

116TH CONGRESS
2D SESSION

S. 3149

To provide for a Federal partnership to ensure educational equity and quality.

IN THE SENATE OF THE UNITED STATES

JANUARY 6, 2020

Mr. CARDIN (for himself and Mr. VAN HOLLEN) introduced the following bill;
which was read twice and referred to the Committee on Health, Edu-
cation, Labor, and Pensions

A BILL

To provide for a Federal partnership to ensure educational
equity and quality.

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 “Transformational Re-
5 forms and Updates to Ensure Educational Quality and
6 Urgent Investments in Today’s Youth Act of 2019” or the
7 “TRUE EQUITY Act”.

8 **SEC. 2. FINDINGS.**

9 Congress finds the following:

1 (1) The fate of our Nation and the opportuni-
2 ties it creates for our children and grandchildren to
3 enjoy successful careers and rewarding lives depends
4 on the quality, equal access, and effectiveness of pre-
5 kindergarten through twelfth grade education in
6 every local school district across the country.

7 (2) Our education systems must prepare stu-
8 dents to compete in an interconnected, global econ-
9 omy.

10 (3) Despite the current combinations of Fed-
11 eral, State, and local funding and innovative edu-
12 cational policies, States with historically well re-
13 garded kindergarten through grade 12 education
14 systems may find their students falling behind their
15 peers nationally and internationally. In Maryland, a
16 State with a historically well regarded kindergarten
17 through grade 12 education system, fourth and
18 eighth graders placed in the middle of the pack na-
19 tionally in reading and math scores on the National
20 Assessment of Education Progress.

21 (4) The United States as a whole scored well
22 down the second quartile among students from 72
23 countries on the Programme for International Stu-
24 dent Assessment.

1 (5) Even in States with reading and math
2 scores higher than the national average, there may
3 be significant and persistent racial, ethnic, and in-
4 come disparity gaps between students of color and
5 low-income students compared to their higher in-
6 come and White peers.

7 (6) These same disparities carry into college en-
8 rollment, with fewer students of color and low-in-
9 come students enrolling in college than their higher
10 income and White peers.

11 (7) In order to address these inequities in edu-
12 cation, certain States, including Maryland, have re-
13 searched and proposed bold, transformative Federal,
14 State, and local funding and policy changes to their
15 pre-kindergarten through twelfth grade education
16 systems, with five main policy recommendations
17 under the Maryland Commission on Innovation &
18 Excellence in Education that include the following:

19 (A) Investing in high-quality early child-
20 hood education and care through a significant
21 expansion of full day pre-school, to be free for
22 all low-income three- and four-year-olds, so that
23 all children have the opportunity to begin kin-
24 dergarten ready to learn.

1 (B) Investing in teachers and school lead-
2 ers by elevating the standards and status of the
3 teaching profession, including a performance-
4 based career ladder and salaries comparable to
5 other fields with similar education require-
6 ments.

7 (C) Creating a world-class instructional
8 system with an internationally benchmarked
9 curriculum that enables most students to
10 achieve “college and career ready” status by
11 10th grade and then pursue pathways that in-
12 clude early college, Advanced Placement
13 courses, or a rigorous technical education lead-
14 ing to industry-recognized credentials and high
15 paying jobs.

16 (D) Providing supports to students that
17 need it the most with broad and sustained sup-
18 port for schools serving high concentrations of
19 poverty, with after school and summer academic
20 programs and student access to needed health
21 and social services.

22 (E) Ensuring excellence for all through an
23 accountability-oversight board that has the au-
24 thority to ensure transformative education sys-
25 tem recommendations are successfully imple-

1 mented and produce the desired improvements
2 in student achievement.

3 **SEC. 3. SENSE OF CONGRESS.**

4 It is the sense of Congress that—

5 (1) no matter a child's zip code, they deserve
6 equal access to a quality, public pre-kindergarten
7 through twelfth grade education;

8 (2) no inequities in student achievement, college
9 enrollment, or Federal, State, and local funding
10 should be tolerated;

11 (3) the Federal Government should live up to
12 its original commitment in 1975 under the Individ-
13 uals with Disabilities Education Act (20 U.S.C.
14 1400 et seq.) to provide 40 percent of the cost to
15 educate children with disabilities and assist State
16 educational agencies and local educational agencies
17 in providing a free appropriate public education; and

18 (4) the Federal Government should be an active
19 partner with State educational agencies and local
20 educational agencies that are willing to modify poli-
21 cies and commit additional State and local resources
22 to address education inequities.

23 **SEC. 4. DEFINITIONS.**

24 In this Act:

1 (1) LOCAL EDUCATIONAL AGENCY.—The term
2 “local educational agency” has the meaning given
3 the term in section 8101 of the Elementary and Sec-
4 ondary Education Act of 1965 (20 U.S.C. 7801).

5 (2) SECRETARY.—The term “Secretary” means
6 the Secretary of Education.

7 (3) STATE EDUCATIONAL AGENCY.—The term
8 “State educational agency” has the meaning given
9 the term in section 8101 of the Elementary and Sec-
10 ondary Education Act of 1965 (20 U.S.C. 7801).

11 **TITLE I—EARLY CHILDHOOD** 12 **EDUCATION**

13 **SEC. 101. EARLY CHILDHOOD EDUCATION GRANT PRO-** 14 **GRAM.**

15 (a) AUTHORIZATION.—

16 (1) IN GENERAL.—The Secretary shall award a
17 single grant, on a competitive basis, to an eligible
18 State to enable the State to carry out the authorized
19 activities described in subsection (c).

20 (2) ELIGIBLE STATE.—In this section, the term
21 “eligible State” means a State—

22 (A) that has established a State Oversight
23 Board as described in section 501; and

24 (B) that commits to educational equity.

1 (3) DURATION; RENEWAL.—The grant awarded
2 under this section shall be for a 2-year duration, and
3 may be renewed by the Secretary for not more than
4 4 additional 2-year periods if the State Oversight
5 Board of the State determines that the State has
6 met the educational equity goals of the State, as de-
7 scribed in section 501.

8 (4) MAINTENANCE OF EFFORT.—If the Sec-
9 retary does not renew a grant awarded under this
10 section to a State for an additional 2-year period for
11 failure to meet the educational equity goals of the
12 State, the State shall provide, from non-Federal
13 sources, amounts for such 2-year period that are not
14 less than the sum of the grant amount provided by
15 the Secretary and the matching funds provided by
16 the State under subsection (d) for the initial 2-year
17 grant period.

18 (b) APPLICATION.—An eligible State that desires to
19 receive a grant under this section shall submit an applica-
20 tion to the Secretary at such time, in such manner, and
21 accompanied by such information as the Secretary may
22 require, including providing the State’s educational equity
23 goals and the accountability consequences for the State
24 and local educational agencies in the State if the State
25 Oversight Board determines that the State or a local edu-

1 cational agency fails to meet the educational equity goals
2 of the State, including the potential withholding of funds,
3 as described in section 501.

4 (c) AUTHORIZED ACTIVITIES.—

5 (1) IN GENERAL.—An eligible State that re-
6 ceives a grant under this section shall use the grant
7 funds to carry out activities authorized under the
8 following provisions:

9 (A) Section 619 and part C of the Individ-
10 uals with Disabilities Education Act (20 U.S.C.
11 1419 and 1431 et seq.).

12 (B) Paragraphs (1)(B)(i), (5)(A), and
13 (5)(B) of section 640(a) of the Head Start Act
14 (42 U.S.C. 9835(1)(B)(i), (5)(A), and (5)(B)).

15 (C) Section 9212 of the Every Student
16 Succeeds Act (42 U.S.C. 9831 note).

17 (2) SUBGRANTS.—An eligible State that re-
18 ceives a grant under this section may use the grant
19 funds to award subgrants to local educational agen-
20 cies to carry out the activities described in para-
21 graph (1).

22 (3) COMPLIANCE WITH PROGRAMS.—In using
23 grant funds provided under this section or subgrant
24 funds provided under paragraph (2) to carry out the
25 activities described in paragraph (1), the eligible

1 State or local educational agency shall comply with
2 the requirements of the programs under which such
3 activities are authorized.

4 (d) MATCHING REQUIREMENT.—Each eligible State
5 that receives a grant under this section shall provide, from
6 non-Federal sources, an amount equal to 200 percent of
7 the amount of the grant (which may be provided in cash
8 or in kind) to carry out the activities supported by the
9 grant.

10 (e) SUPPLEMENT, NOT SUPPLANT.—An eligible
11 State shall use Federal funds received under this section
12 only to supplement the funds that would, in the absence
13 of such Federal funds, be made available from State and
14 local sources for activities described in subsection (c), and
15 not to supplant such funds.

16 (f) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated to carry out this sec-
18 tion—

19 (1) \$275,000,000 for fiscal year 2020;

20 (2) \$288,750,000 for fiscal year 2021;

21 (3) \$303,187,500 for fiscal year 2022;

22 (4) \$318,346,875 for fiscal year 2023;

23 (5) \$334,264,219 for fiscal year 2024;

24 (6) \$350,977,430 for fiscal year 2025;

25 (7) \$368,526,301 for fiscal year 2026;

1 (8) \$386,952,616 for fiscal year 2027;

2 (9) \$406,300,247 for fiscal year 2028; and

3 (10) \$426,615,259 for fiscal year 2029.

4 **TITLE II—HIGH-QUALITY AND DI-**
5 **VERSE TEACHERS AND LEAD-**
6 **ERS**

7 **SEC. 201. HIGH-QUALITY AND DIVERSE TEACHERS AND**
8 **LEADERS GRANT PROGRAM.**

9 (a) AUTHORIZATION.—

10 (1) IN GENERAL.—The Secretary shall award a
11 single grant, on a competitive basis, to an eligible
12 State to enable the State to carry out the authorized
13 activities described in subsection (c).

14 (2) ELIGIBLE STATE.—In this section, the term
15 “eligible State” means a State—

16 (A) that has established a State Oversight
17 Board as described in section 501; and

18 (B) that commits to educational equity.

19 (3) DURATION; RENEWAL.—The grant awarded
20 under this section shall be for a 2-year duration, and
21 may be renewed by the Secretary for not more than
22 4 additional 2-year periods if the State Oversight
23 Board of the State determines that the State has
24 met the educational equity goals of the State, as de-
25 scribed in section 501.

1 (4) MAINTENANCE OF EFFORT.—If the Sec-
2 retary does not renew a grant awarded under this
3 section to a State for an additional 2-year period for
4 failure to meet the educational equity goals of the
5 State, the State shall provide, from non-Federal
6 sources, amounts for such 2-year period that are not
7 less than the sum of the grant amount provided by
8 the Secretary and the matching funds provided by
9 the State under subsection (d) for the initial 2-year
10 grant period.

11 (b) APPLICATION.—An eligible State that desires to
12 receive a grant under this section shall submit an applica-
13 tion to the Secretary at such time, in such manner, and
14 accompanied by such information as the Secretary may
15 require, including providing the State’s educational equity
16 goals and the accountability consequences for the State
17 and local educational agencies in the State if the State
18 Oversight Board determines that the State or a local edu-
19 cational agency fails to meet the educational equity goals
20 of the State, including the potential withholding of funds,
21 as described in section 501.

22 (c) AUTHORIZED ACTIVITIES.—

23 (1) IN GENERAL.—An eligible State that re-
24 ceives a grant under this section shall use the grant

1 funds to carry out activities authorized under the
2 following provisions:

3 (A) Section 2101 of the Elementary and
4 Secondary Education Act of 1965 (20 U.S.C.
5 6611).

6 (B) Subpart 1 of part B of title II of the
7 Elementary and Secondary Education Act of
8 1965 (20 U.S.C. 6631 et seq.).

9 (C) Sections 2242, 2243, and 2245 of the
10 Elementary and Secondary Education Act of
11 1965 (20 U.S.C. 6672, 6673, and 6675).

12 (D) Section 3131 of the Elementary and
13 Secondary Education Act of 1965 (20 U.S.C.
14 6861).

15 (E) Subparts 1 and 2 of part D of the In-
16 dividuals with Disabilities Education Act (20
17 U.S.C. 1451 et seq. and 1461 et seq.).

18 (2) SUBGRANTS.—An eligible State that re-
19 ceives a grant under this section may use the grant
20 funds to award subgrants to local educational agen-
21 cies to carry out the activities described in para-
22 graph (1).

23 (3) COMPLIANCE WITH PROGRAMS.—In using
24 grant funds provided under this section or subgrant
25 funds provided under paragraph (2) to carry out the

1 activities described in paragraph (1), the eligible
2 State or local educational agency shall comply with
3 the requirements of the programs under which such
4 activities are authorized.

5 (d) MATCHING REQUIREMENT.—Each eligible State
6 that receives a grant under this section shall provide, from
7 non-Federal sources, an amount equal to 200 percent of
8 the amount of the grant (which may be provided in cash
9 or in kind) to carry out the activities supported by the
10 grant.

11 (e) SUPPLEMENT, NOT SUPPLANT.—An eligible
12 State shall use Federal funds received under this section
13 only to supplement the funds that would, in the absence
14 of such Federal funds, be made available from State and
15 local sources for activities described in subsection (c), and
16 not to supplant such funds.

17 (f) AUTHORIZATION OF APPROPRIATIONS.—There
18 are authorized to be appropriated to carry out this sec-
19 tion—

20 (1) \$340,000,000 for fiscal year 2020;

21 (2) \$357,000,000 for fiscal year 2021;

22 (3) \$374,850,000 for fiscal year 2022;

23 (4) \$393,592,500 for fiscal year 2023;

24 (5) \$413,272,125 for fiscal year 2024;

25 (6) \$433,935,731 for fiscal year 2025;

- 1 (7) \$455,632,518 for fiscal year 2026;
2 (8) \$478,414,144 for fiscal year 2027;
3 (9) \$502,334,851 for fiscal year 2028; and
4 (10) \$527,451,594 for fiscal year 2029.

5 **TITLE III—COLLEGE AND**
6 **CAREER READINESS PATHWAYS**

7 **SEC. 301. COLLEGE AND CAREER READINESS PATHWAYS**
8 **GRANT PROGRAM.**

9 (a) AUTHORIZATION.—

10 (1) IN GENERAL.—The Secretary shall award a
11 single grant, on a competitive basis, to an eligible
12 State to enable the State to carry out the authorized
13 activities described in subsection (c).

14 (2) ELIGIBLE STATE.—In this section, the term
15 “eligible State” means a State—

16 (A) that has established a State Oversight
17 Board as described in section 501; and

18 (B) that commits to educational equity.

19 (3) DURATION; RENEWAL.—The grant awarded
20 under this section shall be for a 2-year duration, and
21 may be renewed by the Secretary for not more than
22 4 additional 2-year periods if the State Oversight
23 Board of the State determines that the State has
24 met the educational equity goals of the State, as de-
25 scribed in section 501.

1 (4) MAINTENANCE OF EFFORT.—If the Sec-
2 retary does not renew a grant awarded under this
3 section to a State for an additional 2-year period for
4 failure to meet the educational equity goals of the
5 State, the State shall provide, from non-Federal
6 sources, amounts for such 2-year period that are not
7 less than the sum of the grant amount provided by
8 the Secretary and the matching funds provided by
9 the State under subsection (d) for the initial 2-year
10 grant period.

11 (b) APPLICATION.—An eligible State that desires to
12 receive a grant under this section shall submit an applica-
13 tion to the Secretary at such time, in such manner, and
14 accompanied by such information as the Secretary may
15 require, including providing the State’s educational equity
16 goals and the accountability consequences for the State
17 and local educational agencies in the State if the State
18 Oversight Board determines that the State or a local edu-
19 cational agency fails to meet the educational equity goals
20 of the State, including the potential withholding of funds,
21 as described in section 501.

22 (c) AUTHORIZED ACTIVITIES.—

23 (1) IN GENERAL.—An eligible State that re-
24 ceives a grant under this section shall use the grant

1 funds to carry out activities authorized under the
2 following provisions:

3 (A) Section 135 of the Carl D. Perkins Ca-
4 reer and Technical Education Act of 2006 (20
5 U.S.C. 2355).

6 (B) Subpart 11 of part A of title IV of the
7 Higher Education Act of 1965, as added by
8 section 302 of this Act.

9 (2) SUBGRANTS.—An eligible State that re-
10 ceives a grant under this section may use the grant
11 funds to award subgrants to local educational agen-
12 cies to carry out the activities described in para-
13 graph (1).

14 (3) COMPLIANCE WITH PROGRAMS.—In using
15 grant funds provided under this section or subgrant
16 funds provided under paragraph (2) to carry out the
17 activities described in paragraph (1), the eligible
18 State or local educational agency shall comply with
19 the requirements of the programs under which such
20 activities are authorized.

21 (d) MATCHING REQUIREMENT.—Each eligible State
22 that receives a grant under this section shall provide, from
23 non-Federal sources, an amount equal to 200 percent of
24 the amount of the grant (which may be provided in cash

1 or in kind) to carry out the activities supported by the
2 grant.

3 (e) SUPPLEMENT, NOT SUPPLANT.—An eligible
4 State shall use Federal funds received under this section
5 only to supplement the funds that would, in the absence
6 of such Federal funds, be made available from State and
7 local sources for activities described in subsection (c), and
8 not to supplant such funds.

9 (f) AUTHORIZATION OF APPROPRIATIONS.—There
10 are authorized to be appropriated to carry out this sec-
11 tion—

- 12 (1) \$50,000,000 for fiscal year 2020;
- 13 (2) \$52,500,000 for fiscal year 2021;
- 14 (3) \$55,125,000 for fiscal year 2022;
- 15 (4) \$57,881,250 for fiscal year 2023;
- 16 (5) \$60,775,312 for fiscal year 2024;
- 17 (6) \$63,814,077 for fiscal year 2025;
- 18 (7) \$67,004,780 for fiscal year 2026;
- 19 (8) \$70,355,019 for fiscal year 2027;
- 20 (9) \$73,872,770 for fiscal year 2028; and
- 21 (10) \$77,566,408 for fiscal year 2029.

22 **SEC. 302. JUMPSTART TO COLLEGE GRANT PROGRAMS.**

23 Part A of title IV of the Higher Education Act of
24 1965 (20 U.S.C. 1070 et seq.) is amended by adding at
25 the end the following:

1 **“Subpart 11—Jumpstart to College**

2 **“SEC. 420T. DEFINITIONS.**

3 “In this subpart:

4 “(1) ELIGIBLE ENTITY.—The term ‘eligible en-
5 tity’ means an institution of higher education in
6 partnership with one or more local educational agen-
7 cies (which may be an educational service agency).
8 Such partnership may also include other entities
9 such as nonprofit organizations or businesses, and
10 schools in juvenile detention centers.

11 “(2) INSTITUTION OF HIGHER EDUCATION.—
12 The term ‘institution of higher education’ has the
13 meaning given the term in section 101.

14 “(3) ESEA TERMS.—The terms ‘dual or con-
15 current enrollment program’, ‘early college high
16 school’, ‘educational service agency’, ‘four-year ad-
17 justed cohort graduation rate’, ‘local educational
18 agency’, ‘secondary school’, and ‘State’ have mean-
19 ings given the terms in section 8101 of the Elemen-
20 tary and Secondary Education Act of 1965.

21 “(4) LOW-INCOME STUDENT.—The term ‘low-
22 income student’ means a student counted under sec-
23 tion 1124(c) of the Elementary and Secondary Edu-
24 cation Act of 1965.

25 “(5) RECOGNIZED POSTSECONDARY CREDEN-
26 TIAL.—The term ‘recognized postsecondary creden-

1 tial’ has the meaning given the term in section 3 of
2 the Workforce Innovation and Opportunity Act (29
3 U.S.C. 3102).

4 **“SEC. 420U. AUTHORIZATION OF APPROPRIATIONS.**

5 “To carry out this subpart, there are authorized to
6 be appropriated \$137,500,000 for fiscal year 2021 and
7 each of the five succeeding fiscal years.

8 **“SEC. 420V. GRANTS TO STATES.**

9 “(a) IN GENERAL.—The Secretary shall award a sin-
10 gle grant to a State, on a competitive basis, to assist the
11 State in supporting or establishing early college high
12 schools or dual or concurrent enrollment programs.

13 “(b) DURATION.—The grant under this section shall
14 be awarded for a period of 2 years, and may be renewed
15 by the Secretary for not more than 4 additional 2-year
16 periods.

17 “(c) GRANT AMOUNT.—The Secretary shall ensure
18 that the amount of the grant under this section is suffi-
19 cient to enable the grantee to carry out the activities de-
20 scribed in subsection (f).

21 “(d) MATCHING REQUIREMENT.—For each year that
22 a State receives a grant under this section, the State shall
23 provide, from non-Federal sources, an amount equal to 50
24 percent of the amount of the grant received by the State

1 for such year to carry out the activities supported by the
2 grant.

3 “(e) SUPPLEMENT, NOT SUPPLANT.—A State shall
4 use a grant received under this section only to supplement
5 funds that would, in the absence of such grant, be made
6 available from other Federal, State, or local sources for
7 activities supported by the grant, not to supplant such
8 funds.

9 “(f) USES OF FUNDS.—

10 “(1) MANDATORY ACTIVITIES.—A State shall
11 use grant funds received under this section to—

12 “(A) support the activities described in its
13 application under subsection (g);

14 “(B) plan and implement a statewide
15 strategy for expanding access to early college
16 high schools and dual or concurrent enrollment
17 programs for students who are underrep-
18 resented in higher education to raise statewide
19 rates of secondary school graduation, readiness
20 for postsecondary education, and completion of
21 recognized postsecondary credentials, with a
22 focus on students academically at risk of not
23 enrolling in or completing postsecondary edu-
24 cation;

1 “(C) identify any obstacles to such a strat-
2 egy under State law or policy;

3 “(D) provide technical assistance (either
4 directly or through a knowledgeable inter-
5 mediary) to early college high schools and other
6 dual or concurrent enrollment programs, which
7 may include—

8 “(i) brokering relationships and agree-
9 ments that forge a strong partnership be-
10 tween elementary and secondary and post-
11 secondary partners; and

12 “(ii) offering statewide training, pro-
13 fessional development, and peer learning
14 opportunities for school leaders, instruc-
15 tors, and counselors or advisors;

16 “(E) identify and implement policies that
17 will improve the effectiveness and ensure the
18 quality of early college high schools and dual or
19 concurrent enrollment programs, such as eligi-
20 bility and access, funding, data and quality as-
21 surance, governance, accountability, and align-
22 ment policies;

23 “(F) update the State’s requirements for a
24 student to receive a regular high school diploma
25 to align with the challenging State academic

1 standards and entrance requirements for credit-
2 bearing coursework as described in subpara-
3 graphs (A) and (D) of section 1111(b)(1) of the
4 Elementary and Secondary Education Act of
5 1965;

6 “(G) incorporate indicators regarding stu-
7 dent access to and completion of early college
8 high schools and dual or concurrent enrollment
9 programs into the school quality and student
10 success indicators included in the State system
11 of annual meaningful differentiation as de-
12 scribed under section 1111(c)(4)(B)(v)(I) of the
13 Elementary and Secondary Education Act of
14 1965;

15 “(H) disseminate best practices for early
16 college high schools and dual or concurrent en-
17 rollment programs, which may include best
18 practices from programs in the State or other
19 States;

20 “(I) facilitate statewide secondary and
21 postsecondary data collection, research and
22 evaluation, and reporting to policymakers and
23 other stakeholders; and

24 “(J) conduct outreach programs to ensure
25 that secondary school students, their families,

1 and community members are aware of early col-
2 lege high schools and dual or concurrent enroll-
3 ment programs in the State.

4 “(2) ALLOWABLE ACTIVITIES.—A State may
5 use grant funds received under this section to—

6 “(A) establish a mechanism to offset the
7 costs of tuition, fees, standardized testing and
8 performance assessment costs, and support
9 services for low-income students, and students
10 from underrepresented populations enrolled in
11 early college and high schools or dual or concu-
12 rent enrollment;

13 “(B) establish formal transfer systems
14 within and across State higher education sys-
15 tems, including two-year and four-year public
16 and private institutions, to maximize the trans-
17 ferability of college courses;

18 “(C) provide incentives to school districts
19 that—

20 “(i) assist high school teachers in get-
21 ting the credentials needed to participate
22 in early college high school programs and
23 dual or concurrent enrollment; and

1 “(ii) encourage the use of college in-
2 structors to teach college courses in high
3 schools;

4 “(D) support initiatives to improve the
5 quality of early college high school and dual or
6 concurrent enrollment programs at partici-
7 pating institutions; and

8 “(E) reimburse low-income students to
9 cover part or all of the costs of an Advanced
10 Placement or International Baccalaureate ex-
11 amination.

12 “(g) STATE APPLICATIONS.—

13 “(1) APPLICATION.—To be eligible to receive a
14 grant under this section, a State shall submit to the
15 Secretary an application at such time, in such man-
16 ner, and containing such information as the Sec-
17 retary may require.

18 “(2) CONTENTS OF APPLICATION.—The appli-
19 cation under paragraph (1) shall include, at min-
20 imum, a description of—

21 “(A) how the State will carry out the man-
22 datory State activities described in subsection
23 (f)(1);

1 “(B) how the State will ensure that any
2 programs funded with a grant under this sec-
3 tion are coordinated with programs under—

4 “(i) the Carl D. Perkins Career and
5 Technical Education Act of 2006 (20
6 U.S.C. 2301 et seq.);

7 “(ii) the Workforce Innovation and
8 Opportunity Act (29 U.S.C. 3101 et seq.);

9 “(iii) the Elementary and Secondary
10 Education Act of 1965; and

11 “(iv) the Individuals with Disabilities
12 Education Act;

13 “(C) how the State intends to use grant
14 funds to address achievement gaps for each cat-
15 egory of students described in section
16 1111(b)(2)(B)(xi) of the Elementary and Sec-
17 ondary Education Act of 1965;

18 “(D) how the State will access and lever-
19 age additional resources necessary to sustain
20 early college high schools or other dual or con-
21 current enrollment programs;

22 “(E) how the State will identify and elimi-
23 nate barriers to implementing effective early
24 college high schools and dual or concurrent en-
25 rollment programs after the grant expires, in-

1 including by engaging businesses and nonprofit
2 organizations; and

3 “(F) such other information as the Sec-
4 retary determines to be appropriate.”.

5 **TITLE IV—MORE RESOURCES TO**
6 **ENSURE ALL STUDENTS ARE**
7 **SUCCESSFUL**

8 **SEC. 401. STUDENT SUCCESS GRANT PROGRAM.**

9 (a) AUTHORIZATION.—

10 (1) IN GENERAL.—The Secretary shall award a
11 single grant, on a competitive basis, to an eligible
12 State to enable the State to carry out the authorized
13 activities described in subsection (c).

14 (2) ELIGIBLE STATE.—In this section, the term
15 “eligible State” means a State—

16 (A) that has established a State Oversight
17 Board as described in section 501; and

18 (B) that commits to educational equity.

19 (3) DURATION; RENEWAL.—The grant awarded
20 under this section shall be for a 2-year duration, and
21 may be renewed by the Secretary for not more than
22 4 additional 2-year periods if the State Oversight
23 Board of the State determines that the State has
24 met the educational equity goals of the State, as de-
25 scribed in section 501.

1 (4) MAINTENANCE OF EFFORT.—If the Sec-
2 retary does not renew a grant awarded under this
3 section to a State for an additional 2-year period for
4 failure to meet the educational equity goals of the
5 State, the State shall provide, from non-Federal
6 sources, amounts for such 2-year period that are not
7 less than the sum of the grant amount provided by
8 the Secretary and the matching funds provided by
9 the State under subsection (d) for the initial 2-year
10 grant period.

11 (b) APPLICATION.—An eligible State that desires to
12 receive a grant under this section shall submit an applica-
13 tion to the Secretary at such time, in such manner, and
14 accompanied by such information as the Secretary may
15 require, including providing the State’s educational equity
16 goals and the accountability consequences for the State
17 and local educational agencies in the State if the State
18 Oversight Board determines that the State or a local edu-
19 cational agency fails to meet the educational equity goals
20 of the State, including the potential withholding of funds,
21 as described in section 501.

22 (c) AUTHORIZED ACTIVITIES.—

23 (1) IN GENERAL.—An eligible State that re-
24 ceives a grant under this section shall use the grant

1 funds to carry out activities authorized under the
2 following provisions:

3 (A) Part A of title I of the Elementary and
4 Secondary Education Act of 1965 (20 U.S.C.
5 6311 et seq.).

6 (B) Part C of title I of the Elementary
7 and Secondary Education Act of 1965 (20
8 U.S.C. 6391 et seq.).

9 (C) Part D of title I of the Elementary
10 and Secondary Education Act of 1965 (20
11 U.S.C. 6421 et seq.).

12 (D) Part E of title I of the Elementary
13 and Secondary Education Act of 1965 (20
14 U.S.C. 6491 et seq.).

15 (E) Subparts 2 and 3 of part B of title II
16 of the Elementary and Secondary Education
17 Act of 1965 (20 U.S.C. 6641 et seq. and 6661
18 et seq.).

19 (F) Subpart 1 of part A of title III of the
20 Elementary and Secondary Education Act of
21 1965 (20 U.S.C. 6821 et seq.).

22 (G) Subpart 1 of part A of title IV of the
23 Elementary and Secondary Education Act of
24 1965 (20 U.S.C. 7111 et seq.).

1 (H) Part B of title IV of the Elementary
2 and Secondary Education Act of 1965 (20
3 U.S.C. 7171 et seq.).

4 (I) Part D of title IV of the Elementary
5 and Secondary Education Act of 1965 (20
6 U.S.C. 7231 et seq.).

7 (J) Sections 4624 and 4625 of the Ele-
8 mentary and Secondary Education Act of 1965
9 (20 U.S.C. 7274 and 7275).

10 (K) Section 4641 of the Elementary and
11 Secondary Education Act of 1965 (20 U.S.C.
12 7291 et seq.).

13 (L) Section 611 of the Individuals with
14 Disabilities Education Act (20 U.S.C. 1411).

15 (2) SUBGRANTS.—An eligible State that re-
16 ceives a grant under this section may use the grant
17 funds to award subgrants to local educational agen-
18 cies to carry out the activities described in para-
19 graph (1).

20 (3) COMPLIANCE WITH PROGRAMS.—In using
21 grant funds provided under this section or subgrant
22 funds provided under paragraph (2) to carry out the
23 activities described in paragraph (1), the eligible
24 State or local educational agency shall comply with

1 the requirements of the programs under which such
2 activities are authorized.

3 (d) MATCHING REQUIREMENT.—Each eligible State
4 that receives a grant under this section shall provide, from
5 non-Federal sources, an amount equal to 200 percent of
6 the amount of the grant (which may be provided in cash
7 or in kind) to carry out the activities supported by the
8 grant.

9 (e) SUPPLEMENT, NOT SUPPLANT.—An eligible
10 State shall use Federal funds received under this section
11 only to supplement the funds that would, in the absence
12 of such Federal funds, be made available from State and
13 local sources for activities described in subsection (c), and
14 not to supplant such funds.

15 (f) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to carry out this sec-
17 tion—

18 (1) \$750,000,000 for fiscal year 2020;

19 (2) \$787,500,000 for fiscal year 2021;

20 (3) \$826,875,000 for fiscal year 2022;

21 (4) \$868,218,750 for fiscal year 2023;

22 (5) \$911,629,688 for fiscal year 2024;

23 (6) \$957,211,172 for fiscal year 2025;

24 (7) \$1,005,071,731 for fiscal year 2026;

25 (8) \$1,055,325,318 for fiscal year 2027;

1 (9) \$1,108,091,584 for fiscal year 2028; and

2 (10) \$1,163,496,163 for fiscal year 2029.

3 **TITLE V—GOVERNANCE AND**
4 **ACCOUNTABILITY**

5 **SEC. 501. STATE OVERSIGHT BOARDS.**

6 (a) IN GENERAL.—In order to be eligible to receive
7 a grant under title I, II, III, or IV, a State shall establish
8 a State Oversight Board that is independent of the State
9 educational agency, ensures educational equity in the
10 State, and holds the State educational agency and local
11 educational agencies in the State accountable for failure
12 to meet such educational equity.

13 (b) AUTHORITY OF STATE OVERSIGHT BOARDS.—A
14 State Oversight Board established pursuant to this section
15 shall—

16 (1) determine implementation plans and guide-
17 lines for the State educational agency and local edu-
18 cational agencies in the State to meet the edu-
19 cational equity goals determined by the State under
20 subsection (c);

21 (2) determine whether the State and local edu-
22 cational agencies in the State have met the edu-
23 cational equity goals determined by the State;

24 (3) hold the State and local educational agen-
25 cies in the State accountable for a failure to meet

1 the educational equity goals, pursuant to the ac-
2 countability consequences described under subsection
3 (c); and

4 (4) provide to the Secretary, on an annual
5 basis, the progress of the State and local educational
6 agencies in the State towards meeting the edu-
7 cational equity goals.

8 (c) AUTHORITY OF STATE.—A State that establishes
9 a State Oversight Board under this section shall deter-
10 mine—

11 (1) the educational equity goals of the State,
12 that includes a requirement that the State and local
13 educational agencies in the State maintain a level of
14 financial support for elementary and secondary edu-
15 cation that is not less than the level of such support
16 for fiscal year 2019; and

17 (2) the accountability consequences for the
18 State and local educational agencies in the State if
19 the State Oversight Board determines that the State
20 or a local educational agency fails to meet the edu-
21 cational equity goals of the State, including the po-
22 tential withholding of funds.

23 (d) TECHNICAL ASSISTANCE AND OVERSIGHT.—

1 (1) IN GENERAL.—The Secretary and the Of-
 2 fice for Civil Rights of the Department of Education
 3 shall provide technical assistance—

4 (A) to States in implementing the edu-
 5 cational equity goals of the State; and

6 (B) to State Oversight Boards in carrying
 7 out subsection (b), including in determining
 8 whether the State and local educational agen-
 9 cies in the State have met the educational eq-
 10 uity goals determined by the State.

11 (2) AUTHORIZATION OF APPROPRIATIONS.—

12 There are authorized to be appropriated to carry out
 13 this subsection \$1,000,000 for each fiscal year.

14 **TITLE VI—STATE FLEXIBILITY**
 15 **FOR EQUITABLE PER-PUPIL**
 16 **FUNDING**

17 **SEC. 601. STATE FLEXIBILITY FOR EQUITABLE PER-PUPIL**
 18 **FUNDING.**

19 Section 1501 of the Elementary and Secondary Edu-
 20 cation Act of 1965 (20 U.S.C. 6491) is amended—

21 (1) in subsection (a), by inserting “and certain
 22 State educational agencies on behalf of a State’s
 23 local educational agencies” after “local educational
 24 agencies”;

25 (2) in subsection (b)—

1 (A) in paragraph (1)(A), by inserting “and
2 certain State educational agencies on behalf of
3 a State’s local educational agencies” after
4 “local educational agencies”; and

5 (B) in paragraph (2), by inserting “and
6 certain State educational agencies on behalf of
7 a State’s local educational agencies” after
8 “local educational agencies”;

9 (3) in subsection (c)—

10 (A) in paragraph (1), by inserting “or 1
11 State educational agency on behalf of the
12 State’s local educational agencies” after “local
13 educational agencies”;

14 (B) in paragraph (2)—

15 (i) in the matter preceding subpara-
16 graph (A), by inserting “or State edu-
17 cational agency” after “local educational
18 agency”; and

19 (ii) in subparagraph (A), by inserting
20 “or consolidated State” after “local”; and

21 (C) in paragraph (3)—

22 (i) by striking “any local” and insert-
23 ing “any”; and

24 (ii) by striking “the local” and insert-
25 ing “the”;

- 1 (4) in subsection (d)—
- 2 (A) in paragraph (1)—
- 3 (i) in the matter preceding subpara-
- 4 graph (A)—
- 5 (I) by striking “Each local” and
- 6 inserting “Each”; and
- 7 (II) by inserting “or consolidated
- 8 State” after “local”;
- 9 (ii) in subparagraph (A)(ii), by strik-
- 10 ing “local”;
- 11 (iii) in subparagraph (B), by striking
- 12 “local”;
- 13 (iv) in subparagraph (C), by striking
- 14 “local educational” and inserting “edu-
- 15 cational”;
- 16 (v) in subparagraph (G), by striking
- 17 “local educational” and inserting “edu-
- 18 cational”;
- 19 (vi) in subparagraph (H), by striking
- 20 “local educational” and inserting “edu-
- 21 cational”;
- 22 (vii) in subparagraph (I), by striking
- 23 “local educational” and inserting “edu-
- 24 cational”; and

1 (viii) in subparagraph (G), by striking
2 “local educational” and inserting “edu-
3 cational”; and

4 (B) in paragraph (2)—

5 (i) in subparagraph (A), by striking
6 “local educational” each place the term ap-
7 pears and inserting “educational”;

8 (ii) in subparagraph (B), by striking
9 “local educational” each place the term ap-
10 pears and inserting “educational”; and

11 (iii) in subparagraph (C), by striking
12 “local educational” and inserting “edu-
13 cational”;

14 (5) in subsection (e), by striking “local edu-
15 cational” and inserting “educational”;

16 (6) in subsection (f)—

17 (A) by striking “local educational” and in-
18 serting “educational”; and

19 (B) by inserting “or consolidated State”
20 after “local”;

21 (7) in subsection (g), by inserting “or consoli-
22 dated State” after “local”;

23 (8) in subsection (h)—

24 (A) by striking “local educational” and in-
25 serting “educational”; and

1 (B) by inserting “or consolidated State”
2 after “local”;

3 (9) in subsection (i), by striking “local edu-
4 cational” each place the term appears and inserting
5 “educational”;

6 (10) in subsection (j), by inserting “or consoli-
7 dated State” after “local”;

8 (11) in subsection (k)—

9 (A) by striking “local educational” and in-
10 sserting “educational”; and

11 (B) by inserting “or consolidated State”
12 after “local” each place the term appears;

13 (12) in subsection (l)—

14 (A) in paragraph (1)—

15 (i) by inserting “or State educational
16 agency” after “local educational agency”;

17 (ii) in subparagraph (D), by striking
18 “and” after the semicolon;

19 (iii) in subparagraph (E), by striking
20 the period at the end and inserting a semi-
21 colon; and

22 (iv) by adding at the end the fol-
23 lowing:

24 “(F) title I of the TRUE EQUITY Act;

25 “(G) title II of the TRUE EQUITY Act;

1 “(H) title III of the TRUE EQUITY Act;

2 and

3 “(I) title IV of the TRUE EQUITY Act.”;

4 and

5 (B) in paragraph (2), by striking “is in the
6 highest 2 quartiles of schools served by a local
7 educational agency, based on the percentage of
8 enrolled students from low-income families” and
9 inserting “serves students not less than 55 per-
10 cent of whom are students eligible for a free or
11 reduced price lunch under the Richard B. Rus-
12 sell National School Lunch Act (42 U.S.C.
13 1751 et seq.)”; and

14 (13) by adding at the end the following:

15 “(m) FUNDING FLEXIBILITY FOR TRUE EQUITY
16 ACT FUNDS.—

17 “(1) TECHNICAL ASSISTANCE.—A State edu-
18 cational agency that submits a consolidated State
19 flexibility demonstration agreement under this sec-
20 tion shall provide technical assistance to local edu-
21 cational agencies in the State that desire to partici-
22 pate in the program under this section in submitting
23 applications to enter into local flexibility demonstra-
24 tion agreements with the Secretary.

1 “(2) DURATION AND RENEWAL.—Notwith-
2 standing any other provision of this section, the Sec-
3 retary—

4 “(A) is authorized to enter into local flexi-
5 bility demonstration agreements for not more
6 than 2 years with local educational agencies
7 that are selected under subsection (c) and sub-
8 mit proposed agreements that meet the require-
9 ments of subsection (d) for flexibility to consoli-
10 date eligible Federal funds that are described in
11 subparagraph (F), (G), (H), or (I) of sub-
12 section (l); and

13 “(B) may renew for not more than 4 addi-
14 tional 2-year terms a local flexibility demonstra-
15 tion agreement described in subparagraph
16 (A).”.

○