

**Attachment 14b:
Higher Education Act of 1965
(20 U.S.C. 1021)**

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**TITLE II—TEACHER QUALITY
ENHANCEMENT**

SEC. 200. [20 U.S.C. 1021] DEFINITIONS.

In this title:

(1) ARTS AND SCIENCES.—The term “arts and sciences” means—

(A) when referring to an organizational unit of an institution of higher education, any academic unit that offers one or more academic majors in disciplines or content areas corresponding to the academic subject matter areas in which teachers provide instruction; and

(B) when referring to a specific academic subject area, the disciplines or content areas in which academic majors are offered by the arts and sciences organizational unit.

(2) CHILDREN FROM LOW-INCOME FAMILIES.—The term “children from low-income families” means children described in section 1124(c)(1)(A) of the Elementary and Secondary Education Act of 1965.

(3) CORE ACADEMIC SUBJECTS.—The term “core academic subjects” means English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography.

(4) EARLY CHILDHOOD EDUCATOR.—The term “early childhood educator” means an individual with primary responsibility for the education of children in an early childhood education program.

(5) EDUCATIONAL SERVICE AGENCY.—The term “educational service agency” has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965.

(6) ELIGIBLE PARTNERSHIP.—Except as otherwise provided in section 251, the term “eligible partnership” means an entity that—

(A) shall include—

(i) a high-need local educational agency;

(ii)(I) a high-need school or a consortium of high-need schools served by the high-need local educational agency; or

(II) as applicable, a high-need early childhood education program;

(iii) a partner institution;

(iv) a school, department, or program of education within such partner institution, which may include an existing teacher professional development program with proven outcomes within a four-year institution of higher education that provides intensive and sustained collaboration between faculty and local educational agencies consistent with the requirements of this title; and

(v) a school or department of arts and sciences within such partner institution; and

(B) may include any of the following:

(i) The Governor of the State.

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- (ii) The State educational agency.
- (iii) The State board of education.
- (iv) The State agency for higher education.
- (v) A business.
- (vi) A public or private nonprofit educational organization.
- (vii) An educational service agency.
- (viii) A teacher organization.
- (ix) A high-performing local educational agency, or a consortium of such local educational agencies, that can serve as a resource to the partnership.
- (x) A charter school (as defined in section 4310 of the Elementary and Secondary Education Act of 1965).
- (xi) A school or department within the partner institution that focuses on psychology and human development.
- (xii) A school or department within the partner institution with comparable expertise in the disciplines of teaching, learning, and child and adolescent development.
- (xiii) An entity operating a program that provides alternative routes to State certification of teachers.

(7) **ESSENTIAL COMPONENTS OF READING INSTRUCTION.**—The term “essential components of reading instruction” has the meaning given the term in section 1208 of the Elementary and Secondary Education Act of 1965 as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act.

(8) **EXEMPLARY TEACHER.**—The term “exemplary teacher” has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act.

(9) **HIGH-NEED EARLY CHILDHOOD EDUCATION PROGRAM.**—The term “high-need early childhood education program” means an early childhood education program serving children from low-income families that is located within the geographic area served by a high-need local educational agency.

(10) **HIGH-NEED LOCAL EDUCATIONAL AGENCY.**—The term “high-need local educational agency” means a local educational agency—

- (A)(i) for which not less than 20 percent of the children served by the agency are children from low-income families;
- (ii) that serves not fewer than 10,000 children from low-income families;
- (iii) that meets the eligibility requirements for funding under the Small, Rural School Achievement Program under section 5211(b) of the Elementary and Secondary Education Act of 1965; or
- (iv) that meets the eligibility requirements for funding under the Rural and Low-Income School Program under section 5221(b) of the Elementary and Secondary Education Act of 1965; and

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(B)(i) for which there is a high percentage of teachers not teaching in the academic subject areas or grade levels in which the teachers were trained to teach; or

(ii) for which there is a high teacher turnover rate or a high percentage of teachers with emergency, provisional, or temporary certification or licensure.

(11) HIGH-NEED SCHOOL.—

(A) **IN GENERAL.**—The term “high-need school” means a school that, based on the most recent data available, meets one or both of the following:

(i) The school is in the highest quartile of schools in a ranking of all schools served by a local educational agency, ranked in descending order by percentage of students from low-income families enrolled in such schools, as determined by the local educational agency based on one of the following measures of poverty:

(I) The percentage of students aged 5 through 17 in poverty counted in the most recent census data approved by the Secretary.

(II) The percentage of students eligible for a free or reduced price school lunch under the Richard B. Russell National School Lunch Act.

(III) The percentage of students in families receiving assistance under the State program funded under part A of title IV of the Social Security Act.

(IV) The percentage of students eligible to receive medical assistance under the Medicaid program.

(V) A composite of two or more of the measures described in subclauses (I) through (IV).

(ii) In the case of—

(I) an elementary school, the school serves students not less than 60 percent of whom are eligible for a free or reduced price school lunch under the Richard B. Russell National School Lunch Act; or

(II) any other school that is not an elementary school, the other school serves students not less than 45 percent of whom are eligible for a free or reduced price school lunch under the Richard B. Russell National School Lunch Act.

(B) SPECIAL RULE.—

(i) **DESIGNATION BY THE SECRETARY.**—The Secretary may, upon approval of an application submitted by an eligible partnership seeking a grant under this title, designate a school that does not qualify as a high-need school under subparagraph (A) as a high-need school for the purpose of this title. The Secretary shall base the approval of an application for designation of a school under this clause on a consideration of the information required under clause (ii), and may

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also take into account other information submitted by the eligible partnership.

(ii) APPLICATION REQUIREMENTS.—An application for designation of a school under clause (i) shall include—

(I) the number and percentage of students attending such school who are—

(aa) aged 5 through 17 in poverty counted in the most recent census data approved by the Secretary;

(bb) eligible for a free or reduced price school lunch under the Richard B. Russell National School Lunch Act;

(cc) in families receiving assistance under the State program funded under part A of title IV of the Social Security Act; or

(dd) eligible to receive medical assistance under the Medicaid program;

(II) information about the student academic achievement of students at such school; and

(III) for a secondary school, the graduation rate for such school.

(12) HIGHLY COMPETENT.—The term “highly competent”, when used with respect to an early childhood educator, means an educator—

(A) with specialized education and training in development and education of young children from birth until entry into kindergarten;

(B) with—

(i) a baccalaureate degree in an academic major in the arts and sciences; or

(ii) an associate’s degree in a related educational area; and

(C) who has demonstrated a high level of knowledge and use of content and pedagogy in the relevant areas associated with quality early childhood education.

【Paragraph (13) was struck by section 9214(c)(1)(A) of Public Law 114-95.】

(14) INDUCTION PROGRAM.—The term “induction program” means a formalized program for new teachers during not less than the teachers’ first two years of teaching that is designed to provide support for, and improve the professional performance and advance the retention in the teaching field of, beginning teachers. Such program shall promote effective teaching skills and shall include the following components:

(A) High-quality teacher mentoring.

(B) Periodic, structured time for collaboration with teachers in the same department or field, including mentor teachers, as well as time for information-sharing among teachers, principals, administrators, other appropriate instructional staff, and participating faculty in the partner institution.

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(C) The application of empirically-based practice and scientifically valid research on instructional practices.

(D) Opportunities for new teachers to draw directly on the expertise of teacher mentors, faculty, and researchers to support the integration of empirically-based practice and scientifically valid research with practice.

(E) The development of skills in instructional and behavioral interventions derived from empirically-based practice and, where applicable, scientifically valid research.

(F) Faculty who—

(i) model the integration of research and practice in the classroom; and

(ii) assist new teachers with the effective use and integration of technology in the classroom.

(G) Interdisciplinary collaboration among exemplary teachers, faculty, researchers, and other staff who prepare new teachers with respect to the learning process and the assessment of learning.

(H) Assistance with the understanding of data, particularly student achievement data, and the applicability of such data in classroom instruction.

(I) Regular and structured observation and evaluation of new teachers by multiple evaluators, using valid and reliable measures of teaching skills.

(15) LIMITED ENGLISH PROFICIENT.—The term “limited English proficient” has the meaning given the term ‘English learner’ in section 8101 of the Elementary and Secondary Education Act of 1965.

(16) PARENT.—The term “parent” has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965.

(17) PARTNER INSTITUTION.—The term “partner institution” means an institution of higher education, which may include a two-year institution of higher education offering a dual program with a four-year institution of higher education, participating in an eligible partnership that has a teacher preparation program—

(A) whose graduates exhibit strong performance on State-determined qualifying assessments for new teachers through—

(i) demonstrating that 80 percent or more of the graduates of the program who intend to enter the field of teaching have passed all of the applicable State qualification assessments for new teachers, which shall include an assessment of each prospective teacher’s subject matter knowledge in the content area in which the teacher intends to teach; or

(ii) being ranked among the highest-performing teacher preparation programs in the State as determined by the State—

(I) using criteria consistent with the requirements for the State report card under section

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205(b) before the first publication of such report card; and

(II) using the State report card on teacher preparation required under section 205(b), after the first publication of such report card and for every year thereafter; and

(B) that requires—

(i) each student in the program to meet high academic standards or demonstrate a record of success, as determined by the institution (including prior to entering and being accepted into a program), and participate in intensive clinical experience;

(ii) each student in the program preparing to become a teacher who meets the applicable State certification and licensure requirements, including any requirements for certification obtained through alternative routes to certification, or, with regard to special education teachers, the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act; and

(iii) each student in the program preparing to become an early childhood educator to meet degree requirements, as established by the State, and become highly competent.

(18) PRINCIPLES OF SCIENTIFIC RESEARCH.—The term “principles of scientific research” means principles of research that—

(A) apply rigorous, systematic, and objective methodology to obtain reliable and valid knowledge relevant to education activities and programs;

(B) present findings and make claims that are appropriate to, and supported by, the methods that have been employed; and

(C) include, appropriate to the research being conducted—

(i) use of systematic, empirical methods that draw on observation or experiment;

(ii) use of data analyses that are adequate to support the general findings;

(iii) reliance on measurements or observational methods that provide reliable and generalizable findings;

(iv) strong claims of causal relationships, only with research designs that eliminate plausible competing explanations for observed results, such as, but not limited to, random-assignment experiments;

(v) presentation of studies and methods in sufficient detail and clarity to allow for replication or, at a minimum, to offer the opportunity to build systematically on the findings of the research;

(vi) acceptance by a peer-reviewed journal or critique by a panel of independent experts through a comparably rigorous, objective, and scientific review; and

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(vii) consistency of findings across multiple studies or sites to support the generality of results and conclusions.

(19) PROFESSIONAL DEVELOPMENT.—The term “professional development” has the meaning given the term in section 8101 of the Elementary and Secondary Education Act of 1965.

(20) SCIENTIFICALLY VALID RESEARCH.—The term “scientifically valid research” includes applied research, basic research, and field-initiated research in which the rationale, design, and interpretation are soundly developed in accordance with principles of scientific research.

(21) TEACHER MENTORING.—The term “teacher mentoring” means the mentoring of new or prospective teachers through a program that—

(A) includes clear criteria for the selection of teacher mentors who will provide role model relationships for mentees, which criteria shall be developed by the eligible partnership and based on measures of teacher effectiveness;

(B) provides high-quality training for such mentors, including instructional strategies for literacy instruction and classroom management (including approaches that improve the schoolwide climate for learning, which may include positive behavioral interventions and supports);

(C) provides regular and ongoing opportunities for mentors and mentees to observe each other’s teaching methods in classroom settings during the day in a high-need school in the high-need local educational agency in the eligible partnership;

(D) provides paid release time for mentors, as applicable;

(E) provides mentoring to each mentee by a colleague who teaches in the same field, grade, or subject as the mentee;

(F) promotes empirically-based practice of, and scientifically valid research on, where applicable—

(i) teaching and learning;

(ii) assessment of student learning;

(iii) the development of teaching skills through the use of instructional and behavioral interventions; and

(iv) the improvement of the mentees’ capacity to measurably advance student learning; and

(G) includes—

(i) common planning time or regularly scheduled collaboration for the mentor and mentee; and

(ii) joint professional development opportunities.

(22) TEACHING RESIDENCY PROGRAM.—The term “teaching residency program” means a school-based teacher preparation program in which a prospective teacher—

(A) for one academic year, teaches alongside a mentor teacher, who is the teacher of record;

(B) receives concurrent instruction during the year described in subparagraph (A) from the partner institution, which courses may be taught by local educational agency

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personnel or residency program faculty, in the teaching of the content area in which the teacher will become certified or licensed;

(C) acquires effective teaching skills; and

(D) prior to completion of the program—

(i) attains full State certification or licensure and, with respect to special education teachers, meets the qualifications described in section 612(a)(14)(C) of the Individuals with Disabilities Education Act; and

(ii) acquires a master's degree not later than 18 months after beginning the program.

(23) TEACHING SKILLS.—The term “teaching skills” means skills that enable a teacher to—

(A) increase student learning, achievement, and the ability to apply knowledge;

(B) effectively convey and explain academic subject matter;

(C) effectively teach higher-order analytical, evaluation, problem-solving, and communication skills;

(D) employ strategies grounded in the disciplines of teaching and learning that—

(i) are based on empirically-based practice and scientifically valid research, where applicable, related to teaching and learning;

(ii) are specific to academic subject matter; and

(iii) focus on the identification of students' specific learning needs, particularly students with disabilities, students who are limited English proficient, students who are gifted and talented, and students with low literacy levels, and the tailoring of academic instruction to such needs;

(E) conduct an ongoing assessment of student learning, which may include the use of formative assessments, performance-based assessments, project-based assessments, or portfolio assessments, that measures higher-order thinking skills (including application, analysis, synthesis, and evaluation);

(F) effectively manage a classroom, including the ability to implement positive behavioral interventions and support strategies;

(G) communicate and work with parents, and involve parents in their children's education; and

(H) use, in the case of an early childhood educator, age-appropriate and developmentally appropriate strategies and practices for children in early childhood education programs.

PART A—TEACHER QUALITY PARTNERSHIP GRANTS

SEC. 201. [20 U.S.C. 1022] PURPOSES.

The purposes of this part are to—

(1) improve student achievement;