

118TH CONGRESS
1ST SESSION

H. R. 1578

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 local educational agency 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 HOUSE OF REPRESENTATIVES

MARCH 14, 2023

Mr. GRIJALVA (for himself and Mr. GARCÍA of Illinois) introduced the following bill; which was referred to the Committee on Education and the Workforce

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 local educational agency 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Success in the Middle
5 Act of 2023”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Research shows that Federal funding for
9 students in middle school and high school, particu-
10 larly grades 6 through 12, is significantly lower than
11 funding for elementary and postsecondary students.

12 (2) International comparisons indicate that stu-
13 dents in the United States do not start out behind
14 students of other nations in mathematics and
15 science, but that they fall behind by the end of the
16 middle grades.

17 (3) In reading, 31 percent of students in grade
18 8 read at or above the proficient level on the 2022
19 National Assessment of Educational Progress. Aver-
20 age reading scores were lower at grade 8 for most
21 racial/ethnic groups compared to 2019.

22 (4) In mathematics, 27 percent of students in
23 grade 8 displayed skills at or above the proficient
24 level on the 2022 National Assessment of Edu-
25 cational Progress.

1 (5) Evidence demonstrates unfinished learning
2 for the Nation’s students, including students from
3 the middle grades, resulting from the COVID–19
4 pandemic. Black and Hispanic students, in par-
5 ticular, were less likely to have access to the pre-
6 requisites of learning—devices, internet access, and
7 live contact with teachers. Left unaddressed, these
8 opportunity gaps could translate into wider achieve-
9 ment gaps.

10 (6) By grade 6, a student who attends school
11 less than 80 percent of the time, receives unsatisfac-
12 tory marks for mild but sustained misbehavior, or
13 who fails English or mathematics, has only a 10 to
14 20 percent chance of graduating on time. Without
15 effective interventions and proper supports, these
16 students are at risk of subsequent failure in sec-
17 ondary school, or of dropping out.

18 (7) According to Gallup, student engagement is
19 strong at the end of elementary school, with nearly
20 $\frac{3}{4}$ of 5th graders (74%) reporting high levels of en-
21 gagement. But similar surveys have shown a gradual
22 and steady decline in engagement for older students,
23 with approximately $\frac{1}{2}$ of students in middle school
24 reporting high levels of engagement.

1 (8) Student transitions from elementary school
2 to the middle grades and to secondary school are
3 often complicated by poor curriculum alignment, in-
4 adequate counseling services, and unsatisfactory
5 sharing of student performance and academic
6 achievement data between grades.

7 (9) Middle grades improvement strategies
8 should be tailored based on a variety of performance
9 indicators and data, so that—

10 (A) educators can create and implement
11 successful school improvement strategies to ad-
12 dress the needs of the middle grades; and

13 (B) teachers can provide effective instruc-
14 tion and adequate assistance to meet the needs
15 of at-risk students.

16 (10) Middle grade teachers face unique chal-
17 lenges due to the increased individual subject matter
18 focus of the curriculum combined with the physical,
19 intellectual, and emotional changes faced by early
20 adolescents transitioning from elementary school to
21 high school.

22 (11) Combining measures of academic achieve-
23 ment and motivation, social engagement, and self-
24 regulation—the behavioral domains essential for suc-
25 cess across the school and work continuum—pro-

1 vides a more holistic picture of students, including
2 their likelihood of enrolling in an institution of high-
3 er education following high school graduation. This
4 information, available in middle school, allows for
5 early identification of and intervention with students
6 who may be less likely to complete secondary school
7 and attend an institution of higher education.

8 (12) Appropriate academic accommodations,
9 age-appropriate discipline, access to assistive tech-
10 nology, and evidence-based interventions must be
11 used with students with disabilities, particularly in
12 the middle grades, as—

13 (A) the dropout rate for learning disabled
14 students is more than twice the dropout rate of
15 all students;

16 (B) nearly half of young adults with learn-
17 ing disabilities have been involved in the justice
18 system; and

19 (C) students with disabilities have a grad-
20 uation rate nearly 20 percentage points lower
21 than the graduation rate for general education
22 students.

23 (13) Local educational agencies and State edu-
24 cational agencies often do not have the capacity to
25 provide support for school improvement strategies.

1 Successful models do exist for turning around low-
2 performing middle grades, and Federal support
3 should be provided to increase the capacity to apply
4 promising practices based on evidence from success-
5 ful schools.

6 **SEC. 3. DEFINITIONS.**

7 In this Act:

8 (1) **ESEA DEFINITIONS.**—The terms “edu-
9 cational service agency”, “elementary school”,
10 “English learner”, “evidence-based”, “local edu-
11 cational agency”, “outlying area”, “high school”,
12 “secondary school”, and “State educational agency”
13 have the meanings given the terms in section 8101
14 of the Elementary and Secondary Education Act of
15 1965 (20 U.S.C. 7801).

16 (2) **CHRONIC ABSENTEEISM.**—The term
17 “chronic absenteeism” means the percentage of indi-
18 vidual students missing 10 percent, or more, of the
19 days of school in a school year.

20 (3) **ELIGIBLE ENTITY.**—The term “eligible enti-
21 ty” means a partnership that includes—

22 (A) not less than 1 eligible local edu-
23 cational agency; and

24 (B) One of the following:

25 (i) An institution of higher education.

1 (ii) An educational service agency.

2 (iii) A nonprofit organization with
3 demonstrated expertise in high-quality
4 middle grades intervention.

5 (4) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—

6 The term “eligible local educational agency” means
7 a local educational agency that serves not less than
8 1 eligible school.

9 (5) ELIGIBLE SCHOOL.—The term “eligible
10 school” means an elementary school or secondary
11 school that contains not less than 2 successive
12 grades of grades 5 through 8 and for which—

13 (A) a high proportion of the middle grades
14 students attending such school will attend a
15 secondary school with a graduation rate of 67
16 percent or less;

17 (B) more than 25 percent of the students
18 who finish grade 6 at such school, or the ear-
19 liest middle grade level at the school, exhibit 1
20 or more of the key risk factors and early risk
21 identification signs, including—

22 (i) student attendance below 90 per-
23 cent;

24 (ii) a failing grade in a mathematics
25 or reading or language arts course;

1 (iii) 2 failing grades in any courses;

2 and

3 (iv) out-of-school suspension or other

4 evidence of at-risk behavior; or

5 (C) more than 50 percent of the middle

6 grades students attending such school do not

7 perform at a proficient level on State student

8 academic assessments required under section

9 1111(b)(2) of the Elementary and Secondary

10 Education Act of 1965 (20 U.S.C. 6311(b)(2))

11 in mathematics or reading or language arts.

12 (6) INSTITUTION OF HIGHER EDUCATION.—The

13 term “institution of higher education” has the

14 meaning given the term in section 101 of the Higher

15 Education Act of 1965 (20 U.S.C. 1001).

16 (7) MIDDLE GRADES.—The term “middle

17 grades” means any of grades 5 through 8.

18 (8) SECRETARY.—The term “Secretary” means

19 the Secretary of Education.

20 (9) STATE.—The term “State” means each of

21 the 50 States, the District of Columbia, and the

22 Commonwealth of Puerto Rico.

23 (10) STUDENT WITH A DISABILITY.—The term

24 “student with a disability” means a student who is

25 a child with a disability, as defined in section 602

1 of the Individuals with Disabilities Education Act
2 (20 U.S.C. 1401).

3 **TITLE I—MIDDLE GRADES**
4 **IMPROVEMENT**

5 **SEC. 101. PURPOSES.**

6 The purposes of this title are to—

7 (1) develop middle grade students' social, emo-
8 tional, and academic competencies and deep content
9 knowledge to ensure they are equipped to think criti-
10 cally, solve problems, communicate effectively, col-
11 laborate with others, and be self-directed so that
12 they can enter high school on-track and graduate
13 from high school on time and ready for postsec-
14 ondary and career pathways;

15 (2) provide student and teacher supports for
16 middle grades education, including funding and cur-
17 ricula, that align with the student and teacher sup-
18 ports provided for elementary school and secondary
19 school grades within and across local educational
20 agencies;

21 (3) provide resources to State educational agen-
22 cies and local educational agencies to collaboratively
23 develop and implement middle grade improvement
24 plans in order to deliver evidence-based support and

1 technical assistance to schools serving middle grade
2 students;

3 (4) provide resources for schools serving middle
4 grade students to develop positive learning commu-
5 nities where educators and students feel engaged,
6 and share high expectations of student success, as
7 exhibited by mutual respect, fair discipline ap-
8 proaches, and rigorous academic curriculum; and

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

16 **SEC. 102. FORMULA GRANTS TO STATE EDUCATIONAL**
17 **AGENCIES FOR MIDDLE GRADES IMPROVE-**
18 **MENT.**

19 (a) IN GENERAL.—From amounts appropriated
20 under section 107, the Secretary shall make grants under
21 this title for a fiscal year to each State educational agency
22 for which the Secretary has approved an application in
23 an amount equal to the allotment determined for such
24 agency under subsection (c) for such fiscal year.

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

4 (1) shall reserve not more than 1 percent for
5 the Secretary of the Interior (on behalf of the Bu-
6 reau of Indian Education) and the outlying areas for
7 activities carried out in accordance with this section;

8 (2) shall reserve 1 percent to evaluate the effec-
9 tiveness of this title in achieving the purposes of this
10 title and ensuring that results are peer-reviewed and
11 widely disseminated, which may include hiring an
12 outside evaluator; and

13 (3) shall reserve 2 percent for technical assist-
14 ance and dissemination of best practices in middle
15 grades education to States and local educational
16 agencies.

17 (c) AMOUNT OF STATE ALLOTMENTS.—

18 (1) IN GENERAL.—Except as provided in para-
19 graph (2), of the total amount made available to
20 carry out this title for a fiscal year and not reserved
21 under subsection (b), the Secretary shall allot such
22 amount among the States in proportion to the num-
23 ber of children, aged 5 to 17, who reside within the
24 State and are from families with incomes below the
25 poverty level for the most recent fiscal year for

1 which satisfactory data are available, compared to
2 the number of such individuals who reside in all
3 such States for that fiscal year, determined in ac-
4 cordance with section 1124(c)(1)(A) of the Elemen-
5 tary and Secondary Education Act of 1965 (20
6 U.S.C. 6333(c)(1)(A)).

7 (2) MINIMUM ALLOTMENTS.—No State edu-
8 cational agency shall receive an allotment under this
9 subsection for a fiscal year that is less than $\frac{1}{2}$ of
10 1 percent of the amount made available to carry out
11 this title for such fiscal year.

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

19 (e) REALLOTMENT.—

20 (1) FAILURE TO APPLY; APPLICATION NOT AP-
21 PROVED.—If any State educational agency does not
22 apply for an allotment under this title for a fiscal
23 year, or if the application from the State educational
24 agency is not approved, the Secretary shall reallot

1 the amount of the State's allotment to the remaining
2 States in accordance with this section.

3 (2) UNUSED FUNDS.—The Secretary may
4 reallocate any amount of an allotment to a State if the
5 Secretary determines that the State will be unable to
6 use such amount within 2 years of such allotment.
7 Such reallocations shall be made on the same basis
8 as allotments are made under subsection (c).

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

15 (g) PEER REVIEW AND SELECTION.—The Sec-
16 retary—

17 (1) shall establish a peer-review process to as-
18 sist in the review and approval of proposed State ap-
19 plications;

20 (2) shall appoint individuals to participate in
21 the peer-review process who are educators and ex-
22 perts in identifying, evaluating, and implementing
23 effective education programs and practices (includ-
24 ing in the areas of teaching and learning, edu-
25 cational standards and assessments, school improve-

1 ment, school climate, rates of suspension and expul-
2 sion, and academic and behavioral supports for mid-
3 dle grades students, and in addressing the needs of
4 students with disabilities and English learners in the
5 middle grades), which individuals may include recog-
6 nized exemplary middle grades teachers and middle
7 grades principals who have been recognized at the
8 State or national level for exemplary work or con-
9 tributions to the field;

10 (3) shall ensure that State educational agencies
11 are given the opportunity to receive timely feedback,
12 and to interact with peer-review panels, in person or
13 via electronic communication, on issues that need
14 clarification during the peer-review process;

15 (4) shall approve an application submitted
16 under this title not later than 120 days after the
17 date of submission of the application unless the Sec-
18 retary determines that the application does not meet
19 the requirements of this title;

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

22 (A) offering the State educational agency
23 an opportunity to revise the application;

1 (B) providing the State educational agency
2 with technical assistance in order to submit a
3 successful application; and

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

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

8 (A) review final determinations reached by
9 the Secretary to approve or deny State applica-
10 tions;

11 (B) analyze the consistency of the process
12 used by peer-review panels in reviewing and rec-
13 ommending to the Secretary approval or denial
14 of such State applications; and

15 (C) report the findings of this review and
16 analysis to Congress.

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

18 (a) MANDATORY ACTIVITIES.—

19 (1) IN GENERAL.—A State educational agency
20 that receives a grant under this title shall use the
21 grant funds—

22 (A) to prepare and implement the needs
23 analysis and middle grades improvement plan,
24 as described in paragraphs (3) and (4), of such
25 agency;

1 (B) to make subgrants to eligible local
2 educational agencies or eligible entities under
3 section 104; and

4 (C) to assist eligible local educational agen-
5 cies and eligible entities, when determined nec-
6 essary by the State educational agency or at the
7 request of an eligible local educational agency
8 or eligible entity, in designing a comprehensive
9 schoolwide improvement plan and carrying out
10 the activities under section 104.

11 (2) FUNDS FOR SUBGRANTS.—A State edu-
12 cational agency that receives a grant under this title
13 shall use not less than 90 percent of the grant funds
14 to make subgrants to eligible local educational agen-
15 cies or eligible entities under section 104.

16 (3) MIDDLE GRADES NEED ASSESSMENT.—

17 (A) COMPREHENSIVE ASSESSMENT.—

18 (i) IN GENERAL.—A State educational
19 agency that receives a grant under this
20 title shall conduct a comprehensive needs
21 assessment that analyzes how to strength-
22 en the programs, practices, and policies of
23 the State to target support for students in
24 the middle grades to improve positive stu-
25 dent outcomes that prepare students for

1 high school, postsecondary, and career suc-
2 cess.

3 (ii) CONTRACTING ABILITY.—A State
4 educational agency receiving a grant under
5 this title may enter into a contract, or
6 similar formal agreement, to work with en-
7 tities such as national and regional com-
8 prehensive centers (as described in section
9 203 of the Educational Technical Assist-
10 ance Act of 2002 (20 U.S.C. 9602)), insti-
11 tutions of higher education, or nonprofit
12 organizations with demonstrated expertise
13 in high-quality middle grades reform to
14 conduct a comprehensive needs assessment.

15 (B) PREPARATION OF ASSESSMENT.—In
16 preparing the assessment under subparagraph
17 (A), the State educational agency shall examine
18 policies and practices of the State, and of local
19 educational agencies within the State, affecting,
20 with respect to middle grades—

21 (i) curriculum alignment, assessment,
22 and instruction;

23 (ii) the State system of annual mean-
24 ingful differentiation, as described under
25 section 1111(c)(4)(C) of the Elementary

1 and Secondary Education Act of 1965 (20
2 U.S.C. 6311(c)(4)(C));

3 (iii) teacher and school leader prepa-
4 ration, quality, experience, and equitable
5 distribution;

6 (iv) interventions both in-school and
7 out-of-school that support student learn-
8 ing;

9 (v) student engagement activities;

10 (vi) disproportionate use of exclu-
11 sionary disciplinary practices, including in-
12 school and out-of-school suspensions;

13 (vii) family and community engage-
14 ment in education;

15 (viii) equitable distribution of re-
16 sources; and

17 (ix) student and academic support
18 services, such as effective school library
19 programs and school counseling on the
20 transition to secondary school and plan-
21 ning for entry into postsecondary edu-
22 cation and the workforce.

23 (4) MIDDLE GRADES IMPROVEMENT PLAN.—

24 (A) IN GENERAL.—A State educational
25 agency that receives a grant under this title

1 shall develop a middle grades improvement plan
2 that—

3 (i) shall be a statewide plan to im-
4 prove student academic achievement in the
5 middle grades, based on the needs assess-
6 ment described in paragraph (3); and

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

9 (I) complete the middle grades;

10 (II) develop the competencies
11 of—

12 (aa) the ability to acquire
13 and use deep content knowledge
14 to solve problems;

15 (bb) critical thinking;

16 (cc) effective communica-
17 tion;

18 (dd) self-direction; and

19 (ee) the ability to collabo-
20 rate; and

21 (III) make a successful transition
22 to academically rigorous secondary
23 school coursework that prepares stu-
24 dents to graduate from secondary

1 school ready for higher education and
2 a career.

3 (B) PLAN COMPONENTS.—A middle grades
4 improvement plan described in subparagraph
5 (A) shall also describe how the State edu-
6 cational agency will do each of the following:

7 (i)(I) Align State standards and as-
8 sessments for middle grades education with
9 State standards and assessments for sec-
10 ondary schools and prepare students to
11 take challenging secondary school courses
12 and successfully engage in postsecondary
13 education.

14 (II) Coordinate, where applicable,
15 with the activities carried out through
16 grants under section 6201(c)(1) of the
17 America COMPETES Act (20 U.S.C.
18 9871(c)(1)) for alignment of P-16 edu-
19 cation, as defined in section 6201(b) of
20 such Act.

21 (III) Support the transition from ele-
22 mentary school to the middle grades
23 through programs that promote successful
24 social, emotional, and cognitive develop-
25 ment.

- 1 (ii) Provide professional development
2 to school leaders, teachers, and other
3 school personnel in—
- 4 (I) addressing the needs of di-
5 verse learners, including students with
6 disabilities and English learners;
- 7 (II) using challenging and rel-
8 evant research-based best practices
9 and curricula;
- 10 (III) using data to inform in-
11 struction; and
- 12 (IV) increasing student engage-
13 ment and social and emotional learn-
14 ing competencies.
- 15 (iii) Identify and disseminate informa-
16 tion on effective schools and instructional
17 strategies for middle grades students based
18 on high-quality research.
- 19 (iv) Identify and provide support for
20 students most at risk of not graduating
21 from secondary school, including English
22 learners, students with disabilities, and
23 low-income students.
- 24 (v) Provide technical assistance to eli-
25 gible entities to develop and implement

1 their early warning indicator and interven-
2 tion systems, as described in section
3 104(d)(2)(D).

4 (vi) Define a set of school perform-
5 ance indicators that shall be used, in addi-
6 tion to the indicators used to identify
7 schools for comprehensive support and im-
8 provement under section 1111(c)(4)(D)(i)
9 of the Elementary and Secondary Edu-
10 cation Act of 1965 (20 U.S.C.
11 6311(c)(4)(D)(i)), to evaluate school per-
12 formance and guide the school improve-
13 ment process, such as—

14 (I) student attendance and
15 chronic absenteeism;

16 (II) earned on-time promotion
17 rates from grade to grade;

18 (III) percentage of students fail-
19 ing a mathematics, reading or lan-
20 guage arts, or science course, or fail-
21 ing 2 or more of any courses;

22 (IV) teacher preparation, experi-
23 ence, effectiveness, and attendance
24 measures;

1 (V) in-school and out-of-school
2 suspension or other measurable evi-
3 dence of at-risk behavior, including
4 any disparities in rates among sub-
5 groups of students, as defined in sec-
6 tion 1111(c)(2)) of the Elementary
7 and Secondary Education Act of 1965
8 (20 U.S.C. 6311(c)(2));

9 (VI) data collected by the Civil
10 Rights Data Collection survey con-
11 ducted by the Office of Civil Rights of
12 the Department of Education; and

13 (VII) additional indicators pro-
14 posed by the State educational agency
15 and approved by the Secretary, based
16 upon any peer-review evaluation of in-
17 dicators conducted under section
18 102(b)(2).

19 (vii) Ensure that such plan is coordi-
20 nated with State activities to turn around
21 schools identified for comprehensive sup-
22 port and improvement under section
23 1111(c)(4)(D)(i) of the Elementary and
24 Secondary Education Act of 1965 (20
25 U.S.C. 6311(c)(4)(D)(i)), including State

1 activities to improve secondary schools and
2 elementary schools.

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

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

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

18 (2) develop and facilitate collaboration among
19 institutions of higher education, nonprofit organiza-
20 tions, and other stakeholders involved in teacher and
21 school leader preparation to improve the quality and
22 delivery of preservice and in-service middle grades
23 teacher and school leader preparation to ensure new
24 and existing middle grade educators are prepared for

1 the specific and unique needs of middle grades stu-
2 dents;

3 (3) support local educational agencies in imple-
4 menting effective middle grades practices, models,
5 and programs that—

6 (A) are evidence-based; and

7 (B) lead to improved student academic
8 achievement;

9 (4) support collaborative communities of middle
10 grades teachers, administrators, school librarians,
11 and researchers in creating and sustaining informa-
12 tional databases to disseminate results from rigorous
13 research on effective practices and programs for
14 middle grades education; and

15 (5) increase middle grades student and aca-
16 demic support services, such as—

17 (A) effective school library programs; and

18 (B) school counseling on the transition to
19 secondary school, such as summer bridge pro-
20 grams and student mentors, and planning for
21 entry into postsecondary education and the
22 workforce.

1 **SEC. 104. COMPETITIVE SUBGRANTS TO IMPROVE LOW-**
2 **PERFORMING MIDDLE GRADES.**

3 (a) IN GENERAL.—A State educational agency that
4 receives a grant under this title shall make competitive
5 subgrants to eligible local educational agencies and eligible
6 entities to enable the eligible local educational agencies
7 and eligible entities to improve low-performing middle
8 grades in schools served by the agencies or entities.

9 (b) PRIORITIES.—In making subgrants under sub-
10 section (a), a State educational agency shall give priority
11 to eligible local educational agencies or eligible entities
12 based on—

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

17 (2) the respective populations of children served
18 by the participating eligible local educational agen-
19 cies who attend eligible schools.

20 (c) APPLICATION.—An eligible local educational
21 agency or eligible entity that desires to receive a subgrant
22 under subsection (a) shall submit an application to the
23 State educational agency at such time, in such manner,
24 and accompanied by such information as the State edu-
25 cational agency may reasonably require, including—

1 (1) a middle grade improvement plan described
2 in subsection (d); and

3 (2) a description of how activities described in
4 such plan will be complementary to, and coordinated
5 with, school improvement activities for elementary
6 schools and secondary schools that serve the same
7 students within the participating local educational
8 agency.

9 (d) MIDDLE GRADES IMPROVEMENT PLAN.—An eli-
10 gible local educational agency or eligible entity that desires
11 to receive a subgrant under subsection (a) shall develop
12 a comprehensive middle grades improvement plan for the
13 middle grades that shall—

14 (1) describe how activities described in such
15 plan will be coordinated with activities specified in
16 schoolwide program plans under section 1114 of the
17 Elementary and Secondary Education Act of 1965
18 (20 U.S.C. 6314);

19 (2) describe how the eligible local educational
20 agency or eligible entity will—

21 (A) identify eligible schools;

22 (B) ensure that funds go to eligible schools
23 with the highest percent of low-income students
24 first, based on the eligible schools' populations
25 of children described in section 102(c)(1);

1 (C) use funds to close achievement gaps
2 and improve the academic achievement of all
3 students, including English learners and stu-
4 dents with disabilities, in eligible schools;

5 (D) implement an early warning indicator
6 and intervention system to alert schools when
7 students begin to exhibit outcomes or behaviors
8 that indicate the student is at increased risk for
9 low academic achievement or is unlikely to
10 progress to secondary school graduation, and to
11 create a system of evidence-based interventions
12 to be used by schools to effectively intervene,
13 by—

14 (i) identifying and analyzing, such as
15 through the use of longitudinal data of
16 past cohorts of students, the academic and
17 behavioral indicators in the middle grades
18 that most reliably predict dropping out of
19 secondary school, such as attendance,
20 chronic absenteeism, behavior measures
21 (including suspensions, officer referrals, or
22 conduct marks), academic performance in
23 core courses, and earned on-time pro-
24 motion from grade-to-grade, and other rel-
25 evant indicator of student academic per-

1 performance as included in schoolwide pro-
2 gram plans under section 1114 of the Ele-
3 mentary and Secondary Education Act of
4 1965 (20 U.S.C. 6314);

5 (ii) analyzing student progress and
6 performance on the indicators identified
7 under clause (i) to guide decision making;

8 (iii) analyzing academic indicators to
9 determine whether students are on track to
10 graduate on time, and developing appro-
11 priate evidence-based intervention; and

12 (iv) identifying or developing a mecha-
13 nism for regularly collecting and report-
14 ing—

15 (I) student-level data on the indi-
16 cators identified under clause (i);

17 (II) student-level progress and
18 performance, as described in clause
19 (ii);

20 (III) student-level data on the in-
21 dicators described in clause (iii); and

22 (IV) information about the im-
23 pact of interventions on student out-
24 comes and progress;

1 (E) increase academic rigor and foster stu-
2 dent engagement to ensure students are enter-
3 ing secondary school prepared for success in a
4 rigorous college- and career-ready curriculum,
5 including a description of how such readiness
6 will be measured;

7 (F) implement a systemic transition plan
8 for all students and encourage collaboration
9 among elementary grades, middle grades, and
10 secondary school grades to support the success-
11 ful transition between grades;

12 (G) increase community and family en-
13 gagement in education in the middle grades to
14 support student success; and

15 (H) provide evidence that the strategies,
16 programs, supports, and instructional practices
17 proposed under the middle grades improvement
18 plan are new and have not been implemented
19 before by the eligible local educational agency
20 or eligible entity; and

21 (3) provide evidence of an ongoing commitment
22 to sustain the plan for a period of not less than 4
23 years.

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

4 (1) establish a peer-review process to assist in
5 the review and approval of applications under sub-
6 section (c); and

7 (2) appoint individuals to participate in the
8 peer-review process who are educators and experts in
9 identifying, evaluating, and implementing effective
10 education programs and practices, including—

11 (A) experts—

12 (i) in areas of teaching and learning,
13 educational standards and assessments,
14 and school improvement;

15 (ii) in addressing the needs of stu-
16 dents with disabilities and English learners
17 in the middle grades; and

18 (iii) in the academic and behavioral
19 supports for middle grades students; and

20 (B) recognized exemplary middle grades
21 teachers and principals who have been recog-
22 nized at the State or national level for exem-
23 plary work or contributions to the field.

24 (f) REVISION OF SUBGRANTS.—If a State edu-
25 cational agency, using the peer-review process described

1 in subsection (e), determines that an application for a
2 grant under subsection (a) does not meet the requirements
3 of this title, the State educational agency shall notify the
4 eligible local educational agency or eligible entity of such
5 determination and the reasons for such determination, and
6 offer—

7 (1) the eligible local educational agency or eligi-
8 ble entity an opportunity to revise and resubmit the
9 application; and

10 (2) technical assistance to the eligible local edu-
11 cational agency or eligible entity, by the State edu-
12 cational agency or a nonprofit organization with
13 demonstrated expertise in high-quality middle grades
14 interventions, to revise the application.

15 (g) MANDATORY USES OF FUNDS.—An eligible local
16 educational agency or eligible entity that receives a
17 subgrant under subsection (a) shall carry out the fol-
18 lowing:

19 (1) Align the curricula for grades kindergarten
20 through 12 for schools within the local educational
21 agency to improve transitions from elementary
22 grades to middle grades to secondary school grades.

23 (2) In each eligible school served by the eligible
24 local educational agency receiving or participating in
25 the subgrant:

1 (A) Align the curricula for all grade levels
2 within eligible schools to improve grade to grade
3 transitions.

4 (B) Implement evidence-based instructional
5 strategies, programs, and learning environments
6 that meet the needs of all students and ensure
7 that school leaders and teachers receive profes-
8 sional development on the use of these strate-
9 gies.

10 (C) Provide professional development for
11 school leaders, teachers, specialized instruc-
12 tional support personnel, school librarians, and
13 other school staff on the developmental stages
14 of adolescents in the middle grades and how to
15 deal with those stages appropriately in an edu-
16 cational setting.

17 (D) Implement organizational practices
18 and school schedules that allow for effective
19 leadership, collaborative staff participation, pro-
20 fessional development, effective teacher instruc-
21 tional teaming, and parent and community in-
22 volvement.

23 (E) Create a more personalized and engag-
24 ing learning environment for middle grades stu-
25 dents by developing a personal academic plan

1 for each student and assigning not less than 1
2 adult who has received the appropriate training
3 to monitor, evaluate, and support the progress
4 of each individual student attending the eligible
5 school.

6 (F) Provide all students, and the students'
7 families, with information about, and assistance
8 with, the requirements for secondary school
9 graduation, admission to an institution of high-
10 er education, and career success.

11 (G) Utilize data from an early warning in-
12 dicator and intervention system described in
13 subsection (d)(2)(D) to identify struggling stu-
14 dents and assist the students as the students
15 transition from elementary school to middle
16 grades to secondary school.

17 (H) Implement academic supports, such as
18 effective school library programs, and effective
19 and coordinated additional assistance programs
20 to ensure that students have a strong founda-
21 tion in reading, writing, mathematics, science,
22 and technology skills.

23 (I) Develop and use effective, age- and
24 level-appropriate, formative assessments to in-
25 form instruction.

1 (J) Provide integrated student support
2 services, such as access to student health serv-
3 ices, mental health and trauma-informed care,
4 and individualized school counseling, to address
5 the comprehensive needs of students attending
6 eligible schools.

7 (h) PERMISSIBLE USES OF FUNDS.—An eligible local
8 educational agency or eligible entity that receives a
9 subgrant under subsection (a) may use the subgrant funds
10 to carry out the following:

11 (1) Implement extended learning opportunities
12 in core academic areas, including more instructional
13 time in literacy, mathematics, science, technology,
14 history, and civics in addition to opportunities for
15 language instruction and understanding other cul-
16 tures and the arts.

17 (2) Provide evidence-based professional develop-
18 ment activities with specific benchmarks to enable
19 teachers and other school staff to appropriately
20 monitor academic and behavioral progress of, and
21 modify curricula and implement accommodations
22 and assistive technology services for, students with
23 disabilities, consistent with the students' individual-
24 ized education programs under section 614(d) of the

1 Individuals with Disabilities Education Act (20
2 U.S.C. 1414(d)).

3 (3) Employ and use instructional coaches, in-
4 cluding literacy, mathematics, and English learner
5 coaches.

6 (4) Provide professional development for con-
7 tent-area teachers and school librarians on working
8 effectively with English learners and students with
9 disabilities, as well as professional development for
10 English as a second language educators, bilingual
11 educators, and special education personnel.

12 (5) Provide professional development in areas
13 that support improving school climate and increasing
14 student engagement such as culturally responsive
15 pedagogy, restorative justice programs, social and
16 emotional learning, response to intervention, and
17 positive behavior intervention support.

18 (6) Encourage and facilitate the sharing of data
19 among elementary grades, middle grades, secondary
20 school grades, institutions of higher education, and
21 other postsecondary educational institutions.

22 (7) Create collaborative study groups composed
23 of principals or middle grades teachers, or both,
24 among eligible schools within the eligible local edu-
25 cational agency receiving or participating in the

1 subgrant, or between such eligible local educational
2 agency and another local educational agency, with a
3 focus on developing and sharing methods to increase
4 student learning and academic achievement.

5 (8) Incorporate as school quality and student
6 success indicators into the State system of annual
7 meaningful differentiation, as described under sec-
8 tion 1111(c)(4)(C) of the Elementary and Secondary
9 Education Act of 1965 (20 U.S.C. 6311(c)(4)(C)),
10 for middle grades schools that feed into secondary
11 schools, rates of first-year secondary school attend-
12 ance, retention, and achievement to the account-
13 ability system of each middle grades school that
14 feeds into the secondary school.

15 (i) NON-RECIPIENT PLANNING SUBGRANTS.—

16 (1) IN GENERAL.—In addition to the subgrants
17 described in subsection (a), a State educational
18 agency may (without regard to the preceding provi-
19 sions of this section) make planning subgrants, and
20 provide technical assistance, to eligible local edu-
21 cational agencies and eligible entities that have not
22 received a subgrant under subsection (a) to assist
23 the local educational agencies and eligible entities in
24 meeting the requirements of subsections (c) and (d).

1 (ii) during the period of the grant or
2 subgrant, there has been significant
3 progress in—

4 (I) student academic achieve-
5 ment; and

6 (II) positively impacting other
7 key risk factors such as attendance,
8 chronic absenteeism, and on-time pro-
9 motion.

10 (b) FEDERAL FUNDS TO SUPPLEMENT, NOT SUP-
11 PLANT, NON-FEDERAL FUNDS.—

12 (1) IN GENERAL.—A State educational agency,
13 eligible local educational agency, or eligible entity
14 shall use Federal funds received under this title only
15 to supplement the funds that would, in the absence
16 of such Federal funds, be made available from non-
17 Federal sources for the education of students par-
18 ticipating in programs assisted under this title, and
19 not to supplant such funds.

20 (2) SPECIAL RULE.—Nothing in this title shall
21 be construed to authorize an officer, employee, or
22 contractor of the Federal Government to mandate,
23 direct, limit, or control a State, local educational
24 agency, or school's specific instructional content,

1 academic achievement standards and assessments,
2 curriculum, or program of instruction.

3 **SEC. 106. EVALUATION AND REPORTING.**

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

8 (1) conduct an evaluation of the State’s
9 progress regarding the impact of the changes made
10 to the policies and practices of the State in accord-
11 ance with this title, including—

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

15 (B) a discussion of any barriers hindering
16 the identified changes in policies and practices,
17 and implementation strategies to overcome such
18 barriers;

19 (C) evidence of the impact of changes to
20 policies and practices on behavior and actions
21 at the local educational agency and school level;
22 and

23 (D) evidence of the impact of the changes
24 to State and local policies and practices on im-

1 proving measurable learning gains by middle
2 grades students;

3 (2) use the results of the evaluation conducted
4 under paragraph (1) to adjust the policies and prac-
5 tices of the State as necessary to achieve the pur-
6 poses of this title; and

7 (3) submit the results of the evaluation to the
8 Secretary.

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

13 (c) LOCAL EDUCATIONAL AGENCY REPORTING.—On
14 an annual basis, each eligible local educational agency and
15 eligible entity receiving a subgrant under section 104(a)
16 shall report to the State educational agency and to the
17 public on—

18 (1) the performance on the school performance
19 indicators (as described in section 103(a)(4)(B)(vi))
20 for each eligible school served by the eligible local
21 educational agency or eligible entity, in the aggre-
22 gate and disaggregated by each of the subgroups of
23 students, as defined in section 1111(c)(2) of the Ele-
24 mentary and Secondary Education Act of 1965 (20
25 U.S.C. 6311(c)(2)); and

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

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

8 (1) the performance of eligible schools in the
9 State, based on the school performance indicators
10 described in section 103(a)(4)(B)(vi), in the aggre-
11 gate and disaggregated by each of the subgroups of
12 students, as defined in section 1111(c)(2) of the Ele-
13 mentary and Secondary Education Act of 1965 (20
14 U.S.C. 6311(c)(2)); and

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

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

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

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

1 **SEC. 107. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated to carry out
3 this title—

4 (1) \$500,000,000 for fiscal year 2024;

5 (2) \$525,000,000 for fiscal year 2025;

6 (3) \$550,000,000 for fiscal year 2026;

7 (4) \$600,000,000 for fiscal year 2027; and

8 (5) \$650,000,000 for fiscal year 2028.

9 **TITLE II—RESEARCH**
10 **RECOMMENDATIONS**

11 **SEC. 201. PURPOSE.**

12 The purpose of this title is to facilitate the genera-
13 tion, dissemination, and application of research needed to
14 identify and implement effective practices that lead to con-
15 tinual student learning and high academic achievement in
16 the middle grades.

17 **SEC. 202. STUDY ON PROMISING PRACTICES.**

18 (a) STUDY ON PROMISING PRACTICES.—

19 (1) IN GENERAL.—Not later than 60 days after
20 the date of enactment of this Act, the Secretary
21 shall study and identify promising practices for the
22 improvement of middle grades education. The Sec-
23 retary may contract with an independent third
24 party, such as a nonprofit organization, nongovern-
25 mental organization, or institution of higher edu-
26 cation to satisfy this requirement.

1 (2) CONTENT OF STUDY.—The study described
2 in paragraph (1) shall identify promising practices
3 currently being implemented for the improvement of
4 middle grades education. The study shall be con-
5 ducted in an open and transparent way that provides
6 interim information to the public about criteria
7 being used to identify—

8 (A) such promising practices;

9 (B) the practices that are being consid-
10 ered; and

11 (C) the kind of evidence needed to docu-
12 ment effectiveness.

13 (3) REPORT.—The contract entered into pursu-
14 ant to this subsection shall require that the inde-
15 pendent third party submit to the Secretary, the
16 Committee on Health, Education, Labor, and Pen-
17 sions of the Senate, and the Committee on Edu-
18 cation and the Workforce of the House of Rep-
19 resentatives a final report regarding the study con-
20 ducted under this section not later than 1 year after
21 the date of the commencement of the contract.

22 (4) PUBLICATION.—The Secretary shall make
23 public and post on the website of the Department of
24 Education the findings of the study conducted under
25 this subsection.

1 (b) SYNTHESIS STUDY OF EFFECTIVE TEACHING
2 AND LEARNING IN MIDDLE GRADES.—

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 review existing research on middle grades
7 education, and on factors that might lead to in-
8 creased effectiveness and enhanced innovation in
9 middle grades education.

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

19 (A) the areas of curriculum, instruction,
20 and assessment (including additional supports
21 for students who are below grade level in read-
22 ing, writing, mathematics, and science, and the
23 identification of students with disabilities) to
24 better prepare all students for subsequent suc-

1 cess in secondary school, postsecondary edu-
2 cation, and cognitively challenging employment;

3 (B) the quality of (including experience,
4 certification, and demonstrated effectiveness),
5 and supports for, the teacher workforce;

6 (C) aspects of student behavioral and so-
7 cial development, and of social interactions
8 within schools that affect the learning of aca-
9 demic content;

10 (D) the ways in which schools and local
11 educational agencies are organized and operated
12 that may be linked to student outcomes;

13 (E) how development and use of early
14 warning indicator and intervention systems can
15 reduce risk factors for dropping out of school
16 and low academic achievement; and

17 (F) identification of areas where further
18 research and evaluation may be needed on these
19 topics to further the development of effective
20 middle grades practices.

21 (3) REPORT.—The contract entered into pursu-
22 ant to this subsection shall require that the National
23 Academies submit to the Secretary, the Committee
24 on Health, Education, Labor, and Pensions of the
25 Senate, and the Committee on Education and the

1 Workforce of the House of Representatives a final
2 report regarding the study conducted under this sub-
3 section not later than 2 years after the date of com-
4 mencement of the contract.

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

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

11 (1) Create a national clearinghouse, in coordi-
12 nation with entities such as the What Works Clear-
13 inghouse of the Institute of Education Sciences, for
14 research in best practices in the middle grades and
15 in the approaches that successfully take those best
16 practices to scale in schools and local educational
17 agencies.

18 (2) Create a national middle grades database
19 accessible to educational researchers, practitioners,
20 and policymakers that identifies factors at the
21 school, classroom, and system level that facilitate or
22 impede student academic achievement in the middle
23 grades.

24 (3) Require the Institute of Education Sciences
25 to develop a strand of field-initiated and scientif-

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

13 (A) effective practices for instruction and
14 assessment in mathematics, science, technology,
15 and literacy;

16 (B) effective practices for developing in
17 students the competencies of—

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

20 (ii) critical thinking;

21 (iii) effective communication;

22 (iv) self-direction; and

23 (v) the ability to collaborate;

24 (C) academic interventions for adolescent
25 English learners;

1 (D) school improvement programs and
2 strategies for closing the academic achievement
3 gap between the different groups described in
4 section 1111(b)(2)(B)(xi) of the Elementary
5 and Secondary Education Act of 1965 (20
6 U.S.C. 6311(b)(2)(B)(xi)), and for decreasing
7 rates of suspension and expulsion;

8 (E) evidence-based or, when available, sci-
9 entifically valid professional development plan-
10 ning targeted to improve pedagogy and student
11 academic achievement and student engagement;
12 and

13 (F) the effects of decreased class size or
14 increased instructional and support staff.

15 (4) Strengthen the work of the existing national
16 research and development centers under section
17 133(c) of the Education Sciences Reform Act of
18 2002 (20 U.S.C. 9533(c)), as of the date of enact-
19 ment of this Act, by adding an educational research
20 and development center dedicated to addressing—

21 (A) curricular, instructional, and assess-
22 ment issues pertinent to the middle grades
23 (such as mathematics, science, technological flu-
24 ency, and the needs of English learners and
25 students with disabilities);

1 (B) comprehensive reforms for low-per-
2 forming middle grades; and

3 (C) other topics pertinent to improving the
4 academic achievement of middle grades stu-
5 dents.

6 (5) Provide grants to nonprofit organizations,
7 for-profit organizations, institutions of higher edu-
8 cation, and others to partner with State educational
9 agencies and local educational agencies to develop,
10 adapt, or replicate effective models for turning
11 around low-performing schools serving middle grades
12 students.

13 **SEC. 203. AUTHORIZATION OF APPROPRIATIONS; RESERVA-**
14 **TIONS.**

15 (a) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to carry out this title
17 \$50,000,000 for fiscal year 2024, which amount shall re-
18 main available for obligation through fiscal year 2028.

19 (b) RESERVATIONS.—From the total amount made
20 available to carry out this title, the Secretary shall re-
21 serve—

22 (1) 2.5 percent for the studies described in sub-
23 sections (a) and (b) of section 202;

24 (2) 5 percent for the clearinghouse described in
25 section 202(c)(1);

1 (3) 5 percent for the database described in sec-
2 tion 202(c)(2);

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

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

7 (6) 30 percent for the activities described in
8 section 202(c)(5).

○