

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3242

To improve teacher quality, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

APRIL 21, 2010

Mr. REED (for himself, Mr. LEMIEUX, and Mr. BROWN of Ohio) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## 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 “Teacher and Principal  
5       Improvement 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.

1           (2) A report by William L. Sanders and June  
2 C. Rivers showed that if 2 average 8-year-old stu-  
3 dents were given different teachers, 1 of them a high  
4 performer, the other a low performer, the students'  
5 performance diverged by more than 50 percentile  
6 points within 3 years.

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

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

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

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

1 first 5 years, one-third leave within their first 3  
2 years, and 14 percent leave by the end of their first  
3 year.

4 (7) A report by the National Commission on  
5 Teaching and America's Future estimated that the  
6 nationwide cost of replacing public school teachers  
7 who have dropped out of the profession is  
8 \$7,300,000,000 annually.

9 (8) Research by Thomas Smith, Richard Inger-  
10 soll, and Anthony Villar has shown that comprehen-  
11 sive mentoring and induction reduces teacher attri-  
12 tion by as much as one-half and strengthens new  
13 teacher effectiveness.

14 (9) A recent School Redesign Network at Stan-  
15 ford University and National Staff Development  
16 Council report by Linda Darling-Hammond, Ruth  
17 Chung Wei, Alethea Andree, Nikole Richardson, and  
18 Stelios Orphanos found that—

19 (A) a set of programs that offered substan-  
20 tial contact hours of professional development  
21 (ranging from 30 to 100 hours in total) spread  
22 over 6 to 12 months showed a positive and sig-  
23 nificant effect on student achievement gains;  
24 and

1           (B) intensive professional development, es-  
2           pecially when it includes applications of knowl-  
3           edge to teachers' planning and instruction, has  
4           a greater chance of influencing teacher prac-  
5           tices, and in turn, leading to gains in student  
6           learning. Such intensive professional develop-  
7           ment has shown a positive and significant effect  
8           on student achievement gains, in some cases by  
9           approximately 21 percentile points.

10          (10) Recent reports from the Center for Amer-  
11          ican Progress, Education Sector, Hope Street  
12          Group, and the New Teacher Project have collec-  
13          tively demonstrated the significant flaws in current  
14          teacher evaluation and implementation, and the ne-  
15          cessity for redesigning these systems and linking  
16          such evaluation to individualized feedback and sub-  
17          stantive targeted support in order to ensure effective  
18          teaching.

19          (11) Research by Kenneth Liethwood, Karen  
20          Seashore Louis, Stephen Anderson, and Kyla  
21          Wahlstrom found that—

22                (A) leadership is second only to classroom  
23                instruction among school-related factors that  
24                influence student outcomes; and

1 (B) direct and indirect leadership effects  
2 account for about one-quarter of total school ef-  
3 fects on student learning.

4 (12) Research by Charles Clotfelter, Helen  
5 Ladd, Kenneth Leithwood, and Anthony Milanowski  
6 has shown that the quality of working conditions,  
7 particularly supportive school leadership, impacts  
8 student academic achievement and teacher recruit-  
9 ment, retention, and effectiveness.

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

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

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

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

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

1           (5) increased teacher leadership opportunities,  
 2           including compensation for teacher leaders who take  
 3           on new roles in providing school-based professional  
 4           development, mentoring, rigorous evaluation, and in-  
 5           structional coaching.

6 **SEC. 3. DEFINITIONS.**

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

9           (1) by striking paragraph (34) and inserting  
 10          the following:

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

16                   “(A) fosters collective responsibility for im-  
 17                   proved student learning;

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

24                   “(C) analyzes and uses real-time data and  
 25                   information collected from—

1 “(i) evidence of student learning;

2 “(ii) evidence of classroom practice;

3 and

4 “(iii) the State’s longitudinal data  
5 system;

6 “(D) is aligned with—

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

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

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

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

17 “(E) primarily occurs multiple times per  
18 week during the regular school day among es-  
19 tablished collaborative teams of teachers, prin-  
20 cipals, school librarians, other school leaders,  
21 and other instructional staff, by grade level and  
22 content area (to the extent applicable and prac-  
23 ticable), which teams engage in a continuous  
24 cycle of professional learning and improvement  
25 that—

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

2 “(I) evidence of student learning;

3 and

4 “(II) evidence of classroom prac-  
5 tice;

6 “(ii) defines a clear set of educator  
7 learning goals to improve student learning  
8 and strengthen classroom practice based  
9 on the rigorous analysis of evidence of stu-  
10 dent learning and evidence of classroom  
11 practice;

12 “(iii) develops and implements coher-  
13 ent, sustained, and evidenced-based profes-  
14 sional development strategies to meet such  
15 goals (including through instructional  
16 coaching, lesson study, and study groups  
17 organized at the school, team, or individual  
18 levels);

19 “(iv) provides learning opportunities  
20 for teachers to collectively develop and re-  
21 fine student learning goals and the teach-  
22 ers’ instructional practices and the use of  
23 formative assessment;

24 “(v) provides an effective mechanism  
25 to support the transfer of new knowledge



1 and skills to the classroom (including uti-  
2 lizing teacher leaders, instructional coach-  
3 es, and content experts to support such  
4 transfer); and

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

12 “(F) regularly assesses the effectiveness of  
13 the professional development, and uses such as-  
14 sessments to inform ongoing improvements,  
15 in—

16 “(i) improving student learning; and

17 “(ii) strengthening classroom practice;

18 and

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

24 (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 classroom practice gathered through mul-  
4           tiple formats and sources, including some or all of  
5           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) data, which shall include value-added  
23                   data based on student learning gains and teach-  
24                   er impact where available, on State student aca-  
25                   demic assessments under section 1111(c); and

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

3                   “(i) Data, which shall include value-  
4                   added data based on student learning  
5                   gains and teacher impact where available,  
6                   on other student academic achievement as-  
7                   sessments.

8                   “(ii) Student work, including meas-  
9                   ures of performance criteria and evidence  
10                  of student growth.

11                  “(iii) Teacher-generated information  
12                  about student goals and growth.

13                  “(iv) Formative and summative as-  
14                  sessments.

15                  “(v) Objective performance-based as-  
16                  sessments.

17                  “(vi) Assessments of affective engage-  
18                  ment and self-efficacy.

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

22                   “(A) is failing to make adequate yearly  
23                   progress as described in section 1111(b)(2), for  
24                   the greatest number of subgroups described in  
25                   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 are consistent with section  
15 200 of the Higher Education Act of 1965 and that  
16 enable a teacher to—

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

19 “(B) effectively convey and explain aca-  
20 demic subject matter;

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

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

1           “(E) 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; and  
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 (20 U.S.C. 1414);  
9                   “(F) conduct an ongoing assessment of  
10                  student learning, which may include the use of  
11                  formative assessments, performance-based as-  
12                  sessments, project-based assessments, or port-  
13                  folio assessments, that measures higher-order  
14                  thinking skills (including application, analysis,  
15                  synthesis, and evaluation);  
16                  “(G) effectively manage a classroom, in-  
17                  cluding the ability to implement positive behav-  
18                  ioral support strategies;  
19                  “(H) communicate and work with parents,  
20                  and involve parents in their children’s edu-  
21                  cation; and  
22                  “(I) use age-appropriate and develop-  
23                  mentally appropriate strategies and practices.”;  
24                  and

1           (3) by redesignating paragraphs (1) through  
 2           (39), the undesignated paragraph following para-  
 3           graph (39), and paragraphs (41) through (48) (as  
 4           amended by this section) as paragraphs (1) through  
 5           (18), (21) through (28), (30) through (40), (42)  
 6           through (46), (48), (19), (20), (29), (41), and (47),  
 7           respectively.

8 **SEC. 4. SCHOOL IMPROVEMENT.**

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

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

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

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

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

19 **SEC. 5. TEACHER AND PRINCIPAL PROFESSIONAL DEVEL-**  
 20 **OPMENT AND SUPPORT.**

21          Title II of the Elementary and Secondary Education  
 22          Act of 1965 (20 U.S.C. 6601 et seq.) is amended by add-  
 23          ing at the end the following:

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

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

4             “(a) SUBGRANTS TO LOCAL EDUCATIONAL AGEN-  
5     CIES.—

6                     “(1) GRANTS.—From amounts made available  
7     under section 2504, the Secretary shall award  
8     grants, through allotments under paragraph (3)(A),  
9     to States to enable the States to award subgrants to  
10    local educational agencies under this part.

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

13                             “(A) reserve 95 percent of the funds made  
14                    available through the grant to make subgrants,  
15                    through allocations under paragraph (3)(B), to  
16                    local educational agencies; and

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

18                                     “(i) administrative activities and tech-  
19                                    nical assistance in helping local educational  
20                                    agencies carry out this part;

21                                    “(ii) statewide capacity building strat-  
22                                    egies to support local educational agencies  
23                                    in the implementation of the required ac-  
24                                    tivities under section 2502; and

25                                    “(iii) conducting the evaluation re-  
26                                    quired under section 2503.



1           “(3) FORMULAS.—

2                   “(A) ALLOTMENTS.—The allotment pro-  
3           vided to a State under this section for a fiscal  
4           year shall bear the same relation to the total  
5           amount available for such allotments for the fis-  
6           cal year, as the allotment provided to the State  
7           under section 2111(b) for such year bears to  
8           the total amount available for such allotments  
9           for such year.

10                   “(B) ALLOCATIONS.—The allocation pro-  
11           vided to a local educational agency under this  
12           section for a fiscal year shall bear the same re-  
13           lation to the total amount available for such al-  
14           locations for the fiscal year, as the allocation  
15           provided the State under section 2121(a) for  
16           such year bears to the total amount available  
17           for such allocations for such year.

18                   “(4) SCHOOLS FIRST SUPPORTED.—A local  
19           educational agency receiving a subgrant under this  
20           part shall first use such funds to carry out the ac-  
21           tivities described in section 2502(a) in each lowest  
22           achieving school served by the local educational  
23           agency—

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

4           “(B) in which not less than 40 percent of  
5           the students enrolled in the school are eligible  
6           for a free or reduced price lunch under the  
7           Richard B. Russell National School Lunch Act  
8           (42 U.S.C. 1751 et seq.).

9           “(b) LOCAL EDUCATIONAL AGENCY APPLICATION.—

10           “(1) IN GENERAL.—To be eligible to receive a  
11           subgrant under this part, a local educational agency  
12           shall submit to the State educational agency an ap-  
13           plication described in paragraph (2), and a summary  
14           of the data analysis conducted under paragraph (3),  
15           at such time, in such manner, and containing such  
16           information as the State educational agency may  
17           reasonably require.

18           “(2) CONTENTS OF APPLICATION.—Each appli-  
19           cation submitted pursuant to paragraph (1) shall in-  
20           clude—

21           “(A) a description of how the local edu-  
22           cational agency will assist the lowest achieving  
23           schools served by the local educational agency  
24           in carrying out the requirements of section  
25           2502, including—

1           “(i) developing and implementing the  
2 teacher and principal evaluation system  
3 pursuant to section 2502(a)(3);

4           “(ii) implementing teacher induction  
5 programs pursuant to section 2502(a)(1);

6           “(iii) providing effective professional  
7 development in accordance with section  
8 2502(a)(2);

9           “(iv) implementing mentoring, coach-  
10 ing, and sustained professional develop-  
11 ment for school principals and other school  
12 leaders pursuant to section 2502(a)(4);  
13 and

14           “(v) providing significant and sustain-  
15 able teacher stipends, pursuant to section  
16 2502(a)(6);

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

19           “(i) conduct and utilize valid and reli-  
20 able surveys pursuant to section 2502(b);  
21 and

22           “(ii) ensure that such programs are  
23 integrated and aligned pursuant to section  
24 2502(c);

1           “(C)(i) a description of how the local edu-  
2           cational agency will use subgrant funds to tar-  
3           get and support the lowest achieving schools de-  
4           scribed in section 2501(a)(4) before using funds  
5           for other lowest achieving schools; and

6           “(ii) a list that identifies all of the lowest  
7           achieving schools that will be assisted under the  
8           subgrant;

9           “(D) a description of how the local edu-  
10          cational agency will enable effective inclusion of  
11          children with disabilities and English language  
12          learners, including through utilization by the  
13          teachers, principals, and other school leaders of  
14          the local educational agency of—

15                 “(i) response to intervention;

16                 “(ii) positive behavioral supports;

17                 “(iii) differentiated instruction;

18                 “(iv) universal design of learning;

19                 “(v) appropriate accommodations for  
20                 instruction and assessments;

21                 “(vi) collaboration skills; and

22                 “(vii) skill in effectively participating  
23                 in individualized education program meet-  
24                 ings required under section 614 of the In-

1           dividuals with Disabilities Education Act  
2           (20 U.S.C. 1414);

3           “(E) a description of how the local edu-  
4           cational agency will assist the lowest achieving  
5           schools in utilizing real-time student learning  
6           data, based on evidence of student learning and  
7           evidence of classroom practice, to—

8                   “(i) drive instruction; and

9                   “(ii) inform professional development  
10           for teachers, mentors, principals, and other  
11           school leaders; and

12           “(F) a description of how the programs  
13           and assistance provided under section 2502 will  
14           be managed and designed, including a descrip-  
15           tion of the division of labor and different roles  
16           and responsibilities of local educational agency  
17           central office staff members, school leaders,  
18           teacher leaders, coaches, mentors, and eval-  
19           uators.

20           “(3) DATA ANALYSIS.—A local educational  
21           agency desiring a subgrant under this part shall,  
22           prior to applying for the subgrant, conduct a data  
23           analysis of each school served by the local edu-  
24           cational agency, based on data and information col-  
25           lected from evidence of student learning, evidence of

1 classroom practice, and the State’s longitudinal data  
2 system, in order to—

3 “(A) determine which schools have the  
4 most critical teacher, principal, and other school  
5 leader quality, effectiveness, and professional  
6 development needs; and

7 “(B) allow the local educational agency to  
8 identify the specific needs regarding the quality,  
9 effectiveness, and professional development  
10 needs of the school’s teachers, principals, and  
11 other school leaders, including with respect to  
12 instruction provided for individual student sub-  
13 groups (including children with disabilities and  
14 English language learners) and specific grade  
15 levels and content areas.

16 “(4) JOINT DEVELOPMENT AND SUBMISSION.—

17 “(A) IN GENERAL.—Except as provided in  
18 subparagraph (B), a local educational agency  
19 shall—

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

1                   “(ii) submit the application and data  
2                   analysis in partnership with such local  
3                   teacher, principal, and school leader orga-  
4                   nizations.

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

14 **“SEC. 2502. USE OF FUNDS.**

15                  “(a) INDUCTION, PROFESSIONAL DEVELOPMENT,  
16 AND EVALUATION SYSTEM.—A local educational agency  
17 that receives a subgrant under this part shall use the  
18 subgrant funds to improve teacher and principal quality  
19 through a system of teacher and principal induction, pro-  
20 fessional development, and evaluation. Such system shall  
21 be developed, implemented, and evaluated in collaboration  
22 with local teacher, principal, and school leader organiza-  
23 tions and local teacher, principal, and school leader prepa-  
24 ration programs and shall provide assistance to each

1 school that the local educational agency has identified  
2 under section 2501(b)(2)(C)(ii), to—

3 “(1) implement a comprehensive, coherent, high  
4 quality formalized induction program for beginning  
5 teachers during not less than the teachers’ first 2  
6 years of full-time employment as teachers with the  
7 local educational agency, that shall include—

8 “(A) rigorous mentor selection by school or  
9 local educational agency leaders with mentoring  
10 and instructional expertise, including require-  
11 ments that the mentor demonstrate—

12 “(i) a proven track record of improv-  
13 ing student learning;

14 “(ii) strong interpersonal and oral and  
15 written communication skills;

16 “(iii) exemplary teaching skills, par-  
17 ticularly with diverse learners, including  
18 children with disabilities and English lan-  
19 guage learners;

20 “(iv) skill in enabling the effective in-  
21 clusion of diverse learners, including chil-  
22 dren with disabilities and English language  
23 learners;

24 “(v) commitment to personal and pro-  
25 fessional growth and learning, such as Na-



1 tional Board for Professional Teaching  
2 Standards certification;

3 “(vi) willingness and experience in  
4 using real-time data, as well as school and  
5 classroom level practices that have dem-  
6 onstrated the capacity to—

7 “(I) improve student learning  
8 and classroom practice; and

9 “(II) inform instruction and pro-  
10 fessional growth;

11 “(vii) skill in engaging in successful  
12 collaboration with other teachers, other  
13 school leaders, and staff;

14 “(viii) extensive knowledge of plan-  
15 ning effective assessments and analysis of  
16 student data;

17 “(ix) ability to address needs of adult  
18 learners in professional development;

19 “(x) a commitment to participate in  
20 professional development throughout the  
21 year to develop the knowledge and skills  
22 related to effective mentoring;

23 “(xi) skill in promoting teacher reflec-  
24 tion through formative assessment proc-  
25 esses, including conversations with begin-

1           ning teachers using evidence of student  
2           learning and evidence of classroom prac-  
3           tice; and

4                   “(xii) ability to improve the effective-  
5           ness of the mentor’s mentees, as assessed  
6           by the evaluation system described in para-  
7           graph (3);

8                   “(B) a program of high quality, intensive,  
9           and ongoing mentoring and mentor-teacher  
10          interactions that—

11                   “(i) matches mentors with beginning  
12          teachers by grade level and content area,  
13          to the extent practicable;

14                   “(ii) assists each beginning teacher  
15          in—

16                   “(I) analyzing data based on the  
17          beginning teacher’s evidence of stu-  
18          dent learning and evidence of class-  
19          room practice, and utilizing research-  
20          based instructional strategies, includ-  
21          ing differentiated instruction, to in-  
22          form and strengthen such practice;

23                   “(II) developing and enhancing  
24          effective teaching skills;

1 “(III) enabling effective inclusion  
2 of children with disabilities and  
3 English language learners, including  
4 through the utilization of—

5 “(aa) response to interven-  
6 tion;

7 “(bb) positive behavioral  
8 supports;

9 “(cc) differentiated instruc-  
10 tion;

11 “(dd) universal design of  
12 learning;

13 “(ee) appropriate accom-  
14 modations for instruction and as-  
15 sessments;

16 “(ff) collaboration skills; and

17 “(gg) skill in effectively par-  
18 ticipating in individualized edu-  
19 cation program meetings required  
20 under section 614 of the Individ-  
21 uals with Disabilities Education  
22 Act (20 U.S.C. 1414);

23 “(IV) using formative assess-  
24 ments to—

1                   “(aa) collect and analyze  
2                   classroom-level data;

3                   “(bb) foster evidence-based  
4                   discussions;

5                   “(cc) provide opportunities  
6                   for self assessment;

7                   “(dd) examine classroom  
8                   practice; and

9                   “(ee) establish goals for pro-  
10                  fessional growth; and

11                  “(V) achieving the goals of the  
12                  school, district, and statewide cur-  
13                  ricula;

14                  “(iii) provides regular and ongoing op-  
15                  portunities for beginning teachers and  
16                  mentors to observe each other’s teaching  
17                  methods in classroom settings during the  
18                  school day;

19                  “(iv) models innovative teaching  
20                  methodologies through techniques such as  
21                  team teaching, demonstrations, simula-  
22                  tions, and consultations;

23                  “(v) aligns with the mission and goals  
24                  of the local educational agency and school;

1           “(vi)(I) acts as a vehicle for a begin-  
2           ning teacher to establish short- and long-  
3           term planning and professional goals and  
4           to improve student learning and classroom  
5           practice; and

6           “(II) guides, monitors, and assesses  
7           the beginning teacher’s progress toward  
8           such goals;

9           “(vii) assigns not more than 12 begin-  
10          ning teacher mentees to a mentor who  
11          works full-time, and reduces such max-  
12          imum number of mentees proportionately  
13          for a mentor who works on a part-time  
14          basis;

15          “(viii) provides joint professional de-  
16          velopment opportunities for mentors and  
17          beginning teachers;

18          “(ix) may include the use of master  
19          teachers to support mentors or other  
20          teachers;

21          “(x) improves student learning and  
22          classroom practice, as measured by the  
23          evaluation system described in paragraph  
24          (3); and

1                   “(xi) assists each beginning teacher  
2                   in—

3                   “(I) connecting students’ prior  
4                   knowledge, life experience, and inter-  
5                   ests with learning goals; and

6                   “(II) engaging students in prob-  
7                   lem-solving and critical thinking;

8                   “(C) paid school release time of not less  
9                   than 90 minutes per week for high quality men-  
10                  toring and mentor-teacher interactions;

11                  “(D) foundational training and ongoing  
12                  professional development for mentors that sup-  
13                  port the high quality mentoring and mentor-  
14                  teacher interactions described in subparagraph  
15                  (B); and

16                  “(E) use of research-based teaching stand-  
17                  ards, formative assessments, teacher portfolio  
18                  processes (such as the National Board for Pro-  
19                  fessional Teaching Standards certification proc-  
20                  ess), and teacher development protocols that  
21                  supports the high quality mentoring and men-  
22                  tor-teacher interactions described in subpara-  
23                  graph (B);

24                  “(2) implement high-quality effective profes-  
25                  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 and professional behavior and  
24 ensuring quality measures of class-  
25 room 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 assess-  
6 ment and summative evaluation process  
7 based on the performance standards estab-  
8 lished under 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 decisionmaking process  
13                  for documentation and removal of teacher  
14                  and principals who fail to meet such per-  
15                  formance standards, as governed by any  
16                  applicable collective bargaining agreement  
17                  or 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           professional development for mentors  
3           or coaches; and

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

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

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

19               “(ii) identifying and implementing the  
20               activities and rigorous student curriculum  
21               and assessments necessary for achieving  
22               such standards of performance;

23               “(iii) managing and supporting a collaborative  
24               culture of ongoing learning and  
25               professional development and ensuring

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

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

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

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

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

23 “(vi) managing resources and school  
24 time to ensure a safe and effective student  
25 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                   “(5)(A) create or enhance opportunities for  
7                   teachers to assume new school leadership roles and  
8                   responsibilities, including—

9                   “(i) serving as mentors, instructional  
10                  coaches, or master teachers; or

11                  “(ii) assuming increased responsibility for  
12                  professional development activities, curriculum  
13                  development, or school improvement and leader-  
14                  ship activities; and

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

17                  “(6) provide significant and sustainable sti-  
18                  pends above a teacher’s base salary for teachers that  
19                  serve as mentors, instructional coaches, teacher lead-  
20                  ers, or evaluators under the programs described in  
21                  this subsection.

22                  “(b) SURVEY.—A local educational agency receiving  
23                  a subgrant under this part shall conduct a valid and reli-  
24                  able full population survey of teaching and learning, at  
25                  the school and local educational agency level, and include,

1 as topics in the survey, not less than the following ele-  
2 ments essential to improving student learning and retain-  
3 ing effective teachers:

4           “(1) Instructional planning time.

5           “(2) School leadership.

6           “(3) Decisionmaking processes.

7           “(4) Teacher professional development.

8           “(5) Facilities and resources, including the  
9 school library.

10           “(6) Beginning teacher induction.

11           “(7) School safety and environment.

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

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

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

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

20           “(4) be aligned with the programs funded  
21 under title II of the Higher Education Act of 1965  
22 and other professional development programs au-  
23 thorized under this Act.

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



- 1           “(1) by the local educational agency; or
- 2           “(2) by the local educational agency, in collabo-
- 3           ration with—
- 4                   “(A) the State educational agency;
- 5                   “(B) an institution of higher education;
- 6                   “(C) a nonprofit organization;
- 7                   “(D) a teacher organization;
- 8                   “(E) a principal or school leader organiza-
- 9           tion;
- 10                   “(F) an educational service agency;
- 11                   “(G) a teaching residency program; or
- 12                   “(H) another nonprofit entity with experi-
- 13           ence in helping schools improve student achieve-
- 14           ment.

15 **“SEC. 2503. PROGRAM EVALUATION.**

16           “(a) IN GENERAL.—Each program required under

17           section 2502(a) shall include a formal evaluation system

18           to determine, at a minimum, the effectiveness of each such

19           program on—

- 20                   “(1) student learning;
- 21                   “(2) retaining teachers and principals, including
- 22           differentiating the retainment data by profession
- 23           and by the level of performance of the teachers and
- 24           principals, based on the evaluation system described
- 25           in section 2502(a)(3);

1           “(3) teacher, principal, and other school leader  
2           practice, which shall include, for teachers and prin-  
3           cipals, practice measured by the teacher and prin-  
4           cipal evaluation system described in section  
5           2502(a)(3);

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

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

8           “(6) parent, family, and community involve-  
9           ment and satisfaction;

10          “(7) student attendance rates;

11          “(8) teacher and principal satisfaction; and

12          “(9) student behavior.

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

17               “(1) implementing the comprehensive induction  
18               program described in section 2502(a)(1);

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

21               “(3) developing and implementing a rigorous,  
22               transparent, and equitable teacher and principal  
23               evaluation system described in section 2502(a)(3);

1           “(4) implementing mentoring, coaching, and  
2 professional development for school principals and  
3 other school leaders described in section 2502(a)(4);

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

7           “(6) ensuring that the comprehensive induction  
8 and high-quality mentoring required under section  
9 2502(a)(1) and the high impact professional devel-  
10 opment required under section 2502(a)(2) are inte-  
11 grated and aligned with the State’s school improve-  
12 ment efforts under sections 1116 and 1117.

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

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

18           “(2) developed in collaboration with groups  
19 such as—

20           “(A) experienced educators with track  
21 records of success in the classroom;

22           “(B) institutions of higher education in-  
23 volved with teacher induction and professional  
24 development located within the State; and

1           “(C) local teacher, principal, and school  
2 leader organizations.

3           “(d) DISSEMINATION.—

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

7           “(2) DISSEMINATION.—The Secretary shall  
8 make the results of each evaluation described in sub-  
9 section (a) available to States, local educational  
10 agencies, and the public.

11 **“SEC. 2504. AUTHORIZATION OF APPROPRIATIONS.**

12           ““There are authorized to be appropriated to carry out  
13 this part \$1,000,000,000 for fiscal year 2011 and such  
14 sums as may be necessary for each succeeding fiscal  
15 year.”.

○