1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "Every Student Suc-
3 ceeds Act".

4 **SEC. 2. TABLE OF CONTENTS.**

5 The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. References.
Sec. 4. Transition.
Sec. 5. Effective dates.
Sec. 6. Table of contents of the Elementary and Secondary Education Act of 1965.

TITLE I—IMPROVING BASIC PROGRAMS OPERATED BY STATE AND LOCAL EDUCATIONAL AGENCIES

PART A—IMPROVING BASIC PROGRAMS OPERATED BY STATE AND LOCAL EDUCATIONAL AGENCIES

Sec. 1000. Redesignations.
Sec. 1001. Statement of purpose.
Sec. 1002. Authorization of appropriations.
Sec. 1003. School improvement.
Sec. 1004. Direct student services.
Sec. 1005. State plans.
Sec. 1006. Local educational agency plans.
Sec. 1007. Eligible school attendance areas.
Sec. 1008. Schoolwide programs.
Sec. 1009. Targeted assistance schools.
Sec. 1010. Parent and family engagement.
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Sec. 1012. Supplement, not supplant.
Sec. 1013. Coordination requirements.
Sec. 1014. Grants for the outlying areas and the Secretary of the Interior.
Sec. 1015. Allocations to States.
Sec. 1016. Adequacy of funding rule.
Sec. 1017. Education finance incentive grant program.

PART B—STATE ASSESSMENT GRANTS

Sec. 1201. State assessment grants.

PART C—EDUCATION OF MIGRATORY CHILDREN

Sec. 1301. Education of migratory children.

PART D—PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK

Sec. 1401. Prevention and intervention programs for children and youth who are neglected, delinquent, or at-risk.

PART E—FLEXIBILITY FOR EQUITABLE PER-PUPIL FUNDING

Sec. 1501. Flexibility for equitable per-pupil funding.

PART F—GENERAL PROVISIONS

Sec. 1601. General provisions.

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Sec. 2001. General provisions.
Sec. 2002. Preparing, training, and recruiting high-quality teachers, principals, or other school leaders.

TITLE III—LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS

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Sec. 3003. English language acquisition, language enhancement, and academic achievement.
Sec. 3004. General provisions.

TITLE IV—21ST CENTURY SCHOOLS

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Sec. 4002. General provisions.

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Sec. 4101. Student support and academic enrichment grants.

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Sec. 4201. 21st century community learning centers.

PART C—EXPANDING OPPORTUNITY THROUGH QUALITY CHARTER SCHOOLS

Sec. 4301. Charter schools.

PART D—MAGNET SCHOOLS ASSISTANCE

Sec. 4401. Magnet schools assistance.

PART E—FAMILY ENGAGEMENT IN EDUCATION PROGRAMS

Sec. 4501. Family Engagement in Education Programs.

PART F—NATIONAL ACTIVITIES

Sec. 4601. National activities.

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Sec. 5002. Funding Transferability for State and Local Educational Agencies.
Sec. 5003. Rural education initiative.
Sec. 5004. General provisions.
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TITLE VI—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

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Sec. 8014. Approval and disapproval of State plans and local applications.
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Sec. 8026. Prohibition on federally sponsored testing.
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1 serve additional funds under this section for the evaluation
2 of that program.".

3 TITLE IX—EDUCATION FOR THE 4 HOMELESS AND OTHER LAWS

5 PART A—HOMELESS CHILDREN AND YOUTHS

6 SEC. 9101. STATEMENT OF POLICY.

7 Section 721 of the McKinney-Vento Homeless Assist-
8 ance Act (42 U.S.C. 11431) is amended—

9 (1) in paragraph (2), by striking "In any
10 State" and all that follows through "will review"
11 and inserting "In any State where compulsory resi-
12 dency requirements or other requirements, in laws,
13 regulations, practices, or policies, may act as a bar-
14 rier to the identification of, or the enrollment, at-
15 tendance, or success in school of, homeless children
16 and youths, the State educational agency and local
17 educational agencies in the State will review";

18 (2) in paragraph (3), by striking "alone"; and

19 (3) in paragraph (4), by striking "challenging
20 State student academic achievement standards" and
21 inserting "challenging State academic standards".

22 SEC. 9102. GRANTS FOR STATE AND LOCAL ACTIVITIES.

23 Section 722 of the McKinney-Vento Homeless Assist-
24 ance Act (42 U.S.C. 11432) is amended—

1 (1) by striking subsection (b) and inserting the
2 following:
3 "(b) GRANTS FROM ALLOTMENTS.—The Secretary
4 shall make the grants to States from the allotments made
5 under subsection (c)(1).";
6 (2) in subsection (d)—
7 (A) in paragraph (2)—
8 (i) by striking "To provide" and all
9 that follows through "that enable" and in-
10 serting "To provide services and activities
11 to improve the identification of homeless
12 children and youths (including preschool-
13 aged homeless children) and enable"; and
14 (ii) by striking "or, if" and inserting
15 "including, if";
16 (B) in paragraph (3), by striking "des-
17 ignate" and all that follows and inserting "des-
18 ignate in the State educational agency an Office
19 of the Coordinator for Education of Homeless
20 Children and Youths that can sufficiently carry
21 out the duties described for the Office in this
22 subtitle in accordance with subsection (f)."; and
23 (C) by striking paragraph (5) and insert-
24 ing the following:

1 "(5) To develop and implement professional de-
2 velopment programs for liaisons designated under
3 subsection (g)(1)(J)(ii) and other local educational
4 agency personnel—
5 "(A) to improve their identification of
6 homeless children and youths; and
7 "(B) to heighten the awareness of the liai-
8 sons and personnel of, and their capacity to re-
9 spond to, specific needs in the education of
10 homeless children and youths.";
11 (3) in subsection (e)—
12 (A) in paragraph (1), by inserting "a State
13 through grants under subsection (a) to" after
14 "each year to";
15 (B) in paragraph (2), by striking "funds
16 made available for State use under this sub-
17 title" and inserting "the grant funds remaining
18 after the State educational agency distributes
19 subgrants under paragraph (1)"; and
20 (C) in paragraph (3)—
21 (i) in subparagraph (C)(iv)(II), by
22 striking "sections 1111 and 1116" and in-
23 serting "section 1111";

1 (ii) in subparagraph (E)(ii)(II), by
2 striking "subsection (g)(6)(A)(v)" and in-
3 serting "subsection (g)(6)(A)(vi)"; and
4 (iii) in subparagraph (F)—
5 (I) in clause (i)—
6 (aa) by striking "and" at
7 the end of subclause (II);
8 (bb) by striking the period
9 at the end of subclause (III) and
10 inserting "; and"; and
11 (cc) by adding at the end
12 the following:
13 "(IV) the progress the separate
14 schools are making in helping all stu-
15 dents meet the challenging State aca-
16 demic standards."; and
17 (II) in clause (iii), by striking
18 "Not later than 2 years after the date
19 of enactment of the McKinney-Vento
20 Homeless Education Assistance Im-
21 provements Act of 2001, the" and in-
22 serting "The";
23 (4) by striking subsection (f) and inserting the
24 following:

1 "(f) FUNCTIONS OF THE OFFICE OF THE COORDI-
2 NATOR.—The Coordinator for Education of Homeless
3 Children and Youths established in each State shall—
4 "(1) gather and make publicly available reliable,
5 valid, and comprehensive information on—
6 "(A) the number of homeless children and
7 youths identified in the State, which shall be
8 posted annually on the State educational agen-
9 cy's website;
10 "(B) the nature and extent of the problems
11 homeless children and youths have in gaining
12 access to public preschool programs and to pub-
13 lic elementary schools and secondary schools;
14 "(C) the difficulties in identifying the spe-
15 cial needs and barriers to the participation and
16 achievement of such children and youths;
17 "(D) any progress made by the State edu-
18 cational agency and local educational agencies
19 in the State in addressing such problems and
20 difficulties; and
21 "(E) the success of the programs under
22 this subtitle in identifying homeless children
23 and youths and allowing such children and
24 youths to enroll in, attend, and succeed in,
25 school;

1 "(2) develop and carry out the State plan de-
2 scribed in subsection (g);
3 "(3) collect data for and transmit to the Sec-
4 retary, at such time and in such manner as the Sec-
5 retary may reasonably require, a report containing
6 information necessary to assess the educational
7 needs of homeless children and youths within the
8 State, including data necessary for the Secretary to
9 fulfill the responsibilities under section 724(h);
10 "(4) in order to improve the provision of com-
11 prehensive education and related services to home-
12 less children and youths and their families, coordi-
13 nate activities and collaborate with—
14 "(A) educators, including teachers, special
15 education personnel, administrators, and child
16 development and preschool program personnel;
17 "(B) providers of services to homeless chil-
18 dren and youths and their families, including
19 public and private child welfare and social serv-
20 ices agencies, law enforcement agencies, juvenile
21 and family courts, agencies providing mental
22 health services, domestic violence agencies, child
23 care providers, runaway and homeless youth
24 centers, and providers of services and programs

1 funded under the Runaway and Homeless
2 Youth Act (42 U.S.C. 5701 et seq.);
3 "(C) providers of emergency, transitional,
4 and permanent housing to homeless children
5 and youths, and their families, including public
6 housing agencies, shelter operators, operators of
7 transitional housing facilities, and providers of
8 transitional living programs for homeless
9 youths;
10 "(D) local educational agency liaisons des-
11 ignated under subsection (g)(1)(J)(ii) for home-
12 less children and youths; and
13 "(E) community organizations and groups
14 representing homeless children and youths and
15 their families;
16 "(5) provide technical assistance to and conduct
17 monitoring of local educational agencies in coordina-
18 tion with local educational agency liaisons designated
19 under subsection (g)(1)(J)(ii), to ensure that local
20 educational agencies comply with the requirements
21 of subsection (e)(3) and paragraphs (3) through (7)
22 of subsection (g);
23 "(6) provide professional development opportu-
24 nities for local educational agency personnel and the
25 local educational agency liaison designated under

1 subsection (g)(1)(J)(ii) to assist such personnel and
2 liaison in identifying and meeting the needs of home-
3 less children and youths, and provide training on the
4 definitions of terms related to homelessness specified
5 in sections 103, 401, and 725 to the liaison; and
6 "(7) respond to inquiries from parents and
7 guardians of homeless children and youths, and (in
8 the case of unaccompanied youths) such youths, to
9 ensure that each child or youth who is the subject
10 of such an inquiry receives the full protections and
11 services provided by this subtitle.";
12 (5) by striking subsection (g) and inserting the
13 following:
14 "(g) STATE PLAN.—
15 "(1) IN GENERAL.—For any State desiring to
16 receive a grant under this subtitle, the State edu-
17 cational agency shall submit to the Secretary a plan
18 to provide for the education of homeless children
19 and youths within the State. Such plan shall include
20 the following:
21 "(A) A description of how such children
22 and youths are (or will be) given the oppor-
23 tunity to meet the same challenging State aca-
24 demic standards as all students are expected to
25 meet.

1 "(B) A description of the procedures the
2 State educational agency will use to identify
3 such children and youths in the State and to
4 assess their needs.
5 "(C) A description of procedures for the
6 prompt resolution of disputes regarding the
7 educational placement of homeless children and
8 youths.
9 "(D) A description of programs for school
10 personnel (including liaisons designated under
11 subparagraph (J)(ii), principals and other
12 school leaders, attendance officers, teachers, en-
13 rollment personnel, and specialized instructional
14 support personnel) to heighten the awareness of
15 such school personnel of the specific needs of
16 homeless children and youths, including such
17 children and youths who are runaway and
18 homeless youths.
19 "(E) A description of procedures that en-
20 sure that homeless children and youths who
21 meet the relevant eligibility criteria are able to
22 participate in Federal, State, or local nutrition
23 programs.
24 "(F) A description of procedures that en-
25 sure that—

1 "(i) homeless children have access to
2 public preschool programs, administered by
3 the State educational agency or local edu-
4 cational agency, as provided to other chil-
5 dren in the State;
6 "(ii) youths described in section
7 725(2) and youths separated from public
8 schools are identified and accorded equal
9 access to appropriate secondary education
10 and support services, including by identi-
11 fying and removing barriers that prevent
12 youths described in this clause from receiv-
13 ing appropriate credit for full or partial
14 coursework satisfactorily completed while
15 attending a prior school, in accordance
16 with State, local, and school policies; and
17 "(iii) homeless children and youths
18 who meet the relevant eligibility criteria do
19 not face barriers to accessing academic and
20 extracurricular activities, including magnet
21 school, summer school, career and tech-
22 nical education, advanced placement, on-
23 line learning, and charter school programs,
24 if such programs are available at the State
25 and local levels.

1 "(G) Strategies to address problems identi-
2 fied in the report provided to the Secretary
3 under subsection (f)(3).
4 "(H) Strategies to address other problems
5 with respect to the education of homeless chil-
6 dren and youths, including problems resulting
7 from enrollment delays that are caused by—
8 "(i) requirements of immunization
9 and other required health records;
10 "(ii) residency requirements;
11 "(iii) lack of birth certificates, school
12 records, or other documentation;
13 "(iv) guardianship issues; or
14 "(v) uniform or dress code require-
15 ments.
16 "(I) A demonstration that the State edu-
17 cational agency and local educational agencies
18 in the State have developed, and shall review
19 and revise, policies to remove barriers to the
20 identification of homeless children and youths,
21 and the enrollment and retention of homeless
22 children and youths in schools in the State, in-
23 cluding barriers to enrollment and retention due
24 to outstanding fees or fines, or absences.

1 "(J) Assurances that the following will be
2 carried out:
3 "(i) The State educational agency and
4 local educational agencies in the State will
5 adopt policies and practices to ensure that
6 homeless children and youths are not stig-
7 matized or segregated on the basis of their
8 status as homeless.
9 "(ii) The local educational agencies
10 will designate an appropriate staff person,
11 able to carry out the duties described in
12 paragraph (6)(A), who may also be a coor-
13 dinator for other Federal programs, as a
14 local educational agency liaison for home-
15 less children and youths.
16 "(iii) The State and the local edu-
17 cational agencies in the State will adopt
18 policies and practices to ensure that trans-
19 portation is provided, at the request of the
20 parent or guardian (or in the case of an
21 unaccompanied youth, the liaison), to and
22 from the school of origin (as determined
23 under paragraph (3)), in accordance with
24 the following, as applicable:

1 "(I) If the child or youth con-
2 tinues to live in the area served by the
3 local educational agency in which the
4 school of origin is located, the child's
5 or youth's transportation to and from
6 the school of origin shall be provided
7 or arranged by the local educational
8 agency in which the school of origin is
9 located.
10 "(II) If the child's or youth's liv-
11 ing arrangements in the area served
12 by the local educational agency of ori-
13 gin terminate and the child or youth,
14 though continuing the child's or
15 youth's education in the school of ori-
16 gin, begins living in an area served by
17 another local educational agency, the
18 local educational agency of origin and
19 the local educational agency in which
20 the child or youth is living shall agree
21 upon a method to apportion the re-
22 sponsibility and costs for providing
23 the child or youth with transportation
24 to and from the school of origin. If
25 the local educational agencies are un-

1 able to agree upon such method, the
2 responsibility and costs for transpor-
3 tation shall be shared equally.
4 "(iv) The State and the local edu-
5 cational agencies in the State will adopt
6 policies and practices to ensure participa-
7 tion by liaisons described in clause (ii) in
8 professional development and other tech-
9 nical assistance activities provided pursu-
10 ant to paragraphs (5) and (6) of sub-
11 section (f), as determined appropriate by
12 the Office of the Coordinator.
13 "(K) A description of how youths described
14 in section 725(2) will receive assistance from
15 counselors to advise such youths, and prepare
16 and improve the readiness of such youths for
17 college.
18 "(2) COMPLIANCE.—
19 "(A) IN GENERAL.—Each plan adopted
20 under this subsection shall also describe how
21 the State will ensure that local educational
22 agencies in the State will comply with the re-
23 quirements of paragraphs (3) through (7).
24 "(B) COORDINATION.—Such plan shall in-
25 dicate what technical assistance the State will

1 furnish to local educational agencies and how
2 compliance efforts will be coordinated with the
3 local educational agency liaisons designated
4 under paragraph (1)(J)(ii).
5 "(3) LOCAL EDUCATIONAL AGENCY REQUIRE-
6 MENTS.—
7 "(A) IN GENERAL.—The local educational
8 agency serving each child or youth to be as-
9 sisted under this subtitle shall, according to the
10 child's or youth's best interest—
11 "(i) continue the child's or youth's
12 education in the school of origin for the
13 duration of homelessness—
14 "(I) in any case in which a fam-
15 ily becomes homeless between aca-
16 demic years or during an academic
17 year; and
18 "(II) for the remainder of the
19 academic year, if the child or youth
20 becomes permanently housed during
21 an academic year; or
22 "(ii) enroll the child or youth in any
23 public school that nonhomeless students
24 who live in the attendance area in which

1 the child or youth is actually living are eli-
2 gible to attend.
3 "(B) SCHOOL STABILITY.—In determining
4 the best interest of the child or youth under
5 subparagraph (A), the local educational agency
6 shall—
7 "(i) presume that keeping the child or
8 youth in the school of origin is in the
9 child's or youth's best interest, except
10 when doing so is contrary to the request of
11 the child's or youth's parent or guardian,
12 or (in the case of an unaccompanied
13 youth) the youth;
14 "(ii) consider student-centered factors
15 related to the child's or youth's best inter-
16 est, including factors related to the impact
17 of mobility on achievement, education,
18 health, and safety of homeless children and
19 youth, giving priority to the request of the
20 child's or youth's parent or guardian or (in
21 the case of an unaccompanied youth) the
22 youth;
23 "(iii) if, after conducting the best in-
24 terest determination based on consider-
25 ation of the presumption in clause (i) and

1 the student-centered factors in clause (ii),
2 the local educational agency determines
3 that it is not in the child's or youth's best
4 interest to attend the school of origin or
5 the school requested by the parent or
6 guardian, or (in the case of an unaccom-
7 panied youth) the youth, provide the
8 child's or youth's parent or guardian or
9 the unaccompanied youth with a written
10 explanation of the reasons for its deter-
11 mination, in a manner and form under-
12 standable to such parent, guardian, or un-
13 accompanied youth, including information
14 regarding the right to appeal under sub-
15 paragraph (E); and
16 "(iv) in the case of an unaccompanied
17 youth, ensure that the local educational
18 agency liaison designated under paragraph
19 (1)(J)(ii) assists in placement or enroll-
20 ment decisions under this subparagraph,
21 gives priority to the views of such unac-
22 companied youth, and provides notice to
23 such youth of the right to appeal under
24 subparagraph (E).
25 "(C) IMMEDIATE ENROLLMENT.—

1 "(i) IN GENERAL.—The school se-
2 lected in accordance with this paragraph
3 shall immediately enroll the homeless child
4 or youth, even if the child or youth—
5 "(I) is unable to produce records
6 normally required for enrollment, such
7 as previous academic records, records
8 of immunization and other required
9 health records, proof of residency, or
10 other documentation; or
11 "(II) has missed application or
12 enrollment deadlines during any pe-
13 riod of homelessness.
14 "(ii) RELEVANT ACADEMIC
15 RECORDS.—The enrolling school shall im-
16 mediately contact the school last attended
17 by the child or youth to obtain relevant
18 academic and other records.
19 "(iii) RELEVANT HEALTH RECORDS.—
20 If the child or youth needs to obtain immu-
21 nizations or other required health records,
22 the enrolling school shall immediately refer
23 the parent or guardian of the child or
24 youth, or (in the case of an unaccompanied
25 youth) the youth, to the local educational

1 agency liaison designated under paragraph
2 (1)(J)(ii), who shall assist in obtaining
3 necessary immunizations or screenings, or
4 immunization or other required health
5 records, in accordance with subparagraph
6 (D).
7 "(D) RECORDS.—Any record ordinarily
8 kept by the school, including immunization or
9 other required health records, academic records,
10 birth certificates, guardianship records, and
11 evaluations for special services or programs, re-
12 garding each homeless child or youth shall be
13 maintained—
14 "(i) so that the records involved are
15 available, in a timely fashion, when a child
16 or youth enters a new school or school dis-
17 trict; and
18 "(ii) in a manner consistent with sec-
19 tion 444 of the General Education Provi-
20 sions Act (20 U.S.C. 1232g).
21 "(E) ENROLLMENT DISPUTES.—If a dis-
22 pute arises over eligibility, or school selection or
23 enrollment in a school—
24 "(i) the child or youth shall be imme-
25 diately enrolled in the school in which en-

1 rollment is sought, pending final resolution
2 of the dispute, including all available ap-
3 peals;
4 "(ii) the parent or guardian of the
5 child or youth or (in the case of an unac-
6 companied youth) the youth shall be pro-
7 vided with a written explanation of any de-
8 cisions related to school selection or enroll-
9 ment made by the school, the local edu-
10 cational agency, or the State educational
11 agency involved, including the rights of the
12 parent, guardian, or unaccompanied youth
13 to appeal such decisions;
14 "(iii) the parent, guardian, or unac-
15 companied youth shall be referred to the
16 local educational agency liaison designated
17 under paragraph (1)(J)(ii), who shall carry
18 out the dispute resolution process as de-
19 scribed in paragraph (1)(C) as expedi-
20 tiously as possible after receiving notice of
21 the dispute; and
22 "(iv) in the case of an unaccompanied
23 youth, the liaison shall ensure that the
24 youth is immediately enrolled in the school

1 in which the youth seeks enrollment pend-
2 ing resolution of such dispute.
3 "(F) PLACEMENT CHOICE.—The choice re-
4 garding placement shall be made regardless of
5 whether the child or youth lives with the home-
6 less parents or has been temporarily placed
7 elsewhere.
8 "(G) PRIVACY.—Information about a
9 homeless child's or youth's living situation shall
10 be treated as a student education record, and
11 shall not be deemed to be directory information,
12 under section 444 of the General Education
13 Provisions Act (20 U.S.C. 1232g).
14 "(H) CONTACT INFORMATION.—Nothing
15 in this subtitle shall prohibit a local educational
16 agency from requiring a parent or guardian of
17 a homeless child or youth to submit contact in-
18 formation.
19 "(I) SCHOOL OF ORIGIN DEFINED.—In
20 this paragraph:
21 "(i) IN GENERAL.—The term 'school
22 of origin' means the school that a child or
23 youth attended when permanently housed
24 or the school in which the child or youth
25 was last enrolled, including a preschool.

1 "(ii) RECEIVING SCHOOL.—When the
2 child or youth completes the final grade
3 level served by the school of origin, as de-
4 scribed in clause (i), the term "school of
5 origin" shall include the designated receiv-
6 ing school at the next grade level for all
7 feeder schools.
8 "(4) COMPARABLE SERVICES.—Each homeless
9 child or youth to be assisted under this subtitle shall
10 be provided services comparable to services offered
11 to other students in the school selected under para-
12 graph (3), including the following:
13 "(A) Transportation services.
14 "(B) Educational services for which the
15 child or youth meets the eligibility criteria, such
16 as services provided under title I of the Elemen-
17 tary and Secondary Education Act of 1965 (20
18 U.S.C. 6301 et seq.) or similar State or local
19 programs, educational programs for children
20 with disabilities, and educational programs for
21 English learners.
22 "(C) Programs in career and technical
23 education.
24 "(D) Programs for gifted and talented stu-
25 dents.

1 "(E) School nutrition programs.

2 "(5) COORDINATION.—

3 "(A) IN GENERAL.—Each local educational
4 agency serving homeless children and youths
5 that receives assistance under this subtitle shall
6 coordinate—

7 "(i) the provision of services under
8 this subtitle with local social services agen-
9 cies and other agencies or entities pro-
10 viding services to homeless children and
11 youths and their families, including serv-
12 ices and programs funded under the Run-
13 away and Homeless Youth Act (42 U.S.C.
14 5701 et seq.); and

15 "(ii) transportation, transfer of school
16 records, and other interdistrict activities,
17 with other local educational agencies.

18 "(B) HOUSING ASSISTANCE.—If applica-
19 ble, each State educational agency and local
20 educational agency that receives assistance
21 under this subtitle shall coordinate with State
22 and local housing agencies responsible for devel-
23 oping the comprehensive housing affordability
24 strategy described in section 105 of the Cran-
25 ston-Gonzalez National Affordable Housing Act

1 (42 U.S.C. 12705) to minimize educational dis-
2 ruption for children and youths who become
3 homeless.
4 "(C) COORDINATION PURPOSE.—The co-
5 ordination required under subparagraphs (A)
6 and (B) shall be designed to—
7 "(i) ensure that all homeless children
8 and youths are promptly identified;
9 "(ii) ensure that all homeless children
10 and youths have access to, and are in rea-
11 sonable proximity to, available education
12 and related support services; and
13 "(iii) raise the awareness of school
14 personnel and service providers of the ef-
15 fects of short-term stays in a shelter and
16 other challenges associated with homeless-
17 ness.
18 "(D) HOMELESS CHILDREN AND YOUTHS
19 WITH DISABILITIES.—For children and youths
20 who are to be assisted both under this subtitle,
21 and under the Individuals with Disabilities
22 Education Act (20 U.S.C. 1400 et seq.) or sec-
23 tion 504 of the Rehabilitation Act of 1973 (29
24 U.S.C. 794), each local educational agency shall
25 coordinate the provision of services under this

1 subtitle with the provision of programs for chil-
2 dren with disabilities served by that local edu-
3 cational agency and other involved local edu-
4 cational agencies.
5 "(6) LOCAL EDUCATIONAL AGENCY LIAISON.—
6 "(A) DUTIES.—Each local educational
7 agency liaison for homeless children and youths,
8 designated under paragraph (1)(J)(ii), shall en-
9 sure that—
10 "(i) homeless children and youths are
11 identified by school personnel through out-
12 reach and coordination activities with other
13 entities and agencies;
14 "(ii) homeless children and youths are
15 enrolled in, and have a full and equal op-
16 portunity to succeed in, schools of that
17 local educational agency;
18 "(iii) homeless families and homeless
19 children and youths have access to and re-
20 ceive educational services for which such
21 families, children, and youths are eligible,
22 including services through Head Start pro-
23 grams (including Early Head Start pro-
24 grams) under the Head Start Act (42
25 U.S.C. 9831 et seq.), early intervention

1 services under part C of the Individuals
2 with Disabilities Education Act (20 U.S.C.
3 1431 et seq.), and other preschool pro-
4 grams administered by the local edu-
5 cational agency;
6 "(iv) homeless families and homeless
7 children and youths receive referrals to
8 health care services, dental services, mental
9 health and substance abuse services, hous-
10 ing services, and other appropriate serv-
11 ices;
12 "(v) the parents or guardians of
13 homeless children and youths are informed
14 of the educational and related opportuni-
15 ties available to their children and are pro-
16 vided with meaningful opportunities to par-
17 ticipate in the education of their children;
18 "(vi) public notice of the educational
19 rights of homeless children and youths is
20 disseminated in locations frequented by
21 parents or guardians of such children and
22 youths, and unaccompanied youths, includ-
23 ing schools, shelters, public libraries, and
24 soup kitchens, in a manner and form un-
25 derstandable to the parents and guardians

1 of homeless children and youths, and unac-
2 companied youths;
3 "(vii) enrollment disputes are medi-
4 ated in accordance with paragraph (3)(E);
5 "(viii) the parent or guardian of a
6 homeless child or youth, and any unaccom-
7 panied youth, is fully informed of all trans-
8 portation services, including transportation
9 to the school of origin, as described in
10 paragraph (1)(J)(iii), and is assisted in ac-
11 cessing transportation to the school that is
12 selected under paragraph (3)(A);
13 "(ix) school personnel providing serv-
14 ices under this subtitle receive professional
15 development and other support; and
16 "(x) unaccompanied youths—
17 "(I) are enrolled in school;
18 "(II) have opportunities to meet
19 the same challenging State academic
20 standards as the State establishes for
21 other children and youth, including
22 through implementation of the proce-
23 dures under paragraph (1)(F)(ii); and
24 "(III) are informed of their sta-
25 tus as independent students under

1 section 480 of the Higher Education
2 Act of 1965 (20 U.S.C. 1087vv) and
3 that the youths may obtain assistance
4 from the local educational agency liai-
5 son to receive verification of such sta-
6 tus for purposes of the Free Applica-
7 tion for Federal Student Aid de-
8 scribed in section 483 of such Act (20
9 U.S.C. 1090).
10 "(B) NOTICE.—State Coordinators estab-
11 lished under subsection (d)(3) and local edu-
12 cational agencies shall inform school personnel,
13 service providers, advocates working with home-
14 less families, parents and guardians of homeless
15 children and youths, and homeless children and
16 youths of the duties of the local educational
17 agency liaisons, and publish an annually up-
18 dated list of the liaisons on the State edu-
19 cational agency's website.
20 "(C) LOCAL AND STATE COORDINATION.—
21 Local educational agency liaisons for homeless
22 children and youths shall, as a part of their du-
23 ties, coordinate and collaborate with State Co-
24 ordinators and community and school personnel
25 responsible for the provision of education and

1 related services to homeless children and
2 youths. Such coordination shall include col-
3 lecting and providing to the State Coordinator
4 the reliable, valid, and comprehensive data
5 needed to meet the requirements of paragraphs
6 (1) and (3) of subsection (f).
7 "(D) HOMELESS STATUS.—A local edu-
8 cational agency liaison designated under para-
9 graph (1)(J)(ii) who receives training described
10 in subsection (f)(6) may affirm, without further
11 agency action by the Department of Housing
12 and Urban Development, that a child or youth
13 who is eligible for and participating in a pro-
14 gram provided by the local educational agency,
15 or the immediate family of such a child or
16 youth, who meets the eligibility requirements of
17 this Act for a program or service authorized
18 under title IV, is eligible for such program or
19 service.
20 "(7) REVIEW AND REVISIONS.—
21 "(A) IN GENERAL.—Each State edu-
22 cational agency and local educational agency
23 that receives assistance under this subtitle shall
24 review and revise any policies that may act as
25 barriers to the identification of homeless chil-

1 dren and youths or the enrollment of homeless
2 children and youths in schools that are selected
3 under paragraph (3).
4 "(B) CONSIDERATION.—In reviewing and
5 revising such policies, consideration shall be
6 given to issues concerning transportation, im-
7 munization, residency, birth certificates, school
8 records and other documentation, and guard-
9 ianship.
10 "(C) SPECIAL ATTENTION.—Special atten-
11 tion shall be given to ensuring the identifica-
12 tion, enrollment, and attendance of homeless
13 children and youths who are not currently at-
14 tending school."; and
15 (6) by striking subsection (h).
16 **SEC. 9103. LOCAL EDUCATIONAL AGENCY SUBGRANTS.**
17 Section 723 of such Act (42 U.S.C. 11433) is amend-
18 ed—
19 (1) in subsection (a)—
20 (A) in paragraph (1), by striking "facili-
21 tating the enrollment," and inserting "facili-
22 tating the identification, enrollment,";
23 (B) in paragraph (2)(B), in the matter
24 preceding clause (i), by inserting "the related"
25 before "schools"; and

1 (C) by adding at the end the following:
2 "(4) DURATION OF GRANTS.—Subgrants made
3 under this section shall be for terms of not to exceed
4 3 years.";
5 (2) in subsection (b), by adding at the end the
6 following:
7 "(6) An assurance that the local educational
8 agency will collect and promptly provide data re-
9 quested by the State Coordinator pursuant to para-
10 graphs (1) and (3) of section 722(f).
11 "(7) An assurance that the local educational
12 agency will meet the requirements of section
13 722(g)(3).";
14 (3) in subsection (c)—
15 (A) in paragraph (2)—
16 (i) in the matter preceding subpara-
17 graph (A), by striking "preschool, elemen-
18 tary, and secondary schools" and inserting
19 "early childhood education and other pre-
20 school programs, elementary schools, and
21 secondary schools,";
22 (ii) in subparagraph (A), by inserting
23 "identification," before "enrollment,";
24 (iii) in subparagraph (B), by striking
25 "application—" and all that follows and

1 inserting "application reflects coordination
2 with other local and State agencies that
3 serve homeless children and youths."; and
4 (iv) in subparagraph (C), by inserting
5 "(as of the date of submission of the appli-
6 cation)" after "practice";
7 (B) in paragraph (3)—
8 (i) in subparagraph (C), by inserting
9 "extent to which the applicant will promote
10 meaningful" after "The";
11 (ii) in subparagraph (D), by striking
12 "within" and inserting "into";
13 (iii) by redesignating subparagraph
14 (G) as subparagraph (I);
15 (iv) by inserting after subparagraph
16 (F) the following:
17 "(G) The extent to which the local edu-
18 cational agency will use the subgrant to lever-
19 age resources, including by maximizing
20 nonsubgrant funding for the position of the liai-
21 son described in section 722(g)(1)(J)(ii) and
22 the provision of transportation.
23 "(H) How the local educational agency will
24 use funds to serve homeless children and youths
25 under section 1113(c)(3) of the Elementary and

1 Secondary Education Act of 1965 (20 U.S.C.
2 6313(c)(3)).''; and
3 (v) in subparagraph (I), as redesig-
4 nated by clause (iii), by striking ''Such''
5 and inserting ''The extent to which the ap-
6 plicant's program meets such''; and
7 (C) by striking paragraph (4); and
8 (4) in subsection (d)—
9 (A) in paragraph (1), by striking ''the
10 same challenging State academic content stand-
11 ards and challenging State student academic
12 achievement standards'' and inserting ''the
13 same challenging State academic standards as'';
14 (B) in paragraph (2)—
15 (i) by striking ''students with limited
16 English proficiency'' and inserting
17 ''English learners''; and
18 (ii) by striking ''vocational'' and in-
19 serting ''career'';
20 (C) in paragraph (3), by striking ''pupil
21 services'' and inserting ''specialized instruc-
22 tional support'';
23 (D) in paragraph (7), by striking ''and un-
24 accompanied youths,'' and inserting ''particu-

1 larly homeless children and youths who are not
2 enrolled in school,";
3 (E) in paragraph (9) by striking "medical"
4 and inserting "other required health";
5 (F) in paragraph (10)—
6 (i) by striking "parents" and inserting
7 "parents and guardians"; and
8 (ii) by inserting before the period at
9 the end ", and other activities designed to
10 increase the meaningful involvement of
11 parents and guardians of homeless children
12 or youths in the education of such children
13 or youths";
14 (G) in paragraph (12), by striking "pupil
15 services" and inserting "specialized instruc-
16 tional support services";
17 (H) in paragraph (13), by inserting before
18 the period at the end "and parental mental
19 health or substance abuse problems"; and
20 (I) in paragraph (16), by inserting before
21 the period at the end "and participate fully in
22 school activities".
23 **SEC. 9104. SECRETARIAL RESPONSIBILITIES.**
24 Section 724 of the McKinney-Vento Homeless Assist-
25 ance Act (42 U.S.C. 11434) is amended—

1 (1) by striking subsection (c) and inserting the
2 following:
3 "(c) NOTICE.—
4 "(1) IN GENERAL.—The Secretary shall, before
5 the next school year that begins after the date of en-
6 actment of the Every Student Succeeds Act, update
7 and disseminate nationwide the public notice de-
8 scribed in this subsection (as in effect prior to such
9 date) of the educational rights of homeless children
10 and youths.
11 "(2) DISSEMINATION.—The Secretary shall dis-
12 seminate the notice nationwide to all Federal agen-
13 cies, and grant recipients, serving homeless families
14 or homeless children and youths.";
15 (2) by striking subsection (d) and inserting the
16 following:
17 "(d) EVALUATION, DISSEMINATION, AND TECHNICAL
18 ASSISTANCE.—The Secretary shall conduct evaluation,
19 dissemination, and technical assistance activities for pro-
20 grams designed to meet the educational needs of homeless
21 elementary and secondary school students, and may use
22 funds appropriated under section 726 to conduct such ac-
23 tivities.";
24 (3) in subsection (e)—

1 (A) by striking "60-day" and inserting
2 "120-day"; and
3 (B) by striking "120-day" and inserting
4 "180-day";
5 (4) in subsection (f), by adding at the end the
6 following: "The Secretary shall provide support and
7 technical assistance to State educational agencies,
8 concerning areas in which documented barriers to a
9 free appropriate public education persist.";
10 (5) by striking subsection (g) and inserting the
11 following:
12 "(g) GUIDELINES.—The Secretary shall develop,
13 issue, and publish in the Federal Register, not later than
14 60 days after the date of enactment of the Every Student
15 Succeeds Act, guidelines concerning ways in which a
16 State—
17 "(1) may assist local educational agencies to
18 implement the provisions related to homeless chil-
19 dren and youths amended by that Act; and
20 "(2) may review and revise State policies and
21 procedures that may present barriers to the identi-
22 fication of homeless children and youths, and the en-
23 rollment, attendance, and success of homeless chil-
24 dren and youths in school.";
25 (6) in subsection (h)(1)(A)—

1 (A) by striking "location" and inserting
2 "primary nighttime residence"; and
3 (B) by inserting "in all areas served by
4 local educational agencies" before the semicolon
5 at the end; and
6 (7) in subsection (i), by striking "McKinney-
7 Vento Homeless Education Assistance Improvements
8 Act of 2001" and inserting "Every Student Suc-
9 ceeds Act".

10 **SEC. 9105. DEFINITIONS.**

11 (a) AMENDMENTS.—Section 725 of the McKinney-
12 Vento Homeless Assistance Act (42 U.S.C. 11434a) is
13 amended—
14 (1) in paragraph (2)(B)(i)—
15 (A) by inserting "or" before "are aban-
16 doned"; and
17 (B) by striking "or are awaiting foster
18 care placement;";
19 (2) in paragraph (3), by striking "9101" and
20 inserting "8101"; and
21 (3) in paragraph (6), by striking "youth not"
22 and inserting "homeless child or youth not".
23 (b) EFFECTIVE DATE.—
24 (1) IN GENERAL.—In the case of a State that
25 is not a covered State, the amendment made by sub-

1 section (a)(1) shall take effect on the date that is 1
2 year after the date of enactment of this Act.
3 (2) COVERED STATE.—In the case of a covered
4 State, the amendment made by subsection (a)(1)
5 shall take effect on the date that is 2 years after the
6 date of enactment of this Act.
7 (c) COVERED STATE.—For purposes of this section
8 the term "covered State" means a State that has a statu-
9 tory law that defines or describes the phrase "awaiting
10 foster care placement", for purposes of a program under
11 subtitle B of title VII of the McKinney-Vento Homeless
12 Assistance Act (42 U.S.C. 11431 et seq.).

13 **SEC. 9106. AUTHORIZATION OF APPROPRIATIONS.**

14 Section 726 of the McKinney-Vento Homeless Assist-
15 ance Act (42 U.S.C. 11435) is amended to read as follows:

16 **"SEC. 726. AUTHORIZATION OF APPROPRIATIONS.**

17 "There are authorized to be appropriated to carry out
18 this subtitle $85,000,000 for each of fiscal years 2017
19 through 2020.".

20 **SEC. 9107. EFFECTIVE DATE.**

21 Except as provided in section 9105(b) or as otherwise
22 provided in this Act, this title and the amendments made
23 by this title take effect on October 1, 2016.