

Senator Lamar Alexander
Amendments Intended To Be Introduced
Senate HELP Committee Markup
Elementary & Secondary Education Reauthorization Act of 2011
October 19, 2011

1. Achievement Gaps:
 - Purpose: To remove mandates, requirements, and definitions for the identification of student achievement gaps by States and local school districts.
 - What it Does:
 - i. Removes requirement that states must identify the bottom 5% achievement gap schools per year
 - ii. Removes mandated interventions to close achievement gaps
 - iii. Removes the definition of achievement gap schools
 - iv. Prohibits the Secretary from regulating or defining achievement gaps

2. Highly Qualified Teachers:
 - Purpose: To eliminate the federal highly qualified teacher definition and requirements in favor of State-determined certification and licensures
 - What it Does:
 - i. Removes the requirement that all teachers must be highly-qualified
 - ii. Removes the definition of a highly-qualified teacher
 - iii. Requires states to ensure that teachers meet applicable State certification and licensure requirements

3. Continuous Improvement:
 - Purpose: To remove mandates, requirements, and definitions for the continuous improvement of all students and schools.
 - What it Does:
 - i. Removes mandate that state accountability systems must annually measure and report on the continuous improvement of all public schools and all students in the State
 - ii. Removes required supports and interventions that address the needs of all students and all schools
 - iii. Prohibits the Secretary from regulating/defining continuous improvement

4. Title I Peer Review:
 - Purpose: To provide more deference to State and local judgments in the Title I Peer Review process
 - What it Does:
 - i. Establishes a process that defers to State and local innovation and provides transparent feedback to States
 - ii. Requires the review of State plans to be conducted in good faith, in their totality and in deference to State and local judgments, with the goal of promoting State- and local-led innovation
 - iii. Prohibits the Secretary from using peer review to define/regulate

5. State Flexibility Turnaround Improvement Strategy:
 - Purpose: To allow for a state flexibility improvement strategy for persistently low-achieving schools
 - What it Does:
 - i. Permits a State to establish an alternative State determined improvement strategy to improve the bottom 5% of schools with approval from the Secretary

6. School Choice:
 - Purpose: To require local educational agencies to provide students in persistently low-achieving schools with public school choice options
 - What it Does:
 - i. Requires local school districts to provide students in the bottom 5% of schools with the option to transfer to a better public school
 - ii. Prioritizes this option for students from low-income families in the worst schools
 - iii. Requires that students must be treated the same as any other student and be allowed to stay in the school until they graduate

7. Secretary's Waiver Authority:
 - Purpose: To clarify that the Secretary's waiver authority in ESEA is a state and locally-driven process intended to promote innovation and defer to local judgments
 - What it Does:
 - i. Clarifies that States *may* apply and the Secretary *shall* approve waivers
 - ii. Allows the Secretary to either immediately approve waivers or conduct a peer review process that is deferential to state and local judgments
 - iii. Ensures a open, transparent, and collaborative approval process
 - iv. Prohibits the Secretary from imposing any requirements to waiver requests not authorized by Congress