

117TH CONGRESS
1ST SESSION

S. 213

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

IN THE SENATE OF THE UNITED STATES

FEBRUARY 3, 2021

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 2021” 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) The novel coronavirus (COVID–19) health
12 pandemic forced the physical closure of schools na-
13 tionwide in March 2020, moving students from the
14 classroom to online learning. The public health ne-
15 cessity to turn to online learning further exacerbated
16 the significant and persistent racial, ethnic, and in-
17 come disparity learning gaps as students struggled
18 to access educational technology devices and the
19 internet.

20 (8) At the start of online learning, Maryland
21 school districts reported that on average, nearly 25
22 percent of Maryland students had not logged into
23 their new online classrooms or picked up paper work
24 packets, falling out of sight and behind their peers.

1 (9) Millions of children are falling further be-
2 hind as a result of opportunity gaps that fail to pro-
3 vide students with ready access to individualized in-
4 struction, healthy meals, mental health counseling
5 services, and hands on career training programs.

6 (10) In order to address these inequities in edu-
7 cation and harm caused by COVID–19, certain
8 States, including Maryland, have researched and
9 proposed bold, transformative Federal, State, and
10 local funding and policy changes to their pre-kinder-
11 garten through twelfth grade education systems,
12 with five main policy recommendations under the
13 Maryland Commission on Innovation & Excellence in
14 Education that include the following:

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

21 (B) Investing in teachers and school lead-
22 ers by elevating the standards and status of the
23 teaching profession, including a performance-
24 based career ladder and salaries comparable to

1 other fields with similar education require-
2 ments.

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

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

18 (E) Ensuring excellence for all through an
19 accountability-oversight board that has the au-
20 thority to ensure transformative education sys-
21 tem recommendations are successfully imple-
22 mented and produce the desired improvements
23 in student achievement.

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

25 It is the sense of Congress that—

1 (1) no matter a child’s zip code, they deserve
 2 equal access to a quality, public pre-kindergarten
 3 through twelfth grade education;

4 (2) no inequities in student achievement, college
 5 enrollment, or Federal, State, and local funding
 6 should be tolerated;

7 (3) the Federal Government should live up to
 8 its original commitment in 1975 under the Individ-
 9 uals with Disabilities Education Act (20 U.S.C.
 10 1400 et seq.) to provide 40 percent of the cost to
 11 educate children with disabilities and assist State
 12 educational agencies and local educational agencies
 13 in providing a free appropriate public education; and

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

19 **SEC. 4. DEFINITIONS.**

20 In this Act:

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

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

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

7 **TITLE I—EARLY CHILDHOOD** 8 **EDUCATION**

9 **SEC. 101. EARLY CHILDHOOD EDUCATION GRANT PRO-** 10 **GRAM.**

11 (a) AUTHORIZATION.—

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

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

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

20 (B) that commits to educational equity.

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

1 met the educational equity goals of the State, as de-
2 scribed in section 501.

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

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

24 (c) AUTHORIZED ACTIVITIES.—

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

5 (A) Section 619 and part C of the Individ-
 6 uals with Disabilities Education Act (20 U.S.C.
 7 1419 and 1431 et seq.).

8 (B) Paragraphs (1)(B)(i), (5)(A), and
 9 (5)(B) of section 640(a) of the Head Start Act
 10 (42 U.S.C. 9835(1)(B)(i), (5)(A), and (5)(B)).

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

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

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

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

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

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

- 16 (1) \$275,000,000 for fiscal year 2021;
- 17 (2) \$288,750,000 for fiscal year 2022;
- 18 (3) \$303,187,500 for fiscal year 2023;
- 19 (4) \$318,346,875 for fiscal year 2024;
- 20 (5) \$334,264,219 for fiscal year 2025;
- 21 (6) \$350,977,430 for fiscal year 2026;
- 22 (7) \$368,526,301 for fiscal year 2027;
- 23 (8) \$386,952,616 for fiscal year 2028;
- 24 (9) \$406,300,247 for fiscal year 2029; and
- 25 (10) \$426,615,259 for fiscal year 2030.

1 **TITLE II—HIGH-QUALITY AND DI-**
2 **VERSE TEACHERS AND LEAD-**
3 **ERS**

4 **SEC. 201. HIGH-QUALITY AND DIVERSE TEACHERS AND**
5 **LEADERS GRANT PROGRAM.**

6 (a) AUTHORIZATION.—

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

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

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

15 (B) that commits to educational equity.

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

23 (4) MAINTENANCE OF EFFORT.—If the Sec-
24 retary does not renew a grant awarded under this
25 section to a State for an additional 2-year period for

1 failure to meet the educational equity goals of the
2 State, the State shall provide, from non-Federal
3 sources, amounts for such 2-year period that are not
4 less than the sum of the grant amount provided by
5 the Secretary and the matching funds provided by
6 the State under subsection (d) for the initial 2-year
7 grant period.

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

19 (c) AUTHORIZED ACTIVITIES.—

20 (1) IN GENERAL.—An eligible State that re-
21 ceives a grant under this section shall use the grant
22 funds to carry out activities authorized under the
23 following provisions:

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

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

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

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

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

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

21 (3) COMPLIANCE WITH PROGRAMS.—In using
 22 grant funds provided under this section or subgrant
 23 funds provided under paragraph (2) to carry out the
 24 activities described in paragraph (1), the eligible
 25 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) \$340,000,000 for fiscal year 2021;
- 19 (2) \$357,000,000 for fiscal year 2022;
- 20 (3) \$374,850,000 for fiscal year 2023;
- 21 (4) \$393,592,500 for fiscal year 2024;
- 22 (5) \$413,272,125 for fiscal year 2025;
- 23 (6) \$433,935,731 for fiscal year 2026;
- 24 (7) \$455,632,518 for fiscal year 2027;
- 25 (8) \$478,414,144 for fiscal year 2028;

1 (9) \$502,334,851 for fiscal year 2029; and

2 (10) \$527,451,594 for fiscal year 2030.

3 **TITLE III—COLLEGE AND**
 4 **CAREER READINESS PATHWAYS**

5 **SEC. 301. COLLEGE AND CAREER READINESS PATHWAYS**
 6 **GRANT PROGRAM.**

7 (a) AUTHORIZATION.—

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

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

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

16 (B) that commits to educational equity.

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

24 (4) MAINTENANCE OF EFFORT.—If the Sec-
 25 retary does not renew a grant awarded under this

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

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

20 (c) AUTHORIZED ACTIVITIES.—

21 (1) IN GENERAL.—An eligible State that re-
22 ceives a grant under this section shall use the grant
23 funds to carry out activities authorized under the
24 following provisions:

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

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

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

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

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

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

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

- 10 (1) \$50,000,000 for fiscal year 2021;
- 11 (2) \$52,500,000 for fiscal year 2022;
- 12 (3) \$55,125,000 for fiscal year 2023;
- 13 (4) \$57,881,250 for fiscal year 2024;
- 14 (5) \$60,775,312 for fiscal year 2025;
- 15 (6) \$63,814,077 for fiscal year 2026;
- 16 (7) \$67,004,780 for fiscal year 2027;
- 17 (8) \$70,355,019 for fiscal year 2028;
- 18 (9) \$73,872,770 for fiscal year 2029; and
- 19 (10) \$77,566,408 for fiscal year 2030.

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

21 Part A of title IV of the Higher Education Act of
 22 1965 (20 U.S.C. 1070 et seq.) is amended by adding at
 23 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

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

“(G) incorporate indicators regarding student access to and completion of early college high schools and dual or concurrent enrollment programs into the school quality and student success indicators included in the State system of annual meaningful differentiation as described under section 1111(c)(4)(B)(v)(I) of the Elementary and Secondary Education Act of 1965;

“(H) disseminate best practices for early college high schools and dual or concurrent enrollment programs, which may include best practices from programs in the State or other States;

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

“(J) conduct outreach programs to ensure 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-

cluding by engaging businesses and nonprofit organizations; and

“(F) such other information as the Secretary determines to be appropriate.”.

TITLE IV—MORE RESOURCES TO ENSURE ALL STUDENTS ARE SUCCESSFUL

SEC. 401. STUDENT SUCCESS GRANT PROGRAM.

(a) AUTHORIZATION.—

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

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

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

(B) that commits to educational equity.

(3) DURATION; RENEWAL.—The grant awarded under this section shall be for a 2-year duration, and may be renewed by the Secretary for not more than 4 additional 2-year periods if the State Oversight Board of the State determines that the State has met the educational equity goals of the State, as described 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 2021;
- 19 (2) \$787,500,000 for fiscal year 2022;
- 20 (3) \$826,875,000 for fiscal year 2023;
- 21 (4) \$868,218,750 for fiscal year 2024;
- 22 (5) \$911,629,688 for fiscal year 2025;
- 23 (6) \$957,211,172 for fiscal year 2026;
- 24 (7) \$1,005,071,731 for fiscal year 2027;
- 25 (8) \$1,055,325,318 for fiscal year 2028;

1 (9) \$1,108,091,584 for fiscal year 2029; and

2 (10) \$1,163,496,163 for fiscal year 2030.

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 are eligible for a free
11 or reduced price lunch under the Richard B.
12 Russell 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).”.

○