

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 5
OFFERED BY M . _____**

Strike section 119.

Redesignate sections 120 through 130 as sections 119 through 129, respectively.

Strike title II and insert the following:

1 **TITLE II—TEACHERS AND**
2 **LEADERS**

3 **SEC. 201. GREAT TEACHERS AND LEADERS.**

4 (a) Section 2103 (20 U.S.C. 6603) is amended to
5 read as follows:

6 **“SEC. 2103. AUTHORIZATION OF APPROPRIATIONS.**

7 “There are authorized to be appropriated
8 \$3,500,000,000 for fiscal year 2016, and such sums as
9 may be necessary for each of the 5 succeeding fiscal years,
10 to carry out this part.”.

11 (b) Section 2111 (20 U.S.C. 6611) is amended to
12 read as follows:

1 **“SEC. 2111. ALLOCATIONS TO STATES.**

2 “(a) RESERVATIONS.—From the amounts made
3 available under section 2103 for this subpart for each fis-
4 cal year, the Secretary shall reserve—

5 “(1) one-half of one percent for the outlying
6 areas, to be distributed among the outlying areas on
7 the basis of their relative need, as determined by the
8 Secretary, for activities consistent with the purposes
9 of this title;

10 “(2) one-half of one percent for the Secretary
11 of the Interior, for activities, consistent with the
12 purposes of this title described in section 2101, in
13 schools operated by or funded by the Bureau of In-
14 dian Education; and

15 “(3) one-half of one percent for a competitive
16 grant program to encourage consortia of States to
17 develop instructional supports aligned to new
18 college- and career-ready standards that are made
19 widely available to all States and local educational
20 agencies.

21 “(b) ALLOTMENTS TO STATES, REDUCTIONS.—

22 “(1) IN GENERAL.—From the amounts made
23 available under section 2103 for this subpart for
24 each fiscal year that remain after the Secretary re-
25 serves funds under subsection (a) of this section, the

1 Secretary shall allot to each State with an approved
2 application under section 2112 the sum of—

3 “(A) an amount that bears the same rela-
4 tionship to 35 percent of the remaining amount
5 as the number of individuals age five through
6 17 in the State, as determined by the Secretary
7 on the basis of the most recent satisfactory
8 data, bears to the number of those individuals
9 in all such States, as so determined; and

10 “(B) an amount that bears the same rela-
11 tionship to 65 percent of the remaining amount
12 as the number of individuals age five through
13 17 from families with incomes below the pov-
14 erty line, in the State, as determined by the
15 Secretary on the basis of the most recent satis-
16 factory data, bears to the number of those indi-
17 viduals in all such States, as so determined.

18 “(2) FISCAL YEAR 2016.—Notwithstanding
19 paragraph (1), for fiscal year 2016, no State shall
20 receive less than 90 percent of the State’s allocation
21 under this part for fiscal year 2015, as such part
22 was in effect on the day before the date of enact-
23 ment of the Student Success Act.

24 “(3) SUCCEEDING FISCAL YEARS.—Notwith-
25 standing paragraph (1), for fiscal year 2016 and

1 each succeeding fiscal year, no State shall receive an
2 allotment under paragraph (1) that is less than 90
3 percent of the State's allotment under such para-
4 graph for the preceding fiscal year.

5 “(c) RATABLE REDUCTIONS.—If the funds made
6 available to carry out paragraph (1) of subsection (b) are
7 insufficient to pay the full amounts that all States are eli-
8 gible to receive under subparagraph (2) or (3) of such sub-
9 section for any fiscal year, the Secretary shall ratably re-
10 duce each such amount for such fiscal year.

11 “(d) REALLOTMENTS.—If any State does not apply
12 for an allotment under this section, or has its application
13 disapproved by the Secretary, the Secretary shall reallocate
14 the amount of that State's allotment to the remaining
15 States that have approved applications in accordance with
16 this subpart.”.

17 (c) Section 2112 (20 U.S.C. 6612) is amended—

18 (1) by amending subsection (a) to read as fol-
19 lows:

20 “(a) IN GENERAL.—For a State to be eligible to re-
21 ceive a grant under this part, the State educational agency
22 shall submit an application to the Secretary at such time,
23 in such manner, and containing such information as the
24 Secretary may reasonably require. The Secretary shall
25 provide the State educational agency with the opportunity

1 to apply for funds under this part and part B through
2 a consolidated application.”; and

3 (2) in subsection (b), by adding at the end the
4 following new paragraph:

5 “(13) A description of how the State will estab-
6 lish and maintain a data system that within 3 years
7 after the date of the enactment of the Student Suc-
8 cess Act—

9 “(A) supports data sharing among local
10 educational agencies and a teacher and leader
11 preparation program described in section
12 200(6)(A) of the Higher Education Act of
13 1965, as amended by section 202 of the Stu-
14 dent Success Act, on the program’s graduates’
15 students’, which may include data on evidence
16 of student learning; and

17 “(B) publically reports the percentage of
18 teachers and leaders in each evaluation rating
19 category, where applicable, by preparation pro-
20 gram.”.

21 **SEC. 202. HEA CONFORMING AMENDMENTS.**

22 (a) **QUALIFIED TEACHER.**—The Higher Education
23 Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

24 (1) in section 200 (20 U.S.C. 1021)—

1 (A) by amending paragraph (13) to read
2 as follows:

3 “(13) QUALIFIED.—The term ‘qualified’—

4 “(A) when used with respect to a middle
5 school or high school teacher who is entering
6 the profession in a State for the first time,
7 means that the teacher—

8 “(i) holds at least a bachelor’s degree;

9 “(ii) has demonstrated to the State,
10 content knowledge in the content area that
11 the teacher will teach as determined—

12 “(I) by passing a rigorous State
13 assessment; or

14 “(II) by successful completion of
15 an academic major, a graduate de-
16 gree, or coursework equivalent to an
17 undergraduate academic major in the
18 content area that the teacher will
19 teach;

20 “(iii) if required by the State to dem-
21 onstrate teaching skills by passing a State
22 teacher performance assessment, has
23 passed such assessment;

1 “(iv) has successfully completed a tra-
2 ditional or alternative teacher preparation
3 program; and

4 “(v) at the State’s discretion, may be
5 enrolled in an alternative teacher prepara-
6 tion program, and—

7 “(I) be on track to successful
8 completion of such program; and

9 “(II) be supervised by a mentor
10 teacher;

11 “(B) when used with respect to an elemen-
12 tary school teacher who is entering the profes-
13 sion in a State for the first time, means that
14 the teacher—

15 “(i) holds at least a bachelor’s degree;

16 “(ii) has demonstrated to the State,
17 content knowledge and teaching skills in
18 reading, writing, mathematics, science, and
19 other areas of the elementary school cur-
20 riculum—

21 “(I) by passing a rigorous pass-
22 ing a rigorous State assessment or
23 State-required test in reading, writ-
24 ing, mathematics, science, and other

1 areas of the basic elementary school
2 curriculum; or

3 “(II) by successful completion of
4 an academic major, a graduate de-
5 gree, or coursework equivalent to an
6 undergraduate academic major in the
7 content areas that the teacher will
8 teach;

9 “(iii) if required by the State to dem-
10 onstrate teaching skills by passing a State
11 teacher performance assessment, has
12 passed such assessment;

13 “(iv) has successfully completed a tra-
14 ditional or alternative teacher preparation
15 program;

16 “(v) at the State’s discretion, may be
17 enrolled in an alternative teacher prepara-
18 tion program; and

19 “(I) be on track to successful
20 completion of such program; and

21 “(II) be supervised by a mentor
22 teacher; and

23 “(C) means any teacher who is highly
24 qualified as defined in section 9101(23) of the
25 Elementary and Secondary Education Act of

1 1965 or section 602(10) of the Individuals with
2 Disabilities Education Act, as each such section
3 was in effect on the day before the date of the
4 enactment of the Student Success Act.”;

5 (2) in paragraph (17)(B)(ii), by striking “high-
6 ly qualified” and inserting “qualified”;

7 (3) in paragraph (22)(D)(i), by striking “highly
8 qualified” and inserting “qualified”;

9 (4) in section 201(3) (20 U.S.C. 1022(3)), by
10 striking “highly qualified teachers” and inserting
11 “qualified teachers”;

12 (5) in section 202 (20 U.S.C. 1022)—

13 (A) in subsection (b)(6)(H), by striking
14 “highly qualified teachers” and inserting
15 “qualified teachers”;

16 (B) in subsection (d)—

17 (i) in paragraph (1)—

18 (I) in subparagraph (A)(i)(I), by
19 striking “highly qualified” and insert-
20 ing “qualified”; and

21 (II) in subparagraph (B)(iii), by
22 striking “highly qualified” and insert-
23 ing “qualified”; and

1 (ii) in paragraph (5), by striking
2 “highly qualified teachers” and inserting
3 “qualified teachers”; and

4 (C) in subsection (e)(2)(C)(iii)(IV), by
5 striking “highly qualified teacher, as defined in
6 section 9101,” and inserting “qualified teacher,
7 as defined in section 2002(5), as amended by
8 section 201 of the Student Success Act”;

9 (6) in section 204(a)(4) (20 U.S.C. 1022c) by
10 striking “highly qualified teachers” each place it ap-
11 pears and inserting “qualified teachers”;

12 (7) in section 205(b)(1)(I) (20 U.S.C.
13 1022d(b)(1)(I)), by striking “highly qualified teach-
14 ers” and inserting “qualified teachers”;

15 (8) in section 207(a)(1) (20 U.S.C.
16 1022f(a)(1)), by striking “highly qualified teachers”
17 and inserting “qualified teachers”;

18 (9) in section 208(b) (20 U.S.C. 1022g(b)), by
19 striking “highly qualified” each place it appears and
20 inserting “qualified”;

21 (10) in section 242(b) (20 U.S.C. 1033a), by
22 striking “highly qualified” each place it appears and
23 inserting “qualified”;

1 (11) in section 251(b) (20 U.S.C. 1034(b)), by
2 striking “highly qualified” each place it appears and
3 inserting “qualified”; and

4 (12) in section 258(d)(1) (20 U.S.C.
5 1036(d)(1)), by striking “highly qualified” and in-
6 serting “qualified”.such partner institution.

7 (c) DEFINITIONS.—Section 200 of the Higher Edu-
8 cation Act of 1965 (20 U.S.C. 1021) is amended—

9 (1) by amending paragraph (6) to read as fol-
10 lows:

11 “(6) ELIGIBLE PARTNERSHIP.—Except as oth-
12 erwise provided in section 251, the term ‘eligible
13 partnership’ means an entity that—

14 “(A) shall include—

15 “(i) a high-need local educational
16 agency;

17 “(ii)(I) a high-need school or a con-
18 sortium of high-need schools served by the
19 high-need local educational agency; or

20 “(II) as applicable, a high-need early
21 childhood education program; or

22 “(iii)(I) the following entities—

23 “(aa) a partner institution.

24 “(bb) a school, department, or
25 program of education within such

1 partner institution, which may include
2 an existing teacher professional devel-
3 opment program with proven out-
4 comes within a 4-year institution of
5 higher education that provides inten-
6 sive and sustained collaboration be-
7 tween faculty and local educational
8 agencies consistent with the require-
9 ments of this title; and

10 “(cc) a school or department of
11 arts and sciences within such partner
12 institution; or

13 “(II) an entity operating a program
14 that provides alternative routes to State
15 certification of teachers that has a teacher
16 preparation program—

17 “(aa) whose graduates exhibit
18 strong performance on State-deter-
19 mined qualifying assessments for new
20 teachers through demonstrating that
21 80 percent or more of the graduates
22 of the program who intend to enter
23 the field of teaching have passed all of
24 the applicable State qualification as-
25 sessments for new teachers, which

1 shall include an assessment of each
2 prospective teacher's subject matter
3 knowledge in the content area in
4 which the teacher intends to teach;
5 and

6 “(bb) that requires each student
7 in the program to meet high academic
8 standards or demonstrate a record of
9 success, as determined by the institu-
10 tion (including prior to entering and
11 being accepted into a program), and
12 participate in intensive clinical experi-
13 ence, and each student in the program
14 is preparing to become a qualified
15 teacher; and

16 “(B) may include any of the following:

17 “(i) The Governor of the State.

18 “(ii) The State educational agency.

19 “(iii) The State board of education.

20 “(iv) The State agency for higher edu-
21 cation.

22 “(v) A business.

23 “(vi) A public or private nonprofit
24 educational organization.

25 “(vii) An educational service agency.

1 “(viii) A teacher organization.

2 “(ix) A high-performing local edu-
3 cational agency, or a consortium of such
4 local educational agencies, that can serve
5 as a resource to the partnership.

6 “(x) A charter school (as defined in
7 section 6101 of the Elementary and Sec-
8 ondary Education Act of 1965).

9 “(xi) A school or department within a
10 partner institution that focuses on psy-
11 chology and human development.

12 “(xii) A school or department within a
13 partner institution with comparable exper-
14 tise in the disciplines of teaching, learning,
15 and child and adolescent development.

16 “(xiii) An entity operating a program
17 that provides alternative routes to State
18 certification of teachers.

19 “(xiv) A school, department, or pro-
20 gram of education within a partner institu-
21 tion.

22 “(xv) A school or department of arts
23 and sciences within a partner institution.”;

24 (2) by amending paragraph (10) to read as fol-
25 lows:

1 “(10) HIGH-NEED LOCAL EDUCATIONAL AGEN-
2 CY.—The term ‘high-need local educational agency’
3 means a local educational agency—

4 “(A)(i) that serves not fewer than 10,000
5 children from families with incomes below the
6 poverty line; or

7 “(ii) for which not less than 20 percent of
8 the children served by the agency are from fam-
9 ilies with incomes below the poverty line; and

10 “(B)(i) for which there is a high percent-
11 age of teachers not teaching in the academic
12 subjects or grade levels that the teachers were
13 trained to teach; or

14 “(ii) for which there is a high percentage
15 of teachers with emergency, provisional, or tem-
16 porary certification or licensing.”;

17 (3) by amending paragraph (14) to read as fol-
18 lows:

19 “(14) INDUCTION PROGRAM.—The term ‘induc-
20 tion program’ means a program for new teachers
21 and new principals, as appropriate, during at least
22 their first 2 years of practice, that is designed to in-
23 crease effectiveness and retention of new teachers
24 and new principals, and that includes—

25 “(A) high-quality mentoring;

1 “(B) development of skills and knowledge
2 in areas needed for new teachers, including,
3 content knowledge and pedagogy, instructional
4 strategies for teaching students with diverse
5 learning needs, classroom management (includ-
6 ing strategies that improve the school-wide cli-
7 mate for learning, which may include positive
8 behavioral interventions and supports), forma-
9 tive assessment of student learning, and the
10 analysis and use of student assessment data to
11 improve instruction;

12 “(C) frequent, structured time for collabo-
13 ration and professional development with teach-
14 ers and principals in the same field, grade, or
15 subject area, and opportunities to draw directly
16 on the expertise of other school and local edu-
17 cational agency staff, staff of high-performing
18 pathways, and other organizations that provide
19 high-quality induction supports;

20 “(D) regular and structured observation
21 and feedback by mentors, school leaders, or
22 teachers who have been consistently rated in
23 the highest rating categories by a teacher eval-
24 uation system that meets the requirements of

1 the Elementary and Secondary Education Act
2 of 1965; and

3 “(E) where feasible, team teaching, re-
4 duced teaching load and activities designed to
5 ensure that teachers have appropriate teaching
6 tools and instructional materials for their class-
7 room.”; and

8 (4) by amending paragraph (21) to read as fol-
9 lows:

10 “(21) TEACHER MENTORING.—The term
11 ‘teacher mentoring’ means the mentoring of new
12 teachers and principals, as appropriate, so as to in-
13 crease the effectiveness and retention of those teach-
14 ers and principals through a program that—

15 “(A) includes clear criteria for the selec-
16 tion of teacher and principal mentors that take
17 into account a candidate’s effectiveness as a
18 teacher or principal and that individual’s ability
19 to facilitate adult learning;

20 “(B) provides high-quality training for the
21 mentors on how to support new teachers and
22 principals effectively;

23 “(C) provides regularly scheduled time for
24 collaboration and for examination of student
25 work and achievement data, and on-going op-

1 portunities for mentors and mentees to observe
2 each other’s practice; and

3 “(D) matches, when possible, each mentee
4 with a mentor who is in the same field, grade,
5 or subject area as the mentee.”.

6 (d) PURPOSE.—Section 201 of the Higher Education
7 Act of 1965 (20 U.S.C. 1022) is amended—

8 (1) by striking “and” at the end of paragraph
9 (3);

10 (2) by striking the period and inserting “; and”
11 at the end of paragraph (4); and

12 (3) by inserting at the end the following:

13 “(5) improve teacher effectiveness.”.

14 (e) PARTNERSHIP GRANTS.—Section 202 of the
15 Higher Education Act of 1965 (20 U.S.C. 1022a) is
16 amended—

17 (1) in subsection (b)(6)—

18 (A) in subparagraph (E)(ii), by striking
19 “student academic” and inserting “college-and-
20 career ready student academic”;

21 (B) in subparagraph (H)—

22 (i) in the matter preceding clause (i),
23 by inserting “or alternative route entity”
24 after “partner institution”;

1 (ii) in clause (i), by striking “that in-
2 corporate” and all that follows through
3 “instruction” and inserting “consistent
4 with part A of title IV of the Elementary
5 and Secondary Education Act of 1965 (as
6 in effect on the day before the date of the
7 enactment of the Student Success Act)”;

8 (iii) in clause (i), insert “and other
9 educators, including mutli-tiered systems
10 of support and universal design for learn-
11 ing” after “secondary school teachers”;

12 (iv) in clause (ii), insert “ and writing
13 instruction” after “reading”; and

14 (v) after clause (ii) insert the fol-
15 lowing:

16 “(iii) provide high-quality professional
17 development activities to strengthen the in-
18 structional and leadership skills of elemen-
19 tary school and secondary school principals
20 and district superintendents, if the partner
21 institution has a principal preparation pro-
22 gram;”;

23 (C) by redesignating subparagraphs (I)
24 through (K) as subparagraphs (J) through (L),
25 respectively; and

1 (D) by inserting after subparagraph (H),
2 the following:

3 “(I) how the partnership will prepare
4 teachers to use data to analyze student per-
5 formance and adjust teaching practices to im-
6 prove student achievement;”; and

7 (2) in subsection (d)(6)(A), by striking “that
8 incorporate the essential components of literacy in-
9 struction” and inserting “aligned with part A of title
10 IV of the Elementary and Secondary Education Act
11 of 1965 (as in effect on the day before the date of
12 the enactment of the Student Success Act)”.

13 (f) ADMINISTRATIVE PROVISIONS.—Section
14 203(b)(2)(A) of the Higher Education Act of 1965 (20
15 U.S.C. 1022b(b)(2)(A)) is amended by inserting “or alter-
16 native route entity” after “institution of higher education

17 (g) ACCOUNTABILITY AND EVALUATION.—Section
18 204(a) of the Higher Education Act of 1965 (20 U.S.C.
19 1022c) is amended—

20 (1) by redesignating paragraphs (3) and (4) as
21 paragraphs (4) and (5), respectively; and

22 (2) by inserting after paragraph (2), the fol-
23 lowing:

24 “(3) effective teachers as determined by the
25 State;”.

1 (h) INFORMATION ON PREPARATION PROGRAMS.—
2 Section 205(b)(1) of the Higher Education Act of 1965
3 (20 U.S.C. 1022d(b)) is amended—

4 (1) in the matter preceding subparagraph (A),
5 by striking “teacher preparation program” and in-
6 serting “teacher and school leader preparation pro-
7 gram”; and

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

9 “(M) Within 3 years of the date of enact-
10 ment of the Student Success Act, information
11 on the impact of each program’s graduates on
12 the evidence of student learning of the students
13 that such graduates teach, if that information
14 is available.

15 “(N) The percentage of each program’s
16 graduates who teach in a high-need school.

17 “(O) The percentage of each program’s
18 graduates who are prepared to teach a high-
19 need subject.

20 “(P) The percentage of each program’s
21 graduates who become effective and highly ef-
22 fective teachers or principals as determined by
23 the State.

24 “(Q) The 3-year retention rate of each
25 program’s graduates who become effective and

- 1 highly effective teachers or principals according
- 2 to such graduates' ratings by such system.”.

