

113TH CONGRESS
1ST SESSION

H. R. 2252

To amend the charter school program under the Elementary and Secondary Education Act of 1965.

IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2013

Mr. POLIS (for himself, Mr. PETRI, Mr. HINOJOSA, Mr. PAULSEN, Mr. GUTHRIE, Mrs. DAVIS of California, Mr. DELANEY, and Mr. SCHOCK) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the charter school program under the Elementary and Secondary Education Act of 1965.

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 “All Students Achieving
5 through Reform Act of 2013” or the “All-STAR Act of
6 2013”.

7 **SEC. 2. REFERENCES.**

8 Except as otherwise specifically provided, whenever in
9 this Act a section or other provision is amended or re-

1 pealed, such amendment or repeal shall be considered to
2 be made to that section or other provision of the Elemen-
3 tary and Secondary Education Act of 1965 (20 U.S.C.
4 6301 et seq.).

5 **SEC. 3. PURPOSE.**

6 Section 5201 (20 U.S.C. 7221) is amended to read
7 as follows:

8 **“SEC. 5201. PURPOSE.**

9 “It is the purpose of this subpart to—

10 “(1) improve the United States education sys-
11 tem and educational opportunities for all Americans
12 by supporting innovation in public education in pub-
13 lic school settings that prepare students to compete
14 and contribute to the global economy;

15 “(2) provide financial assistance for the plan-
16 ning, program design, and initial implementation of
17 charter schools;

18 “(3) expand the number of high-quality charter
19 schools available to students across the Nation;

20 “(4) evaluate the impact of such schools on stu-
21 dent achievement, families, and communities, and
22 share best practices between charter schools and
23 other public schools;

24 “(5) encourage States to provide support to
25 charter schools for facilities financing in an amount

1 more nearly commensurate to the amount the States
2 have typically provided for traditional public schools;

3 “(6) improve student services to increase oppor-
4 tunities for students with disabilities, limited
5 English proficient students, and other traditionally
6 underserved students to attend charter schools and
7 meet challenging State academic achievement stand-
8 ards; and

9 “(7) support efforts to strengthen the charter
10 school authorizing process to improve performance
11 management, including transparency, monitoring,
12 and evaluation of such schools.”.

13 **SEC. 4. PROGRAM AUTHORIZED.**

14 Section 5202 (20 U.S.C. 7221a) is amended to read
15 as follows:

16 **“SEC. 5202. PROGRAM AUTHORIZED.**

17 “(a) IN GENERAL.—This subpart authorizes the Sec-
18 retary to carry out a charter school program that supports
19 charter schools that serve elementary school and sec-
20 ondary school students by—

21 “(1) supporting the startup, replication, and ex-
22 pansion of charter schools;

23 “(2) assisting charter schools in accessing cred-
24 it to acquire and renovate facilities for school use;
25 and

1 “(3) carrying out national and local activities to
2 support—

3 “(A) the development of high-quality char-
4 ter schools;

5 “(B) the dissemination of best practices of
6 charter schools for all schools; and

7 “(C) the evaluation of the impact of the
8 program on schools participating in the pro-
9 gram.

10 “(b) FUNDING ALLOTMENT.—From the amount
11 made available under section 5211 for a fiscal year, the
12 Secretary shall—

13 “(1) reserve 12.5 percent to support charter
14 school facilities assistance under section 5204;

15 “(2) reserve not more than 2.5 percent to carry
16 out the technical assistance and best practices under
17 section 5205(a) and the evaluation under section
18 5205(b), of which 1 percent shall be used to carry
19 out such evaluation;

20 “(3) reserve not more than 20 percent to award
21 grants for local activities under section 5205(c); and

22 “(4) use the remaining amount after the Sec-
23 retary reserves funds under paragraphs (1) through
24 (4) to carry out section 5203.

1 “(c) PRIOR GRANTS AND SUBGRANTS.—The recipi-
2 ent of a grant or subgrant under this subpart or subpart
3 2, as such subpart was in effect on the day before the
4 date of enactment of the All Students Achieving through
5 Reform Act of 2013, shall continue to receive funds in
6 accordance with the terms and conditions of such grant
7 or subgrant.”.

8 **SEC. 5. GRANTS TO SUPPORT HIGH-QUALITY CHARTER**
9 **SCHOOLS.**

10 Section 5203 (20 U.S.C. 7221b) is amended to read
11 as follows:

12 **“SEC. 5203. GRANTS TO SUPPORT HIGH-QUALITY CHARTER**
13 **SCHOOLS.**

14 “(a) GRANTS TO COVERED ENTITIES.—

15 “(1) IN GENERAL.—Subject to paragraph (2),
16 from the amount reserved under 5202(b)(5), the
17 Secretary shall award grants to covered entities hav-
18 ing applications approved pursuant to subsection (f)
19 to enable such entities to—

20 “(A) award subgrants to eligible applicants
21 for—

22 “(i) opening new charter schools;

23 “(ii) replicating high-quality charter
24 school models; or

1 “(iii) expanding high-quality charter
2 schools; and

3 “(B) provide technical assistance to eligible
4 applicants and authorized public chartering
5 agencies in carrying out the activities described
6 in paragraph (1) and work with authorized pub-
7 lic chartering agencies in the State to improve
8 authorizing quality.

9 “(2) SPECIAL RULE.—In the case in which a
10 covered entity that is a State educational agency
11 elects not to receive a grant under this section or
12 does not have an application approved under sub-
13 section (f), the Secretary may award a grant to an
14 eligible applicant that—

15 “(A) serves such State;

16 “(B) submits an application to the Sec-
17 retary that would be approved pursuant to sec-
18 tion 5205(c) if such eligible applicant were to
19 apply for a grant under such section; and

20 “(C) has not received a grant under such
21 section 5205(c).

22 “(b) USES OF FUNDS FOR COVERED ENTITIES.—

23 “(1) IN GENERAL.—A covered entity receiving
24 a grant under this section shall—

1 “(A) use 90 percent of the grant funds to
2 award subgrants to eligible applicants, in ac-
3 cordance with the quality charter school pro-
4 gram described in the covered entity’s applica-
5 tion approved pursuant to subsection (f), for
6 the purposes described in clauses (i) through
7 (iii) of subsection (a)(1)(A); and

8 “(B) reserve 10 percent of such funds to
9 carry out the activities described in subsection
10 (a)(1)(B), of which not more than 30 percent
11 may be used for administrative costs which may
12 include technical assistance.

13 “(2) CONTRACTS AND GRANTS.—A covered en-
14 tity may use a grant received under this section to
15 carry out the activities described in subparagraphs
16 (A) and (B) of paragraph (1) directly or through
17 grants, contracts, or cooperative agreements.

18 “(c) PROGRAM PERIODS; PEER REVIEW; GRANT
19 NUMBER AND AMOUNT; DIVERSITY OF PROJECTS; WAIV-
20 ERS.—

21 “(1) PROGRAM PERIODS.—

22 “(A) GRANTS.—A grant awarded by the
23 Secretary to a covered entity under this section
24 shall be for a period of not more than 3 years,
25 except that the covered entity may, at the dis-

1 cretion of the Secretary, continue to expend
2 grant funds after the end of such 3-year period
3 to award subgrants in accordance with sub-
4 section (b)(1)(A).

5 “(B) SUBGRANTS.—A subgrant awarded
6 by a covered entity to an eligible applicant
7 under this section shall be for a period of not
8 more than 3 years.

9 “(2) PEER REVIEW.—The Secretary, and each
10 covered entity receiving a grant under this section,
11 shall use a peer review process to review applications
12 for assistance under this section.

13 “(3) GRANT NUMBER AND AMOUNT.—The Sec-
14 retary shall ensure that the number of grants award-
15 ed under this section and the award amounts will
16 allow for a sufficient number of new grants to be
17 awarded under this section for each succeeding fiscal
18 year.

19 “(4) DIVERSITY OF PROJECTS.—Each covered
20 entity receiving a grant under this section shall
21 award subgrants under this section in a manner
22 that, to the extent possible, ensures that such sub-
23 grants—

1 “(A) are distributed throughout different
2 areas, including urban, suburban, and rural
3 areas; and

4 “(B) will assist charter schools rep-
5 resenting a variety of educational approaches.

6 “(5) WAIVERS.—The Secretary may waive any
7 statutory or regulatory requirement over which the
8 Secretary exercises administrative authority except
9 any such requirement relating to the elements of a
10 charter school described in section 5210(1) or to an
11 applicable civil rights requirement, if—

12 “(A) the waiver is requested in an ap-
13 proved application under this section; and

14 “(B) the Secretary determines that grant-
15 ing such a waiver will promote the purpose of
16 this subpart.

17 “(d) LIMITATIONS.—

18 “(1) GRANTS.—A covered entity may not re-
19 ceive more than 1 grant under this section, unless
20 the entity—

21 “(A) for each charter school supported
22 under the first grant received under this sec-
23 tion, provides aggregate data demonstrating
24 that the students enrolled in the charter school

1 have experienced demonstrated improvement in
2 academic achievement; and

3 “(B) demonstrates that the funds provided
4 under the additional grant will be awarded to
5 replicate high-quality charter school models or
6 expand high-quality charter schools.

7 “(2) SUBGRANTS.—A charter school may not
8 receive funds from more than 1 subgrant awarded to
9 an eligible applicant under this section.

10 “(e) APPLICATIONS.—A covered entity desiring to re-
11 ceive a grant under this section shall submit an application
12 to the Secretary at such time and in such manner as the
13 Secretary may require. The application shall include the
14 following:

15 “(1) DESCRIPTION OF PROGRAM.—A descrip-
16 tion of the covered entity’s objectives in carrying out
17 a quality charter school program under this section
18 and how the objectives of the program will be car-
19 ried out, including a description—

20 “(A) of how the entity—

21 “(i) will support both new charter
22 school startup and the expansion and rep-
23 lication of high-quality charter school mod-
24 els;

1 “(ii) will inform eligible charter
2 schools, developers, and authorized public
3 chartering agencies of the availability of
4 funds under the program;

5 “(iii) will work with eligible applicants
6 to ensure that the applicants access all
7 Federal funds that they are eligible to re-
8 ceive, and help the charter schools sup-
9 ported by the applicants and the students
10 attending the charter schools—

11 “(I) participate in the Federal
12 programs in which the schools and
13 students are eligible to participate;
14 and

15 “(II) receive the commensurate
16 share of Federal funds the schools
17 and students are eligible to receive
18 under such programs;

19 “(iv) in the case in which the entity is
20 not a State educational agency—

21 “(I) will work with the State edu-
22 cational agency and the charter
23 schools in the State to maximize char-
24 ter school participation in Federal and

1 State programs for charter schools;
2 and

3 “(II) will work with the State
4 educational agency to adequately op-
5 erate the entity’s program under this
6 section, where applicable;

7 “(v) will ensure eligible applicants
8 that receive a subgrant under the entity’s
9 program are prepared to continue to oper-
10 ate the charter schools receiving the
11 subgrant funds once the funds have ex-
12 pired;

13 “(vi) will support charter schools par-
14 ticipating in the entity’s program and that
15 are in local educational agencies with large
16 numbers of schools that must comply with
17 the requirements of section 1116(b);

18 “(vii) will work with charter schools
19 participating in the entity’s program to
20 promote inclusion of all students and sup-
21 port all students once they are enrolled to
22 promote retention;

23 “(viii) will work with such charter
24 schools on recruitment practices, including
25 efforts to engage groups that may other-

1 wise have limited opportunities to partici-
2 pate in charter schools;

3 “(ix) will share best and promising
4 practices between charter schools and
5 other public schools, including, where ap-
6 propriate, instruction and professional de-
7 velopment in science, math, technology,
8 and engineering education;

9 “(x) will ensure the charter schools
10 they support can meet the educational
11 needs of their students, including students
12 with disabilities and limited English pro-
13 ficient students; and

14 “(xi) will support efforts to increase
15 quality initiatives, including meeting the
16 quality authorizing elements described in
17 paragraph (2)(E);

18 “(B) of the extent to which the entity—

19 “(i) is able to meet and carry out the
20 priorities listed in subsection (f)(2); and

21 “(ii) is working to develop or
22 strengthen a cohesive statewide system to
23 support the opening of new charter
24 schools, replication of high-quality charter

1 school models, and the expansion of high-
2 quality charter schools;

3 “(C) of how the entity will carry out the
4 subgrant competition, including—

5 “(i) a description of the application
6 each eligible applicant desiring to receive a
7 subgrant will submit, including—

8 “(I) a description of the roles
9 and responsibilities of eligible appli-
10 cants, partner organizations, and
11 management organizations, including
12 the administrative and contractual
13 roles and responsibilities;

14 “(II) a description of the quality
15 controls agreed to between the eligible
16 applicant and the authorized public
17 chartering agency involved, such as a
18 contract or performance agreement,
19 and how a school’s performance on
20 the State’s accountability system es-
21 tablished under section 1111(b)(2)(A)
22 will be a primary factor for renewal;
23 and

24 “(III) a description of how the el-
25 ible applicant will solicit and con-

1 sider input from parents and other
2 members of the community on the
3 planning, implementation, and oper-
4 ation of each charter school receiving
5 funds under the entity’s program; and

6 “(ii) a description of how the entity
7 will review applications;

8 “(D) in the case of an entity that partners
9 with an outside organization to carry out the
10 entity’s quality charter school program, in
11 whole or in part, of the roles and responsibil-
12 ities of this partner;

13 “(E) of how the entity will support charter
14 schools in providing for the transportation
15 needs of their students; and

16 “(F) of how the entity will support diverse
17 charter school models, including models that
18 serve rural communities.

19 “(2) ASSURANCES.—Assurances, including a
20 description of how the assurances will be met,
21 that—

22 “(A) each charter school receiving funds
23 under the entity’s program will have a high de-
24 gree of autonomy over budget and operations;

1 “(B) the entity will support charter schools
2 in meeting the educational needs of their stu-
3 dents as described in paragraph (1)(A)(x);

4 “(C) the entity will ensure that the author-
5 ized public chartering agency of any charter
6 school that receives funds under the entity’s
7 program—

8 “(i) ensures that each charter school
9 is meeting the obligations under this Act,
10 part B of the Individuals with Disabilities
11 Education Act, title VI of the Civil Rights
12 Act of 1964, section 504 of the Rehabilita-
13 tion Act of 1973, the Age Discrimination
14 Act of 1975, the Americans with Disabil-
15 ities Act of 1990, section 444 of the Gen-
16 eral Education Provisions Act (commonly
17 known as the ‘Family Educational Rights
18 and Privacy Act of 1974’), and title IX of
19 the Education Amendments of 1972;

20 “(ii) adequately monitors and hold ac-
21 countable each charter school with respect
22 to recruiting, enrolling, and meeting the
23 needs of all students, including students
24 with disabilities and limited English pro-
25 ficient students;

1 “(iii) ensures that each charter school
2 provides substantive outreach to students
3 from low-income families in its plans to
4 open new charter schools, replicate high-
5 quality charter school models, or expand
6 existing high-quality charter schools; and

7 “(iv) ensures that each charter school
8 solicits and considers input from parents
9 and other members of the community on
10 the implementation and operation of the
11 school;

12 “(D) the entity will provide adequate tech-
13 nical assistance to eligible applicants to—

14 “(i) meet the objectives described in
15 clauses (vii) and (viii) of paragraph (1)(A)
16 and paragraph (2)(B); and

17 “(ii) enroll traditionally underserved
18 students, including students with disabil-
19 ities and limited English proficient stu-
20 dents, to promote an inclusive education
21 environment;

22 “(E) the entity will promote quality au-
23 thorizing, such as through providing technical
24 assistance, to support all authorized public
25 chartering agencies in the State to improve the

1 monitoring of their charter schools, including
2 by—

3 “(i) assessing annual performance
4 data of the schools, including, as appro-
5 priate, graduation rates and student
6 growth; and

7 “(ii) reviewing the schools’ inde-
8 pendent, annual audits of financial state-
9 ments conducted in accordance with gen-
10 erally accepted accounting principles, and
11 ensuring any such audits are publicly re-
12 ported;

13 “(F) the entity will work to ensure that
14 charter schools are included with the traditional
15 public local educational agencies in decision-
16 making about the public school system in the
17 State; and

18 “(G) the entity will ensure that each char-
19 ter school in the State make publicly available,
20 consistent with the dissemination requirements
21 of the annual State report card, the information
22 parents need to make informed decisions about
23 the educational options available to their chil-
24 dren, including information on the educational
25 program, student support services, and annual

1 performance and enrollment data for the groups
2 of students described in section
3 1111(b)(2)(C)(v)(II).

4 “(3) REQUESTS FOR WAIVERS.—A request and
5 justification, meeting the requirements of subpara-
6 graphs (A) and (B) of section 5203(c)(5), for waiv-
7 ers of any Federal statutory or regulatory provisions
8 that the entity believes are necessary for the success-
9 ful operation of the charter schools that will receive
10 funds under the entity’s program under this section,
11 and a description of any State or local rules, gen-
12 erally applicable to public schools, that will be
13 waived, or otherwise not apply to such schools.

14 “(f) SELECTION CRITERIA; PRIORITY.—

15 “(1) SELECTION CRITERIA.—The Secretary
16 shall award grants under this section to covered en-
17 tities on the basis of the quality of the applications
18 submitted under subsection (e), after taking into
19 consideration—

20 “(A) for covered entities described in para-
21 graphs (1) and (3) of subsection (i)—

22 “(i) the degree of flexibility afforded
23 by the State’s public charter school law
24 and how the entity will work to maximize

1 the flexibility provided to charter schools
2 under the law;

3 “(ii) the ambitiousness of the entity’s
4 objectives for the quality charter school
5 program carried out under this section;

6 “(iii) the quality of the strategy for
7 assessing achievement of those objectives;

8 “(iv) the likelihood that the eligible
9 applicants receiving subgrants under the
10 program will meet those objectives and im-
11 prove educational results for students;

12 “(v) the proposed number of new
13 charter schools to be opened, and the pro-
14 posed number of high-quality charter
15 schools to be replicated or expanded under
16 the program;

17 “(vi) the entity’s plan to—

18 “(I) adequately monitor the eligi-
19 ble applicants receiving subgrants
20 under the entity’s program; and

21 “(II) work with the authorized
22 public chartering agencies involved to
23 avoid duplication of work for the char-
24 ter schools and authorized public
25 chartering agencies;

1 “(vii) the entity’s plan to provide ade-
2 quate technical assistance, as described in
3 the entity’s application under subsection
4 (e), for the eligible applicants receiving
5 subgrants under the entity’s program
6 under this section;

7 “(viii) the entity’s plan to support
8 quality authorizing efforts in the State,
9 consistent with the objectives described in
10 clause (ii); and

11 “(ix) the entity’s plan to solicit and
12 consider input from parents and other
13 members of the community on the imple-
14 mentation and operation of the charter
15 schools in the State;

16 “(B) for covered entities described in para-
17 graphs (2) and (4) of subsection (i)—

18 “(i) the ambitiousness of the entity’s
19 objectives for the quality charter school
20 program carried out under this section;

21 “(ii) the quality of the strategy for as-
22 sessing achievement of those objectives;

23 “(iii) the likelihood that the eligible
24 applicants receiving subgrants under the
25 entity’s program will meet those objectives

1 and improve educational results for stu-
2 dents;

3 “(iv) the proposed number of new
4 charter schools to be opened, and the pro-
5 posed number of high-quality charter
6 schools to be replicated or expanded under
7 the program;

8 “(v) the entity’s plan to adequately
9 monitor the eligible applicants receiving
10 subgrants under the entity’s program;

11 “(vi) the entity’s plan to provide ade-
12 quate technical assistance, as described in
13 the entity’s application under subsection
14 (e), for the eligible applicants receiving
15 subgrants under the entity’s program
16 under this section;

17 “(vii) the extent to which the entity
18 has policies and procedures to ensure that
19 charter schools in the area served by the
20 entity—

21 “(I) have equitable access to fa-
22 cilities available to other public
23 schools in such area; or

1 “(II) are not denied access to
2 available public school facilities in
3 such area; and

4 “(viii) the extent to which the entity
5 demonstrates support for public school
6 choice and provides parents with informa-
7 tion regarding charter school alternatives;
8 and

9 “(C) for covered entities described in sub-
10 section (i)(2), in addition to taking into consid-
11 eration the items described in clauses (i)
12 through (viii) of subparagraph (B), the entity’s
13 record of success in authorizing and supporting
14 high-quality charter schools.

15 “(2) PRIORITY.—In awarding grants under this
16 section, the Secretary shall give priority to covered
17 entities to the extent that such entities meet the fol-
18 lowing criteria:

19 “(A) STATES.—For covered entities de-
20 scribed in paragraphs (1) and (3) of subsection
21 (i):

22 “(i) The entity is located in a State
23 that has a quality authorized public char-
24 tering agency that is an entity other than
25 a local educational agency.

1 “(ii) The entity is located in a State
2 that does not impose any limitation on the
3 number or percentage of charter schools
4 that may exist or the number or percent-
5 age of students that may attend charter
6 schools in the State.

7 “(iii) The entity is located in a State
8 that ensures equitable financing, as com-
9 pared to traditional public schools, for
10 charter schools and students in a prompt
11 manner.

12 “(iv) The entity is located in a State
13 that uses charter schools and best prac-
14 tices from charter schools to help improve
15 struggling schools and local educational
16 agencies.

17 “(v) The entity partners with an orga-
18 nization that has a demonstrated record of
19 success in developing management organi-
20 zations to support the development of
21 charter schools in the State.

22 “(vi) The entity demonstrates quality
23 policies and practices to support and mon-
24 itor charter schools through factors includ-
25 ing—

1 “(I) the proportion of high-quality
2 charter schools in the State; and

3 “(II) the proportion of charter
4 schools enrolling, at a rate similar to
5 traditional public schools, traditionally
6 underserved students, including stu-
7 dents with disabilities and limited
8 English proficient students.

9 “(vii) The entity supports charter
10 schools that support at-risk students
11 through activities such as dropout preven-
12 tion or dropout recovery.

13 “(viii) The entity authorizes all char-
14 ter schools in the State to serve as school
15 food authorities.

16 “(ix) The entity is located in a State
17 that authorizes any charter school to be a
18 local educational agency in accordance with
19 State law.

20 “(x) The entity is located in a State
21 that allows appeals of decisions of author-
22 ized public chartering agencies.

23 “(xi) The entity is located in a State
24 that funds local educational agencies based
25 on an average daily enrollment or attend-

1 ance count or based on more than one an-
2 nual enrollment count.

3 “(xii) The entity is located in a State
4 with a law or policy such that per pupil
5 revenues are shared between local edu-
6 cational agencies to reflect split student
7 enrollment in 2 or more part-time edu-
8 cational programs operated or authorized
9 by different local educational agencies.

10 “(xiii) The entity has taken steps to
11 ensure that all authorized public chartering
12 agencies implement practices that comply
13 with nationally recognized best practices
14 for quality charter school authorizing.

15 “(xiv) The entity has policies and pro-
16 cedures to ensure that charter schools
17 identified as failing under the account-
18 ability system established under section
19 1111(b)(2)(A) of the State in which the
20 entity is located are closed, do not have
21 their charters renewed, or are not other-
22 wise allowed to continue operating, except
23 in special circumstances determined by the
24 State for charter schools—

1 “(I) designated through a State
2 system as alternative education pro-
3 grams with an explicit mission to
4 serve students who have failed in tra-
5 ditional systems or large proportions
6 of extremely at-risk students, such as
7 students with moderate to profound
8 disabilities or incarcerated youth; and

9 “(II) that are required to comply
10 with the accountability system estab-
11 lished under section 1111(b)(2)(A) of
12 the State.

13 “(B) LOCAL EDUCATIONAL AGENCIES AND
14 AUTHORIZED PUBLIC CHARTERING AGEN-
15 CIES.—For covered entities described in para-
16 graphs (2) and (4) of subsection (i):

17 “(i) The entity does not impose, to
18 the extent allowable under State law, any
19 limitation on the number or percentage of
20 charter schools that may exist or the num-
21 ber or percentage of students that may at-
22 tend charter schools.

23 “(ii) The entity provides, to the extent
24 allowed under State law, equitable financ-
25 ing, as compared to traditional public

1 schools, for charter schools and students
2 who attend such schools in a prompt man-
3 ner.

4 “(iii) The entity demonstrates quality
5 policies and practices to support and mon-
6 itor charter schools through factors, in-
7 cluding the proportion of charter schools
8 enrolling, at a rate similar to traditional
9 public schools, traditionally underserved
10 students, including students with disabil-
11 ities and limited English proficient stu-
12 dents.

13 “(iv) The entity supports charter
14 schools that support at-risk students
15 through activities such as dropout preven-
16 tion or dropout recovery.

17 “(v) The entity authorizes all charter
18 schools it authorizes to serve as school food
19 authorities to the extent allowed under
20 State law.

21 “(vi) The entity has taken steps to en-
22 sure that it complies with nationally recog-
23 nized best practices for quality charter
24 school authorizing.

1 “(vii) The entity ensures that charter
2 schools identified as failing under the ac-
3 countability system established under sec-
4 tion 1111(b)(2)(A) of the State in which
5 the entity is located are closed, do not have
6 their charter renewed, or are otherwise al-
7 lowed to continue operating, except in spe-
8 cial circumstances determined by the State
9 for charter schools—

10 “(I) designated through a State
11 system as alternative education pro-
12 grams with an explicit mission to
13 serve students who have failed in tra-
14 ditional systems or large proportions
15 of extremely at-risk students, such as
16 students with moderate to profound
17 disabilities or incarcerated youth; and

18 “(II) that are required to comply
19 with the accountability system estab-
20 lished under section 1111(b)(2)(A) of
21 the State.

22 “(viii) The entity has authorized not
23 less than 3 high-quality charter schools.

24 “(g) LOCAL USES OF FUNDS.—An eligible applicant
25 receiving a subgrant under this section shall use such

1 funds to open new charter schools, replicate high-quality
2 charter school models, or expand existing high-quality
3 charter schools, which may include—

4 “(1) securing a school building through lease or
5 purchase and providing the necessary renovations to
6 ensure a strong school opening or to meet the needs
7 of increased student enrollment;

8 “(2) paying startup costs associated with hiring
9 teachers to ensure strong school starts;

10 “(3) providing transportation to students to
11 and from charter schools opened, replicated, or ex-
12 panded under this subsection, but only in the case
13 of an applicant that demonstrates the capability to
14 continue providing such transportation after the ex-
15 piration of the subgrant funds;

16 “(4) purchasing instructional materials, imple-
17 menting teacher and principal professional develop-
18 ment programs, and hiring additional other staff for
19 such charter schools; and

20 “(5) supporting any other necessary startup
21 and expansion activities with respect to such charter
22 schools.

23 “(h) REPORTING REQUIREMENTS.—Each covered en-
24 tity receiving a grant under this section shall submit to

1 the Secretary, at the end of each year of the 3-year grant
2 period and at the end of such grant period, a report on—

3 “(1) the number of students served by each
4 subgrant awarded under this section and, if applica-
5 ble, how many new students were served during each
6 year of the subgrant period;

7 “(2) the number of subgrants awarded under
8 this section to carry out each of the following—

9 “(A) the opening of new charter schools;

10 “(B) the replication of high-quality charter
11 school models; and

12 “(C) the expansion of high-quality charter
13 schools;

14 “(3) the progress the entity made toward meet-
15 ing the priorities described in subsection (f)(2), as
16 applicable;

17 “(4) how the entity met the objectives of the
18 quality charter school program described in the enti-
19 ty’s application under subsection (e);

20 “(5) how the entity complied with, and ensured
21 that eligible applicants complied with, the assurances
22 described in the entity’s application; and

23 “(6) how the entity worked with authorized
24 public chartering agencies, including how the agen-
25 cies worked with the management company or lead-

1 ership of the schools that received subgrants under
2 this section.

3 “(i) COVERED ENTITY DEFINED.—For purposes of
4 this section, the term ‘covered entity’ means—

5 “(1) a State educational agency;

6 “(2) an authorized public chartering agency
7 that is located in a State in which neither the State
8 educational agency nor the Governor of the State
9 has received a grant under this section;

10 “(3) a Governor of a State; or

11 “(4) a local educational agency that—

12 “(A) is not a charter school that is consid-
13 ered a local educational agency under State law;
14 and

15 “(B) is located in a State in which neither
16 the State educational agency nor the Governor
17 of the State has received a grant under this sec-
18 tion.”.

19 **SEC. 6. FACILITIES FINANCING ASSISTANCE.**

20 Section 5204 (20 U.S.C. 7221c) is amended to read
21 as follows:

22 **“SEC. 5204. FACILITIES FINANCING ASSISTANCE.**

23 “(a) GRANTS TO ELIGIBLE ENTITIES.—

24 “(1) IN GENERAL.—The Secretary shall use not
25 less than 65 percent of the amount reserved under

1 section 5202(b)(1) to award grants to eligible enti-
2 ties that have the highest-quality applications ap-
3 proved under subsection (d), after considering the
4 diversity of such applications, to demonstrate inno-
5 vative methods of assisting charter schools to ad-
6 dress the cost of acquiring, constructing, and ren-
7 ovating facilities by enhancing the availability of
8 loan or bond financing.

9 “(2) ELIGIBLE ENTITY DEFINED.—For pur-
10 poses of this section, the term ‘eligible entity’
11 means—

12 “(A) a public entity, such as a State or
13 local governmental entity;

14 “(B) a private nonprofit entity; or

15 “(C) a consortium of entities described in
16 subparagraphs (A) and (B).

17 “(b) GRANTEE SELECTION.—The Secretary shall
18 evaluate each application submitted under subsection (d),
19 and shall determine whether the application is sufficient
20 to merit approval.

21 “(c) GRANT CHARACTERISTICS.—In awarding grants
22 under subsection (a), the Secretary shall award multiple
23 grants of sufficient size, scope, and quality so as to ensure
24 an effective demonstration of an innovative means of en-

1 hancing credit for the financing of charter school acquisi-
2 tion, construction, or renovation.

3 “(d) APPLICATIONS.—

4 “(1) IN GENERAL.—To receive a grant under
5 subsection (a), an eligible entity shall submit to the
6 Secretary an application in such form as the Sec-
7 retary may reasonably require.

8 “(2) CONTENTS.—An application submitted
9 under paragraph (1) shall contain—

10 “(A) a statement identifying the activities
11 proposed to be undertaken with funds received
12 under subsection (a), including how the eligible
13 entity will determine which charter schools will
14 receive assistance, and how much and what
15 types of assistance charter schools will receive;

16 “(B) a description of the involvement of
17 charter schools in the application’s development
18 and the design of the proposed activities;

19 “(C) a description of the eligible entity’s
20 expertise in capital market financing;

21 “(D) a description of how the proposed ac-
22 tivities will leverage the maximum amount of
23 private-sector financing capital relative to the
24 amount of government funding used and other-
25 wise enhance credit available to charter schools,

1 including how the entity will offer a combina-
2 tion of rates and terms more favorable than the
3 rates and terms that a charter school could re-
4 ceive without assistance from the entity under
5 this section;

6 “(E) a description of how the eligible enti-
7 ty possesses sufficient expertise in education to
8 evaluate the likelihood of success of a charter
9 school program for which facilities financing is
10 sought;

11 “(F) a description of how the eligible enti-
12 ty will encourage energy-efficient school build-
13 ing practices;

14 “(G) in the case of an application sub-
15 mitted by a State governmental entity, a de-
16 scription of the actions that the entity has
17 taken, or will take, to ensure that charter
18 schools within the State receive the funding the
19 charter schools need to have adequate facilities;
20 and

21 “(H) such other information as the Sec-
22 retary may reasonably require.

23 “(e) CHARTER SCHOOL OBJECTIVES.—An eligible
24 entity receiving a grant under this section shall use the
25 funds deposited in the reserve account established under

1 subsection (f) to assist one or more charter schools to ac-
2 cess private sector capital to accomplish one or both of
3 the following objectives:

4 “(1) The acquisition (by purchase, lease, dona-
5 tion, or otherwise) of an interest (including an inter-
6 est held by a third party for the benefit of a charter
7 school) in improved or unimproved real property
8 that is necessary to commence or continue the oper-
9 ation of a charter school.

10 “(2) The construction of new facilities, includ-
11 ing predevelopment costs, or the renovation, repair,
12 or alteration of existing facilities, necessary to com-
13 mence or continue the operation of a charter school.

14 “(f) RESERVE ACCOUNT.—

15 “(1) USE OF FUNDS.—To assist charter schools
16 to accomplish the objectives described in subsection
17 (e), an eligible entity receiving a grant under sub-
18 section (a) shall, in accordance with State and local
19 law, directly or indirectly, alone or in collaboration
20 with others, deposit the funds received under sub-
21 section (a) (other than funds used for administrative
22 costs in accordance with subsection (g) of this sec-
23 tion) in a reserve account established and main-
24 tained by the eligible entity for this purpose.
25 Amounts deposited in such account shall be used by

1 the eligible entity for one or more of the following
2 purposes:

3 “(A) Guaranteeing, insuring, and rein-
4 suring bonds, notes, evidences of debt, loans,
5 and interests therein, the proceeds of which are
6 used for an objective described in subsection
7 (e).

8 “(B) Guaranteeing and insuring leases of
9 personal and real property for an objective de-
10 scribed in subsection (e).

11 “(C) Facilitating financing by identifying
12 potential lending sources, encouraging private
13 lending, and other similar activities that di-
14 rectly promote lending to, or for the benefit of,
15 charter schools.

16 “(D) Facilitating the issuance of bonds by
17 charter schools, or by other public entities for
18 the benefit of charter schools, by providing
19 technical, administrative, and other appropriate
20 assistance (including the recruitment of bond
21 counsel, underwriters, and potential investors
22 and the consolidation of multiple charter school
23 projects within a single bond issue).

24 “(2) INVESTMENT.—Funds received under this
25 section and deposited in the reserve account estab-

1 lished under paragraph (1) shall be invested in obli-
2 gations issued or guaranteed by the United States or
3 a State, or in other similarly low-risk securities.

4 “(3) REINVESTMENT OF EARNINGS.—Any earn-
5 ings on funds received under subsection (a) shall be
6 deposited in the reserve account established under
7 paragraph (1) and used in accordance with such
8 paragraph.

9 “(g) LIMITATION ON ADMINISTRATIVE COSTS.—An
10 eligible entity may use not more than 2.5 percent of the
11 funds received under subsection (a) for the administrative
12 costs of carrying out its responsibilities under this section
13 (excluding subsection (k)).

14 “(h) AUDITS AND REPORTS.—

15 “(1) FINANCIAL RECORD MAINTENANCE AND
16 AUDIT.—The financial records of each eligible entity
17 receiving a grant under subsection (a) shall be main-
18 tained in accordance with generally accepted ac-
19 counting principles and shall be subject to an annual
20 audit by an independent public accountant.

21 “(2) REPORTS.—

22 “(A) GRANTEE ANNUAL REPORTS.—Each
23 eligible entity receiving a grant under sub-
24 section (a) annually shall submit to the Sec-

1 retary a report of its operations and activities
2 under this section.

3 “(B) CONTENTS.—Each annual report
4 submitted under subparagraph (A) shall in-
5 clude—

6 “(i) a copy of the most recent finan-
7 cial statements, and any accompanying
8 opinion on such statements, prepared by
9 the independent public accountant review-
10 ing the financial records of the eligible en-
11 tity;

12 “(ii) a copy of any report made on an
13 audit of the financial records of the eligible
14 entity that was conducted under paragraph
15 (1) during the reporting period;

16 “(iii) an evaluation by the eligible en-
17 tity of the effectiveness of its use of the
18 Federal funds provided under subsection
19 (a) in leveraging private funds;

20 “(iv) a listing and description of the
21 charter schools served during the reporting
22 period, including the amount of funds used
23 by each school, the type of project facili-
24 tated by the grant, and the type of assist-
25 ance provided to the charter schools;

1 “(v) a description of the activities car-
2 ried out by the eligible entity to assist
3 charter schools in meeting the objectives
4 set forth in subsection (e); and

5 “(vi) a description of the characteris-
6 tics of lenders and other financial institu-
7 tions participating in the activities under-
8 taken by the eligible entity under this sec-
9 tion (excluding subsection (k)) during the
10 reporting period.

11 “(C) SECRETARIAL REPORT.—The Sec-
12 retary shall review the reports submitted under
13 subparagraph (A) and shall provide a com-
14 prehensive annual report to Congress on the ac-
15 tivities conducted under this section (excluding
16 subsection (k)).

17 “(i) NO FULL FAITH AND CREDIT FOR GRANTEE
18 OBLIGATION.—No financial obligation of an eligible entity
19 entered into pursuant to this section (such as an obliga-
20 tion under a guarantee, bond, note, evidence of debt, or
21 loan) shall be an obligation of, or guaranteed in any re-
22 spect by, the United States. The full faith and credit of
23 the United States is not pledged to the payment of funds
24 which may be required to be paid under any obligation

1 made by an eligible entity pursuant to any provision of
2 this section.

3 “(j) RECOVERY OF FUNDS.—

4 “(1) IN GENERAL.—The Secretary, in accord-
5 ance with chapter 37 of title 31, United States
6 Code, shall collect—

7 “(A) all of the funds in a reserve account
8 established by an eligible entity under sub-
9 section (f)(1) if the Secretary determines, not
10 earlier than 2 years after the date on which the
11 eligible entity first received funds under this
12 section (excluding subsection (k)), that the eli-
13 gible entity has failed to make substantial
14 progress in carrying out the purposes described
15 in subsection (f)(1); or

16 “(B) all or a portion of the funds in a re-
17 serve account established by an eligible entity
18 under subsection (f)(1) if the Secretary deter-
19 mines that the eligible entity has permanently
20 ceased to use all or a portion of the funds in
21 such account to accomplish any purpose de-
22 scribed in subsection (f)(1).

23 “(2) EXERCISE OF AUTHORITY.—The Secretary
24 shall not exercise the authority provided in para-
25 graph (1) to collect from any eligible entity any

1 funds that are being properly used to achieve one or
2 more of the purposes described in subsection (f)(1).

3 “(3) PROCEDURES.—The provisions of sections
4 451, 452, and 458 of the General Education Provi-
5 sions Act shall apply to the recovery of funds under
6 paragraph (1).

7 “(4) CONSTRUCTION.—This subsection shall
8 not be construed to impair or affect the authority of
9 the Secretary to recover funds under part D of the
10 General Education Provisions Act.

11 “(k) PER-PUPIL FACILITIES AID PROGRAM.—

12 “(1) DEFINITION OF PER-PUPIL FACILITIES AID
13 PROGRAM.—In this subsection, the term ‘per-pupil
14 facilities aid program’ means a program in which a
15 State makes payments, on a per-pupil basis, to char-
16 ter schools to provide the schools with financing—

17 “(A) that is dedicated solely for funding
18 charter school facilities; or

19 “(B) a portion of which is dedicated for
20 funding charter school facilities.

21 “(2) GRANTS.—

22 “(A) IN GENERAL.—From the amount re-
23 served under section 5202(b)(1) remaining
24 after the Secretary makes grants under sub-
25 section (a), the Secretary shall make grants, on

1 a competitive basis, to States to pay for the
2 Federal share of the cost of establishing or en-
3 hancing, and administering per-pupil facilities
4 aid programs.

5 “(B) PERIOD.—The Secretary shall award
6 grants under this subsection for periods of not
7 more than 5 years.

8 “(C) FEDERAL SHARE.—The Federal
9 share of the cost described in subparagraph (A)
10 for a per-pupil facilities aid program shall be
11 not more than—

12 “(i) 90 percent of the cost, for the
13 first fiscal year for which the program re-
14 ceives assistance under this subsection;

15 “(ii) 80 percent in the second such
16 year;

17 “(iii) 60 percent in the third such
18 year;

19 “(iv) 40 percent in the fourth such
20 year; and

21 “(v) 20 percent in the fifth such year.

22 “(D) STATE SHARE.—A State receiving a
23 grant under this subsection may partner with 1
24 or more organizations to provide up to 50 per-
25 cent of the State share of the cost of estab-

1 lishing or enhancing, and administering the per-
2 pupil facilities aid program.

3 “(E) MULTIPLE GRANTS.—A State may
4 receive more than 1 grant under this sub-
5 section, so long as the amount of such funds
6 provided to charter schools increases with each
7 successive grant.

8 “(3) USE OF FUNDS.—

9 “(A) IN GENERAL.—A State that receives
10 a grant under this subsection shall use the
11 funds made available through the grant to es-
12 tablish or enhance, and administer, a per-pupil
13 facilities aid program for charter schools in the
14 State of the applicant.

15 “(B) EVALUATIONS; TECHNICAL ASSIST-
16 ANCE; DISSEMINATION.—From the amount
17 made available to a State through a grant
18 under this subsection for a fiscal year, the State
19 may reserve not more than 5 percent to carry
20 out evaluations, to provide technical assistance,
21 and to disseminate information.

22 “(C) SUPPLEMENT, NOT SUPPLANT.—
23 Funds made available under this subsection
24 shall be used to supplement, and not supplant,
25 State, and local public funds expended to pro-

1 vide per pupil facilities aid programs, oper-
2 ations financing programs, or other programs,
3 for charter schools.

4 “(4) REQUIREMENTS.—

5 “(A) VOLUNTARY PARTICIPATION.—No
6 State may be required to participate in a pro-
7 gram carried out under this subsection.

8 “(B) STATE LAW.—

9 “(i) IN GENERAL.—Except as pro-
10 vided in clause (ii), to be eligible to receive
11 a grant under this subsection, a State shall
12 establish or enhance, and administer, a
13 per-pupil facilities aid program for charter
14 schools in the State, that—

15 “(I) is specified in State law; and

16 “(II) provides annual financing,
17 on a per-pupil basis, for charter
18 school facilities.

19 “(ii) SPECIAL RULE.—Notwith-
20 standing clause (i), a State that is required
21 under State law to provide its charter
22 schools with access to adequate facility
23 space, but which does not have a per-pupil
24 facilities aid program for charter schools
25 specified in State law, may be eligible to

1 receive a grant under this subsection if the
2 State agrees to use the funds to develop a
3 per-pupil facilities aid program consistent
4 with the requirements of this subsection.

5 “(5) APPLICATIONS.—To be eligible to receive a
6 grant under this subsection, a State shall submit an
7 application to the Secretary at such time, in such
8 manner, and containing such information as the Sec-
9 retary may require.”.

10 **SEC. 7. NATIONAL ACTIVITIES.**

11 Section 5205 (20 U.S.C. 7221d) is amended to read
12 as follows:

13 **“SEC. 5205. NATIONAL ACTIVITIES AND GRANTS FOR LOCAL**
14 **ACTIVITIES.**

15 “(a) TECHNICAL ASSISTANCE AND BEST PRAC-
16 TICES.—From the amount reserved under section
17 5202(b)(2) for carrying out this subsection, the Secretary
18 shall—

19 “(1) disseminate technical assistance to covered
20 entities in awarding subgrants under section 5203,
21 and eligible entities and States receiving grants
22 under section 5204; and

23 “(2) disseminate best practices.

24 “(b) EVALUATION.—From the amount reserved
25 under section 5202(b)(2) for carrying out this subsection,

1 the Secretary shall, in partnership with the Institute for
2 Education Sciences—

3 “(1) develop relevant performance metrics, in-
4 cluding student outcome data, for covered entities,
5 eligible applicants, and charter schools that receive
6 funds under section 5203;

7 “(2) assist such covered entities, eligible appli-
8 cants, and charter schools in collecting and submit-
9 ting, on an annual basis, data on such performance
10 metrics to the Secretary;

11 “(3) evaluate the performance of and conduct
12 related research to—

13 “(A) determine which policies and prac-
14 tices of covered entities, eligible applicants, and
15 charter schools have the greatest impact on stu-
16 dent achievement;

17 “(B) drive continuous improvement with
18 respect to relevant performance metrics, includ-
19 ing student outcome data, for covered entities,
20 eligible applicants, and charter schools that re-
21 ceive funds under section 5203; and

22 “(C) inform the distribution of funds to
23 higher performing covered entities, eligible ap-
24 plicants, and charter schools; and

1 “(4) disseminate the findings of the research,
2 evaluation, and data collection under this subsection
3 to maximize lessons learned for other educators,
4 charter schools, and policy makers.

5 “(c) GRANTS FOR LOCAL ACTIVITIES.—

6 “(1) IN GENERAL.—From the amount reserved
7 under section 5202(b)(3), the Secretary shall make
8 grants, on a competitive basis, to eligible applicants
9 for the purpose of carrying out the activities de-
10 scribed in section 5202(a)(1), clauses (i) through
11 (iii) of section 5203(a)(1)(A), and section 5203(g).

12 “(2) TERMS AND CONDITIONS.—Except as oth-
13 erwise provided in this subsection, each grant award-
14 ed under this subsection shall have the same terms
15 and conditions as a grant awarded to covered enti-
16 ties under section 5203, including the grant limita-
17 tions described in subparagraphs (A) and (B) in sec-
18 tion 5203(d)(1), except that—

19 “(A) a charter school that has previously
20 used funds received under this subpart for plan-
21 ning or charter school program design to open
22 a new charter school may not use funds under
23 this subsection for such planning or program
24 design; and

1 “(B) notwithstanding subparagraph (A),
2 an eligible applicant that is a charter manage-
3 ment organization may receive more than 1
4 grant under this subsection during a grant pe-
5 riod to expand a high-quality charter school,
6 replicate a high-quality charter school model, or
7 open or one or more high-quality charter
8 schools that are based on the charter school
9 model for which the eligible applicant has pre-
10 sented evidence of success to the Secretary.

11 “(3) DEFINITIONS.—For purposes of this sub-
12 section—

13 “(A) the term ‘charter management orga-
14 nization’ a nonprofit organization, other non-
15 profit entity, or a group or consortium of such
16 organizations or entities that—

17 “(i) operates, manages, or oversees
18 multiple charter schools by centralizing or
19 sharing certain functions and resources
20 among such schools; or

21 “(ii) desires to open, replicate, or ex-
22 pand a high-quality charter school.

23 “(B) the term ‘eligible applicant’ means—

1 “(i) an eligible applicant (as defined
2 in section 5210) that has not received a
3 grant or subgrant under section 5203; or

4 “(ii) a charter management organiza-
5 tion.

6 “(d) CONTRACTS AND GRANTS.—The Secretary may
7 carry out any of the activities described in this section di-
8 rectly or through grants, contracts, or cooperative agree-
9 ments.”.

10 **SEC. 8. RECORDS TRANSFER.**

11 Section 5208 (20 U.S.C. 7221g) is amended—

12 (1) by inserting “as quickly as possible and”
13 before “to the extent practicable”; and

14 (2) by striking “section 602” and inserting
15 “section 602(14)”.

16 **SEC. 9. DEFINITIONS.**

17 Section 5210 (20 U.S.C. 7221i) is amended—

18 (1) in paragraph (1)—

19 (A) in subparagraph (H) by inserting
20 “(which, if authorized under the State law of
21 the school and the school’s charter agreement,
22 may be a lottery that gives added weight to stu-
23 dents eligible for free or reduced price lunch
24 under the Richard B. Russell National School
25 Lunch Act)” after “lottery”;

1 (B) by striking “and” at the end of sub-
2 paragraph (K);

3 (C) by striking the period at the end of
4 subparagraph (L) and inserting “; and”; and

5 (D) by adding at the end, the following:

6 “(M) may serve prekindergarten or post
7 secondary students.”;

8 (2) in paragraph (3)(B), by striking “under
9 section 5203(d)(3)”;

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

11 “(5) EXPANSION OF A HIGH-QUALITY CHARTER
12 SCHOOL.—The term ‘expansion of a high-quality
13 charter school’ means significantly increasing the en-
14 rollment of a high-quality charter school or adding
15 1 or more grades to such school.

16 “(6) HIGH-QUALITY CHARTER SCHOOL.—The
17 term ‘high-quality charter school’ means a charter
18 school that—

19 “(A) shows evidence of strong academic re-
20 sults, including through—

21 “(i) the percentage of students in the
22 proficient or advanced levels of achieve-
23 ments on the State academic assessments
24 required under section 1111(b)(3), com-

1 pared to demographically similar schools in
2 the State;

3 “(ii) the average student academic,
4 longitudinal growth from one school year
5 to next school year, if available and as de-
6 termined by the State, on the State aca-
7 demic assessments required under section
8 1111(b)(3) that is above such growth in
9 demographically similar schools in the
10 State;

11 “(iii) in the case of a charter school
12 that is a secondary school, high school
13 graduation rates; and

14 “(iv) college attendance and persist-
15 ence rates, when available;

16 “(B) has no significant issues in the areas
17 of student safety, financial management, or
18 statutory or regulatory compliance;

19 “(C) has demonstrated success in signifi-
20 cantly increasing student academic achievement
21 and attainment for all students served by the
22 charter school; and

23 “(D) has demonstrated success in—

24 “(i) increasing student academic
25 achievement as described in subparagraph

1 (A) for each group of students described in
2 section 1111(b)(2)(C)(v)(II) and served by
3 the charter school, except that such dem-
4 onstration is not required in a case in
5 which the number of students in a group
6 is insufficient to yield statistically reliable
7 information or the results would reveal
8 personally identifiable information about
9 an individual student; and

10 “(ii) closing achievement gaps be-
11 tween each such group and all populations
12 served by the charter school.

13 “(7) HIGH-QUALITY CHARTER SCHOOL
14 MODEL.—The term ‘high-quality charter school
15 model’ means a high-quality charter school that has
16 the capability of opening another such charter school
17 under an existing charter, such as a feeder middle
18 school or a secondary school that a middle school
19 feeds students into.”.

20 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

21 Section 5211 (20 U.S.C. 7221j) is amended to read
22 as follows:

1 **“SEC. 5211. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out
3 this subpart \$330,000,000 for fiscal year 2014 and each
4 of the 5 succeeding fiscal years.”.

5 **SEC. 11. CONFORMING AMENDMENTS.**

6 (a) REPEAL.—Subpart 2 of part B of title V (20
7 U.S.C. 7223 et seq.) is repealed.

8 (b) TABLE OF CONTENTS.—The table of contents in
9 section 2 is amended—

10 (1) by striking the item relating to section 5203
11 and inserting the following:

“Sec. 5203. Grants to support high-quality charter schools.”;

12 (2) by striking the item relating to section 5204
13 and inserting the following:

“Sec. 5204. Facilities Financing Assistance.”;

14 and

15 (3) by striking subpart 2 of part B of title V.

○