

112TH CONGRESS  
1ST SESSION

# S. 1179

To promote advanced placement and International Baccalaureate programs.

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IN THE SENATE OF THE UNITED STATES

JUNE 9, 2011

Mr. BINGAMAN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To promote advanced placement and International  
Baccalaureate programs.

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 “Advanced Programs  
5 Act of 2011”.

6 **SEC. 2. PURPOSE.**

7 It is the purpose of this Act—

8 (1) to raise academic achievement through ad-  
9 vanced placement and International Baccalaureate  
10 programs by increasing the number of teachers serv-  
11 ing high-need schools who are qualified to teach ad-

1 vanced placement courses or International Bacca-  
2 laureate courses;

3 (2) to increase, to 1,000,000 per year, the num-  
4 ber of students attending high-need schools who—

5 (A) take and score a 3, 4, or 5 on an ad-  
6 vanced placement examination administered by  
7 the College Board; or

8 (B) achieve a passing score on—

9 (i) an examination administered by  
10 the International Baccalaureate Organiza-  
11 tion; or

12 (ii) a test or examination for another  
13 advanced placement course or international  
14 baccalaureate course;

15 (3) to increase the availability of, and enroll-  
16 ment in, advanced placement courses or Inter-  
17 national Baccalaureate courses, and pre-advanced  
18 placement or pre-International Baccalaureate  
19 courses, in high-need schools; and

20 (4) to support statewide efforts to increase the  
21 availability of, and enrollment in, advanced place-  
22 ment courses or International Baccalaureate courses  
23 and pre-advanced placement or pre-International  
24 Baccalaureate courses in high-need schools.

1 **SEC. 3. FUNDING DISTRIBUTION RULE; NATIONAL ACTIVI-**  
2 **TIES.**

3 (a) IN GENERAL.—From amounts appropriated  
4 under section 8 for a fiscal year, and subject to subsection  
5 (b), the Secretary shall give priority to funding activities  
6 under section 4 and shall distribute any remaining funds  
7 under section 5.

8 (b) NATIONAL ACTIVITIES.—The Secretary may re-  
9 serve not more than 2 percent of the amount appropriated  
10 for a fiscal year under section 8 to be used for research,  
11 dissemination of best practices, evaluation, and technical  
12 assistance.

13 **SEC. 4. ADVANCED PLACEMENT EXAMINATION FEE PRO-**  
14 **GRAM.**

15 (a) GRANTS AUTHORIZED.—From amounts made  
16 available under section 3(a) for a fiscal year, the Secretary  
17 shall award grants to State educational agencies having  
18 applications approved under this section to enable the  
19 State educational agencies to reimburse low-income stu-  
20 dents to cover part or all of the costs of advanced place-  
21 ment examination fees or International Baccalaureate ex-  
22 amination fees, if the low-income students—

23 (1) are enrolled in an advanced placement  
24 course or International Baccalaureate course; and

1           (2) plan to take an advanced placement exam-  
2           ination or an International Baccalaureate examina-  
3           tion.

4           (b) AWARD BASIS.—In determining the amount of  
5 the grant awarded to a State educational agency under  
6 this section for a fiscal year, the Secretary shall consider  
7 the number of children eligible to be counted under section  
8 1124(c) of the Elementary and Secondary Education Act  
9 of 1965 (20 U.S.C. 6333(c)) in the State in relation to  
10 the number of such children so counted in all States.

11          (c) INFORMATION DISSEMINATION.—A State edu-  
12 cational agency that is awarded a grant under this section  
13 shall disseminate information regarding the availability of  
14 advanced placement examination and International Baccala-  
15 laureate examination fee payments under this section to  
16 eligible students through secondary school teachers and  
17 guidance counselors.

18          (d) APPLICATIONS.—Each State educational agency  
19 desiring to receive a grant under this section shall submit  
20 an application to the Secretary at such time, in such man-  
21 ner, and accompanied by such information as the Sec-  
22 retary may require. At a minimum, each State educational  
23 agency application shall—

24           (1) describe the advanced placement examina-  
25           tion and International Baccalaureate examination

1 fees the State educational agency will pay on behalf  
2 of low-income students in the State from grant  
3 funds awarded under this section;

4 (2) provide an assurance that any grant funds  
5 awarded under this section shall be used only to pay  
6 for advanced placement examination fees and Inter-  
7 national Baccalaureate examination fees; and

8 (3) contain such information as the Secretary  
9 may require to demonstrate that the State edu-  
10 cational agency will ensure that a student is eligible  
11 for payments authorized under this section, includ-  
12 ing ensuring that the student is a low-income stu-  
13 dent.

14 (e) REGULATIONS.—The Secretary shall prescribe  
15 such regulations as are necessary to carry out this section.

16 (f) REPORT.—

17 (1) IN GENERAL.—Each State educational  
18 agency awarded a grant under this section shall,  
19 with respect to each advanced placement course sub-  
20 ject and International Baccalaureate course subject,  
21 annually report to the Secretary the following data  
22 for the preceding year:

23 (A) The number of students in the State  
24 who are taking an advanced placement course

1 or International Baccalaureate course in such  
2 subject.

3 (B) The number of advanced placement ex-  
4 aminations and International Baccalaureate ex-  
5 aminations taken by students in the State who  
6 have taken an advanced placement course or  
7 International Baccalaureate course in such sub-  
8 ject.

9 (C) The number of students in the State  
10 scoring at different levels on advanced place-  
11 ment examinations or International Baccala-  
12 laureate examinations in that subject.

13 (D) Demographic information regarding  
14 students in the State taking advanced place-  
15 ment courses and examinations and Inter-  
16 national Baccalaureate courses and examina-  
17 tions in that subject, disaggregated by race,  
18 ethnicity, sex, English proficiency status, and  
19 socioeconomic status.

20 (2) REPORT TO CONGRESS.—The Secretary  
21 shall annually compile the information received from  
22 each State educational agency under paragraph (1)  
23 and report to the authorizing committees of Con-  
24 gress regarding the information.

1 (g) BIA AS SEA.—For purposes of this section, the  
2 Bureau of Indian Affairs shall be treated as a State edu-  
3 cational agency.

4 **SEC. 5. ADVANCED PLACEMENT INCENTIVE PROGRAM**  
5 **GRANTS.**

6 (a) GRANTS AUTHORIZED.—

7 (1) IN GENERAL.—From amounts made avail-  
8 able under section 3 for a fiscal year, the Secretary  
9 shall award grants, on a competitive basis, to eligible  
10 entities to enable such entities to carry out the au-  
11 thorized activities described in subsection (e).

12 (2) DURATION AND PAYMENTS.—

13 (A) DURATION.—The Secretary shall  
14 award a grant under this section for a period  
15 of not more than 5 years.

16 (B) PAYMENTS.—The Secretary shall  
17 make grant payments under this section on an  
18 annual basis.

19 (b) DEFINITION OF ELIGIBLE ENTITY.—The term  
20 “eligible entity” means—

- 21 (1) a State educational agency;  
22 (2) a local educational agency; or  
23 (3) a partnership consisting of—

24 (A) a national, regional, or statewide non-  
25 profit organization, with expertise and experi-

1           ence in providing advanced placement course or  
2           International Baccalaureate course services;  
3           and

4                   (B) a State educational agency or local  
5           educational agency.

6           (c) APPLICATION.—

7                   (1) IN GENERAL.—Each eligible entity desiring  
8           a grant under this section shall submit an applica-  
9           tion to the Secretary at such time, in such manner,  
10          and accompanied by such information as the Sec-  
11          retary may require.

12                   (2) CONTENTS.—The application shall, at a  
13          minimum, include a description of—

14                           (A) the goals and objectives for the project  
15                           supported by the grant under this section, in-  
16                           cluding—

17                                   (i) increasing the number of teachers  
18                                   serving high-need schools who are qualified  
19                                   to teach advanced placement courses or  
20                                   International Baccalaureate courses;

21                                   (ii) increasing the number of advanced  
22                                   placement courses or International Bacca-  
23                                   laureate courses that are offered at high-  
24                                   need schools; and



1 (iii) increasing the number of students  
2 attending a high-need school, particularly  
3 low-income students, who enroll in and  
4 pass—

5 (I) advanced placement courses  
6 or International Baccalaureate  
7 courses; and

8 (II) if offered by the school, pre-  
9 advanced placement courses or pre-  
10 International Baccalaureate courses;

11 (B) how the eligible entity will ensure that  
12 students have access to courses, including pre-  
13 advanced placement courses or pre-Inter-  
14 national Baccalaureate courses, that will pre-  
15 pare students to enroll and succeed in advanced  
16 placement courses or International Bacca-  
17 laureate courses;

18 (C) how the eligible entity will provide pro-  
19 fessional development for teachers that will fur-  
20 ther the goals and objectives of the grant  
21 project;

22 (D) how the eligible entity will ensure that  
23 teachers serving high-need schools are qualified  
24 to teach advanced placement courses or Inter-  
25 national Baccalaureate courses;

1 (E) how the eligible entity will provide for  
2 the involvement of business and community or-  
3 ganizations and other entities, including institu-  
4 tions of higher education, in carrying out the  
5 activities described in subsection (e);

6 (F) how the eligible entity will use funds  
7 received under this section; and

8 (G) how the eligible entity will evaluate the  
9 success of the grant project.

10 (d) PRIORITY.—In awarding grants under this sec-  
11 tion, the Secretary shall give priority to applications from  
12 eligible entities that—

13 (1) are of a statewide or districtwide strategy,  
14 as applicable, for increasing the availability of ad-  
15 vanced placement courses or International Baccalaureate  
16 courses, and pre-advanced placement  
17 courses or pre-International Baccalaureate courses,  
18 in high-need schools;

19 (2) demonstrate a focus on increasing the avail-  
20 ability of advanced placement courses or Inter-  
21 national Baccalaureate courses in the core academic  
22 areas of English, mathematics, and science; and

23 (3) propose to carry out activities that target  
24 schools with a high concentration of low-income stu-  
25 dents.

1 (e) AUTHORIZED ACTIVITIES.—

2 (1) IN GENERAL.—Each eligible entity that re-  
3 ceives a grant under this section shall use the grant  
4 funds to carry out activities designed to increase—

5 (A) the number of qualified teachers serv-  
6 ing high-need schools who are teaching ad-  
7 vanced placement courses or International Bac-  
8 calaureate courses; and

9 (B) the number of students attending  
10 high-need schools who enroll in, and pass, the  
11 examinations for such courses, including  
12 through reimbursing low-income students at-  
13 tending high-need schools for part or all of the  
14 cost of advanced placement examination fees or  
15 International Baccalaureate examination fees.

16 (2) PERMISSIVE ACTIVITIES.—In addition to  
17 the activities described in paragraph (1), an eligible  
18 entity that receives a grant under this section may  
19 use grant funds for—

20 (A) teacher professional development, in  
21 order to expand the pool of teachers in the par-  
22 ticipating State, local educational agency, or  
23 high-need school who are qualified to teach ad-  
24 vanced placement courses or International Bac-  
25 calaureate courses;

1 (B) pre-advanced placement courses or  
2 pre-International Baccalaureate teacher and  
3 counselor professional development in secondary  
4 school to prepare students for success in ad-  
5 vanced placement courses or International Bac-  
6 calaureate courses;

7 (C) coordination and articulation between  
8 grade levels to prepare students to enroll and  
9 succeed in advanced placement courses or Inter-  
10 national Baccalaureate courses;

11 (D) purchase of instructional materials for  
12 advanced placement courses or International  
13 Baccalaureate courses;

14 (E) activities to increase the availability of,  
15 and participation in, online advanced placement  
16 courses or International Baccalaureate courses;

17 (F) carrying out the requirements of sub-  
18 section (g);

19 (G) in the case of an eligible entity de-  
20 scribed in subsection (b)(1), awarding sub-  
21 grants to local educational agencies to enable  
22 the local educational agencies to carry out au-  
23 thorized activities described in subparagraphs  
24 (A) through (F); and

1 (H) providing salary increments or bonuses  
2 to teachers serving high-need schools who—

3 (i) become qualified to teach, and  
4 teach, advanced placement courses or  
5 International Baccalaureate courses in  
6 mathematics, science, or a critical foreign  
7 language; or

8 (ii) increase the number of low-income  
9 students who take advanced placement ex-  
10 aminations or International Baccalaureate  
11 examinations with the goal of successfully  
12 passing such examinations.

13 (f) CONTRACTS.—An eligible entity that is awarded  
14 a grant to provide online advanced placement courses or  
15 International Baccalaureate courses under this Act may  
16 enter into a contract with an organization to provide the  
17 online advanced placement courses or International Bac-  
18 calaureate courses, including contracting for necessary  
19 support services.

20 (g) COLLECTING AND REPORTING REQUIRE-  
21 MENTS.—

22 (1) REPORT.—Each eligible entity receiving a  
23 grant under this section shall collect and report to  
24 the Secretary annually such data regarding the re-

1 sults of the grant as the Secretary may reasonably  
2 require, including—

3 (A) the number of students served by the  
4 eligible entity enrolling in advanced placement  
5 courses or International Baccalaureate courses  
6 and pre-advanced placement courses or pre-  
7 International Baccalaureate courses,  
8 disaggregated by grade level of the student, and  
9 the grades received by such students in the  
10 courses;

11 (B) the number of students taking an ad-  
12 vanced placement examination or International  
13 Baccalaureate examination and the distribution  
14 of scores on those examinations, disaggregated  
15 by the grade level of the student at the time of  
16 examination;

17 (C) the number of teachers who are cur-  
18 rently, as of the date of the report, receiving  
19 training to teach advanced placement courses or  
20 International Baccalaureate courses and will  
21 teach such courses in the next school year;

22 (D) the number of teachers becoming  
23 qualified to teach advanced placement courses  
24 or International Baccalaureate courses; and

1           (E) the number of qualified teachers who  
2           are teaching advanced placement courses or  
3           International Baccalaureate courses in high-  
4           need schools served by the eligible entity.

5           (2) REPORTING OF DATA.—Each eligible entity  
6           receiving a grant under this section shall report the  
7           data required under paragraph (1)—

8                   (A) disaggregated by subject area;

9                   (B) in the case of student data,  
10           disaggregated in the same manner as informa-  
11           tion is disaggregated under section  
12           1111(b)(2)(C)(v) of the Elementary and Sec-  
13           ondary Education Act of 1965 (20 U.S.C.  
14           6311(b)(2)(C)(v)); and

15                   (C) in a manner that allows for an assess-  
16           ment of the effectiveness of the grant program.

17           (h) MATCHING REQUIREMENT.—

18                   (1) IN GENERAL.—Notwithstanding paragraph  
19           (2), each eligible entity that receives a grant under  
20           this section shall provide toward the cost of the ac-  
21           tivities assisted under the grant, from non-Federal  
22           sources, an amount equal to 100 percent of the  
23           amount of the grant, except that an eligible entity  
24           that is a high-need local educational agency, as de-  
25           termined by the Secretary, shall provide an amount

1 equal to not more than 50 percent of the amount of  
2 the grant.

3 (2) WAIVER.—The Secretary may waive all or  
4 part of the matching requirement described in para-  
5 graph (1) for any fiscal year for an eligible entity if  
6 the Secretary determines that applying the matching  
7 requirement to such eligible entity would result in  
8 serious hardship or an inability to carry out the au-  
9 thorized activities described in subsection (e).

10 **SEC. 6. SUPPLEMENT, NOT SUPPLANT.**

11 Grant funds provided under this Act shall supple-  
12 ment, and not supplant, other non-Federal funds that are  
13 available to assist low-income students to pay for the cost  
14 of advanced placement examination fees or International  
15 Baccalaureate examination fees or to expand access to ad-  
16 vanced placement and pre-advanced placement courses or  
17 International Baccalaureate and pre-International Bacca-  
18 laureate courses.

19 **SEC. 7. DEFINITIONS.**

20 In this Act:

21 (1) IN GENERAL.—Except as otherwise pro-  
22 vided, the terms used in this Act have the meanings  
23 given the terms in section 9101 of the Elementary  
24 and Secondary Education Act of 1965 (20 U.S.C.  
25 7801).



1           (2) ADVANCED PLACEMENT COURSE.—The  
2 term “advanced placement course” means—

3           (A) a course of instruction at the level of  
4 an institution of higher education, as described  
5 in section 101(a) of the Higher Education Act  
6 of 1965 (20 U.S.C. 1001(a)), provided to sec-  
7 ondary school students, terminating in an ex-  
8 amination administered by the College Board,  
9 or another such examination approved by the  
10 Secretary; or

11           (B) another highly rigorous, evidence-  
12 based, postsecondary preparatory program ter-  
13 minating in an examination administered by a  
14 nationally recognized educational association, as  
15 approved by the Secretary.

16           (3) ADVANCED PLACEMENT EXAMINATION.—  
17 The term “advanced placement examination” means  
18 an advanced placement examination administered by  
19 the College Board or approved by the Secretary.

20           (4) HIGH-NEED SCHOOL.—The term “high-need  
21 school” means a secondary school—

22           (A) with a pervasive need for advanced  
23 placement courses or International Baccalaureate  
24 courses; and

25           (B) that—

1 (i) has a high concentration of low-in-  
2 come students; or

3 (ii) is designated with a school locale  
4 code of 41, 42, or 43, as determined by the  
5 Secretary.

6 (5) INTERNATIONAL BACCALAUREATE  
7 COURSE.—The term “International Baccalaureate  
8 course” means—

9 (A) a course of instruction at the level of  
10 an institution of higher education, as described  
11 in section 101(a) of the Higher Education Act  
12 of 1965 (20 U.S.C. 1001(a)), provided to sec-  
13 ondary school students, terminating in an ex-  
14 amination administered by the International  
15 Baccalaureate Organization, or another such  
16 examination approved by the Secretary; or

17 (B) another highly rigorous, evidence-  
18 based, postsecondary preparatory program ter-  
19 minating in an examination administered by a  
20 nationally recognized educational association, as  
21 approved by the Secretary.

22 (6) INTERNATIONAL BACCALAUREATE EXAM-  
23 INATION.—The term “International Baccalaureate  
24 examination” means an International Baccalaureate  
25 examination administered by the International Bac-

1       calaureate Organization or approved by the Sec-  
2       retary.

3               (7) LOW-INCOME STUDENT.—The term “low-in-  
4       come student” means a student who is eligible for  
5       a free or reduced-price lunch under the school lunch  
6       program established under the Richard B. Russell  
7       National School Lunch Act (42 U.S.C. 1751 et  
8       seq.).

9       **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

10       There are authorized to be appropriated to carry out  
11       this Act such sums as may be necessary for fiscal year  
12       2012 and each of the 4 succeeding fiscal years.

○