To create or adopt, and implement, rigorous and voluntary American education content standards in mathematics and science covering kindergarten through grade 12, to provide for the assessment of student proficiency benchmarked against such standards, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. Dodd introduced the following bill; which was read twice and referred to the Committee on

A BILL

To create or adopt, and implement, rigorous and voluntary American education content standards in mathematics and science covering kindergarten through grade 12, to provide for the assessment of student proficiency benchmarked against such standards, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) Short Title.—This Act may be cited as the “Standards to Provide Educational Achievement for Kids Act” or the “SPEAK Act”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings.
Sec. 3. Assessing science in the National Assessment of Educational Progress.
Sec. 4. Definitions.
Sec. 5. Voluntary American education content standards; American Standards Incentive Fund.
Sec. 6. Authorization of appropriations.

3 **SEC. 2. FINDINGS.**

Congress finds the following:

(1) Throughout the years, educators and policymakers have consistently embraced standards as the mechanism to ensure that every student, no matter what school the student attends, masters the skills and develops the knowledge needed to participate in a global economy.

(2) Recent international comparisons make clear that students in the United States have significant shortcomings in mathematics and science, yet a high level of scientific and mathematics literacy is essential to societal innovations and advancements.

(3) With more than 50 different sets of academic content standards, 50 State academic assessments, and 50 definitions of proficiency under section 1111(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)), there is great variability in the measures, standards, and
benchmarks for academic achievement in mathematics and science.

(4) Variation in State standards and the accompanying measures of proficiency make it difficult for parents and teachers to meaningfully gauge how well their children are learning mathematics and science in comparison to their peers internationally or here at home.

(5) The disparity in the rigor of standards across States yield test results that tell the public little about how schools are performing and progressing, as States with low standards or low proficiency scores may appear to be doing much better than States with more rigorous standards or higher requirements for proficiency.

(6) As a result, the United States’ highly mobile student-aged population moves through the Nation’s schools gaining widely varying levels of knowledge, skills, and preparedness.

(7) In order for the United States to compete in a global economy, the country needs to strengthen its educational expectations for all children.

(8) To compete, the people of the United States must compare themselves against international benchmarks.
(9) Grounded in a real world analysis and international comparisons of what students need to succeed in work and college, rigorous and voluntary core American education content standards will keep the United States economically competitive and ensure that the children of the United States are given the same opportunity to learn to a high standard no matter where they reside.

(10) Rigorous and voluntary core American education content standards in mathematics and science will enable students to succeed in academic settings across States while ensuring an American edge in the global marketplace.

SEC. 3. ASSESSING SCIENCE IN THE NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS.

(a) National Assessment of Educational Progress Authorization Act.—Section 303 of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622) is amended—

(1) in subsection (a), by striking “reading and mathematics” and inserting “reading, mathematics, and science”;

(2) in subsection (b)—

(A) in paragraph (1), by inserting “science,” after “mathematics,”;
(B) in paragraph (2)—

(i) in subparagraph (B), by striking “reading and mathematics” and inserting “reading, mathematics, and science”; 

(ii) in subparagraph (C), by striking “reading and mathematics” and inserting “reading, mathematics, and science”; 

(iii) in subparagraph (D), by striking “science,”; 

(iv) in subparagraph (E), by striking “reading and mathematics” and inserting “reading, mathematics, and science”; and 

(v) in subparagraph (F)— 

(I) by striking “continue to” ;

and

(II) by striking “reading and mathematics” and inserting “reading, mathematics, and science”; 

(C) in paragraph (3)—

(i) in subparagraph (A), by striking “reading and mathematics” each place the term occurs and inserting “reading, mathematics, and science”; and 

(ii) in subparagraph (C)(ii), by striking “reading and mathematics” and insert-
ing “reading, mathematics, and science”;
and
(D) in paragraph (4)(B), by striking “, re-
quire, or influence” and inserting “or require”;
(3) in subsection (d)(3), by striking “reading
and mathematics” each place the term occurs and
inserting “reading, mathematics, and science”; and
(4) in subsection (f)(1)(B)(v), by striking “and
mathematical knowledge” and inserting “, math-
ematical knowledge, and science knowledge”.

(b) ELEMENTARY AND SECONDARY EDUCATION ACT
OF 1965.—Subpart 1 of part A of title I of the Eleme-
tary and Secondary Education Act of 1965 (20 U.S.C.
6311 et seq.) is amended—
(1) in section 1111(c)(2) (20 U.S.C.
6311(c)(2))—
(A) by inserting “(and, for science, begin-
ing with the 2008–2009 school year)” after
“2002–2003”; and
(B) by striking “reading and mathe-
matics” and inserting “reading, mathematics,
and science”; and
(2) in section 1112(b)(1)(F) (20 U.S.C.
6312(b)(1)(F)), by striking “reading and mathe-
matics” and inserting “reading, mathematics, and science”.

SEC. 4. DEFINITIONS.

Section 304 of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9623) is amended—

(1) in the matter preceding paragraph (1), by striking “In this title:” and inserting “Except as otherwise provided, in this title:”; 

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(3) SECRETARY.—The term ‘Secretary’ means the Secretary of Education.”.

SEC. 5. VOLUNTARY AMERICAN EDUCATION CONTENT STANDARDS; AMERICAN STANDARDS INCENTIVE FUND.

The National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621 et seq.) is amended—

(1) by redesignating sections 304 (as amended by section 4) and 305 as sections 306 and 307, respectively; and

(2) by inserting after section 303 the following:
SEC. 304. CREATION OR ADOPTION OF VOLUNTARY AMERICAN EDUCATION CONTENT STANDARDS.

(a) In General.—Not later than 3 years after the date of enactment of the Standards to Provide Educational Achievement for Kids Act and from amounts appropriated under section 307(a)(3) for a fiscal year, the Assessment Board shall create or adopt voluntary American education content standards in mathematics and science covering kindergarten through grade 12.

(b) Duties.—The Assessment Board shall implement subsection (a) by carrying out the following duties:

(1) Create or adopt voluntary American education content standards for mathematics and science covering kindergarten through grade 12 that reflect a common core of what students in the United States should know and be able to do to compete in a global economy.

(2) Anchor the voluntary American education content standards based on the mathematics and science frameworks and the achievement levels under section 303(e) of the National Assessment of Educational Progress for grades 4, 8, and 12.

(3) Ensure that the voluntary American education content standards are internationally competitive and comparable to the best standards in the world.
“(4) Review existing standards in mathematics and science developed by professional organizations.

“(5) Review State standards in mathematics and science as of the date of enactment of the Standards to Provide Educational Achievement for Kids Act and consult and work with entities that are developing, or have already developed, such State standards.

“(6) Review the reports, views, and analyses of a broad spectrum of experts, including classroom educators, and of the public, as such reports, views, and analyses relate to mathematics and science education, including reviews of blue ribbon reports, exemplary practices in the field, and recent reports by government agencies and professional organizations.

“(7) Review scientifically rigorous studies that examine the relationship between—

“(A) the sequences of secondary school-level mathematics and science courses; and

“(B) student achievement.

“(8) Ensure that steps are taken in the development of the voluntary American education content standards to recognize the needs of students who receive special education and related services under the Individuals with Disabilities Education Act (20
U.S.C. 1400 et seq.) and of students who are limited English proficient (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)).

“(9) Solicit input from State and local representative organizations, mathematics and science organizations (including mathematics and science teacher organizations), institutions of higher education, higher education organizations, business organizations, and other appropriate organizations.

“(10) Ensure that the voluntary American education content standards reflect what students will be required to know and be able to do after secondary school graduation to be academically qualified to enter an institution of higher education or training for the civilian or military workforce.

“(11) Widely disseminate the voluntary American education content standards for public review and comment before final adoption.

“(12) Provide for continuing review of the voluntary American education content standards not less often than once every 10 years, which review—

“(A) shall solicit input from organizations and entities, including—
“(i) 1 or more professional mathematics or science organizations, including mathematics or science educator organizations;

“(ii) the State educational agencies that have received American Standards Incentive Fund grants under section 305 during the period covered by the review; and

“(iii) other organizations and entities, as determined appropriate by Assessment Board; and

“(B) shall address issues including—

“(i) whether the voluntary American education content standards continue to reflect international standards of excellence and the latest developments in the fields of mathematics and science; and

“(ii) whether the voluntary American education content standards continue to reflect what students are required to know and be able to do in science and mathematics after graduation from secondary school to be academically qualified to enter an institution of higher education or train-
ing for the civilian or military workforce, as of the date of the review.

“SEC. 305. THE AMERICAN STANDARDS INCENTIVE FUND.

“(a) DEFINITIONS.—In this section:


“(2) ACADEMIC CONTENT STANDARDS.—The term ‘academic content standards’ means the challenging academic content standards described in section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)).

“(3) LEVELS OF ACHIEVEMENT.—The term ‘levels of achievement’ means the State levels of achievement under subclauses (II) and (III) of section 1111(b)(1)(D)(ii) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)(D)(ii)(II), (III)).

“(4) STATE ACADEMIC ASSESSMENTS.—The term ‘State academic assessments’ means the academic assessments for a State described in section
1111(b)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)).

“(b) Establishment of Fund.—From amounts appropriated under section 307(a)(4) for a fiscal year, the Secretary shall establish and fund the American Standards Incentive Fund to carry out the grant program under subsection (c).

“(c) Incentive Grant Program Authorized.—

“(1) In general.—Not later than 12 months after the Assessment Board adopts the voluntary American education content standards under section 304, the Secretary shall use amounts available from the American Standards Incentive Fund to award, on a competitive basis, grants to State educational agencies to enable each State educational agency to adopt the voluntary American education content standards in mathematics and science as the core of the State’s academic content standards in mathematics and science by carrying out the activities described in subsection (f).

“(2) Duration and amount.—A grant under this subsection shall be awarded—

“(A) for a period of not more than 4 years; and
“(B) in an amount that is not more than $4,000,000 over the period of the grant.

“(3) SEA COLLABORATION PERMITTED.—A State educational agency receiving a grant under this subsection may collaborate with another State educational agency receiving a grant under this subsection in carrying out the activities described in subsection (f).

“(d) CORE STANDARDS.—A State educational agency receiving a grant under subsection (c) shall adopt and use the voluntary American education content standards in mathematics and science as the core of the State academic content standards in mathematics and science. The State educational agency may add additional standards to the voluntary American education content standards as part of the State academic content standards in mathematics and science.

“(e) STATE APPLICATION.—A State educational agency desiring to receive a grant under subsection (c) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. The application shall include—

“(1) timelines for carrying out each of the activities described in subsection (f)(1); and
“(2) a description of the activities that the State educational agency will undertake to implement the voluntary American education content standards in mathematics and science adopted under section 304, and the achievement levels in mathematics and science developed under section 303(e) for the national and State assessments of the National Assessment of Educational Progress, at both the State educational agency and local educational agency levels, including any additional activities described in subsection (f)(2).

“(f) USE OF FUNDS.—

“(1) MANDATORY ACTIVITIES.—A State educational agency receiving a grant under subsection (c) shall use grant funds to carry out all of the following:

“(A) Adopt the voluntary American education content standards in mathematics and science as the core of the State’s academic content standards in mathematics and science not later than 2 years after the receipt of a grant under this section.

“(B) Align the teacher certification or licensure, pre-service, and professional development requirements of the State to the voluntary
American education content standards in mathematics and science not later than 3 years after the receipt of the grant.

“(C) Align the State academic assessments in mathematics and science (or develop new such State academic assessments that are aligned) with the voluntary American education content standards in mathematics and science not later than 4 years after the receipt of the grant.

“(D) Align the State levels of achievement in mathematics and science with the student achievement levels in mathematics and science developed under section 303(e) for the national and State assessments of the National Assessment of Educational Progress not later than 4 years after the receipt of the grant.

“(E) Develop dissemination, technical assistance, and professional development activities for the purpose of educating local educational agencies and schools on what the standards adopted by the State educational agency under this section are and how the standards can be incorporated into classroom instruction.
“(2) PERMISSIVE ACTIVITIES.—A State educational agency receiving a grant under subsection (c) may use the grant funds to carry out, at the local educational agency or State educational agency level, any of the following activities:

“(A) Develop curricula and instructional materials in mathematics or science that are aligned with the voluntary American education content standards in mathematics and science.

“(B) Conduct other activities needed for the implementation of the voluntary American education content standards in mathematics and science.

“(3) PRIORITY.—In awarding grants under this section the Secretary shall give priority to a State educational agency that will use the grant funds to carry out subparagraph (A) of paragraph (2).

“(g) AWARD BASIS.—In determining the amount of a grant under subsection (c), the Secretary shall take into consideration—

“(1) the extent to which a State’s academic content standards, State academic assessments, levels of achievement in mathematics and science, and teacher certification or licensure, pre-service, and professional development requirements, must be re-
vised to align such State standards, assessments, levels, and teacher requirements with the voluntary American education content standards created or adopted under section 304 and the achievement levels in mathematics and science developed under section 303(e); and

“(2) the planned activities described in the application submitted under subsection (e).

“(h) ANNUAL STATE EDUCATIONAL AGENCY REPORTS.—A State educational agency receiving a grant under subsection (c) shall submit an annual report to the Secretary demonstrating the State educational agency’s progress in meeting the timelines described in the application under subsection (e)(1).

“(i) GRANTS FOR DoD AND BIA SCHOOLS.—

“(1) DEPARTMENT OF DEFENSE SCHOOLS.—From amounts available from the American Standards Incentive Fund, the Secretary, upon application by the Secretary of Defense, may award grants under subsection (e) to the Secretary of Defense on behalf of elementary schools and secondary schools operated by the Department of Defense to enable the Secretary of Defense to carry out activities similar to the activities described in subsection (f) for
the elementary schools and secondary schools operated by the Department of Defense.

“(2) **BUREAU OF INDIAN AFFAIRS SCHOOLS.**—

From amounts available from the American Standards Incentive Fund, the Secretary, in consultation with the Secretary of the Interior, may award grants under subsection (e) to the Bureau of Indian Affairs on behalf of elementary schools and secondary schools operated or funded by the Department of the Interior to enable the Director of the Bureau of Indian Affairs to carry out activities similar to the activities described in subsection (f) for the elementary schools and secondary schools operated or funded by the Department of the Interior.

“(j) **STUDY.**—Not later than 2 years after the completion of the first 4-year grant cycle for grants under this section, the Commissioner for Education Statistics shall carry out a study comparing the gap between the reported proficiency on State academic assessments and assessments under section 303 for State educational agencies receiving grants under subsection (e), before and after the State adopts the voluntary American education content standards in mathematics and science as the core of the State education content standards in mathematics and science.
“(k) **DATA GRANT.**—

“(1) **PROGRAM AUTHORIZED.**—

“(A) **IN GENERAL.**—From amounts appropriated under section 307(a)(4), the Secretary shall award, to each State educational agency that meets the requirements of paragraph (3), a grant to enhance statewide student level longitudinal data systems as those systems relate to the requirements of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.).

“(B) **DATA AUDIT SYSTEM.**—The State, through the implementation of such enhanced data system, shall—

“(i) ensure that the State has in place a State data audit system to assess data quality, validity, and reliability; and

“(ii) provide guidance, technical assistance, and professional development to local educational agencies to ensure local education officials and educators have the tools, knowledge, and protocol necessary to use the enhanced data system properly, ensure the integrity of the data, and be able
to use the data to inform education policy and practice.

“(2) Amount of Grant.—A grant awarded to a State educational agency under this subsection shall be in an amount equal to 5 percent of the amount allocated to the State under section 1122 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332). If the amounts available from the American Standards Incentive Fund are insufficient to pay the full amounts of grants under paragraph (1) to all State educational agencies that receive a grant under this subsection, then the Secretary shall ratably reduce the amount of all grants under this subsection.

“(3) Requirements.—In order to receive a grant under this subsection, a State educational agency shall—

“(A) have received a grant under subsection (c); and

“(B) successfully demonstrate to the Secretary that the State has aligned—

“(i) the State’s academic content standards and State academic assessments in mathematics and science, and the State’s teacher certification or licensure,
pre-service, and professional development
requirements, with the voluntary American
education content standards in mathematics and science; and

“(ii) the State levels of achievement in
mathematics and science for grades 4, 8,
and 12, with the achievement levels in
mathematics and science developed under
section 303(e) for such grades.

“(4) NATURE OF GRANT.—A grant under this
subsection to a State educational agency shall be in
addition to any grant awarded to the State edu-
cational agency under subsection (c).

“(5) LIMIT ON NUMBER OF GRANTS.—In no
case shall a State educational agency receive more
than 1 grant under this subsection.

“(l) REPORTS TO CONGRESS.—Not later than 2 years
after the date of enactment of the Standards to Provide
Educational Achievement for Kids Act, and every 2 years
thereafter, the Secretary shall report to Congress regard-
ing the status of all grants awarded under this section.

“(m) RULE OF CONSTRUCTION.—Nothing in this sec-
tion shall be construed to establish a preferred national
curriculum or preferred teaching methodology for elemen-
tary school or secondary school instruction.
“(n) Timeline Extension.—The Secretary may extend the 12-year requirement under section 1111(b)(2)(F) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(F)) by not less than 2 years and by not more than 4 years for a State served by a State educational agency that receives grants under subsections (c) and (k).”.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

Section 307(a) of the National Assessment of Educational Progress Authorization Act (as redesignated by section 5(1)) (20 U.S.C. 9624(a)) is amended to read as follows:

“(a) In General.—There are authorized to be appropriated—

“(1) to carry out section 302, $6,000,000 for fiscal year 2007 and such sums as may be necessary for each succeeding fiscal year;

“(2) to carry out section 303, $200,000,000 for fiscal year 2007 and such sums as may be necessary for each succeeding fiscal year;

“(3) to carry out section 304, $3,000,000 for fiscal year 2007 and such sums as may be necessary for each succeeding fiscal year; and
“(4) to carry out section 305, $400,000,000 for fiscal year 2007 and such sums as may be necessary for each succeeding fiscal year.”.