

113TH CONGRESS
1ST SESSION

S. 441

To amend the Elementary and Secondary Education Act of 1965 by establishing a program to provide professional development activities for educators, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 4, 2013

Mr. REID (for Mr. BEGICH) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Elementary and Secondary Education Act of 1965 by establishing a program to provide professional development activities for educators, 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 “Professional Develop-
5 ment for Educators Act of 2013”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 “(A) has demonstrated expertise in im-
2 proving student outcomes or teacher effective-
3 ness; and

4 “(B) is—

5 “(i) a State or local government agen-
6 cy;

7 “(ii) a State or local economic devel-
8 opment agency;

9 “(iii) a statewide industry organiza-
10 tion;

11 “(iv) a nonprofit organization;

12 “(v) a philanthropic organization;

13 “(vi) an institution of higher edu-
14 cation;

15 “(vii) an industry association; or

16 “(viii) any other organization deter-
17 mined appropriate by the State or, in the
18 case of grants awarded under section
19 2502(d), the Secretary.

20 “(2) QUALITY PROFESSIONAL DEVELOP-
21 MENT.—The term ‘quality professional development’
22 shall, for each State and local educational agency in
23 a State, have the meaning given the term by the
24 State in accordance with section 2503(b)(1).

1 **“SEC. 2502. PROGRAM AUTHORIZED; ALLOTMENTS.**

2 “(a) PROGRAM AUTHORIZED.—From amounts ap-
3 propriated to carry out this part and not reserved under
4 subsection (b), the Secretary shall make allotments in ac-
5 cordance with subsection (c) to States to enable the States
6 to award subgrants to local educational agencies for the
7 purpose of providing professional development activities to
8 educators.

9 “(b) RESERVATION.—From the amounts appro-
10 priated to carry out this part, the Secretary may reserve—

11 “(1) not more than 1 percent for national ac-
12 tivities that support the purposes of this part, such
13 as providing technical assistance and the costs of ad-
14 ministering this part; and

15 “(2) not more than 1 percent for payments to
16 outlying areas and the Bureau of Indian Education,
17 to be distributed in amounts determined by the Sec-
18 retary based on relative need, to carry out the activi-
19 ties described in this part to benefit the schools
20 served by the outlying areas and schools operated or
21 funded by the Bureau.

22 “(c) STATE ALLOTMENTS.—

23 “(1) FORMULA DETERMINATION.—For each fis-
24 cal year, the Secretary shall allot, to each State with
25 an approved application, an amount that bears the
26 same relation to the amount appropriated to carry

1 out this part and not reserved under subsection (b)
2 for such fiscal year, as the amount the State re-
3 ceived under subpart 2 of part A of title I for the
4 preceding fiscal year bears to the amounts received
5 by all States with approved applications under such
6 subpart for the preceding fiscal year.

7 “(2) MINIMUM GRANT AMOUNT.—Notwith-
8 standing paragraph (1), no State shall receive an al-
9 lotment under such paragraph for a fiscal year that
10 is less than one-half of 1 percent of the amount ap-
11 propriated to carry out this part and not reserved
12 under subsection (b) for such fiscal year.

13 “(d) ALLOTMENTS TO CERTAIN LOCAL EDU-
14 CATIONAL AGENCIES.—

15 “(1) IN GENERAL.—If a State does not submit
16 an approvable application under this part for a fiscal
17 year, the Secretary shall use the State’s allotment
18 under subsection (c) for the fiscal year to award an
19 allotment described in paragraph (2) to each local
20 educational agency within the State that submits an
21 approved application.

22 “(2) AMOUNT OF ALLOTMENT.—The allotment
23 to a local educational agency under this subsection
24 for a fiscal year shall be the amount that bears the
25 same relation to the total amount of the State’s al-

1 allotment for such fiscal year as the amount the local
2 educational agency received under subpart 2 of part
3 A of title I for the preceding fiscal year bears to the
4 amount that all local educational agencies with ap-
5 proved applications in the State received under such
6 subpart for such year.

7 “(3) NOTIFICATION AND APPLICATION PROC-
8 ESS.—The Secretary shall notify local educational
9 agencies in a State described in paragraph (1) of the
10 opportunity to apply for funds under this part and
11 of the application requirements. A local educational
12 agency’s application for an allotment under this sub-
13 section shall include the information described in
14 paragraphs (1) and (2) of section 2504(b) and shall
15 be submitted at such time, in such manner, and con-
16 taining such other information as required by the
17 Secretary.

18 “(4) RULES AND REQUIREMENTS.—The re-
19 quirements of subsections (a), (c), and (d) of section
20 2504 shall apply to a local educational agency re-
21 ceiving an allotment under this subsection in the
22 same manner as such requirements apply to a local
23 educational agency receiving an allocation under
24 such section. A local educational agency receiving an
25 allotment under this subsection shall submit an an-

1 nual report to the Secretary regarding the progress
2 made under the grant and the activities carried out
3 with grant funds.

4 “(e) APPLICATION.—A State desiring an allotment
5 under this section shall submit to the Secretary an appli-
6 cation at such time, in such manner, and containing such
7 information as the Secretary may require.

8 **“SEC. 2503. STATE USE OF FUNDS.**

9 “(a) IN GENERAL.—A State that receives an allot-
10 ment under this part shall—

11 “(1) carry out the State activities described in
12 subsection (b), except that the State may not use
13 not more than 20 percent of the State’s allotment
14 for this purpose; and

15 “(2) use not less than 80 percent of the State’s
16 allotment to award subgrants, on a competitive basis
17 or through allocations based on a formula that the
18 State determines will best meet the needs of this
19 part, to local educational agencies under section
20 2504 to enable the local educational agencies to
21 carry out the activities described in such section.

22 “(b) STATE ACTIVITIES.—A State that receives an
23 allotment under this part shall use funds described in sub-
24 section (a)(1) to carry out all of the following:

1 “(1) Develop, in collaboration with the local
2 educational agencies in the State and with the input
3 of teachers and principals employed by the local edu-
4 cational agencies, a definition of, and the criteria
5 for, quality professional development activities,
6 which shall include a requirement that such activi-
7 ties are regularly evaluated for their impact on in-
8 creasing teacher effectiveness and improving student
9 achievement.

10 “(2) Design and implement methods for evalu-
11 ating quality professional development activities oc-
12 ccurring in the State.

13 “(3) Make recommendations, to the State edu-
14 cational agency and to local educational agencies, to
15 improve quality professional development activities
16 in the State.

17 “(4) Design and maintain a registry that is an
18 electronic and searchable method of storing informa-
19 tion regarding quality professional development ac-
20 tivities. The registry shall be searchable by relevant
21 criteria, including—

22 “(A) subject matter;

23 “(B) grade level;

24 “(C) location;

1 “(D) credits, credentials, or certificates
2 that may be earned; and

3 “(E) entity providing the activity.

4 “(5) Hire regional professional development co-
5 ordinators to work as liaisons between the State and
6 local educational agencies to assess existing profes-
7 sional development activities, assist in creating new
8 quality professional development activities, provide
9 to the State the quality professional development ac-
10 tivities to be included in the registry described in
11 paragraph (4), and carry out other activities to fur-
12 ther the purposes of this part.

13 “(6) Evaluate the professional development ac-
14 tivities available in the State.

15 “(7) Prepare, and submit to the Secretary, an
16 annual report regarding the progress made under
17 the grant under this part, including the activities
18 carried out by the State educational agency and the
19 local educational agencies in the State with grant
20 funds.

21 **“SEC. 2504. LOCAL EDUCATIONAL AGENCY USE OF FUNDS.**

22 “(a) IN GENERAL.—A local educational agency that
23 receives a subgrant under this part shall use subgrant
24 funds to carry out the activities described in subsection
25 (c).

1 “(b) APPLICATION.—A local educational agency de-
2 siring a subgrant under this part shall submit an applica-
3 tion to the State at such time, in such manner, and con-
4 taining such information as the State may reasonably re-
5 quire. Each application shall include—

6 “(1) a description of any eligible partners with
7 which the local educational agency will work to carry
8 out the subgrant activities; and

9 “(2) a description of how the local educational
10 agency will meet the requirement of subsection
11 (c)(1)(B).

12 “(c) USE OF FUNDS.—

13 “(1) MANDATORY USES OF FUNDS.—Each local
14 educational agency receiving a subgrant under this
15 part shall—

16 “(A) use grant funds to provide informa-
17 tion to the State regarding available quality
18 professional development activities for inclusion
19 in the statewide registry described in section
20 2503(b)(4); and

21 “(B) dedicate not less than 25 percent of
22 the subgrant funds for quality professional de-
23 velopment activities that involve science, tech-
24 nology, engineering, mathematics, and career
25 and technical education.

1 “(2) PERMISSIVE USES OF FUNDS.—A local
2 educational agency receiving a subgrant under this
3 part may, in addition to the activities described in
4 paragraph (1), use grant funds to—

5 “(A) carry out quality professional develop-
6 ment activities, as defined by the State under
7 section 2503(b)(1);

8 “(B) provide updated information to teach-
9 ers on changes in curricula, assessments, and
10 educational research;

11 “(C) provide mentors to teachers or prin-
12 cipals;

13 “(D) provide information on leadership op-
14 portunities;

15 “(E) create local educational agency-wide
16 and school-based quality professional develop-
17 ment plans that emphasize multiple grade lev-
18 els;

19 “(F) develop new quality professional de-
20 velopment activities to meet local and regional
21 needs;

22 “(G) establish systematic quality profes-
23 sional development training opportunities for
24 teachers and principals;

1 “(H) evaluate professional development ac-
2 tivities;

3 “(I) evaluate the professional development
4 activities currently being offered in the region;
5 and

6 “(J) carry out other activities approved by
7 the State.

8 **“SEC. 2505. SUPPLEMENT NOT SUPPLANT.**

9 “Funds made available under this part shall be used
10 to supplement, and not supplant, other Federal, State,
11 and local funds available to carry out the activities sup-
12 ported under this part.

13 **“SEC. 2506. AUTHORIZATION OF APPROPRIATIONS.**

14 “There are authorized to be appropriated to carry out
15 this part such sums as may be necessary for fiscal year
16 2014 and each of the 5 succeeding fiscal years.”.

17 (b) CONFORMING AMENDMENTS.—The table of con-
18 tents of section 2 of the Elementary and Secondary Edu-
19 cation Act of 1965 is amended by inserting after the item
20 relating to section 2441 the following:

 “PART E—PROFESSIONAL DEVELOPMENT FOR EDUCATORS

 “Sec. 2501. Definitions.

 “Sec. 2502. Program authorized.

 “Sec. 2503. State use of funds.

 “Sec. 2504. Local educational agency use of funds.

 “Sec. 2505. Supplement not supplant.

 “Sec. 2506. Authorization of appropriations.”.

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