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(Original Signature of Member)

113TH CONGRESS  
1ST SESSION

**H. R.**

To amend the charter school program under the Elementary and Secondary  
Education Act of 1965.

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IN THE HOUSE OF REPRESENTATIVES

Mr. POLIS (for himself and [see ATTACHED LIST of cosponsors]) introduced  
the following bill; which was referred to the Committee on

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**A BILL**

To amend the charter school program under the Elementary  
and Secondary Education Act of 1965.

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 “All Students Achieving  
5 through Reform Act of 2013” or the “All-STAR Act of  
6 2013”.

1 **SEC. 2. REFERENCES.**

2 Except as otherwise specifically provided, whenever in  
3 this Act a section or other provision is amended or re-  
4 pealed, such amendment or repeal shall be considered to  
5 be made to that section or other provision of the Elemen-  
6 tary and Secondary Education Act of 1965 (20 U.S.C.  
7 6301 et seq.).

8 **SEC. 3. PURPOSE.**

9 Section 5201 (20 U.S.C. 7221) is amended to read  
10 as follows:

11 **“SEC. 5201. PURPOSE.**

12 “It is the purpose of this subpart to—

13 “(1) improve the United States education sys-  
14 tem and educational opportunities for all Americans  
15 by supporting innovation in public education in pub-  
16 lic school settings that prepare students to compete  
17 and contribute to the global economy;

18 “(2) provide financial assistance for the plan-  
19 ning, program design, and initial implementation of  
20 charter schools;

21 “(3) expand the number of high-quality charter  
22 schools available to students across the Nation;

23 “(4) evaluate the impact of such schools on stu-  
24 dent achievement, families, and communities, and  
25 share best practices between charter schools and  
26 other public schools;

1           “(5) encourage States to provide support to  
2 charter schools for facilities financing in an amount  
3 more nearly commensurate to the amount the States  
4 have typically provided for traditional public schools;

5           “(6) improve student services to increase oppor-  
6 tunities for students with disabilities, limited  
7 English proficient students, and other traditionally  
8 underserved students to attend charter schools and  
9 meet challenging State academic achievement stand-  
10 ards; and

11           “(7) support efforts to strengthen the charter  
12 school authorizing process to improve performance  
13 management, including transparency, monitoring,  
14 and evaluation of such schools.”.

15 **SEC. 4. PROGRAM AUTHORIZED.**

16       Section 5202 (20 U.S.C. 7221a) is amended to read  
17 as follows:

18 **“SEC. 5202. PROGRAM AUTHORIZED.**

19       “(a) IN GENERAL.—This subpart authorizes the Sec-  
20 retary to carry out a charter school program that supports  
21 charter schools that serve elementary school and sec-  
22 ondary school students by—

23           “(1) supporting the startup, replication, and ex-  
24 pansion of charter schools;

1           “(2) assisting charter schools in accessing cred-  
2           it to acquire and renovate facilities for school use;  
3           and

4           “(3) carrying out national and local activities to  
5           support—

6                   “(A) the development of high-quality char-  
7           ter schools;

8                   “(B) the dissemination of best practices of  
9           charter schools for all schools; and

10                   “(C) the evaluation of the impact of the  
11           program on schools participating in the pro-  
12           gram.

13           “(b) FUNDING ALLOTMENT.—From the amount  
14           made available under section 5211 for a fiscal year, the  
15           Secretary shall—

16                   “(1) reserve 12.5 percent to support charter  
17           school facilities assistance under section 5204;

18                   “(2) reserve not more than 2.5 percent to carry  
19           out the technical assistance and best practices under  
20           section 5205(a) and the evaluation under section  
21           5205(b), of which 1 percent shall be used to carry  
22           out such evaluation;

23                   “(3) reserve not more than 20 percent to award  
24           grants for local activities under section 5205(c); and

1           “(4) use the remaining amount after the Sec-  
2           retary reserves funds under paragraphs (1) through  
3           (4) to carry out section 5203.

4           “(c) PRIOR GRANTS AND SUBGRANTS.—The recipi-  
5           ent of a grant or subgrant under this subpart or subpart  
6           2, as such subpart was in effect on the day before the  
7           date of enactment of the All Students Achieving through  
8           Reform Act of 2013, shall continue to receive funds in  
9           accordance with the terms and conditions of such grant  
10          or subgrant.”.

11 **SEC. 5. GRANTS TO SUPPORT HIGH-QUALITY CHARTER**  
12 **SCHOOLS.**

13          Section 5203 (20 U.S.C. 7221b) is amended to read  
14 as follows:

15 **“SEC. 5203. GRANTS TO SUPPORT HIGH-QUALITY CHARTER**  
16 **SCHOOLS.**

17          “(a) GRANTS TO COVERED ENTITIES.—

18               “(1) IN GENERAL.—Subject to paragraph (2),  
19               from the amount reserved under 5202(b)(5), the  
20               Secretary shall award grants to covered entities hav-  
21               ing applications approved pursuant to subsection (f)  
22               to enable such entities to—

23                       “(A) award subgrants to eligible applicants  
24                       for—

25                               “(i) opening new charter schools;

1                   “(ii) replicating high-quality charter  
2                   school models; or

3                   “(iii) expanding high-quality charter  
4                   schools; and

5                   “(B) provide technical assistance to eligible  
6                   applicants and authorized public chartering  
7                   agencies in carrying out the activities described  
8                   in paragraph (1) and work with authorized pub-  
9                   lic chartering agencies in the State to improve  
10                  authorizing quality.

11                  “(2) SPECIAL RULE.—In the case in which a  
12                  covered entity that is a State educational agency  
13                  elects not to receive a grant under this section or  
14                  does not have an application approved under sub-  
15                  section (f), the Secretary may award a grant to an  
16                  eligible applicant that—

17                         “(A) serves such State;

18                         “(B) submits an application to the Sec-  
19                         retary that would be approved pursuant to sec-  
20                         tion 5205(c) if such eligible applicant were to  
21                         apply for a grant under such section; and

22                         “(C) has not received a grant under such  
23                         section 5205(c).

24                  “(b) USES OF FUNDS FOR COVERED ENTITIES.—

1           “(1) IN GENERAL.—A covered entity receiving  
2 a grant under this section shall—

3           “(A) use 90 percent of the grant funds to  
4 award subgrants to eligible applicants, in ac-  
5 cordance with the quality charter school pro-  
6 gram described in the covered entity’s applica-  
7 tion approved pursuant to subsection (f), for  
8 the purposes described in clauses (i) through  
9 (iii) of subsection (a)(1)(A); and

10           “(B) reserve 10 percent of such funds to  
11 carry out the activities described in subsection  
12 (a)(1)(B), of which not more than 30 percent  
13 may be used for administrative costs which may  
14 include technical assistance.

15           “(2) CONTRACTS AND GRANTS.—A covered en-  
16 tity may use a grant received under this section to  
17 carry out the activities described in subparagraphs  
18 (A) and (B) of paragraph (1) directly or through  
19 grants, contracts, or cooperative agreements.

20           “(c) PROGRAM PERIODS; PEER REVIEW; GRANT  
21 NUMBER AND AMOUNT; DIVERSITY OF PROJECTS; WAIV-  
22 ERS.—

23           “(1) PROGRAM PERIODS.—

24           “(A) GRANTS.—A grant awarded by the  
25 Secretary to a covered entity under this section

1 shall be for a period of not more than 3 years,  
2 except that the covered entity may, at the dis-  
3 cretion of the Secretary, continue to expend  
4 grant funds after the end of such 3-year period  
5 to award subgrants in accordance with sub-  
6 section (b)(1)(A).

7 “(B) SUBGRANTS.—A subgrant awarded  
8 by a covered entity to an eligible applicant  
9 under this section shall be for a period of not  
10 more than 3 years.

11 “(2) PEER REVIEW.—The Secretary, and each  
12 covered entity receiving a grant under this section,  
13 shall use a peer review process to review applications  
14 for assistance under this section.

15 “(3) GRANT NUMBER AND AMOUNT.—The Sec-  
16 retary shall ensure that the number of grants award-  
17 ed under this section and the award amounts will  
18 allow for a sufficient number of new grants to be  
19 awarded under this section for each succeeding fiscal  
20 year.

21 “(4) DIVERSITY OF PROJECTS.—Each covered  
22 entity receiving a grant under this section shall  
23 award subgrants under this section in a manner  
24 that, to the extent possible, ensures that such sub-  
25 grants—



1           “(A) are distributed throughout different  
2           areas, including urban, suburban, and rural  
3           areas; and

4           “(B) will assist charter schools rep-  
5           resenting a variety of educational approaches.

6           “(5) WAIVERS.—The Secretary may waive any  
7           statutory or regulatory requirement over which the  
8           Secretary exercises administrative authority except  
9           any such requirement relating to the elements of a  
10          charter school described in section 5210(1) or to an  
11          applicable civil rights requirement, if—

12           “(A) the waiver is requested in an ap-  
13           proved application under this section; and

14           “(B) the Secretary determines that grant-  
15           ing such a waiver will promote the purpose of  
16           this subpart.

17          “(d) LIMITATIONS.—

18           “(1) GRANTS.—A covered entity may not re-  
19           ceive more than 1 grant under this section, unless  
20           the entity—

21           “(A) for each charter school supported  
22           under the first grant received under this sec-  
23           tion, provides aggregate data demonstrating  
24           that the students enrolled in the charter school

1 have experienced demonstrated improvement in  
2 academic achievement; and

3 “(B) demonstrates that the funds provided  
4 under the additional grant will be awarded to  
5 replicate high-quality charter school models or  
6 expand high-quality charter schools.

7 “(2) SUBGRANTS.—A charter school may not  
8 receive funds from more than 1 subgrant awarded to  
9 an eligible applicant under this section.

10 “(e) APPLICATIONS.—A covered entity desiring to re-  
11 ceive a grant under this section shall submit an application  
12 to the Secretary at such time and in such manner as the  
13 Secretary may require. The application shall include the  
14 following:

15 “(1) DESCRIPTION OF PROGRAM.—A descrip-  
16 tion of the covered entity’s objectives in carrying out  
17 a quality charter school program under this section  
18 and how the objectives of the program will be car-  
19 ried out, including a description—

20 “(A) of how the entity—

21 “(i) will support both new charter  
22 school startup and the expansion and rep-  
23 lication of high-quality charter school mod-  
24 els;

1           “(ii) will inform eligible charter  
2 schools, developers, and authorized public  
3 chartering agencies of the availability of  
4 funds under the program;

5           “(iii) will work with eligible applicants  
6 to ensure that the applicants access all  
7 Federal funds that they are eligible to re-  
8 ceive, and help the charter schools sup-  
9 ported by the applicants and the students  
10 attending the charter schools—

11           “(I) participate in the Federal  
12 programs in which the schools and  
13 students are eligible to participate;  
14 and

15           “(II) receive the commensurate  
16 share of Federal funds the schools  
17 and students are eligible to receive  
18 under such programs;

19           “(iv) in the case in which the entity is  
20 not a State educational agency—

21           “(I) will work with the State edu-  
22 cational agency and the charter  
23 schools in the State to maximize char-  
24 ter school participation in Federal and

1 State programs for charter schools;  
2 and

3 “(II) will work with the State  
4 educational agency to adequately op-  
5 erate the entity’s program under this  
6 section, where applicable;

7 “(v) will ensure eligible applicants  
8 that receive a subgrant under the entity’s  
9 program are prepared to continue to oper-  
10 ate the charter schools receiving the  
11 subgrant funds once the funds have ex-  
12 pired;

13 “(vi) will support charter schools par-  
14 ticipating in the entity’s program and that  
15 are in local educational agencies with large  
16 numbers of schools that must comply with  
17 the requirements of section 1116(b);

18 “(vii) will work with charter schools  
19 participating in the entity’s program to  
20 promote inclusion of all students and sup-  
21 port all students once they are enrolled to  
22 promote retention;

23 “(viii) will work with such charter  
24 schools on recruitment practices, including  
25 efforts to engage groups that may other-

1 wise have limited opportunities to partici-  
2 pate in charter schools;

3 “(ix) will share best and promising  
4 practices between charter schools and  
5 other public schools, including, where ap-  
6 propriate, instruction and professional de-  
7 velopment in science, math, technology,  
8 and engineering education;

9 “(x) will ensure the charter schools  
10 they support can meet the educational  
11 needs of their students, including students  
12 with disabilities and limited English pro-  
13 ficient students; and

14 “(xi) will support efforts to increase  
15 quality initiatives, including meeting the  
16 quality authorizing elements described in  
17 paragraph (2)(E);

18 “(B) of the extent to which the entity—

19 “(i) is able to meet and carry out the  
20 priorities listed in subsection (f)(2); and

21 “(ii) is working to develop or  
22 strengthen a cohesive statewide system to  
23 support the opening of new charter  
24 schools, replication of high-quality charter

1 school models, and the expansion of high-  
2 quality charter schools;

3 “(C) of how the entity will carry out the  
4 subgrant competition, including—

5 “(i) a description of the application  
6 each eligible applicant desiring to receive a  
7 subgrant will submit, including—

8 “(I) a description of the roles  
9 and responsibilities of eligible appli-  
10 cants, partner organizations, and  
11 management organizations, including  
12 the administrative and contractual  
13 roles and responsibilities;

14 “(II) a description of the quality  
15 controls agreed to between the eligible  
16 applicant and the authorized public  
17 chartering agency involved, such as a  
18 contract or performance agreement,  
19 and how a school’s performance on  
20 the State’s accountability system es-  
21 tablished under section 1111(b)(2)(A)  
22 will be a primary factor for renewal;  
23 and

24 “(III) a description of how the el-  
25 ible applicant will solicit and con-

1           sider input from parents and other  
2           members of the community on the  
3           planning, implementation, and oper-  
4           ation of each charter school receiving  
5           funds under the entity's program; and

6           “(ii) a description of how the entity  
7           will review applications;

8           “(D) in the case of an entity that partners  
9           with an outside organization to carry out the  
10          entity's quality charter school program, in  
11          whole or in part, of the roles and responsibil-  
12          ities of this partner;

13          “(E) of how the entity will support charter  
14          schools in providing for the transportation  
15          needs of their students; and

16          “(F) of how the entity will support diverse  
17          charter school models, including models that  
18          serve rural communities.

19          “(2) ASSURANCES.—Assurances, including a  
20          description of how the assurances will be met,  
21          that—

22                 “(A) each charter school receiving funds  
23                 under the entity's program will have a high de-  
24                 gree of autonomy over budget and operations;

1           “(B) the entity will support charter schools  
2 in meeting the educational needs of their stu-  
3 dents as described in paragraph (1)(A)(x);

4           “(C) the entity will ensure that the author-  
5 ized public chartering agency of any charter  
6 school that receives funds under the entity’s  
7 program—

8           “(i) ensures that each charter school  
9 is meeting the obligations under this Act,  
10 part B of the Individuals with Disabilities  
11 Education Act, title VI of the Civil Rights  
12 Act of 1964, section 504 of the Rehabilita-  
13 tion Act of 1973, the Age Discrimination  
14 Act of 1975, the Americans with Disabil-  
15 ities Act of 1990, section 444 of the Gen-  
16 eral Education Provisions Act (commonly  
17 known as the ‘Family Educational Rights  
18 and Privacy Act of 1974’), and title IX of  
19 the Education Amendments of 1972;

20           “(ii) adequately monitors and hold ac-  
21 countable each charter school with respect  
22 to recruiting, enrolling, and meeting the  
23 needs of all students, including students  
24 with disabilities and limited English pro-  
25 ficient students;



1           “(iii) ensures that each charter school  
2           provides substantive outreach to students  
3           from low-income families in its plans to  
4           open new charter schools, replicate high-  
5           quality charter school models, or expand  
6           existing high-quality charter schools; and

7           “(iv) ensures that each charter school  
8           solicits and considers input from parents  
9           and other members of the community on  
10          the implementation and operation of the  
11          school;

12          “(D) the entity will provide adequate tech-  
13          nical assistance to eligible applicants to—

14               “(i) meet the objectives described in  
15               clauses (vii) and (viii) of paragraph (1)(A)  
16               and paragraph (2)(B); and

17               “(ii) enroll traditionally underserved  
18               students, including students with disabil-  
19               ities and limited English proficient stu-  
20               dents, to promote an inclusive education  
21               environment;

22          “(E) the entity will promote quality au-  
23          thorizing, such as through providing technical  
24          assistance, to support all authorized public  
25          chartering agencies in the State to improve the

1 monitoring of their charter schools, including  
2 by—

3 “(i) assessing annual performance  
4 data of the schools, including, as appro-  
5 priate, graduation rates and student  
6 growth; and

7 “(ii) reviewing the schools’ inde-  
8 pendent, annual audits of financial state-  
9 ments conducted in accordance with gen-  
10 erally accepted accounting principles, and  
11 ensuring any such audits are publically re-  
12 ported;

13 “(F) the entity will work to ensure that  
14 charter schools are included with the traditional  
15 public local educational agencies in decision-  
16 making about the public school system in the  
17 State; and

18 “(G) the entity will ensure that each char-  
19 ter school in the State make publicly available,  
20 consistent with the dissemination requirements  
21 of the annual State report card, the information  
22 parents need to make informed decisions about  
23 the educational options available to their chil-  
24 dren, including information on the educational  
25 program, student support services, and annual

1 performance and enrollment data for the groups  
2 of students described in section  
3 1111(b)(2)(C)(v)(II).

4 “(3) REQUESTS FOR WAIVERS.—A request and  
5 justification, meeting the requirements of subpara-  
6 graphs (A) and (B) of section 5203(c)(5), for waiv-  
7 ers of any Federal statutory or regulatory provisions  
8 that the entity believes are necessary for the success-  
9 ful operation of the charter schools that will receive  
10 funds under the entity’s program under this section,  
11 and a description of any State or local rules, gen-  
12 erally applicable to public schools, that will be  
13 waived, or otherwise not apply to such schools.

14 “(f) SELECTION CRITERIA; PRIORITY.—

15 “(1) SELECTION CRITERIA.—The Secretary  
16 shall award grants under this section to covered en-  
17 tities on the basis of the quality of the applications  
18 submitted under subsection (e), after taking into  
19 consideration—

20 “(A) for covered entities described in para-  
21 graphs (1) and (3) of subsection (i)—

22 “(i) the degree of flexibility afforded  
23 by the State’s public charter school law  
24 and how the entity will work to maximize

1 the flexibility provided to charter schools  
2 under the law;

3 “(ii) the ambitiousness of the entity’s  
4 objectives for the quality charter school  
5 program carried out under this section;

6 “(iii) the quality of the strategy for  
7 assessing achievement of those objectives;

8 “(iv) the likelihood that the eligible  
9 applicants receiving subgrants under the  
10 program will meet those objectives and im-  
11 prove educational results for students;

12 “(v) the proposed number of new  
13 charter schools to be opened, and the pro-  
14 posed number of high-quality charter  
15 schools to be replicated or expanded under  
16 the program;

17 “(vi) the entity’s plan to—

18 “(I) adequately monitor the eligi-  
19 ble applicants receiving subgrants  
20 under the entity’s program; and

21 “(II) work with the authorized  
22 public chartering agencies involved to  
23 avoid duplication of work for the char-  
24 ter schools and authorized public  
25 chartering agencies;

1           “(vii) the entity’s plan to provide ade-  
2           quate technical assistance, as described in  
3           the entity’s application under subsection  
4           (e), for the eligible applicants receiving  
5           subgrants under the entity’s program  
6           under this section;

7           “(viii) the entity’s plan to support  
8           quality authorizing efforts in the State,  
9           consistent with the objectives described in  
10          clause (ii);

11          “(ix) the entity’s plan to solicit and  
12          consider input from parents and other  
13          members of the community on the imple-  
14          mentation and operation of the charter  
15          schools in the State;

16          “(B) for covered entities described in para-  
17          graphs (2) and (4) of subsection (i)—

18               “(i) the ambitiousness of the entity’s  
19               objectives for the quality charter school  
20               program carried out under this section;

21               “(ii) the quality of the strategy for as-  
22               sessing achievement of those objectives;

23               “(iii) the likelihood that the eligible  
24               applicants receiving subgrants under the  
25               entity’s program will meet those objectives

1 and improve educational results for stu-  
2 dents;

3 “(iv) the proposed number of new  
4 charter schools to be opened, and the pro-  
5 posed number of high-quality charter  
6 schools to be replicated or expanded under  
7 the program;

8 “(v) the entity’s plan to adequately  
9 monitor the eligible applicants receiving  
10 subgrants under the entity’s program;

11 “(vi) the entity’s plan to provide ade-  
12 quate technical assistance, as described in  
13 the entity’s application under subsection  
14 (e), for the eligible applicants receiving  
15 subgrants under the entity’s program  
16 under this section;

17 “(vii) the extent to which the entity  
18 has policies and procedures to ensure that  
19 charter schools in the area served by the  
20 entity—

21 “(I) have equitable access to fa-  
22 cilities available to other public  
23 schools in such area; or

1                   “(II) are not denied access to  
2                   available public school facilities in  
3                   such area; and

4                   “(viii) the extent to which the entity  
5                   demonstrates support for public school  
6                   choice and provides parents with informa-  
7                   tion regarding charter school alternatives;  
8                   and

9                   “(C) for covered entities described in sub-  
10                  section (i)(2), in addition to taking into consid-  
11                  eration the items described in clauses (i)  
12                  through (viii) of subparagraph (B), the entity’s  
13                  record of success in authorizing and supporting  
14                  high-quality charter schools.

15                  “(2) PRIORITY.—In awarding grants under this  
16                  section, the Secretary shall give priority to covered  
17                  entities to the extent that such entities meet the fol-  
18                  lowing criteria:

19                  “(A) STATES.—For covered entities de-  
20                  scribed in paragraphs (1) and (3) of subsection  
21                  (i):

22                  “(i) The entity is located in a State  
23                  that has a quality authorized public char-  
24                  tering agency that is an entity other than  
25                  a local educational agency.

1           “(ii) The entity is located in a State  
2           that does not impose any limitation on the  
3           number or percentage of charter schools  
4           that may exist or the number or percent-  
5           age of students that may attend charter  
6           schools in the State.

7           “(iii) The entity is located in a State  
8           that ensures equitable financing, as com-  
9           pared to traditional public schools, for  
10          charter schools and students in a prompt  
11          manner.

12          “(iv) The entity is located in a State  
13          that uses charter schools and best prac-  
14          tices from charter schools to help improve  
15          struggling schools and local educational  
16          agencies.

17          “(v) The entity partners with an orga-  
18          nization that has a demonstrated record of  
19          success in developing management organi-  
20          zations to support the development of  
21          charter schools in the State.

22          “(vi) The entity demonstrates quality  
23          policies and practices to support and mon-  
24          itor charter schools through factors includ-  
25          ing—



1                   “(I) the proportion of high-quality  
2                   charter schools in the State; and

3                   “(II) the proportion of charter  
4                   schools enrolling, at a rate similar to  
5                   traditional public schools, traditionally  
6                   underserved students, including stu-  
7                   dents with disabilities and limited  
8                   English proficient students.

9                   “(vii) The entity supports charter  
10                  schools that support at-risk students  
11                  through activities such as dropout preven-  
12                  tion or dropout recovery.

13                  “(viii) The entity authorizes all char-  
14                  ter schools in the State to serve as school  
15                  food authorities.

16                  “(ix) The entity is located in a State  
17                  that authorizes any charter school to be a  
18                  local educational agency in accordance with  
19                  State law.

20                  “(x) The entity is located in a State  
21                  that allows appeals of decisions of author-  
22                  ized public chartering agencies.

23                  “(xi) The entity is located in a State  
24                  that funds local educational agencies based  
25                  on an average daily enrollment or attend-

1                   ance count or based on more than one an-  
2                   nual enrollment count.

3                   “(xii) The entity is located in a State  
4                   with a law or policy such that per pupil  
5                   revenues are shared between local edu-  
6                   cational agencies to reflect split student  
7                   enrollment in 2 or more part-time edu-  
8                   cational programs operated or authorized  
9                   by different local educational agencies.

10                  “(xiii) The entity has taken steps to  
11                  ensure that all authorized public chartering  
12                  agencies implement practices that comply  
13                  with nationally recognized best practices  
14                  for quality charter school authorizing.

15                  “(xiv) The entity has policies and pro-  
16                  cedures to ensure that charter schools  
17                  identified as failing under the account-  
18                  ability system established under section  
19                  1111(b)(2)(A) of the State in which the  
20                  entity is located are closed, do not have  
21                  their charters renewed, or are not other-  
22                  wise allowed to continue operating, except  
23                  in special circumstances determined by the  
24                  State for charter schools—

1                   “(I) designated through a State  
2                   system as alternative education pro-  
3                   grams with an explicit mission to  
4                   serve students who have failed in tra-  
5                   ditional systems or large proportions  
6                   of extremely at-risk students, such as  
7                   students with moderate to profound  
8                   disabilities or incarcerated youth; and

9                   “(II) that are required to comply  
10                  with the accountability system estab-  
11                  lished under section 1111(b)(2)(A) of  
12                  the State.

13                  “(B) LOCAL EDUCATIONAL AGENCIES AND  
14                  AUTHORIZED PUBLIC CHARTERING AGEN-  
15                  CIES.—For covered entities described in para-  
16                  graphs (2) and (4) of subsection (i):

17                  “(i) The entity does not impose, to  
18                  the extent allowable under State law, any  
19                  limitation on the number or percentage of  
20                  charter schools that may exist or the num-  
21                  ber or percentage of students that may at-  
22                  tend charter schools.

23                  “(ii) The entity provides, to the extent  
24                  allowed under State law, equitable financ-  
25                  ing, as compared to traditional public

1 schools, for charter schools and students  
2 who attend such schools in a prompt man-  
3 ner.

4 “(iii) The entity demonstrates quality  
5 policies and practices to support and mon-  
6 itor charter schools through factors, in-  
7 cluding the proportion of charter schools  
8 enrolling, at a rate similar to traditional  
9 public schools, traditionally underserved  
10 students, including students with disabil-  
11 ities and limited English proficient stu-  
12 dents.

13 “(iv) The entity supports charter  
14 schools that support at-risk students  
15 through activities such as dropout preven-  
16 tion or dropout recovery.

17 “(v) The entity authorizes all charter  
18 schools it authorizes to serve as school food  
19 authorities to the extent allowed under  
20 State law.

21 “(vi) The entity has taken steps to en-  
22 sure that it complies with nationally recog-  
23 nized best practices for quality charter  
24 school authorizing.

1           “(vii) The entity ensures that charter  
2 schools identified as failing under the ac-  
3 countability system established under sec-  
4 tion 1111(b)(2)(A) of the State in which  
5 the entity is located are closed, do not have  
6 their charter renewed, or are otherwise al-  
7 lowed to continue operating, except in spe-  
8 cial circumstances determined by the State  
9 for charter schools—

10           “(I) designated through a State  
11 system as alternative education pro-  
12 grams with an explicit mission to  
13 serve students who have failed in tra-  
14 ditional systems or large proportions  
15 of extremely at-risk students, such as  
16 students with moderate to profound  
17 disabilities or incarcerated youth; and

18           “(II) that are required to comply  
19 with the accountability system estab-  
20 lished under section 1111(b)(2)(A) of  
21 the State.

22           “(viii) The entity has authorized not  
23 less than 3 high-quality charter schools.

24           “(g) LOCAL USES OF FUNDS.—An eligible applicant  
25 receiving a subgrant under this section shall use such

1 funds to open new charter schools, replicate high-quality  
2 charter school models, or expand existing high-quality  
3 charter schools, which may include—

4           “(1) securing a school building through lease or  
5           purchase and providing the necessary renovations to  
6           ensure a strong school opening or to meet the needs  
7           of increased student enrollment;

8           “(2) paying startup costs associated with hiring  
9           teachers to ensure strong school starts;

10           “(3) providing transportation to students to  
11           and from charter schools opened, replicated, or ex-  
12           panded under this subsection, but only in the case  
13           of an applicant that demonstrates the capability to  
14           continue providing such transportation after the ex-  
15           piration of the subgrant funds;

16           “(4) purchasing instructional materials, imple-  
17           menting teacher and principal professional develop-  
18           ment programs, and hiring additional other staff for  
19           such charter schools; and

20           “(5) supporting any other necessary startup  
21           and expansion activities with respect to such charter  
22           schools.

23           “(h) REPORTING REQUIREMENTS.—Each covered en-  
24           tity receiving a grant under this section shall submit to

1 the Secretary, at the end of each year of the 3-year grant  
2 period and at the end of such grant period, a report on—

3 “(1) the number of students served by each  
4 subgrant awarded under this section and, if applica-  
5 ble, how many new students were served during each  
6 year of the subgrant period;

7 “(2) the number of subgrants awarded under  
8 this section to carry out each of the following—

9 “(A) the opening of new charter schools;

10 “(B) the replication of high-quality charter  
11 school models; and

12 “(C) the expansion of high-quality charter  
13 schools;

14 “(3) the progress the entity made toward meet-  
15 ing the priorities described in subsection (f)(2), as  
16 applicable;

17 “(4) how the entity met the objectives of the  
18 quality charter school program described in the enti-  
19 ty’s application under subsection (e);

20 “(5) how the entity complied with, and ensured  
21 that eligible applicants complied with, the assurances  
22 described in the entity’s application; and

23 “(6) how the entity worked with authorized  
24 public chartering agencies, including how the agen-  
25 cies worked with the management company or lead-

1           ership of the schools that received subgrants under  
2           this section.

3           “(i) COVERED ENTITY DEFINED.—For purposes of  
4 this section, the term ‘covered entity’ means—

5                   “(1) a State educational agency;

6                   “(2) an authorized public chartering agency  
7 that is located in a State in which neither the State  
8 educational agency nor the Governor of the State  
9 has received a grant under this section;

10                   “(3) a Governor of a State; or

11                   “(4) a local educational agency that—

12                           “(A) is not a charter school that is consid-  
13 ered a local educational agency under State law;  
14 and

15                           “(B) is located in a State in which neither  
16 the State educational agency nor the Governor  
17 of the State has received a grant under this sec-  
18 tion.”.

19 **SEC. 6. FACILITIES FINANCING ASSISTANCE.**

20           Section 5204 (20 U.S.C. 7221c) is amended to read  
21 as follows:

22 **“SEC. 5204. FACILITIES FINANCING ASSISTANCE.**

23           “(a) GRANTS TO ELIGIBLE ENTITIES.—

24                   “(1) IN GENERAL.—The Secretary shall use not  
25 less than 65 percent of the amount reserved under



1 section 5202(b)(1) to award grants to eligible enti-  
2 ties that have the highest-quality applications ap-  
3 proved under subsection (d), after considering the  
4 diversity of such applications, to demonstrate inno-  
5 vative methods of assisting charter schools to ad-  
6 dress the cost of acquiring, constructing, and ren-  
7 ovating facilities by enhancing the availability of  
8 loan or bond financing.

9 “(2) ELIGIBLE ENTITY DEFINED.—For pur-  
10 poses of this section, the term ‘eligible entity’  
11 means—

12 “(A) a public entity, such as a State or  
13 local governmental entity;

14 “(B) a private nonprofit entity; or

15 “(C) a consortium of entities described in  
16 subparagraphs (A) and (B).

17 “(b) GRANTEE SELECTION.—The Secretary shall  
18 evaluate each application submitted under subsection (d),  
19 and shall determine whether the application is sufficient  
20 to merit approval.

21 “(c) GRANT CHARACTERISTICS.—In awarding grants  
22 under subsection (a), the Secretary shall award multiple  
23 grants of sufficient size, scope, and quality so as to ensure  
24 an effective demonstration of an innovative means of en-

1 hancing credit for the financing of charter school acquisi-  
2 tion, construction, or renovation.

3 “(d) APPLICATIONS.—

4 “(1) IN GENERAL.—To receive a grant under  
5 subsection (a), an eligible entity shall submit to the  
6 Secretary an application in such form as the Sec-  
7 retary may reasonably require.

8 “(2) CONTENTS.—An application submitted  
9 under paragraph (1) shall contain—

10 “(A) a statement identifying the activities  
11 proposed to be undertaken with funds received  
12 under subsection (a), including how the eligible  
13 entity will determine which charter schools will  
14 receive assistance, and how much and what  
15 types of assistance charter schools will receive;

16 “(B) a description of the involvement of  
17 charter schools in the application’s development  
18 and the design of the proposed activities;

19 “(C) a description of the eligible entity’s  
20 expertise in capital market financing;

21 “(D) a description of how the proposed ac-  
22 tivities will leverage the maximum amount of  
23 private-sector financing capital relative to the  
24 amount of government funding used and other-  
25 wise enhance credit available to charter schools,

1 including how the entity will offer a combina-  
2 tion of rates and terms more favorable than the  
3 rates and terms that a charter school could re-  
4 ceive without assistance from the entity under  
5 this section;

6 “(E) a description of how the eligible enti-  
7 ty possesses sufficient expertise in education to  
8 evaluate the likelihood of success of a charter  
9 school program for which facilities financing is  
10 sought;

11 “(F) a description of how the eligible enti-  
12 ty will encourage energy-efficient school build-  
13 ing practices;

14 “(G) in the case of an application sub-  
15 mitted by a State governmental entity, a de-  
16 scription of the actions that the entity has  
17 taken, or will take, to ensure that charter  
18 schools within the State receive the funding the  
19 charter schools need to have adequate facilities;  
20 and

21 “(H) such other information as the Sec-  
22 retary may reasonably require.

23 “(e) CHARTER SCHOOL OBJECTIVES.—An eligible  
24 entity receiving a grant under this section shall use the  
25 funds deposited in the reserve account established under

1 subsection (f) to assist one or more charter schools to ac-  
2 cess private sector capital to accomplish one or both of  
3 the following objectives:

4           “(1) The acquisition (by purchase, lease, dona-  
5 tion, or otherwise) of an interest (including an inter-  
6 est held by a third party for the benefit of a charter  
7 school) in improved or unimproved real property  
8 that is necessary to commence or continue the oper-  
9 ation of a charter school.

10           “(2) The construction of new facilities, includ-  
11 ing predevelopment costs, or the renovation, repair,  
12 or alteration of existing facilities, necessary to com-  
13 mence or continue the operation of a charter school.

14           “(f) RESERVE ACCOUNT.—

15           “(1) USE OF FUNDS.—To assist charter schools  
16 to accomplish the objectives described in subsection  
17 (e), an eligible entity receiving a grant under sub-  
18 section (a) shall, in accordance with State and local  
19 law, directly or indirectly, alone or in collaboration  
20 with others, deposit the funds received under sub-  
21 section (a) (other than funds used for administrative  
22 costs in accordance with subsection (g) of this sec-  
23 tion) in a reserve account established and main-  
24 tained by the eligible entity for this purpose.  
25 Amounts deposited in such account shall be used by

1 the eligible entity for one or more of the following  
2 purposes:

3 “(A) Guaranteeing, insuring, and rein-  
4 suring bonds, notes, evidences of debt, loans,  
5 and interests therein, the proceeds of which are  
6 used for an objective described in subsection  
7 (e).

8 “(B) Guaranteeing and insuring leases of  
9 personal and real property for an objective de-  
10 scribed in subsection (e).

11 “(C) Facilitating financing by identifying  
12 potential lending sources, encouraging private  
13 lending, and other similar activities that di-  
14 rectly promote lending to, or for the benefit of,  
15 charter schools.

16 “(D) Facilitating the issuance of bonds by  
17 charter schools, or by other public entities for  
18 the benefit of charter schools, by providing  
19 technical, administrative, and other appropriate  
20 assistance (including the recruitment of bond  
21 counsel, underwriters, and potential investors  
22 and the consolidation of multiple charter school  
23 projects within a single bond issue).

24 “(2) INVESTMENT.—Funds received under this  
25 section and deposited in the reserve account estab-

1 lished under paragraph (1) shall be invested in obli-  
2 gations issued or guaranteed by the United States or  
3 a State, or in other similarly low-risk securities.

4 “(3) REINVESTMENT OF EARNINGS.—Any earn-  
5 ings on funds received under subsection (a) shall be  
6 deposited in the reserve account established under  
7 paragraph (1) and used in accordance with such  
8 paragraph.

9 “(g) LIMITATION ON ADMINISTRATIVE COSTS.—An  
10 eligible entity may use not more than 2.5 percent of the  
11 funds received under subsection (a) for the administrative  
12 costs of carrying out its responsibilities under this section  
13 (excluding subsection (k)).

14 “(h) AUDITS AND REPORTS.—

15 “(1) FINANCIAL RECORD MAINTENANCE AND  
16 AUDIT.—The financial records of each eligible entity  
17 receiving a grant under subsection (a) shall be main-  
18 tained in accordance with generally accepted ac-  
19 counting principles and shall be subject to an annual  
20 audit by an independent public accountant.

21 “(2) REPORTS.—

22 “(A) GRANTEE ANNUAL REPORTS.—Each  
23 eligible entity receiving a grant under sub-  
24 section (a) annually shall submit to the Sec-

1           retary a report of its operations and activities  
2           under this section.

3           “(B) CONTENTS.—Each annual report  
4           submitted under subparagraph (A) shall in-  
5           clude—

6                   “(i) a copy of the most recent finan-  
7                   cial statements, and any accompanying  
8                   opinion on such statements, prepared by  
9                   the independent public accountant review-  
10                  ing the financial records of the eligible en-  
11                  tity;

12                   “(ii) a copy of any report made on an  
13                   audit of the financial records of the eligible  
14                   entity that was conducted under paragraph  
15                   (1) during the reporting period;

16                   “(iii) an evaluation by the eligible en-  
17                   tity of the effectiveness of its use of the  
18                   Federal funds provided under subsection  
19                   (a) in leveraging private funds;

20                   “(iv) a listing and description of the  
21                   charter schools served during the reporting  
22                   period, including the amount of funds used  
23                   by each school, the type of project facili-  
24                   tated by the grant, and the type of assist-  
25                   ance provided to the charter schools;

1           “(v) a description of the activities car-  
2           ried out by the eligible entity to assist  
3           charter schools in meeting the objectives  
4           set forth in subsection (e); and

5           “(vi) a description of the characteris-  
6           tics of lenders and other financial institu-  
7           tions participating in the activities under-  
8           taken by the eligible entity under this sec-  
9           tion (excluding subsection (k)) during the  
10          reporting period.

11          “(C) SECRETARIAL REPORT.—The Sec-  
12          retary shall review the reports submitted under  
13          subparagraph (A) and shall provide a com-  
14          prehensive annual report to Congress on the ac-  
15          tivities conducted under this section (excluding  
16          subsection (k)).

17          “(i) NO FULL FAITH AND CREDIT FOR GRANTEE  
18          OBLIGATION.—No financial obligation of an eligible entity  
19          entered into pursuant to this section (such as an obliga-  
20          tion under a guarantee, bond, note, evidence of debt, or  
21          loan) shall be an obligation of, or guaranteed in any re-  
22          spect by, the United States. The full faith and credit of  
23          the United States is not pledged to the payment of funds  
24          which may be required to be paid under any obligation



1 made by an eligible entity pursuant to any provision of  
2 this section.

3 “(j) RECOVERY OF FUNDS.—

4 “(1) IN GENERAL.—The Secretary, in accord-  
5 ance with chapter 37 of title 31, United States  
6 Code, shall collect—

7 “(A) all of the funds in a reserve account  
8 established by an eligible entity under sub-  
9 section (f)(1) if the Secretary determines, not  
10 earlier than 2 years after the date on which the  
11 eligible entity first received funds under this  
12 section (excluding subsection (k)), that the eli-  
13 gible entity has failed to make substantial  
14 progress in carrying out the purposes described  
15 in subsection (f)(1); or

16 “(B) all or a portion of the funds in a re-  
17 serve account established by an eligible entity  
18 under subsection (f)(1) if the Secretary deter-  
19 mines that the eligible entity has permanently  
20 ceased to use all or a portion of the funds in  
21 such account to accomplish any purpose de-  
22 scribed in subsection (f)(1).

23 “(2) EXERCISE OF AUTHORITY.—The Secretary  
24 shall not exercise the authority provided in para-  
25 graph (1) to collect from any eligible entity any

1 funds that are being properly used to achieve one or  
2 more of the purposes described in subsection (f)(1).

3 “(3) PROCEDURES.—The provisions of sections  
4 451, 452, and 458 of the General Education Provi-  
5 sions Act shall apply to the recovery of funds under  
6 paragraph (1).

7 “(4) CONSTRUCTION.—This subsection shall  
8 not be construed to impair or affect the authority of  
9 the Secretary to recover funds under part D of the  
10 General Education Provisions Act.

11 “(k) PER-PUPIL FACILITIES AID PROGRAM.—

12 “(1) DEFINITION OF PER-PUPIL FACILITIES AID  
13 PROGRAM.—In this subsection, the term ‘per-pupil  
14 facilities aid program’ means a program in which a  
15 State makes payments, on a per-pupil basis, to char-  
16 ter schools to provide the schools with financing—

17 “(A) that is dedicated solely for funding  
18 charter school facilities; or

19 “(B) a portion of which is dedicated for  
20 funding charter school facilities.

21 “(2) GRANTS.—

22 “(A) IN GENERAL.—From the amount re-  
23 served under section 5202(b)(1) remaining  
24 after the Secretary makes grants under sub-  
25 section (a), the Secretary shall make grants, on

1 a competitive basis, to States to pay for the  
2 Federal share of the cost of establishing or en-  
3 hancing, and administering per-pupil facilities  
4 aid programs.

5 “(B) PERIOD.—The Secretary shall award  
6 grants under this subsection for periods of not  
7 more than 5 years.

8 “(C) FEDERAL SHARE.—The Federal  
9 share of the cost described in subparagraph (A)  
10 for a per-pupil facilities aid program shall be  
11 not more than—

12 “(i) 90 percent of the cost, for the  
13 first fiscal year for which the program re-  
14 ceives assistance under this subsection;

15 “(ii) 80 percent in the second such  
16 year;

17 “(iii) 60 percent in the third such  
18 year;

19 “(iv) 40 percent in the fourth such  
20 year; and

21 “(v) 20 percent in the fifth such year.

22 “(D) STATE SHARE.—A State receiving a  
23 grant under this subsection may partner with 1  
24 or more organizations to provide up to 50 per-  
25 cent of the State share of the cost of estab-

1           lishing or enhancing, and administering the per-  
2           pupil facilities aid program.

3           “(E) MULTIPLE GRANTS.—A State may  
4           receive more than 1 grant under this sub-  
5           section, so long as the amount of such funds  
6           provided to charter schools increases with each  
7           successive grant.

8           “(3) USE OF FUNDS.—

9           “(A) IN GENERAL.—A State that receives  
10          a grant under this subsection shall use the  
11          funds made available through the grant to es-  
12          tablish or enhance, and administer, a per-pupil  
13          facilities aid program for charter schools in the  
14          State of the applicant.

15          “(B) EVALUATIONS; TECHNICAL ASSIST-  
16          ANCE; DISSEMINATION.—From the amount  
17          made available to a State through a grant  
18          under this subsection for a fiscal year, the State  
19          may reserve not more than 5 percent to carry  
20          out evaluations, to provide technical assistance,  
21          and to disseminate information.

22          “(C) SUPPLEMENT, NOT SUPPLANT.—  
23          Funds made available under this subsection  
24          shall be used to supplement, and not supplant,  
25          State, and local public funds expended to pro-

1           vide per pupil facilities aid programs, oper-  
2           ations financing programs, or other programs,  
3           for charter schools.

4           “(4) REQUIREMENTS.—

5                 “(A) VOLUNTARY PARTICIPATION.—No  
6           State may be required to participate in a pro-  
7           gram carried out under this subsection.

8                 “(B) STATE LAW.—

9                     “(i) IN GENERAL.—Except as pro-  
10           vided in clause (ii), to be eligible to receive  
11           a grant under this subsection, a State shall  
12           establish or enhance, and administer, a  
13           per-pupil facilities aid program for charter  
14           schools in the State, that—

15                         “(I) is specified in State law; and

16                         “(II) provides annual financing,  
17           on a per-pupil basis, for charter  
18           school facilities.

19                     “(ii) SPECIAL RULE.—Notwith-  
20           standing clause (i), a State that is required  
21           under State law to provide its charter  
22           schools with access to adequate facility  
23           space, but which does not have a per-pupil  
24           facilities aid program for charter schools  
25           specified in State law, may be eligible to

1 receive a grant under this subsection if the  
2 State agrees to use the funds to develop a  
3 per-pupil facilities aid program consistent  
4 with the requirements of this subsection.

5 “(5) APPLICATIONS.—To be eligible to receive a  
6 grant under this subsection, a State shall submit an  
7 application to the Secretary at such time, in such  
8 manner, and containing such information as the Sec-  
9 retary may require.”.

10 **SEC. 7. NATIONAL ACTIVITIES.**

11 Section 5205 (20 U.S.C. 7221d) is amended to read  
12 as follows:

13 **“SEC. 5205. NATIONAL ACTIVITIES AND GRANTS FOR LOCAL**  
14 **ACTIVITIES.**

15 “(a) TECHNICAL ASSISTANCE AND BEST PRAC-  
16 TICES.—From the amount reserved under section  
17 5202(b)(2) for carrying out this subsection, the Secretary  
18 shall—

19 “(1) disseminate technical assistance to covered  
20 entities in awarding subgrants under section 5203,  
21 and eligible entities and States receiving grants  
22 under section 5204; and

23 “(2) disseminate best practices.

24 “(b) EVALUATION.—From the amount reserved  
25 under section 5202(b)(2) for carrying out this subsection,

1 the Secretary shall, in partnership with the Institute for  
2 Education Sciences—

3 “(1) develop relevant performance metrics, in-  
4 cluding student outcome data, for covered entities,  
5 eligible applicants, and charter schools that receive  
6 funds under section 5203;

7 “(2) assist such covered entities, eligible appli-  
8 cants, and charter schools in collecting and submit-  
9 ting, on an annual basis, data on such performance  
10 metrics to the Secretary;

11 “(3) evaluate the performance of and conduct  
12 related research to—

13 “(A) determine which policies and prac-  
14 tices of covered entities, eligible applicants, and  
15 charter schools have the greatest impact on stu-  
16 dent achievement;

17 “(B) drive continuous improvement with  
18 respect to relevant performance metrics, includ-  
19 ing student outcome data, for covered entities,  
20 eligible applicants, and charter schools that re-  
21 ceive funds under section 5203; and

22 “(C) inform the distribution of funds to  
23 higher performing covered entities, eligible ap-  
24 plicants, and charter schools; and

1           “(4) disseminate the findings of the research,  
2           evaluation, and data collection under this subsection  
3           to maximize lessons learned for other educators,  
4           charter schools, and policy makers.

5           “(c) GRANTS FOR LOCAL ACTIVITIES.—

6           “(1) IN GENERAL.—From the amount reserved  
7           under section 5202(b)(3), the Secretary shall make  
8           grants, on a competitive basis, to eligible applicants  
9           for the purpose of carrying out the activities de-  
10          scribed in section 5202(a)(1), clauses (i) through  
11          (iii) of section 5203(a)(1)(A), and section 5203(g).

12          “(2) TERMS AND CONDITIONS.—Except as oth-  
13          erwise provided in this subsection, each grant award-  
14          ed under this subsection shall have the same terms  
15          and conditions as a grant awarded to covered enti-  
16          ties under section 5203, including the grant limita-  
17          tions described in subparagraphs (A) and (B) in sec-  
18          tion 5203(d)(1), except that—

19                 “(A) a charter school that has previously  
20                 used funds received under this subpart for plan-  
21                 ning or charter school program design to open  
22                 a new charter school may not use funds under  
23                 this subsection for such planning or program  
24                 design; and



1           “(B) notwithstanding subparagraph (A),  
2           an eligible applicant that is a charter manage-  
3           ment organization may receive more than 1  
4           grant under this subsection during a grant pe-  
5           riod to expand a high-quality charter school,  
6           replicate a high-quality charter school model, or  
7           open or one or more high-quality charter  
8           schools that are based on the charter school  
9           model for which the eligible applicant has pre-  
10          sented evidence of success to the Secretary.

11          “(3) DEFINITIONS.—For purposes of this sub-  
12          section—

13                 “(A) the term ‘charter management orga-  
14                 nization’ a nonprofit organization, other non-  
15                 profit entity, or a group or consortium of such  
16                 organizations or entities that—

17                         “(i) operates, manages, or oversees  
18                         multiple charter schools by centralizing or  
19                         sharing certain functions and resources  
20                         among such schools; or

21                         “(ii) desires to open, replicate, or ex-  
22                         pand a high-quality charter school.

23                 “(B) the term ‘eligible applicant’ means—

1                   “(i) an eligible applicant (as defined  
2                   in section 5210) that has not received a  
3                   grant or subgrant under section 5203; or  
4                   “(ii) a charter management organiza-  
5                   tion.

6                   “(d) CONTRACTS AND GRANTS.—The Secretary may  
7                   carry out any of the activities described in this section di-  
8                   rectly or through grants, contracts, or cooperative agree-  
9                   ments.”.

10 **SEC. 8. RECORDS TRANSFER.**

11                   Section 5208 (20 U.S.C. 7221g) is amended—

12                   (1) by inserting “as quickly as possible and”  
13                   before “to the extent practicable”; and

14                   (2) by striking “section 602” and inserting  
15                   “section 602(14)”.

16 **SEC. 9. DEFINITIONS.**

17                   Section 5210 (20 U.S.C. 7221i) is amended—

18                   (1) in paragraph (1)—

19                   (A) in subparagraph (H) by inserting  
20                   “(which, if authorized under the State law of  
21                   the school and the school’s charter agreement,  
22                   may be a lottery that gives added weight to stu-  
23                   dents eligible for free or reduced price lunch  
24                   under the Richard B. Russell National School  
25                   Lunch Act)” after “lottery”;

1 (B) by striking “and” at the end of sub-  
2 paragraph (K);

3 (C) by striking the period at the end of  
4 subparagraph (L) and inserting “; and”; and

5 (D) by adding at the end, the following:

6 “(M) may serve prekindergarten or post  
7 secondary students.”;

8 (2) in paragraph (3)(B), by striking “under  
9 section 5203(d)(3)”;

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

11 “(5) EXPANSION OF A HIGH-QUALITY CHARTER  
12 SCHOOL.—The term ‘expansion of a high-quality  
13 charter school’ means significantly increasing the en-  
14 rollment of a high-quality charter school or adding  
15 1 or more grades to such school.

16 “(6) HIGH-QUALITY CHARTER SCHOOL.—The  
17 term ‘high-quality charter school’ means a charter  
18 school that—

19 “(A) shows evidence of strong academic re-  
20 sults, including through—

21 “(i) the percentage of students in the  
22 proficient or advanced levels of achieve-  
23 ments on the State academic assessments  
24 required under section 1111(b)(3), com-

1           pared to demographically similar schools in  
2           the State;

3           “(ii) the average student academic,  
4           longitudinal growth from one school year  
5           to next school year, if available and as de-  
6           termined by the State, on the State aca-  
7           demic assessments required under section  
8           1111(b)(3) that is above such growth in  
9           demographically similar schools in the  
10          State;

11          “(iii) in the case of a charter school  
12          that is a secondary school, high school  
13          graduation rates; and

14          “(iv) college attendance and persist-  
15          ence rates, when available;

16          “(B) has no significant issues in the areas  
17          of student safety, financial management, or  
18          statutory or regulatory compliance;

19          “(C) has demonstrated success in signifi-  
20          cantly increasing student academic achievement  
21          and attainment for all students served by the  
22          charter school; and

23          “(D) has demonstrated success in—

24                  “(i) increasing student academic  
25                  achievement as described in subparagraph

1 (A) for each group of students described in  
2 section 1111(b)(2)(C)(v)(II) and served by  
3 the charter school, except that such dem-  
4 onstration is not required in a case in  
5 which the number of students in a group  
6 is insufficient to yield statistically reliable  
7 information or the results would reveal  
8 personally identifiable information about  
9 an individual student; and

10 “(ii) closing achievement gaps be-  
11 tween each such group and all populations  
12 served by the charter school.

13 “(7) HIGH-QUALITY CHARTER SCHOOL  
14 MODEL.—The term ‘high-quality charter school  
15 model’ means a high-quality charter school that has  
16 the capability of opening another such charter school  
17 under an existing charter, such as a feeder middle  
18 school or a secondary school that a middle school  
19 feeds students into.

20 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

21 Section 5211 (20 U.S.C. 7221j) is amended to read  
22 as follows:

1 **“SEC. 5211. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out  
3 this subpart \$330,000,000 for fiscal year 2014 and each  
4 of the 5 succeeding fiscal years.”.

5 **SEC. 11. CONFORMING AMENDMENTS.**

6 (a) REPEAL.—Subpart 2 of part B of title V (20  
7 U.S.C. 7223 et seq.) is repealed.

8 (b) TABLE OF CONTENTS.—The table of contents in  
9 section 2 is amended—

10 (1) by striking the item relating to section 5203  
11 and inserting the following:

“Sec. 5203. Grants to support high-quality charter schools.”;

12 (2) by striking the item relating to section 5204  
13 and inserting the following:

“Sec. 5204. Facilities Financing Assistance.”; and

14 (3) by striking subpart 2 of part B of title V.