

112TH CONGRESS
1ST SESSION

S. 1674

To improve teacher quality, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 6, 2011

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

A BILL

To improve teacher quality, 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 “Effective Teaching and
5 Leading Act”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) Teacher quality is the single most important
9 in-school factor influencing student learning and
10 achievement.

11 (2) A report by William L. Sanders and June
12 C. Rivers showed that if 2 average 8-year-old stu-

1 dents were given different teachers, 1 of them a high
2 performer, the other a low performer, the students'
3 performance diverged by more than 50 percentile
4 points within 3 years.

5 (3) A similar study by Heather Jordan, Robert
6 Mendro, and Dash Weerasinghe showed that the
7 performance gap between students assigned 3 effec-
8 tive teachers in a row, and those assigned 3 ineffec-
9 tive teachers in a row, was 49 percentile points.

10 (4) In Boston, research has shown that stu-
11 dents placed with high-performing mathematics
12 teachers made substantial gains, while students
13 placed with the least effective teachers regressed and
14 their mathematics scores decreased.

15 (5) McKinsey & Company found that studies
16 that take into account all of the available evidence
17 on teacher effectiveness suggest that students placed
18 with high-performing teachers will progress 3 times
19 as fast as those placed with low-performing teachers.

20 (6) A 2003 study by Richard Ingersoll found
21 that new teachers, not just those in hard-to-staff
22 schools, face such challenging working conditions
23 that nearly one-half leave the profession within their
24 first 5 years, one-third leave within their first 3

1 years, and 14 percent leave by the end of their first
2 year.

3 (7) A report by the National Commission on
4 Teaching and America's Future estimated that the
5 nationwide cost of replacing public school teachers
6 who have dropped out of the profession is
7 \$7,300,000,000 annually.

8 (8) A randomized controlled trial of comprehen-
9 sive teacher induction, sponsored by the Institute of
10 Education Sciences found that beginning teachers
11 who received 2 years of induction support produced
12 greater student learning gains as a result, the equiv-
13 alent of a student moving from the 50th to 58th
14 percentile in mathematics achievement and from the
15 50th to 54th percentile in reading achievement.

16 (9) Research by Thomas Smith, Richard Inger-
17 soll, Michael Strong, Anthony Villar, and Jonah
18 Rockoff has shown that comprehensive mentoring
19 and induction reduces teacher attrition by as much
20 as one-half and strengthens new teacher effective-
21 ness.

22 (10) A recent School Redesign Network at
23 Stanford University and National Staff Development
24 Council report by Linda Darling-Hammond, Ruth

1 Chung Wei, Alethea Andree, Nikole Richardson, and
2 Stelios Orphanos found that—

3 (A) a set of programs that offered substan-
4 tial contact hours of professional development
5 (ranging from 30 to 100 hours in total) spread
6 over 6 to 12 months showed a positive and sig-
7 nificant effect on student achievement gains;
8 and

9 (B) intensive professional development, es-
10 pecially when it includes applications of knowl-
11 edge to teachers' planning and instruction, has
12 a greater chance of influencing teacher prac-
13 tices, and in turn, leading to gains in student
14 learning, and such intensive professional devel-
15 opment has shown a positive and significant ef-
16 fect on student achievement gains, in some
17 cases by approximately 21 percentile points.

18 (11) Teachers can acquire and use new knowl-
19 edge and skills in their instruction when provided
20 with adequate opportunities to learn, according to
21 “Student Achievement Through Staff Development”
22 published by ASCD, which found that more than 90
23 percent of participants attained skill proficiency if it
24 includes theory presentation, demonstration, prac-
25 tice, and peer coaching.

1 (12) Recent reports from the Center for Amer-
2 ican Progress, Education Sector, Hope Street
3 Group, and the New Teacher Project have collec-
4 tively demonstrated the significant flaws in current
5 teacher evaluation and implementation, and the ne-
6 cessity for redesigning these systems and linking
7 such evaluation to individualized feedback and sub-
8 stantive targeted support in order to ensure effective
9 teaching.

10 (13) Research by Kenneth Leithwood, Karen
11 Seashore Louis, Stephen Anderson, and Kyla
12 Wahlstrom found that—

13 (A) leadership is second only to classroom
14 instruction among school-related factors that
15 influence student outcomes; and

16 (B) direct and indirect leadership effects
17 account for about one-quarter of total school ef-
18 fects on student learning.

19 (14) Research by Charles Clotfelter, Helen
20 Ladd, Kenneth Leithwood, Anthony Milanowski, and
21 the New Teacher Center has shown that the quality
22 of working conditions, particularly supportive school
23 leadership, impacts student academic achievement
24 and teacher recruitment, retention, and effective-
25 ness.

1 (15) Since 1965, more than 60 education and
2 library studies have produced clear evidence that
3 school libraries staffed by qualified librarians have a
4 positive impact on student academic achievement,
5 with a recent analysis of reading scores from 2004–
6 2009 showing that fewer librarians translated to
7 lower performance, or a slower rise in scores, on
8 standardized tests.

9 (b) PURPOSES.—The purposes of this Act are to
10 build capacity for developing effective teachers and prin-
11 cipals in our Nation’s schools through—

12 (1) the redesign of teacher and principal eval-
13 uation and assessment systems;

14 (2) comprehensive, high-quality, rigorous, multi-
15 year induction and mentoring programs for begin-
16 ning teachers, principals, and other school leaders;

17 (3) systematic, sustained, and coherent profes-
18 sional development for all teachers that is team-
19 based and job-embedded;

20 (4) systematic, sustained, and coherent profes-
21 sional development for school principals, other school
22 leaders, school librarians, paraprofessionals, and
23 other staff; and

24 (5) increased teacher leadership opportunities,
25 including compensation for teacher leaders who take

1 on new roles in providing school-based professional
 2 development, mentoring, rigorous evaluation, and in-
 3 structional coaching.

4 **SEC. 3. DEFINITIONS.**

5 Section 9101 of the Elementary and Secondary Edu-
 6 cation Act of 1965 (20 U.S.C. 7801) is amended—

7 (1) by striking paragraph (34) and inserting
 8 the following:

9 “(34) PROFESSIONAL DEVELOPMENT.—The
 10 term ‘professional development’ means comprehen-
 11 sive, sustained, and intensive support, provided for
 12 teachers, principals, school librarians, other school
 13 leaders, and other instructional staff, that—

14 “(A) fosters collective responsibility for im-
 15 proved student learning;

16 “(B) is designed and implemented in a
 17 manner that increases teacher, principal, school
 18 librarian, other school leader, paraprofessional,
 19 and other instructional staff effectiveness in im-
 20 proving student learning and strengthening
 21 classroom practice;

22 “(C) analyzes and uses—

23 “(i) real-time data and information
 24 collected from—

25 “(I) evidence of student learning;

1 “(II) evidence of classroom prac-
2 tice; and

3 “(III) the State’s longitudinal
4 data system; and

5 “(ii) other relevant data collected by
6 the school or local educational agency;

7 “(D) is aligned with—

8 “(i) rigorous State student academic
9 achievement standards developed under
10 section 1111(b)(1);

11 “(ii) related academic and school im-
12 provement goals of the school, local edu-
13 cational agency, and statewide curriculum;

14 “(iii) statewide and local curricula;
15 and

16 “(iv) rigorous standards of profes-
17 sional practice and development;

18 “(E) includes frequently scheduled, signifi-
19 cant blocks of time during the regular school
20 day among established collaborative teams of
21 teachers, principals, school librarians, other
22 school leaders, and other instructional staff, by
23 grade level and content area (to the extent ap-
24 plicable and practicable), which teams engage in

1 a continuous cycle of professional learning and
2 improvement that—

3 “(i) identifies, reviews, and analyzes—

4 “(I) evidence of student learning;

5 and

6 “(II) evidence of classroom prac-

7 tice;

8 “(ii) defines a clear set of educator

9 learning goals to improve student learning

10 and strengthen classroom practice based

11 on the rigorous analysis of evidence of stu-

12 dent learning and evidence of classroom

13 practice;

14 “(iii) develops and implements coher-

15 ent, sustained, and evidenced-based profes-

16 sional development strategies to meet such

17 goals (including through instructional

18 coaching, lesson study, and study groups

19 organized at the school, team, or individual

20 levels);

21 “(iv) provides learning opportunities

22 for teachers to collectively develop and re-

23 fine student learning goals and the teach-

24 ers’ instructional practices and the use of

25 formative assessment;

1 “(v) provides an effective mechanism
2 to support the transfer of new knowledge
3 and skills to the classroom (including uti-
4 lizing teacher leaders, instructional coach-
5 es, school librarians, and content experts
6 to support such transfer); and

7 “(vi) provides opportunities for follow-
8 up, observation, and formative feedback
9 and assessment of the teacher’s classroom
10 practice, on a regular basis and in a man-
11 ner that allows each such teacher to iden-
12 tify areas of classroom practice that need
13 to be strengthened, refined, and improved;

14 “(F) regularly assesses the effectiveness of
15 the support, and uses such assessments to in-
16 form ongoing improvements, in—

17 “(i) improving student learning; and

18 “(ii) strengthening classroom practice;

19 and

20 “(G) supports the recruiting, hiring, and
21 training of highly qualified teachers, including
22 teachers who become highly qualified through
23 State and local alternative routes to certifi-
24 cation or licensure.”;

25 (2) by adding at the end the following:

1 “(44) EVIDENCE OF CLASSROOM PRACTICE.—

2 The term ‘evidence of classroom practice’ means evi-
3 dence of practice gathered from a classroom through
4 multiple formats and sources, including some or all
5 of the following:

6 “(A) Demonstration of effective teaching
7 skills.

8 “(B) Classroom observations based on rig-
9 orous teacher performance standards or rubrics.

10 “(C) Student work.

11 “(D) Teacher portfolios.

12 “(E) Videos of teacher practice.

13 “(F) Lesson plans.

14 “(G) Information on the extent to which
15 the teacher collaborates and shares best prac-
16 tices with other teachers and instructional staff.

17 “(H) Information on the teacher’s success-
18 ful use of research and data.

19 “(I) Parent, student, and peer feedback.

20 “(45) EVIDENCE OF STUDENT LEARNING.—The
21 term ‘evidence of student learning’ means—

22 “(A) valid and reliable data on student
23 learning, which shall include data based on stu-
24 dent learning gains on State student academic
25 assessments under section 1111(b)(3) and other

1 State student academic achievement assess-
2 ments, where available; and

3 “(B) other evidence of student learning, in-
4 cluding some or all of the following:

5 “(i) Student work, including measures
6 of performance criteria and evidence of
7 student growth.

8 “(ii) Teacher-generated information
9 about student goals and growth.

10 “(iii) Parental feedback about student
11 goals and growth.

12 “(iv) Formative assessments.

13 “(v) Summative assessments.

14 “(vi) Objective performance-based as-
15 sessments.

16 “(vii) Assessments of affective engage-
17 ment and self-efficacy.

18 “(46) LOWEST ACHIEVING SCHOOL.—The term
19 ‘lowest achieving school’ means a school served by a
20 local educational agency that—

21 “(A) is failing to make adequate yearly
22 progress as described in section 1111(b)(2), for
23 the greatest number of subgroups described in
24 section 1111(b)(2)(C)(v) and by the greatest

1 margins, as compared to the other schools
2 served by the local educational agency; and

3 “(B) in the case of a secondary school, has
4 a graduation rate of less than 65 percent.

5 “(47) SCHOOL LEADER.—The term ‘school
6 leader’ means an individual who—

7 “(A) is an employee or officer of a school;
8 and

9 “(B) is responsible for—

10 “(i) the school’s performance; and

11 “(ii) the daily instructional and mana-
12 gerial operations of the school.

13 “(48) TEACHING SKILLS.—The term ‘teaching
14 skills’ means skills that enable a teacher to—

15 “(A) increase student learning, achieve-
16 ment, and the ability to apply knowledge;

17 “(B) effectively convey and explain aca-
18 demic subject matter;

19 “(C) actively engage students and person-
20 alize learning;

21 “(D) effectively teach higher-order analyt-
22 ical, evaluation, problem-solving, and commu-
23 nication skills;

24 “(E) develop and effectively apply new
25 knowledge, skills, and practices;

1 “(F) employ strategies grounded in the
2 disciplines of teaching and learning that—

3 “(i) are based on empirically based
4 practice and scientifically valid research,
5 where applicable, related to teaching and
6 learning;

7 “(ii) are specific to academic subject
8 matter;

9 “(iii) focus on the identification of
10 students’ specific learning needs, (includ-
11 ing children with disabilities, students who
12 are limited English proficient, students
13 who are gifted and talented, and students
14 with low literacy levels), and the tailoring
15 of academic instruction to such needs; and

16 “(iv) enable effective inclusion of chil-
17 dren with disabilities and English language
18 learners, including the utilization of—

19 “(I) response to intervention;

20 “(II) positive behavioral sup-
21 ports;

22 “(III) differentiated instruction;

23 “(IV) universal design of learn-
24 ing;

1 “(V) appropriate accommoda-
2 tions for instruction and assessments;

3 “(VI) collaboration skills;

4 “(VII) skill in effectively partici-
5 pating in individualized education pro-
6 gram meetings required under section
7 614 of the Individuals with Disabil-
8 ities Education Act; and

9 “(VIII) evidence-based strategies
10 to meet the linguistic and academic
11 needs of English language learners;

12 “(G) conduct an ongoing assessment of
13 student learning, which may include the use of
14 formative assessments, performance-based as-
15 sessments, project-based assessments, or port-
16 folio assessments, that measures higher-order
17 thinking skills (including application, analysis,
18 synthesis, and evaluation);

19 “(H) effectively manage a classroom, in-
20 cluding the ability to implement positive behav-
21 ioral support strategies;

22 “(I) communicate and work with parents,
23 and involve parents in their children’s edu-
24 cation; and

1 “(J) use age-appropriate and develop-
2 mentally appropriate strategies and practices.

3 “(49) FORMATIVE ASSESSMENT.—The term
4 ‘formative assessment’ means a process used by
5 teachers and students during instruction that pro-
6 vides feedback to adjust ongoing teaching and learn-
7 ing to improve students’ achievement of intended in-
8 structional outcomes.”; and

9 (3) by redesignating paragraphs (1) through
10 (39), the undesignated paragraph following para-
11 graph (39), and paragraphs (41) through (49) (as
12 amended by this section) as paragraphs (1) through
13 (18), (21), (22), (24) through (29), (31) through
14 (40), (42) through (47), (49), (19), (20), (30), (41),
15 (48), and (23), respectively.

16 **SEC. 4. SCHOOL IMPROVEMENT.**

17 Section 1003(g)(5) of the Elementary and Secondary
18 Education Act of 1965 (20 U.S.C. 6303(g)(5)) is amend-
19 ed—

20 (1) in subparagraph (B), by striking “and”
21 after the semicolon;

22 (2) in subparagraph (C), by striking the period
23 and inserting “; and”; and

24 (3) by adding at the end the following:

1 “(D) permitted to be used to supplement
2 the activities required under section 2502.”.

3 **SEC. 5. TEACHER AND PRINCIPAL PROFESSIONAL DEVELOPMENT AND SUPPORT.**
4

5 (a) IN GENERAL.—Title II of the Elementary and
6 Secondary Education Act of 1965 (20 U.S.C. 6601 et
7 seq.) is amended by adding at the end the following:

8 **“PART E—BUILDING SCHOOL CAPACITY FOR**
9 **EFFECTIVE TEACHING AND LEADERSHIP**

10 **“SEC. 2501. LOCAL SCHOOL IMPROVEMENT ACTIVITIES.**

11 “(a) SUBGRANTS TO LOCAL EDUCATIONAL AGEN-
12 CIES.—

13 “(1) GRANTS.—From amounts made available
14 under section 2505, the Secretary shall award
15 grants, through allotments under paragraph (3)(A),
16 to States to enable the States to award subgrants to
17 local educational agencies under this part.

18 “(2) RESERVATIONS.—A State that receives a
19 grant under this part for a fiscal year shall—

20 “(A) reserve 95 percent of the funds made
21 available through the grant to make subgrants,
22 through allocations under paragraph (3)(B), to
23 local educational agencies; and

24 “(B) use the remainder of the funds for—

1 “(i) administrative activities and tech-
2 nical assistance in helping local educational
3 agencies carry out this part;

4 “(ii) statewide capacity building strat-
5 egies to support local educational agencies
6 in the implementation of the required ac-
7 tivities under section 2502; and

8 “(iii) conducting the evaluation re-
9 quired under section 2504.

10 “(3) FORMULAS.—

11 “(A) ALLOTMENTS.—The allotment pro-
12 vided to a State under this section for a fiscal
13 year shall bear the same relation to the total
14 amount available under this part for such allot-
15 ments for the fiscal year, as the allotment pro-
16 vided to the State under section 2111(b) for
17 such year bears to the total amount available
18 under such section 2111(b) for such allotments
19 for such year.

20 “(B) ALLOCATIONS.—The allocation pro-
21 vided to a local educational agency under this
22 section for a fiscal year shall bear the same re-
23 lation to the total amount available under this
24 part for such allocations for the fiscal year, as
25 the allocation provided to the local educational

1 agency under section 2121(a) for such year
2 bears to the total amount available for such al-
3 locations for such year.

4 “(4) SCHOOLS FIRST SUPPORTED.—A local
5 educational agency receiving a subgrant under this
6 part shall first use such funds to carry out the ac-
7 tivities described in section 2502(a) in each lowest
8 achieving school served by the local educational
9 agency—

10 “(A) that demonstrates the greatest need
11 for subgrant funds based on the data analysis
12 described in subsection (b)(3); and

13 “(B) in which not less than 40 percent of
14 the students enrolled in the school are eligible
15 for a free or reduced price lunch under the
16 Richard B. Russell National School Lunch Act
17 (42 U.S.C. 1751 et seq.).

18 “(b) LOCAL EDUCATIONAL AGENCY APPLICATION.—

19 “(1) IN GENERAL.—To be eligible to receive a
20 subgrant under this part, a local educational agency
21 shall submit to the State educational agency an ap-
22 plication described in paragraph (2), and a summary
23 of the data analysis conducted under paragraph (3),
24 at such time, in such manner, and containing such

1 information as the State educational agency may
2 reasonably require.

3 “(2) CONTENTS OF APPLICATION.—Each appli-
4 cation submitted pursuant to paragraph (1) shall in-
5 clude—

6 “(A) a description of how the local edu-
7 cational agency will assist the lowest achieving
8 schools served by the local educational agency
9 in carrying out the requirements of section
10 2502, including—

11 “(i) developing and implementing the
12 teacher and principal evaluation system
13 pursuant to section 2502(a)(3);

14 “(ii) implementing teacher induction
15 programs pursuant to section 2502(a)(1);

16 “(iii) providing effective professional
17 development in accordance with section
18 2502(a)(2);

19 “(iv) implementing mentoring, coach-
20 ing, and sustained professional develop-
21 ment for school principals and other school
22 leaders pursuant to section 2502(a)(4);
23 and

1 “(v) providing significant and sustain-
2 able teacher stipends, pursuant to section
3 2502(a)(6);

4 “(B) a description of how the local edu-
5 cational agency will—

6 “(i) conduct and utilize valid and reli-
7 able surveys pursuant to section 2502(b);
8 and

9 “(ii) ensure that such programs are
10 integrated and aligned pursuant to section
11 2502(c);

12 “(C)(i) a description of how the local edu-
13 cational agency will use subgrant funds to tar-
14 get and support the lowest achieving schools de-
15 scribed in subsection (a)(4) before using funds
16 for other lowest achieving schools; and

17 “(ii) a list that identifies all of the lowest
18 achieving schools that will be assisted under the
19 subgrant;

20 “(D) a description of how the local edu-
21 cational agency will enable effective inclusion of
22 children with disabilities and English language
23 learners, including through utilization by the
24 teachers, principals, and other school leaders of
25 the local educational agency of—

- 1 “(i) response to intervention;
- 2 “(ii) positive behavioral supports;
- 3 “(iii) differentiated instruction;
- 4 “(iv) universal design of learning;
- 5 “(v) appropriate accommodations for
- 6 instruction and assessments;
- 7 “(vi) collaboration skills;
- 8 “(vii) skill in effectively participating
- 9 in individualized education program meet-
- 10 ings required under section 614 of the In-
- 11 dividuals with Disabilities Education Act;
- 12 and
- 13 “(viii) evidence-based strategies to
- 14 meet the linguistic and academic needs of
- 15 English language learners;
- 16 “(E) a description of how the local edu-
- 17 cational agency will assist the lowest achieving
- 18 schools in utilizing real-time student learning
- 19 data, based on evidence of student learning and
- 20 evidence of classroom practice, to—
- 21 “(i) inform instruction; and
- 22 “(ii) inform professional development
- 23 for teachers, mentors, principals, and other
- 24 school leaders;

1 “(F) a description of how the programs
2 and assistance provided under section 2502 will
3 be managed and designed, including a descrip-
4 tion of the division of labor and different roles
5 and responsibilities of local educational agency
6 central office staff members, school leaders,
7 teacher leaders, coaches, mentors, and eval-
8 uators; and

9 “(G) a description of how the local edu-
10 cational agency will work with institutions of
11 higher education and local teacher and principal
12 preparation programs to improve the perform-
13 ance of beginning teachers and principals, im-
14 prove induction programs, and strengthen pro-
15 fessional development.

16 “(3) DATA ANALYSIS.—A local educational
17 agency desiring a subgrant under this part shall,
18 prior to applying for the subgrant, conduct a data
19 analysis of each school served by the local edu-
20 cational agency, based on data and information col-
21 lected from evidence of student learning, evidence of
22 classroom practice, and the State’s longitudinal data
23 system, in order to—

24 “(A) determine which schools have the
25 most critical teacher, principal, school librarian,

1 and other school leader quality, effectiveness,
2 and professional development needs; and

3 “(B) allow the local educational agency to
4 identify the specific needs regarding the quality,
5 effectiveness, and professional development
6 needs of the school’s teachers, principals, librar-
7 ians, and other school leaders, including with
8 respect to instruction provided for individual
9 student subgroups (including children with dis-
10 abilities and English language learners) and
11 specific grade levels and content areas.

12 “(4) JOINT DEVELOPMENT AND SUBMISSION.—

13 “(A) IN GENERAL.—Except as provided in
14 subparagraph (B), a local educational agency
15 shall—

16 “(i) jointly develop the application
17 and data analysis framework under this
18 subsection with local organizations rep-
19 resenting the teachers, principals, and
20 other school leaders in the local edu-
21 cational agency; and

22 “(ii) submit the application and data
23 analysis in partnership with such local
24 teacher, principal, and school leader orga-
25 nizations.

1 “(B) EXCEPTION.—A State may, after
2 consultation with the Secretary, consider an ap-
3 plication from a local educational agency that is
4 not jointly developed and submitted in accord-
5 ance with subparagraph (A) if the application
6 includes documentation of the local educational
7 agency’s extensive attempt to work jointly with
8 local teacher, principal, and school leader orga-
9 nizations.

10 **“SEC. 2502. USE OF FUNDS.**

11 “(a) INDUCTION, PROFESSIONAL DEVELOPMENT,
12 AND EVALUATION SYSTEM.—A local educational agency
13 that receives a subgrant under this part shall use the
14 subgrant funds to improve teaching and school leadership
15 through a system of teacher and principal induction, pro-
16 fessional development, and evaluation. Such system shall
17 be developed, implemented, and evaluated in collaboration
18 with local teacher, principal, and school leader organiza-
19 tions and local teacher, principal, and school leader prepa-
20 ration programs and shall provide assistance to each
21 school that the local educational agency has identified
22 under section 2501(b)(2)(C)(ii), to—

23 “(1) implement a comprehensive, coherent,
24 high-quality formalized induction program for begin-
25 ning teachers during not less than the teachers’ first

1 2 years of full-time employment as teachers with the
2 local educational agency, that shall include—

3 “(A) rigorous mentor selection by school or
4 local educational agency leaders with mentoring
5 and instructional expertise, including require-
6 ments that the mentor demonstrate—

7 “(i) a proven track record of improv-
8 ing student learning;

9 “(ii) strong interpersonal skills;

10 “(iii) exemplary teaching skills, par-
11 ticularly with diverse learners, including
12 children with disabilities and English lan-
13 guage learners;

14 “(iv) not less than 5 years teaching
15 experience;

16 “(v) commitment to personal and pro-
17 fessional growth and learning, such as Na-
18 tional Board for Professional Teaching
19 Standards certification;

20 “(vi) willingness and experience in
21 using real-time data, as well as school and
22 classroom level practices that have dem-
23 onstrated the capacity to—

24 “(I) improve student learning
25 and classroom practice; and

1 “(II) inform instruction and pro-
2 fessional growth;

3 “(vii) a commitment to participate in
4 professional development throughout the
5 year to develop the knowledge and skills
6 related to effective mentoring; and

7 “(viii) the ability to improve the effec-
8 tiveness of the mentor’s mentees, as as-
9 sessed by the evaluation system described
10 in paragraph (3);

11 “(B) a program of high-quality, intensive,
12 and ongoing mentoring and mentor-teacher
13 interactions that—

14 “(i) ensures that new teachers are
15 supported in ways that help improve con-
16 tent-specific knowledge and pedagogy, in-
17 cluding by matching mentors with begin-
18 ning teachers by grade level and content
19 area;

20 “(ii) assists each beginning teacher
21 in—

22 “(I) analyzing data based on the
23 beginning teacher’s evidence of stu-
24 dent learning and evidence of class-
25 room practice, and utilizing research-

1 based instructional strategies, includ-
2 ing differentiated instruction, to in-
3 form and strengthen such practice;
4 “(II) developing and enhancing
5 effective teaching skills;
6 “(III) enabling effective inclusion
7 of children with disabilities and
8 English language learners, including
9 through the utilization of—
10 “(aa) response to interven-
11 tion;
12 “(bb) positive behavioral
13 supports;
14 “(cc) differentiated instruc-
15 tion;
16 “(dd) universal design of
17 learning;
18 “(ee) appropriate accom-
19 modations for instruction and as-
20 sessments;
21 “(ff) collaboration skills;
22 “(gg) skill in effectively par-
23 ticipating in individualized edu-
24 cation program meetings required
25 under section 614 of the Individ-

1 uals with Disabilities Education
2 Act; and

3 “(hh) evidence-based strate-
4 gies to meet the linguistic and
5 academic needs of English lan-
6 guage learners;

7 “(IV) using formative evaluations
8 to—

9 “(aa) collect and analyze
10 classroom-level data;

11 “(bb) foster evidence-based
12 discussions;

13 “(cc) provide opportunities
14 for self assessment;

15 “(dd) examine classroom
16 practice; and

17 “(ee) establish goals for pro-
18 fessional growth; and

19 “(V) achieving the goals of the
20 school, district, and statewide cur-
21 ricula;

22 “(iii) provides regular and ongoing op-
23 portunities for beginning teachers to ob-
24 serve exemplary teaching in classroom set-
25 tings during the school day;

1 “(iv) aligns with the mission and
2 goals of the local educational agency and
3 school;

4 “(v)(I) acts as a vehicle for a begin-
5 ning teacher to establish short- and long-
6 term planning and professional goals and
7 to improve student learning and classroom
8 practice; and

9 “(II) guides, monitors, and assesses
10 the beginning teacher’s progress toward
11 such goals;

12 “(vi) assigns not more than 12 begin-
13 ning teacher mentees to a mentor who is
14 released full-time from classroom teaching,
15 and reduces such maximum number of
16 mentees proportionately for a mentor who
17 works on a part-times basis;

18 “(vii) provides joint professional devel-
19 opment opportunities for mentors and be-
20 ginning teachers;

21 “(viii) may include the use of master
22 teachers to support mentors or other
23 teachers; and

24 “(ix) improves student learning and
25 classroom practice, as measured by the

1 evaluation system described in paragraph
2 (3);

3 “(C) paid school release time that allows
4 for at least weekly high-quality mentoring and
5 mentor-teacher interactions;

6 “(D) foundational training and ongoing
7 professional development for mentors that sup-
8 port the high-quality mentoring and mentor-
9 teacher interactions described in subparagraph
10 (B);

11 “(E) use of research-based teaching stand-
12 ards, formative assessments, teacher portfolio
13 processes (such as the National Board for Pro-
14 fessional Teaching Standards certification proc-
15 ess), and teacher development protocols that
16 support the high-quality mentoring and mentor-
17 teacher interactions described in subparagraph
18 (B); and

19 “(F) feedback on the performance of be-
20 ginning teachers to local teacher preparation
21 programs and recommendations for improving
22 such programs;

23 “(2) implement high-quality effective profes-
24 sional development for teachers, principals, school li-

1 brarians, and other school leaders serving the
2 schools targeted for assistance under the subgrant;

3 “(3) develop and implement a rigorous, trans-
4 parent, and equitable teacher and principal evalua-
5 tion system for all schools served by the local edu-
6 cational agency that—

7 “(A)(i) provides formative individualized
8 feedback to teachers and principals on areas for
9 improvement;

10 “(ii) provides for substantive support and
11 interventions targeted specifically on such areas
12 of improvement; and

13 “(iii) results in summative evaluations;

14 “(B) differentiates the effectiveness of
15 teachers and principals using multiple rating
16 categories that take into account evidence of
17 student learning;

18 “(C) shall be developed, implemented, and
19 evaluated in partnership with local teacher and
20 principal organizations; and

21 “(D) includes—

22 “(i) valid, clearly defined, and reliable
23 performance standards and rubrics for
24 teacher evaluation based on multiple per-

1 performance measures, which shall include a
2 combination of—

3 “(I) evidence of classroom prac-
4 tice; and

5 “(II) evidence of student learning
6 as a significant factor;

7 “(ii) valid, clearly defined, and reliable
8 performance standards and rubrics for
9 principal evaluation based on multiple per-
10 formance measures of student learning and
11 leadership skills, which standards shall in-
12 clude—

13 “(I) planning and articulating a
14 shared and coherent schoolwide direc-
15 tion and policy for achieving high
16 standards of student performance;

17 “(II) identifying and imple-
18 menting the activities and rigorous
19 curriculum necessary for achieving
20 such standards of student perform-
21 ance;

22 “(III) supporting a culture of
23 learning, collaboration, and profes-
24 sional behavior and ensuring quality
25 measures of instructional practice;

1 “(IV) communicating and engag-
2 ing parents, families, and other exter-
3 nal communities; and

4 “(V) collecting, analyzing, and
5 utilizing data and other tangible evi-
6 dence of student learning and evi-
7 dence of classroom practice to guide
8 decisions and actions for continuous
9 improvement and to ensure perform-
10 ance accountability;

11 “(iii) multiple and distinct rating op-
12 tions that allow evaluators to—

13 “(I) conduct multiple classroom
14 observations throughout the school
15 year;

16 “(II) examine the impact of the
17 teacher or principal on evidence of
18 student learning and evidence of class-
19 room practice;

20 “(III) specifically describe and
21 compare differences in performance,
22 growth, and development; and

23 “(IV) provide teachers or prin-
24 cipals with detailed individualized
25 feedback and evaluation in a manner

1 that allows each teacher or principal
2 to identify the areas of classroom
3 practice that need to be strengthened,
4 refined, and improved;

5 “(iv) implementing a formative and
6 summative evaluation process based on the
7 performance standards established under
8 clauses (i) and (ii);

9 “(v) rigorous training for evaluators
10 on the performance standards established
11 under clauses (i) and (ii) and the process
12 of conducting effective evaluations, includ-
13 ing how to provide specific feedback and
14 improve teaching and principal practice
15 based on evaluation results;

16 “(vi) regular monitoring and assess-
17 ment of the quality and fairness of the
18 evaluation system and the evaluators’
19 judgements, including with respect to—

20 “(I) inter-rater reliability, includ-
21 ing independent or third-party re-
22 views;

23 “(II) student assessments used in
24 the evaluation system;

1 “(III) the performance standards
2 established under clauses (i) and (ii);

3 “(IV) training and qualifications
4 of evaluators; and

5 “(V) timeliness of teacher and
6 principal evaluations and feedback;

7 “(vii) a plan and substantive targeted
8 support for teachers and principals who
9 fail to meet the performance standards es-
10 tablished under clauses (i) and (ii);

11 “(viii) a streamlined, transparent,
12 fair, and objective due process for docu-
13 mentation and removal of teacher and
14 principals who fail to meet such perform-
15 ance standards, as governed by any appli-
16 cable collective bargaining agreement or
17 State law and after substantive targeted
18 and reasonable support has been provided
19 to such teachers and principals; and

20 “(ix) in the case of a local educational
21 agency in a State that has a State evalua-
22 tion framework, the alignment of the local
23 educational agency’s evaluation system
24 with, at a minimum, such framework and
25 the requirements of this paragraph;

1 “(4) implement ongoing high-quality support,
2 coaching, and professional development for prin-
3 cipals and other school leaders serving the schools
4 targeted for assistance under such subgrant, which
5 shall—

6 “(A) include a comprehensive, coherent,
7 high-quality formalized induction program out-
8 side the supervisory structure for beginning
9 principals and other school leaders, during not
10 less than the principals’ and other school lead-
11 ers’ first 2 years of full-time employment as a
12 principal or other school leader in the local edu-
13 cational agency, to develop and improve the
14 knowledge and skills described in subparagraph
15 (B), including—

16 “(i) a rigorous mentor or coach selec-
17 tion process based on exemplary adminis-
18 trative expertise and experience;

19 “(ii) a program of ongoing opportuni-
20 ties throughout the school year for the
21 mentoring or coaching of beginning prin-
22 cipals and other school leaders, including
23 opportunities for regular observation and
24 feedback;

1 “(iii) foundational training and ongoing
2 ing professional development for mentors
3 or coaches; and

4 “(iv) the use of research-based leadership standards, formative and summative
5 assessments, or principal and other school
6 leader protocols (such as the National
7 Board for Professional Teaching Standards Certification for Educational Leaders
8 program or the 2008 Interstate School
9 Leaders Licensure Consortium Standards);

10 “(B) improve the knowledge and skills of
11 school principals and other school leaders in—

12 “(i) planning and articulating a
13 shared and clear schoolwide direction, vision,
14 and strategy for achieving high
15 standards of student performance;

16 “(ii) identifying and implementing the
17 activities and rigorous student curriculum
18 and assessments necessary for achieving
19 such standards of performance;

20 “(iii) managing and supporting a collaborative culture of ongoing learning and
21 professional development and ensuring
22 quality evidence of classroom practice (in-
23
24
25

1 cluding shared or distributive leadership
2 and providing timely and constructive feed-
3 back to teachers to improve student learn-
4 ing and strengthen classroom practice);

5 “(iv) communicating and engaging
6 parents, families, and local communities
7 and organizations (including engaging in
8 partnerships among elementary schools,
9 secondary schools, and institutions of high-
10 er education to ensure the vertical align-
11 ment of student learning outcomes);

12 “(v) collecting, analyzing, and uti-
13 lizing data and other tangible evidence of
14 student learning and classroom practice
15 (including the use of formative and
16 summative assessments) to—

17 “(I) guide decisions and actions
18 for continuous instructional improve-
19 ment; and

20 “(II) ensure performance ac-
21 countability;

22 “(vi) managing resources and school
23 time to ensure a safe and effective student
24 learning environment; and

1 “(vii) designing and implementing
2 strategies for differentiated instruction and
3 effectively identifying and educating di-
4 verse learners, including children with dis-
5 abilities and English language learners;
6 and

7 “(C) provide feedback on the performance
8 of beginning principals and other school leaders
9 to local principal and leader preparation pro-
10 grams and recommendations for improving such
11 programs;

12 “(5)(A) create or enhance opportunities for
13 teachers and school librarians to assume new school
14 leadership roles and responsibilities, including—

15 “(i) serving as mentors, instructional
16 coaches, or master teachers; or

17 “(ii) assuming increased responsibility for
18 professional development activities, curriculum
19 development, or school improvement and leader-
20 ship activities; and

21 “(B) provide training for teachers who assume
22 such school leadership roles and responsibilities; and

23 “(6) provide significant and sustainable sti-
24 pends above a teacher’s base salary for teachers that
25 serve as mentors, instructional coaches, teacher lead-

1 ers, or evaluators under the programs described in
2 this subsection.

3 “(b) SURVEY.—A local educational agency receiving
4 a subgrant under this part shall conduct a valid and reli-
5 able full population survey of teaching and learning, at
6 the school and local educational agency level, and include,
7 as topics in the survey, not less than the following ele-
8 ments essential to improving student learning and retain-
9 ing effective teachers:

10 “(1) Instructional planning time.

11 “(2) School leadership.

12 “(3) Decisionmaking processes.

13 “(4) Professional development.

14 “(5) Facilities and resources, including the
15 school library.

16 “(6) Beginning teacher induction.

17 “(7) School safety and environment.

18 “(c) INTEGRATION AND ALIGNMENT.—The system
19 described in subsection (a) shall—

20 “(1) integrate and align all of the activities de-
21 scribed in such subsection;

22 “(2) be informed by, and integrated with, the
23 results of the survey described in subsection (b);

24 “(3) be aligned with the State’s school improve-
25 ment efforts under sections 1116 and 1117; and

1 “(4) be aligned with the programs funded
2 under title II of the Higher Education Act of 1965
3 and other professional development programs au-
4 thorized under this Act.

5 “(d) ELIGIBLE ENTITIES.—The assistance required
6 to be provided under this section may be provided—

7 “(1) by the local educational agency; or

8 “(2) by the local educational agency, in collabo-
9 ration with—

10 “(A) the State educational agency;

11 “(B) an institution of higher education;

12 “(C) a nonprofit organization;

13 “(D) a teacher organization;

14 “(E) a principal or school leader organiza-
15 tion;

16 “(F) an educational service agency;

17 “(G) a teaching residency program; or

18 “(H) another nonprofit entity with experi-
19 ence in helping schools improve student achieve-
20 ment.

21 **“SEC. 2503. RULE OF CONSTRUCTION.**

22 “Nothing in this part shall be construed to alter or
23 otherwise affect the rights, remedies, and procedures af-
24 forded school or school district employees under Federal,
25 State, or local laws (including applicable regulations or

1 court orders) or under the terms of collective bargaining
2 agreements, memoranda of understanding, or other agree-
3 ments between such employees and their employers.

4 **“SEC. 2504. PROGRAM EVALUATION.**

5 “(a) IN GENERAL.—Each program required under
6 section 2502(a) shall include a formal evaluation system
7 to determine, at a minimum, the effectiveness of each such
8 program on—

9 “(1) student learning;

10 “(2) retaining teachers and principals, including
11 differentiating the retainment data by profession
12 and by the level of performance of the teachers and
13 principals, based on the evaluation system described
14 in section 2502(a)(3);

15 “(3) teacher, principal, and other school leader
16 practice, which shall include, for teachers and prin-
17 cipals, practice measured by the teacher and prin-
18 cipal evaluation system described in section
19 2502(a)(3);

20 “(4) student graduation rates, as applicable;

21 “(5) teaching, learning, and working conditions;

22 “(6) parent, family, and community involve-
23 ment and satisfaction;

24 “(7) student attendance rates;

25 “(8) teacher and principal satisfaction; and

1 “(9) student behavior.

2 “(b) LOCAL EDUCATIONAL AGENCY AND SCHOOL
3 EFFECTIVENESS.—The formal evaluation system de-
4 scribed in subsection (a) shall also measure the effective-
5 ness of the local educational agency and school in—

6 “(1) implementing the comprehensive induction
7 program described in section 2502(a)(1);

8 “(2) implementing high-quality professional de-
9 velopment described in section 2502(a)(2);

10 “(3) developing and implementing a rigorous,
11 transparent, and equitable teacher and principal
12 evaluation system described in section 2502(a)(3);

13 “(4) implementing mentoring, coaching, and
14 professional development for school principals and
15 other school leaders described in section 2502(a)(4);

16 “(5) ensuring that mentors, teachers, and
17 schools are using data to inform instructional prac-
18 tices; and

19 “(6) ensuring that the comprehensive induction
20 and high-quality mentoring required under section
21 2502(a)(1) and the high impact professional devel-
22 opment required under section 2502(a)(2) are inte-
23 grated and aligned with the State’s school improve-
24 ment efforts under sections 1116 and 1117.

1 “(c) CONDUCT OF EVALUATION.—The evaluation de-
2 scribed in subsection (a) shall be—

3 “(1) conducted by the State, an institution of
4 higher education, or an external agency that is expe-
5 rienced in conducting such evaluations; and

6 “(2) developed in collaboration with groups
7 such as—

8 “(A) experienced educators with track
9 records of success in the classroom;

10 “(B) institutions of higher education in-
11 volved with teacher induction and professional
12 development located within the State; and

13 “(C) local teacher, principal, and school
14 leader organizations.

15 “(d) DISSEMINATION.—

16 “(1) IN GENERAL.—The results of the evalua-
17 tion described in subsection (a) shall be submitted to
18 the Secretary.

19 “(2) DISSEMINATION.—The Secretary shall
20 make the results of each evaluation described in sub-
21 section (a) available to States, local educational
22 agencies, and the public.

1 **“SEC. 2505. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out
3 this part such sums as may be necessary for fiscal year
4 2012 and each succeeding fiscal year.”.

5 (b) TABLE OF CONTENTS.—The table of contents in
6 section 2 of the Elementary and Secondary Education Act
7 of 1965 is amended by inserting after the item relating
8 to section 2441 the following:

“PART E—BUILDING SCHOOL CAPACITY FOR EFFECTIVE TEACHING AND
LEADERSHIP

“Sec. 2501. Local school improvement activities.

“Sec. 2502. Use of funds.

“Sec. 2503. Rule of Construction.

“Sec. 2504. Program evaluation.

“Sec. 2505. Authorization of appropriations.”.

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