

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To amend section 1111(d) of the Elementary and Secondary Education Act of 1965 regarding the cross-tabulation of student data.

**IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.**

**S. 1177**

To reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Ms. WARREN to the amendment (No. \_\_\_\_\_) proposed by \_\_\_\_\_

Viz:

1 On page 75, strike line 1 and all that follows through  
2 line 4 on page 76 and insert the following:

3 “(iii) TECHNICAL ASSISTANCE.—Upon  
4 request by a State or local educational  
5 agency, the Secretary shall provide tech-  
6 nical assistance to States and local edu-  
7 cational agencies in collecting, cross-tab-  
8 ulating, or disaggregating data in order to  
9 meet the requirements of this paragraph.

1                   “(C) MINIMUM REQUIREMENTS.—Each  
2 State report card required under this subsection  
3 shall include the following information:

4                   “(i) A clear and concise description of  
5 the State’s accountability system under  
6 subsection (b)(3), including the goals for  
7 all students and for each of the categories  
8 of students, as defined in subsection  
9 (b)(3)(A), the indicators used in the ac-  
10 countability system to evaluate school per-  
11 formance described in subsection  
12 (b)(3)(B), and the weights of the indica-  
13 tors used in the accountability system to  
14 evaluate school performance.

15                   “(ii) Information on student achieve-  
16 ment on the academic assessments de-  
17 scribed in subsection (b)(2) at each level of  
18 achievement, as determined by the State  
19 under subsection (b)(1), for all students  
20 and disaggregated and cross-tabulated in  
21 accordance with the following:

22                   “(I) Such information shall be  
23 disaggregated by each category of stu-  
24 dents described in subsection  
25 (b)(2)(B)(xi), homeless status, and

1 status as a child in foster care and,  
2 within each category of students de-  
3 scribed in subsection (b)(2)(B)(xi),  
4 cross-tabulated by—

5 “(aa) each major racial and  
6 ethnic group, gender, English  
7 proficiency, and children with or  
8 without disabilities; and

9 “(bb) any other category of  
10 students that the State chooses  
11 to include.

12 “(II) The disaggregation or  
13 cross-tabulation for a category de-  
14 scribed in subclause (I) shall not be  
15 required in a case in which the num-  
16 ber of students in the category is in-  
17 sufficient to yield statistically reliable  
18 information or the results of such  
19 disaggregation or cross-tabulation  
20 would reveal personally identifiable in-  
21 formation about an individual student.

22 “(iii) For all students and  
23 disaggregated by each category of students  
24 described in subsection (b)(2)(B)(xi), the

1 percentage of students assessed and not  
2 assessed.

3 “(iv)(I) For all students, and  
4 disaggregated and cross-tabulated in ac-  
5 cordance with subclauses (II) and (III)—

6 “(aa) information on the per-  
7 formance on the other academic indi-  
8 cator under subsection  
9 (b)(3)(B)(ii)(II)(aa) used by the State  
10 in the State accountability system;  
11 and

12 “(bb) high school graduation  
13 rates, including 4-year adjusted cohort  
14 graduation rates and, at the State’s  
15 discretion, extended-year adjusted co-  
16 hort graduation rates.

17 “(II) The information described in  
18 subclause (I) shall be disaggregated by  
19 each of the categories of students, as de-  
20 fined in subsection (b)(3)(A), and, within  
21 each such disaggregation category, cross-  
22 tabulated by—

23 “(aa) each major racial and eth-  
24 nic group, gender, English proficiency,

1 and children with or without disabili-  
2 ities; and

3 “(bb) any other category of stu-  
4 dents that the State chooses to in-  
5 clude.

6 “(III) The disaggregation or cross-  
7 tabulation for a category described in sub-  
8 clause (II) shall not be required in a case  
9 in which the number of students in the  
10 category is insufficient to yield statistically  
11 reliable information or the results of such  
12 disaggregation or cross-tabulation would  
13 reveal personally identifiable information  
14 about an individual student.

15 On page 89, between lines 5 and 6, insert the fol-  
16 lowing:

17 “(5) CROSS-TABULATION PROVISIONS.—

18 “(A) CROSS-TABULATION DATA NOT USED  
19 FOR ACCOUNTABILITY.—Nothing in this sub-  
20 section shall be construed to require groups of  
21 students obtained by cross-tabulating data  
22 under this subsection to be considered cat-  
23 egories of students under subsection (b)(3)(A)

1           for purposes of the State accountability system  
2           under subsection (b)(3) or section 1114.

3           “(B) CROSS-TABULATED DATA IMPLEMEN-  
4           TATION.—Information obtained by cross-tab-  
5           ulating data under this subsection shall be  
6           widely accessible to the public in accordance  
7           with paragraph (1)(B)(i)(III) and, upon re-  
8           quest, by any additional public means that the  
9           State determines.