

117TH CONGRESS
1ST SESSION

S. 1305

To promote equity in advanced coursework and programs at elementary
and secondary schools.

IN THE SENATE OF THE UNITED STATES

APRIL 22, 2021

Mr. BOOKER (for himself, Mr. BROWN, Ms. SMITH, and Mr. VAN HOLLEN)
introduced the following bill; which was read twice and referred to the
Committee on Health, Education, Labor, and Pensions

A BILL

To promote equity in advanced coursework and programs
at elementary and secondary schools.

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 Coursework
5 Equity Act”.

6 **SEC. 2. PURPOSE.**

7 The purposes of this Act are—

8 (1) to expand access to advanced courses and
9 programs at under-resourced elementary and sec-
10 ondary schools;

1 (2) to advance equitable enrollment practices,
2 so that all students who are ready to engage in more
3 rigorous coursework can benefit from advanced
4 courses and programs; and

5 (3) to equip dramatically more students, espe-
6 cially students from historically underrepresented
7 groups, with the twenty-first century skills needed to
8 succeed in college and a competitive global work-
9 force.

10 **SEC. 3. FINDINGS.**

11 Congress finds the following:

12 (1) Black, Latino, and Native American stu-
13 dents, students with disabilities, and students from
14 low-income families are underrepresented in ad-
15 vanced programs and courses.

16 (2) While 1 in 10 students in schools in the
17 United States participate in the Advanced Place-
18 ment (AP) program, just over 1 in 20 low-income,
19 Black, and Native American students participate in
20 Advanced Placement, and fewer than 1 in 50 stu-
21 dents with disabilities participate.

22 (3) Taking the mathematics course Algebra I in
23 grade 8 is necessary for most students to be on
24 track for enrolling in advanced courses, such as Cal-
25 culus, in high school, however, Black students are

1 half as likely as white students to take Algebra I in
 2 grade 8. If Black and Latino students had a fair op-
 3 portunity to participate in eighth grade Algebra I
 4 across the country, schools would enroll an addi-
 5 tional 43,019 Black students and 59,452 Latino stu-
 6 dents in eighth grade Algebra I courses. The De-
 7 partment of Education reported that in the 2015–
 8 2016 school year, only 48 percent of schools with
 9 high concentrations of English learners offered Alge-
 10 bra I compared with 70 percent of schools with low
 11 concentrations of English learner students. In the
 12 same year, just 2 percent of English learner stu-
 13 dents nationwide were enrolled in Algebra I in grade
 14 8.

15 (4) A low-income student with reading and
 16 math achievement levels equal to those of a high-in-
 17 come student is half as likely to receive gifted serv-
 18 ices as the high-income student. Black students are
 19 approximately half as likely as white peers with the
 20 same mathematics and reading achievement levels to
 21 be referred to gifted services.

22 (5) A major barrier for Black and Latino stu-
 23 dents and students with disabilities to access ad-
 24 vanced courses and programs is the over-reliance on
 25 subjective criteria, such as the recommendation of

1 teachers and counselors, in the advanced course ad-
2 mittance process. When Denver Public Schools im-
3 plemented universal screening for gifted and talented
4 programs, Latino students were identified for the
5 program at twice the rate as the year before.

6 (6) Just 1 in 12 students in the United States
7 scored in the top 2 proficiency levels on the 2018
8 PISA math assessment. This is below the
9 Organisation for Economic Co-operation and Devel-
10 opment (OECD) average and less than half the rate
11 of South Korea, Japan, and Switzerland.

12 (7) Public elementary schools and secondary
13 schools face a \$305,000,000,000 budget shortfall
14 due to COVID–19 related tax revenue decreases and
15 new COVID–19 related expenses. As school districts
16 prepare to make drastic cuts to educational pro-
17 gramming, access to advanced coursework and pro-
18 grams is in jeopardy for millions of students, espe-
19 cially students from underrepresented groups and
20 students attending under-resourced schools. Addi-
21 tional funding and reforms are needed to maintain
22 and expand access to advanced coursework and pro-
23 grams, especially for marginalized students in com-
24 munities hit hardest by the COVID–19 pandemic.

1 **SEC. 4. DEFINITIONS.**

2 In this Act:

3 (1) TERMS FROM THE ELEMENTARY AND SEC-
4 ONDARY EDUCATION ACT OF 1965.—The terms
5 “early college high school”, “elementary school”,
6 “English learner”, “gifted and talented”, “institu-
7 tion of higher education”, “parent”, “school leader”,
8 “secondary school”, and “State educational agency”
9 have the meaning given those terms in section 8101
10 of the Elementary and Secondary Education Act of
11 1965 (20 U.S.C. 7801).

12 (2) LOCAL EDUCATIONAL AGENCY.—The term
13 “local educational agency” has the meaning given
14 the term in section 8101 of the Elementary and Sec-
15 ondary Education Act of 1965 (20 U.S.C. 7801),
16 and includes a public charter school that is a local
17 educational agency.

18 (3) OPEN ENROLLMENT.—The term “open en-
19 rollment” means an enrollment mechanism through
20 which any student that chooses to enroll in an ad-
21 vanced course or program is allowed to do so, with-
22 out regard to previous academic performance or test
23 scores.

24 (4) SUBGROUP OF STUDENTS.—The term “sub-
25 group of students” has the meaning given that term
26 in section 1111(c)(2) of the Elementary and Sec-

1 ondary Education Act of 1965 (20 U.S.C.
2 6311(c)(2)).

3 (5) UNIVERSAL ENROLLMENT.—The term “uni-
4 versal enrollment” means an enrollment mechanism
5 through which all students are automatically en-
6 rolled in an advanced course or program for a par-
7 ticular subject, without regard to previous academic
8 performance or test scores. A parent may choose to
9 opt out a student from enrolling in one or more ad-
10 vanced courses or programs.

11 (6) UNIVERSAL SCREENING.—The term “uni-
12 versal screening” means an enrollment mechanism
13 through which all students in a grade are screened
14 for enrollment in advanced courses and programs.
15 Students that are determined to be qualified for ad-
16 vanced courses or programs are automatically en-
17 rolled in those courses or programs, unless a parent
18 chooses to opt out a student. The determination of
19 which students are qualified for advanced courses or
20 programs—

21 (A) shall be made after consideration of
22 not less than 2 objective assessments (except
23 that a student may qualify based on only 1
24 such assessment)—

1 (i) that are combined in a reasoned
2 way that is not biased against any par-
3 ticular subgroup of students;

4 (ii) that provide appropriate accom-
5 modations for students with disabilities;

6 (iii) that may be administered not ex-
7 plicitly for the primary purpose of deter-
8 mining enrollment in an advanced course
9 or program (such as through a statewide
10 exam that all students in a grade will
11 take), so long as students with disabilities
12 have equal access to the assessment and
13 are provided appropriate accommodations
14 in accordance with the Individuals with
15 Disabilities Education Act (20 U.S.C.
16 1400 et seq.) and section 504 of the Reha-
17 bilitation Act of 1973 (29 U.S.C. 794);
18 and

19 (iv) that may include—

20 (I) a standardized assessment
21 that provides appropriate accommoda-
22 tions for students with disabilities in
23 accordance with the Individuals with
24 Disabilities Education Act (20 U.S.C.
25 1400 et seq.) and section 504 of the

1 Rehabilitation Act of 1973 (29 U.S.C.
2 794);

3 (II) a statewide, districtwide, or
4 schoolwide assessment; or

5 (III) grades from relevant
6 courses, a portfolio of relevant work,
7 or class ranking; and

8 (B) may be partially based upon a subjec-
9 tive measure (such as a teacher's recommenda-
10 tion) in addition to the required 2 objective
11 measures.

12 **SEC. 5. GRANT PROGRAM AUTHORIZED.**

13 (a) IN GENERAL.—The Secretary shall—

14 (1) conduct 3 separate grant programs, by—

15 (A) awarding not less than 80 percent of
16 the amounts authorized to be appropriated
17 under section 9 to State educational agencies to
18 allow those State educational agencies to award
19 subgrants to participating local educational
20 agencies, including public charter schools, to en-
21 able those local educational agencies to carry
22 out the activities described in section 7;

23 (B) awarding not less than 15 percent of
24 the amounts authorized to be appropriated
25 under section 9 to participating local edu-

1 educational agencies to allow those local edu-
2 cational agencies to carry out the activities de-
3 scribed in section 7; and

4 (C) awarding not more than 4 percent of
5 the amounts authorized to be appropriated
6 under section 9 to a nonprofit institution of
7 higher education or other nonprofit entity that
8 has a demonstrated record of effectiveness in
9 delivering or designing advanced coursework or
10 programs (such as by previously executing a
11 successful project that was part of the Jacob K.
12 Javits Gifted and Talented Students Education
13 Program under section 4644 of the Elementary
14 and Secondary Education Act of 1965 (20
15 U.S.C. 7294)), to enable that institution or en-
16 tity to provide services to students in rural
17 areas and students who otherwise lack access to
18 advanced courses or programs; and

19 (2) reserve not more than 1 percent of the
20 amounts authorized to be appropriated under section
21 9 for the Department of Education to administer the
22 program under this Act, provide technical assistance
23 to grantees, evaluate grantees' performance (as re-
24 quired by this Act), and disseminate information

1 about findings and best practices related to the ac-
2 tivities authorized under this Act.

3 (b) APPLICATION.—

4 (1) STATE EDUCATIONAL AGENCY.—A State
5 educational agency desiring to receive a grant under
6 subsection (a)(1)(A) shall submit an application to
7 the Secretary during the first year of the 3-year
8 grant cycle, and at such time and in such manner
9 as the Secretary may require. The application shall
10 include the following:

11 (A) An assurance that memoranda of un-
12 derstanding, as described in section 6(c), have
13 been executed between the State educational
14 agency and not less than 50 percent of the local
15 educational agencies in the State, representing
16 not less than 50 percent of all students in the
17 State, to participate in the grant program and
18 fulfill the program obligations.

19 (B) A list of the participating local edu-
20 cational agencies that have executed such
21 memoranda, and the percentage of the State's
22 public school students who are served by those
23 local educational agencies.

24 (C) A plan for supporting participating
25 local educational agencies with implementing

1 open enrollment, universal enrollment, or uni-
2 versal screening for all advanced courses or pro-
3 grams offered by the local educational agency.

4 (D) A plan to assemble a statewide advi-
5 sory council of students from underrepresented
6 subgroups of students, and parents or guard-
7 ians of students from those subgroups, with at
8 least 2 members of each subgroup of students.
9 The plan shall explain how the council will be
10 involved in the State educational agency's im-
11 plementation of the grant, as well as oversight
12 and evaluation of the grant.

13 (E) A plan for supporting participating
14 local educational agencies in collecting and re-
15 porting data about advanced coursework enroll-
16 ment and student performance data, including
17 data disaggregated and cross-tabulated by race
18 and ethnicity, sex, disability status, socio-
19 economic status, and status as an English
20 learner.

21 (F) A description of ambitious 3-year en-
22 rollment and performance goals for each sub-
23 group of students, and intermediate annual tar-
24 gets for each subgroup of students, to bridge
25 statewide inequities (according to race and eth-

nicity, sex, disability status, socioeconomic status, and status as an English learner) in advanced coursework or program participation and performance.

(G) A proposed budget for how the State educational agency will spend funding awarded through the grant.

(2) LOCAL EDUCATIONAL AGENCY.—A local educational agency desiring to receive a grant under subsection (a)(1)(B) shall be eligible to apply for a grant if the local educational agency is not also seeking a subgrant from a State educational agency that receives a grant under this Act. A local educational agency shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

(A) An assurance that—

(i) the local educational agency is not also seeking a subgrant from a State educational agency that receives a grant under this Act during the applicable grant cycle; and

(ii) the local educational agency has a high student poverty ratio (as measured by

1 comparing the number of students meeting
2 at least one measure of poverty described
3 in section 1113(a)(5) of the Elementary
4 and Secondary Education Act of 1965 (20
5 U.S.C. 6313(a)(5)) to the total number of
6 students in the school).

7 (B) A description of the enrollment mecha-
8 nism that the participating local educational
9 agency will use for its various advanced courses
10 or programs, which shall include open enroll-
11 ment, universal enrollment, or universal screen-
12 ing, including in the case of universal screening,
13 a description of what assessments will be used
14 to determine enrollment as described in section
15 4(6), and a justification for why each assess-
16 ment was selected.

17 (C) A plan to assemble a local advisory
18 council of students from underrepresented sub-
19 groups of students, and parents or guardians of
20 students from those subgroups, with at least 2
21 members of each subgroup of students. The
22 plan shall explain how the council will be in-
23 volved in the local educational agency's imple-
24 mentation of the grant, as well as oversight and
25 evaluation of the grant.

1 (D) A plan to train school leaders, aca-
2 demic advisors or counselors, and teachers on
3 strategies for bridging inequities (according to
4 race and ethnicity, sex, socioeconomic status,
5 disability status, and status as an English
6 learner) in advanced coursework or program
7 participation and performance.

8 (E) A plan to communicate to students
9 and families, in multiple languages and through
10 multiple formats, the process and requirements
11 to enroll in advanced courses.

12 (F) An agreement to carry out the activi-
13 ties described in section 7.

14 (G) A plan for collecting and reporting
15 data about advanced coursework enrollment and
16 student performance data, including data
17 disaggregated and cross-tabulated by race and
18 ethnicity, sex, disability status, socioeconomic
19 status, and status as an English learner.

20 (H) A description of ambitious 3-year en-
21 rollment and performance goals for each sub-
22 group of students, and intermediate annual tar-
23 gets for each subgroup of students, to bridge
24 statewide inequities (according to race and eth-
25 nicity, sex, socioeconomic status, disability sta-

1 tus, and status as an English learner) in ad-
2 vanced coursework or program participation
3 and performance.

4 (I) A proposed budget for how the partici-
5 pating local educational agency will spend fund-
6 ing awarded through the grant.

7 (3) OTHER NONPROFIT ENTITY.—A nonprofit
8 institution of higher education or nonprofit entity
9 desiring to receive a grant under subsection
10 (a)(1)(C) shall submit an application to the Sec-
11 retary at such time, in such manner, and containing
12 such information as the Secretary may require, in-
13 cluding, at a minimum—

14 (A) at least one memorandum of under-
15 standing that the applicant has already estab-
16 lished with a school, local educational agency,
17 or State educational agency that the applicant
18 intends to work with, and a description of the
19 services the applicant would provide to that
20 school, local educational agency, or State edu-
21 cational agency;

22 (B) materials that demonstrate the appli-
23 cant's record of effectiveness in designing or de-
24 livering advanced coursework or programs and

1 providing academic supports for students that
2 belong to underrepresented subgroups;

3 (C) a description of ambitious 3-year en-
4 rollment and performance goals for each sub-
5 group of students that the applicant intends to
6 serve, and intermediate annual targets for each
7 such subgroup of students, to bridge statewide
8 inequities (according to race and ethnicity, sex,
9 socioeconomic status, disability status, and sta-
10 tus as an English learner) in advanced
11 coursework or program participation and per-
12 formance;

13 (D) a plan for collecting and reporting
14 data about advanced coursework enrollment and
15 student performance data, including data
16 disaggregated and cross-tabulated by race and
17 ethnicity, sex, disability status, socioeconomic
18 status, and status as an English learner; and

19 (E) a proposed budget for how the appli-
20 cant will spend funding awarded through the
21 grant.

22 (c) CRITERIA FOR AWARDING GRANTS.—

23 (1) IN GENERAL.—In evaluating applications
24 for a grant under subparagraphs (A), (B), and (C),

1 of subsection (a)(1), respectively, the Secretary shall
2 consider—

3 (A) the 3-year goals, and intermediate an-
4 nual targets, for bridging statewide inequities
5 (according to race and ethnicity, sex, socio-
6 economic status, disability status, and status as
7 an English learner) in advanced coursework or
8 program participation and performance;

9 (B) the level of detail and feasibility of the
10 plan for implementing (or supporting a partici-
11 pating State educational agency, local edu-
12 cational agency, or school in implementing, as
13 applicable) open enrollment, universal enroll-
14 ment, or universal screening for all advanced
15 courses or programs offered by the local edu-
16 cational agency;

17 (C) the level of detail and feasibility of the
18 plan for assembling an advisory council of stu-
19 dents from underrepresented subgroups of stu-
20 dents, and parents or guardians of students
21 from those subgroups, and involving that advi-
22 sory council in the implementation of the grant,
23 as well as oversight and evaluation of the grant;
24 and

(D) the level of detail and feasibility of the plan for collecting and reporting (or supporting a participating State educational agency, local educational agency, or school in collecting or reporting, as applicable) data by subgroup of students about advanced coursework enrollment and performance.

(2) PRIORITIES.—

(A) STATE EDUCATIONAL AGENCY.—In awarding a grant under subsection (a)(1)(A), the Secretary shall give priority to—

(i) States that established memoranda of understanding, as described in section 6(c), with a high percentage of the local educational agencies in the State and covering a high percentage of total students in the State;

(ii) States with large gaps in equitable access, enrollment, and performance in advanced coursework across subgroups of students, as described in the grant applications of the State educational agencies; and

(iii) States that made recent improvements to equitable participation and per-

1 formance in advanced coursework among
 2 historically underrepresented subgroups of
 3 students based on data collection from the
 4 Office of Civil Rights of the Department of
 5 Education, and demonstrate a need for ad-
 6 ditional funds to expand improvements.

7 (B) LOCAL EDUCATIONAL AGENCY.—In
 8 awarding a grant under subsection (a)(1)(B),
 9 the Secretary shall give priority to local edu-
 10 cational agencies that have made recent im-
 11 provements to equitable participation and per-
 12 formance in advanced coursework among his-
 13 torically underrepresented subgroups of stu-
 14 dents based on data collection from the Office
 15 of Civil Rights of the Department of Education.

16 (d) AMOUNT; DURATION.—

17 (1) STATE EDUCATIONAL AGENCY.—

18 (A) AMOUNT.—A grant awarded under
 19 subsection (a)(1)(A) shall be in an amount that
 20 is not less than \$15,000,000 and not more than
 21 \$60,000,000.

22 (B) DURATION.—A grant awarded under
 23 subsection (a)(1)(A) shall be for a 3-year pe-
 24 riod.

25 (2) LOCAL EDUCATIONAL AGENCY.—

1 (A) AMOUNT.—A grant awarded under
 2 subsection (a)(1)(B) shall be in an amount that
 3 is not less than \$1,000,000 and not more than
 4 \$20,000,000.

5 (B) DURATION.—A grant awarded under
 6 subsection (a)(1)(B) shall be for a 3-year pe-
 7 riod.

8 (3) OTHER NONPROFIT ENTITY.—

9 (A) AMOUNT.—A grant awarded under
 10 subsection (a)(1)(C) shall be in an amount that
 11 is not more than \$3,000,000.

12 (B) DURATION.—A grant awarded under
 13 subsection (a)(1)(C) shall be for a 3-year pe-
 14 riod.

15 (e) NUMBER OF GRANTS AWARDED.—

16 (1) STATE EDUCATIONAL AGENCY.—

17 (A) IN GENERAL.—Subject to subpara-
 18 graph (B), the Secretary shall award not less
 19 than 6 and not more than 10 grants under sub-
 20 section (a)(1)(A) per 3-year grant cycle period.

21 (B) EXCEPTIONS.—Notwithstanding sub-
 22 paragraph (A), if the amount appropriated to
 23 carry out this Act is—

24 (i) less than \$233,000,000 in any
 25 year, the Secretary may award fewer than

1 6 awards under subsection (a)(1)(A) per
2 cycle; and

3 (ii) more than \$300,000,000 in any
4 year, the Secretary may award more than
5 10 awards under subsection (a)(1)(A) per
6 cycle.

7 (2) LOCAL EDUCATIONAL AGENCY.—

8 (A) IN GENERAL.—Subject to subpara-
9 graph (B), the Secretary shall award not less
10 than 8 and not more than 16 grants under sub-
11 section (a)(1)(B) per 3-year grant cycle period.

12 (B) EXCEPTIONS.—Notwithstanding sub-
13 paragraph (A), if the amount appropriated to
14 carry out this Act is—

15 (i) less than \$233,000,000 in any
16 year, the Secretary may award fewer than
17 8 awards under subsection (a)(1)(B) per
18 cycle; and

19 (ii) more than \$300,000,000 in any
20 year, the Secretary may award more than
21 16 awards under subsection (a)(1)(B) per
22 cycle.

23 (f) SPECIAL RULE.—In the event a local educational
24 agency that is receiving a subgrant cannot carry out one
25 or more of the activities described in section 7, a State

1 educational agency receiving a grant under subsection
 2 (a)(1)(A) may use not more than 4 percent of the grant
 3 funds to carry out high-quality technical assistance for
 4 local educational agencies in the State.

5 **SEC. 6. SUBGRANTS.**

6 (a) IN GENERAL.—A State educational agency re-
 7 ceiving a grant under this Act shall use the grant funds
 8 to award subgrants to local educational agencies in the
 9 State.

10 (b) REQUIREMENT.—A State educational agency
 11 shall award not less than 65 percent of grant funds to—

12 (1) local educational agencies that have a high
 13 student poverty ratio (as measured by comparing the
 14 number of students meeting at least one measure of
 15 poverty described in section 1113(a)(5) of the Ele-
 16 mentary and Secondary Education Act of 1965 (20
 17 U.S.C. 6313(a)(5)) to the total number of children
 18 in the school); and

19 (2) local educational agencies that will support
 20 elementary schools and secondary schools that offer
 21 fewer advanced course or program offerings (or
 22 fewer available slots in those courses or programs)
 23 than the average for the State.

24 (c) SUBGRANT AGREEMENT.—As part of a memo-
 25 randum of understanding described in section 5(b)(1)(A),

1 and as a requirement for receiving a subgrant under this
2 Act, a participating local educational agency shall—

3 (1) establish ambitious 3-year enrollment and
4 performance goals for each subgroup of students,
5 and intermediate annual targets for each subgroup
6 of students, to bridge districtwide inequities (accord-
7 ing to race, sex, socioeconomic status, disability sta-
8 tus, and status as an English learner) in advanced
9 coursework or program participation and perform-
10 ance;

11 (2) specify the enrollment mechanism that the
12 local educational agency will use for its various ad-
13 vanced courses or programs, which shall include
14 open enrollment, universal enrollment, or universal
15 screening, including in the case of universal screen-
16 ing, a description of what assessments will be used
17 to determine enrollment as described in section 4(6),
18 and a justification for why each assessment was se-
19 lected;

20 (3) submit a plan to train school leaders, aca-
21 demic counselors or advisors, and teachers on strate-
22 gies for bridging inequities (according to race and
23 ethnicity, sex, socioeconomic status, disability status,
24 and status as an English learner) in advanced

1 coursework or program participation and perform-
2 ance;

3 (4) submit a plan to assemble a local advisory
4 council of students from underrepresented subgroups
5 of students, and parents or guardians of students
6 from those subgroups, with at least 2 members of
7 each subgroup of students, including an explanation
8 of how the council will be involved in the local edu-
9 cational agency's implementation of the grant, as
10 well as oversight and evaluation of the grant;

11 (5) submit a plan to communicate to students
12 and families, in multiple languages and through
13 multiple formats, the process and requirements to
14 enroll in advanced courses; and

15 (6) an agreement to carry out the activities de-
16 scribed in section 7.

17 **SEC. 7. USES OF FUNDS.**

18 (a) **REQUIRED USES OF FUNDS.**—A local educational
19 agency receiving a grant or subgrant under this Act shall
20 use the grant or subgrant funds to carry out each of the
21 following:

22 (1) Use not more than 5 percent of funds to
23 conduct community engagement (including by as-
24 sembling a local advisory council) with regard to
25 changes to advanced courses or programs.

1 (2) Not later than 1 year after funding is re-
 2 ceived, use not more than 5 percent of subgrant
 3 funds to train school leaders, academic counselors or
 4 advisors, and teachers on strategies for bridging in-
 5 equities (according to race and ethnicity, sex, socio-
 6 economic status, disability status, and status as an
 7 English learner) in advanced coursework or program
 8 participation and performance.

9 (3) Expand enrollment in advanced courses or
 10 programs for underrepresented students.

11 (4) Not later than 1 year after funding is re-
 12 ceived, implement open enrollment, universal enroll-
 13 ment, or universal screening for all advanced courses
 14 and programs, including—

15 (A) gifted and talented programs, 8th
 16 grade Algebra I, Advanced Placement, Inter-
 17 national Baccalaureate, dual enrollment, early
 18 college high school, and any similarly advanced
 19 courses or programs; and

20 (B) training individuals involved in the as-
 21 sessment process in the administration of the
 22 assessments and the interpretation of the re-
 23 sults.

24 (5) Launch advanced courses or programs, or
 25 expand enrollment capacity in advanced courses or

1 programs, which may include gifted and talented
2 programs, 8th grade Algebra I, Advanced Place-
3 ment, International Baccalaureate, dual enrollment,
4 early college high school, or any similarly advanced
5 courses or programs.

6 (6) Provide direct services, such as tutoring, to
7 students from underrepresented groups to enable
8 those students to thrive academically in advanced
9 courses and programs.

10 (b) PERMITTED USES OF FUNDS.—A local edu-
11 cational agency receiving a grant or subgrant under this
12 Act may (in addition to the required uses described in sub-
13 section (a)) use the grant or subgrant funds to carry out
14 one or more of the following:

15 (1) Launch innovative advanced coursework
16 models that allow all students to benefit from ad-
17 vanced coursework, such as embedded enrichment
18 (for elementary and middle school students), and
19 open honors (for high school students).

20 (2) Purchase curricula and materials for ad-
21 vanced courses and programs, such as calculators,
22 books, and laboratory materials.

23 (3) Cover the cost of advanced coursework
24 exams for low-income students.

1 (4) Use not more than 20 percent of funds to
2 train or hire teachers to teach advanced coursework.

3 (c) NONPROFIT ENTITY.—A nonprofit institution of
4 higher education or other nonprofit entity receiving a
5 grant under section 5(a)(1)(C) may use the grant to carry
6 out one or more of the following activities for students
7 in rural areas and students who otherwise lack access to
8 advanced courses or programs:

9 (1) Provide direct services, such as tutoring, to
10 students from underrepresented groups to enable
11 those students to thrive academically in advanced
12 courses and programs, which may include gifted and
13 talented programs, 8th grade Algebra I, Advanced
14 Placement, International Baccalaureate, dual enroll-
15 ment, early college high school, embedded enrich-
16 ment (for elementary and middle school students),
17 open honors (for high school students), or any simi-
18 larly advanced courses or programs.

19 (2) Purchase curricula and materials for ad-
20 vanced courses and programs, such as calculators,
21 books, and laboratory materials.

22 (3) Cover the cost of advanced coursework
23 exams for low-income students.

24 **SEC. 8. REPORTING; BONUS GRANT.**

25 (a) REPORT TO SECRETARY.—

1 (1) STATES AND LEAS.—Not later than 60 days
2 after the end of each year of the grant, each State
3 educational agency or local educational agency re-
4 ceiving a grant shall prepare and submit to the Sec-
5 retary a report containing the following:

6 (A) A description of the training that the
7 local educational agency receiving a grant, or
8 local educational agencies receiving a subgrant
9 in the State, as applicable, conducted to train
10 school leaders, academic counselors or advisors,
11 and teachers on strategies for bridging inequi-
12 ties (according to race and ethnicity, sex, socio-
13 economic status, disability status, and status as
14 an English learner) in advanced coursework or
15 program participation and performance, includ-
16 ing the number of people trained and what
17 schools those trained individuals are affiliated
18 with.

19 (B) A listing of the advanced courses or
20 programs available at the local educational
21 agency receiving a grant, or at each local edu-
22 cational agency that received a subgrant, as ap-
23 plicable, and the student enrollment mechanism
24 for each of those courses or programs. If a local
25 educational agency uses universal screening in-

1 stead of open enrollment or universal enroll-
2 ment, then the list shall include a description of
3 what assessments will be used to determine en-
4 rollment as described in section 4(6).

5 (C) The number and percentages of stu-
6 dents in the State (or in the local educational
7 agency, in the case of a local educational agen-
8 cy receiving a grant) that are enrolled in ad-
9 vanced courses or programs, disaggregated and
10 cross-tabulated by race and ethnicity, sex, dis-
11 ability status, socioeconomic status, and status
12 as an English learner.

13 (D) The academic outcomes (such as
14 grades or exam scores) of students enrolled in
15 advanced courses or programs in the State (or
16 in the local educational agency, in the case of
17 a local educational agency receiving a grant),
18 disaggregated and cross-tabulated by race and
19 ethnicity, sex, disability status, socioeconomic
20 status, and status as an English learner.

21 (E) A final budget for how the State or
22 local educational agency spent funding awarded
23 through the grant.

24 (F) A narrative articulating whether the
25 State or local educational agency receiving a

1 grant met its annual intermediate targets for
 2 equitable enrollment and performance among
 3 underrepresented subgroups of students in ad-
 4 vanced coursework or programs, including anal-
 5 ysis for why the State did or did not meet these
 6 targets across underrepresented subgroups of
 7 students, and a plan to remediate any gaps for
 8 the coming grant year. This narrative shall also
 9 include the analysis from the local advisory
 10 council (in the case of a grantee that is a local
 11 educational agency) or the State advisory coun-
 12 cil (in the case of a grantee that is a State edu-
 13 cational agency).

14 (2) OTHER NONPROFIT ENTITIES.—Not later
 15 than 60 days after the end of each year of the grant,
 16 each nonprofit entity receiving a grant under section
 17 5(a)(1)(C) shall prepare and submit to the Secretary
 18 a report containing the information described in sub-
 19 paragraph (C) through (F) of paragraph (1) with re-
 20 spect to students that are enrolled in advanced
 21 courses or programs provided by the nonprofit entity
 22 and the nonprofit entity's targets.

23 (b) BONUS.—

24 (1) STATE EDUCATIONAL AGENCY.—The State
 25 educational agency receiving a grant under section

1 5(a)(1)(A) that achieves the greatest growth toward
2 that State's advanced coursework enrollment and
3 performance equity goals described in section
4 5(b)(1)(F) at the end of the first or second grant
5 year shall receive a bonus payment of 5 percent of
6 the original grant amount (to be used during the
7 subsequent grant year). A State educational agency
8 shall direct not less than 50 percent of the bonus
9 funds to local educational agency subgrantees that
10 achieved the greatest growth toward the local edu-
11 cational agency's advanced coursework equity goals
12 described in section 6(c)(1).

13 (2) LOCAL EDUCATIONAL AGENCY.—The local
14 educational agency receiving a grant under section
15 5(a)(1)(B) that achieves the greatest growth toward
16 that local educational agency's advanced coursework
17 enrollment and performance equity goals described
18 in section 5(b)(2)(H) at the end of the first grant
19 year shall receive a bonus payment of 5 percent of
20 the original grant amount (to be used during the
21 subsequent grant year). A local educational agency
22 shall direct not less than 50 percent of the bonus
23 funds to the schools that achieved the greatest
24 growth toward the local educational agency's ad-

1 vanced coursework equity goals described in section
2 5(b)(2)(H).

3 (c) EVALUATION.—At the end of the 3-year grant pe-
4 riod, the Secretary shall prepare and submit to Congress
5 a report containing an evaluation of the grant program
6 under this Act and a summary of the reports submitted
7 under subsection (a). The evaluation shall contain an anal-
8 ysis of the effectiveness of the program, including the im-
9 pact of the grants on equitable enrollment and perform-
10 ance in advanced courses and programs. This evaluation
11 shall provide recommendations based on the Secretary’s
12 findings from the grant program.

13 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

14 There are authorized to be appropriated to carry out
15 this Act \$266,000,000 for fiscal year 2022, \$266,000,000
16 for fiscal year 2023, and \$266,000,000 for fiscal year
17 2024.

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