days after
10 the date of enactment of this Act, the Secretary
11 shall enter into a contract with the National Acad-
12 emies to review existing research on middle grades
13 education, and on factors that might lead to in-
14 creased effectiveness and enhanced innovation in
15 middle grades education.

16 (2) CONTENT OF STUDY.—The study described
17 in paragraph (1) shall review research on education
18 programs, practices, and policies and research on
19 the cognitive, social, and emotional development of
20 children in the middle grades age range, in order to
21 provide an enriched understanding of the factors
22 that might lead to the development of innovative and
23 effective middle grades programs, practices, and
24 policies. The study shall focus on—

1 (A) the areas of curriculum, instruction,
2 and assessment (including additional supports
3 for students who are below grade level in read-
4 ing, writing, mathematics, and science, and the
5 identification of students with disabilities) to
6 better prepare all students for subsequent suc-
7 cess in secondary school, postsecondary edu-
8 cation, and cognitively challenging employment;

9 (B) the quality of (including experience,
10 certification, and demonstrated effectiveness),
11 and supports for, the teacher workforce;

12 (C) aspects of student behavioral and so-
13 cial development, and of social interactions
14 within schools that affect the learning of aca-
15 demic content;

16 (D) the ways in which schools and local
17 educational agencies are organized and operated
18 that may be linked to student outcomes;

19 (E) how development and use of early
20 warning indicator and intervention systems can
21 reduce risk factors for dropping out of school
22 and low academic achievement; and

23 (F) identification of areas where further
24 research and evaluation may be needed on these

1 topics to further the development of effective
2 middle grades practices.

3 (3) REPORT.—The contract entered into pursu-
4 ant to this subsection shall require that the National
5 Academies submit to the Secretary, the Committee
6 on Health, Education, Labor, and Pensions of the
7 Senate, and the Committee on Education and the
8 Workforce of the House of Representatives a final
9 report regarding the study conducted under this sub-
10 section not later than 2 years after the date of com-
11 mencement of the contract.

12 (4) PUBLICATION.—The Secretary shall make
13 public and post on the website of the Department of
14 Education the findings of the study conducted under
15 this subsection.

16 (c) OTHER ACTIVITIES.—The Secretary shall carry
17 out each of the following:

18 (1) Create a national clearinghouse, in coordi-
19 nation with entities such as the What Works Clear-
20 inghouse of the Institute of Education Sciences, for
21 research in best practices in the middle grades and
22 in the approaches that successfully take those best
23 practices to scale in schools and local educational
24 agencies.

1 (2) Create a national middle grades database
2 accessible to educational researchers, practitioners,
3 and policymakers that identifies factors at the
4 school, classroom, and system level that facilitate or
5 impede student academic achievement in the middle
6 grades.

7 (3) Require the Institute of Education Sciences
8 to develop a strand of field-initiated and scientif-
9 ically valid research designed to enhance perform-
10 ance of schools serving middle grades students, and
11 of middle grades students who are most at risk of
12 educational failure, which may be coordinated with
13 the regional educational laboratories established
14 under section 174 of the Education Sciences Reform
15 Act of 2002 (20 U.S.C. 9564), institutions of higher
16 education, agencies recognized for their research
17 work that has been published in peer-reviewed jour-
18 nals, and organizations that have such regional edu-
19 cational laboratories. Such research shall target spe-
20 cific issues such as—

21 (A) effective practices for instruction and
22 assessment in mathematics, science, technology,
23 and literacy;

24 (B) effective practices for developing in
25 students the competencies of—

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

3 (ii) critical thinking;

4 (iii) effective communication;

5 (iv) self-direction; and

6 (v) the ability to collaborate;

7 (C) academic interventions for adolescent
8 English language learners;

9 (D) school improvement programs and
10 strategies for closing the academic achievement
11 gap between the different groups described in
12 section 1111(b)(2)(C)(v)(II) of the Elementary
13 and Secondary Education Act of 1965 (20
14 U.S.C. 6311(b)(2)(C)(v)(II)), and for decreas-
15 ing rates of suspension and expulsion;

16 (E) evidence-based or, when available, sci-
17 entifically valid professional development plan-
18 ning targeted to improve pedagogy and student
19 academic achievement and student engagement;

20 (F) the effects of increased learning or ex-
21 tended school time in the middle grades; and

22 (G) the effects of decreased class size or
23 increased instructional and support staff.

24 (4) Strengthen the work of the existing national
25 research and development centers under section

1 133(c) of the Education Sciences Reform Act of
2 2002 (20 U.S.C. 9533(c)), as of the date of enact-
3 ment of this Act, by adding an educational research
4 and development center dedicated to addressing—

5 (A) curricular, instructional, and assess-
6 ment issues pertinent to the middle grades
7 (such as mathematics, science, technological flu-
8 ency, and the needs of English language learn-
9 ers and students with disabilities);

10 (B) comprehensive reforms for low-per-
11 forming middle grades; and

12 (C) other topics pertinent to improving the
13 academic achievement of middle grades stu-
14 dents.

15 (5) Provide grants to nonprofit organizations,
16 for-profit organizations, institutions of higher edu-
17 cation, and others to partner with State educational
18 agencies and local educational agencies to develop,
19 adapt, or replicate effective models for turning
20 around low-performing schools serving middle grades
21 students.

22 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS; RESERVA-**
23 **TIONS.**

24 (a) **AUTHORIZATION.**—There are authorized to be ap-
25 propriated to carry out this title \$100,000,000 for fiscal

1 year 2016 and such sums as may be necessary for each
2 of the 5 succeeding fiscal years.

3 (b) RESERVATIONS.—From the total amount made
4 available to carry out this title for a fiscal year, the Sec-
5 retary shall reserve—

6 (1) 2.5 percent for the studies described in sub-
7 sections (a) and (b) of section 202;

8 (2) 5 percent for the clearinghouse described in
9 section 202(c)(1);

10 (3) 5 percent for the database described in sec-
11 tion 202(c)(2);

12 (4) 42.5 percent for the activities described in
13 section 202(c)(3);

14 (5) 15 percent for the activities described in
15 section 202(c)(4); and

16 (6) 30 percent for the activities described in
17 section 202(c)(5).

○