

116TH CONGRESS  
2D SESSION

# S. 3149

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

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## 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

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## 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).”.

○