

118TH CONGRESS
1ST SESSION

H. R. 6328

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

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 9, 2023

Mr. CASTRO of Texas (for himself, Mr. LYNCH, Mr. GRIJALVA, Ms. CROCKETT, Ms. NORTON, Mr. VEASEY, Mr. ESPAILLAT, and Mr. RUIZ) introduced the following bill; which was referred to the Committee on Education and the Workforce

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—

1 (1) to expand access to advanced courses and
2 programs at under-resourced elementary and sec-
3 ondary schools;

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

8 (3) to equip dramatically more students, espe-
9 cially students from historically underrepresented
10 groups, with twenty-first century skills in the fields
11 of science, technology, engineering, and mathematics
12 (referred to in this Act as “STEM”) needed to suc-
13 ceed in college and a competitive global workforce.

14 **SEC. 3. FINDINGS.**

15 Congress finds the following:

16 (1) Black, Latino, and Native American stu-
17 dents, students with disabilities, English learners,
18 and students from low-income families are underrep-
19 resented in advanced programs and courses.

20 (2) While 1 in 10 students in schools in the
21 United States participate in the Advanced Place-
22 ment (AP) program, just over 1 in 20 low-income,
23 Black, and Native American students participate in
24 Advanced Placement, 1 in 50 English learners par-
25 ticipate, and fewer than 1 in 50 students with dis-

1 abilities participate. One in 10 White students, 1 in
2 15 Latino students, and 1 in 20 Black students par-
3 ticipate in dual enrollment programs.

4 (3) Taking the mathematics course Algebra 1
5 in grade 8 is necessary for most students to be on
6 track for enrolling in advanced math courses in high
7 school. If Black and Latino students had a fair op-
8 portunity to participate in eighth grade Algebra I
9 across the country, schools would enroll an addi-
10 tional 43,019 Black students and 59,452 Latino stu-
11 dents in eighth grade Algebra I courses. The De-
12 partment of Education reported that in the 2015–
13 2016 school year, only 48 percent of schools with
14 high concentrations of English learners offered Alge-
15 bra I compared with 70 percent of schools with low
16 concentrations of English learner students. In the
17 same year, just 2 percent of English learner stu-
18 dents nationwide were enrolled in Algebra I in grade
19 8.

20 (4) A low-income student with reading and
21 math achievement levels equal to those of a high-in-
22 come student is half as likely to receive gifted serv-
23 ices as the high-income student. Black students are
24 approximately half as likely as White peers with the

1 same mathematics and reading achievement levels to
2 be referred to gifted services.

3 (5) A major barrier for Black and Latino stu-
4 dents and students with disabilities to access ad-
5 vanced courses and programs is the over-reliance on
6 subjective criteria, such as the recommendation of
7 teachers and counselors, in the advanced course ad-
8 mittance process. When Denver Public Schools im-
9 plemented universal screening for gifted and talented
10 programs, Latino students were identified for the
11 program at twice the rate as the year before.

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

18 (7) Public elementary schools and secondary
19 schools face a \$305,000,000,000 budget shortfall
20 due to COVID-19 related tax revenue decreases and
21 new COVID-19 related expenses. As school districts
22 prepare to make drastic cuts to educational pro-
23 gramming, access to advanced coursework and pro-
24 grams is in jeopardy for millions of students, espe-
25 cially students from underrepresented groups and

1 students attending under-resourced schools. Addi-
2 tional funding and reforms are needed to maintain
3 and expand access to advanced coursework and pro-
4 grams, especially for marginalized students in com-
5 munities hit hardest by the COVID–19 pandemic.

6 **SEC. 4. DEFINITIONS.**

7 In this Act:

8 (1) **TERMS FROM THE ELEMENTARY AND SEC-**
9 **ONDARY EDUCATION ACT OF 1965.**—The terms
10 “early college high school”, “elementary school”,
11 “English learner”, “gifted and talented”, “institu-
12 tion of higher education”, “parent”, “school leader”,
13 “secondary school”, and “State educational agency”
14 have the meaning given those terms in section 8101
15 of the Elementary and Secondary Education Act of
16 1965 (20 U.S.C. 7801).

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

23 (3) **OPEN ENROLLMENT.**—The term “open en-
24 rollment” means an enrollment mechanism through
25 which any student that chooses to enroll in an ad-

1 vanced course or program is allowed to do so, with-
2 out regard to previous academic performance or test
3 scores.

4 (4) SUBGROUP OF STUDENTS.—The term “sub-
5 group of students” has the meaning given that term
6 in section 1111(c)(2) of the Elementary and Sec-
7 ondary Education Act of 1965 (20 U.S.C.
8 6311(c)(2)).

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

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

23 (i) that are combined in a reasoned
24 way that is not biased against any par-
25 ticular subgroup of students;

1 (ii) that provide appropriate accom-
2 modations for students with disabilities;

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

16 (iv) that may include—

17 (I) a standardized assessment
18 that provides appropriate accommoda-
19 tions for students with disabilities in
20 accordance with the Individuals with
21 Disabilities Education Act (20 U.S.C.
22 1400 et seq.) and section 504 of the
23 Rehabilitation Act of 1973 (29 U.S.C.
24 794);

1 (II) a statewide, districtwide, or
2 schoolwide assessment; or

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

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

10 **SEC. 5. GRANT PROGRAM AUTHORIZED.**

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

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

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

21 (B) awarding not less than 15 percent of
22 the amounts authorized to be appropriated
23 under section 9 to participating local edu-
24 cational agencies to allow those local edu-

1 cational agencies to carry out the activities de-
2 scribed in section 7; and

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

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

1 (b) APPLICATION.—

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

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

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

22 (C) A plan for supporting participating
23 local educational agencies with implementing
24 programs and activities to improve enrollment
25 in all advanced courses or programs offered by

1 the local educational agency and improving stu-
2 dent preparation for and participation in path-
3 ways to postsecondary education in STEM
4 fields, which may include—

5 (i) using data from evidence-based
6 early warning indicator systems; and

7 (ii) other evidence-based activities, in-
8 cluding open enrollment or universal
9 screening.

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

19 (E) A plan for supporting participating
20 local educational agencies in collecting and re-
21 porting data about advanced coursework enroll-
22 ment and student performance data, including
23 data disaggregated and cross-tabulated by race
24 and ethnicity, sex, disability status, socio-

1 economic status, and status as an English
2 learner.

3 (F) A description of ambitious 3-year en-
4 rollment and performance goals for each sub-
5 group of students, and intermediate annual tar-
6 gets for each subgroup of students, to bridge
7 statewide inequities (according to race and eth-
8 nicity, sex, disability status, socioeconomic sta-
9 tus, and status as an English learner) in ad-
10 vanced coursework or program participation
11 and performance.

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

15 (2) LOCAL EDUCATIONAL AGENCY.—A local
16 educational agency desiring to receive a grant under
17 subsection (a)(1)(B) shall be eligible to apply for a
18 grant if the local educational agency is not also seek-
19 ing a subgrant from a State educational agency that
20 receives a grant under this Act. A local educational
21 agency shall submit an application to the Secretary
22 at such time and in such manner as the Secretary
23 may require. The application shall include the fol-
24 lowing:

25 (A) An assurance that—

1 (i) the local educational agency is not
2 also seeking a subgrant from a State edu-
3 cational agency that receives a grant under
4 this Act during the applicable grant cycle;
5 and

6 (ii) the local educational agency has a
7 high student poverty ratio (as measured by
8 comparing the number of students meeting
9 at least one measure of poverty described
10 in section 1113(a)(5) of the Elementary
11 and Secondary Education Act of 1965 (20
12 U.S.C. 6313(a)(5)) to the total number of
13 students in the school).

14 (B) A description of the enrollment mecha-
15 nism that the participating local educational
16 agency will use for its various advanced courses
17 or programs, which shall include open enroll-
18 ment or universal screening, including in the
19 case of universal screening, a description of
20 what assessments will be used to determine en-
21 rollment as described in section 4(5), and a jus-
22 tification for why each assessment was selected.

23 (C) A plan to assemble a local advisory
24 council of students from underrepresented sub-
25 groups of students, and parents or guardians of

1 students from those subgroups, with at least 2
2 members of each subgroup of students. The
3 plan shall explain how the council will be in-
4 volved in the local educational agency's imple-
5 mentation of the grant, as well as oversight and
6 evaluation of the grant.

7 (D) A plan to train school leaders, aca-
8 demic advisors or counselors, and teachers on
9 strategies for bridging inequities (according to
10 race and ethnicity, sex, socioeconomic status,
11 disability status, and status as an English
12 learner) in advanced coursework or STEM pro-
13 gram participation and performance.

14 (E) A plan to communicate to students
15 and families, in multiple languages and through
16 multiple formats, the process and requirements
17 to enroll in advanced courses.

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

20 (G) A plan for collecting and reporting
21 data about advanced coursework enrollment and
22 student performance data, including data
23 disaggregated and cross-tabulated by race and
24 ethnicity, sex, disability status, socioeconomic
25 status, and status as an English learner.

1 (H) A description of ambitious 3-year en-
2 rollment and performance goals for each sub-
3 group of students, and intermediate annual tar-
4 gets for each subgroup of students, to bridge
5 districtwide inequities (according to race and
6 ethnicity, sex, socioeconomic status, disability
7 status, and status as an English learner) in ad-
8 vanced coursework or STEM program partici-
9 pation and performance.

10 (I) A proposed budget for how the partici-
11 pating local educational agency will spend fund-
12 ing awarded through the grant.

13 (3) OTHER NONPROFIT ENTITY.—An institu-
14 tion of higher education or other nonprofit entity de-
15 siring to receive a grant under subsection (a)(1)(C)
16 shall submit an application to the Secretary at such
17 time, in such manner, and containing such informa-
18 tion as the Secretary may require, including, at a
19 minimum—

20 (A) at least one memorandum of under-
21 standing that the applicant has already estab-
22 lished with a school, local educational agency,
23 or State educational agency that the applicant
24 intends to work with, and a description of the
25 services the applicant would provide to that

1 school, local educational agency, or State edu-
2 cational agency;

3 (B) materials that demonstrate the appli-
4 cant's record of effectiveness in designing or de-
5 livering advanced coursework or programs and
6 providing academic supports for students that
7 belong to underrepresented subgroups;

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

18 (D) a plan for collecting and reporting
19 data about advanced coursework enrollment and
20 student performance data, including data
21 disaggregated and cross-tabulated by race and
22 ethnicity, sex, disability status, socioeconomic
23 status, and status as an English learner; and

1 (E) a proposed budget for how the appli-
2 cant will spend funding awarded through the
3 grant.

4 (c) CRITERIA FOR AWARDING GRANTS.—

5 (1) IN GENERAL.—In evaluating applications
6 for a grant under subparagraphs (A), (B), and (C),
7 of subsection (a)(1), respectively, the Secretary shall
8 consider—

9 (A) the 3-year goals, and intermediate an-
10 nual targets, for bridging statewide inequities
11 (according to race and ethnicity, sex, socio-
12 economic status, disability status, and status as
13 an English learner) in advanced coursework or
14 program participation and performance;

15 (B) the level of detail and feasibility of the
16 plan for implementing (or supporting a partici-
17 pating State educational agency, local edu-
18 cational agency, or school in implementing, as
19 applicable) open enrollment or universal screen-
20 ing for all advanced courses or programs of-
21 fered by the local educational agency;

22 (C) the level of detail and feasibility of the
23 plan for assembling an advisory council of stu-
24 dents from underrepresented subgroups of stu-
25 dents, and parents or guardians of students

1 from those subgroups, and involving that advisory
2 council in the implementation of the grant,
3 as well as oversight and evaluation of the grant;
4 and

5 (D) the level of detail and feasibility of the
6 plan for collecting and reporting (or supporting
7 a participating State educational agency, local
8 educational agency, or school in collecting or re-
9 porting, as applicable) data by subgroup of stu-
10 dents about advanced coursework enrollment
11 and performance.

12 (2) PRIORITIES.—

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

16 (i) States that established memoranda
17 of understanding, as described in section
18 6(c), with a high percentage of the local
19 educational agencies in the State and cov-
20 ering a high percentage of total students in
21 the State;

22 (ii) States with large gaps in equitable
23 access, enrollment, and performance in ad-
24 vanced coursework across subgroups of

1 students, as described in the grant applica-
2 tions of the State educational agencies;

3 (iii) States that prioritize evidence-
4 based strategies to ensure subgroups of
5 students have equitable access to pathways
6 to postsecondary education in STEM
7 fields; and

8 (iv) States that made recent improve-
9 ments to equitable participation and per-
10 formance in advanced coursework among
11 historically underrepresented subgroups of
12 students based on data collection from the
13 Office of Civil Rights of the Department of
14 Education, and demonstrate a need for ad-
15 ditional funds to expand improvements.

16 (B) LOCAL EDUCATIONAL AGENCY.—In
17 awarding a grant under subsection (a)(1)(B),
18 the Secretary shall give priority to—

19 (i) local educational agencies that
20 have made recent improvements to equi-
21 table participation and performance in ad-
22 vanced coursework among historically
23 underrepresented subgroups of students
24 based on data collection from the Office of

1 Civil Rights of the Department of Edu-
2 cation;

3 (ii) local educational agencies that
4 provide pathways to postsecondary edu-
5 cation in STEM fields to a high proportion
6 of students who are enrolled in high
7 schools served by the local educational
8 agency; and

9 (iii) local educational agencies that
10 prioritize evidence-based strategies to en-
11 sure subgroups of students have equitable
12 access to pathways to postsecondary edu-
13 cation in STEM fields.

14 (d) AMOUNT; DURATION.—

15 (1) STATE EDUCATIONAL AGENCY.—

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

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

23 (2) LOCAL EDUCATIONAL AGENCY.—

24 (A) AMOUNT.—A grant awarded under
25 subsection (a)(1)(B) shall be in an amount that

1 is not less than \$1,000,000 and not more than
2 \$20,000,000.

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

6 (3) OTHER NONPROFIT ENTITY.—

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

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

13 (e) NUMBER OF GRANTS AWARDED.—

14 (1) STATE EDUCATIONAL AGENCY.—

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

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

22 (i) less than \$233,000,000 in any
23 year, the Secretary may award fewer than
24 6 awards under subsection (a)(1)(A) per
25 cycle; and

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

5 (2) LOCAL EDUCATIONAL AGENCY.—

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

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

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

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

21 (f) SPECIAL RULE.—In the event a local educational
22 agency that is receiving a subgrant cannot carry out one
23 or more of the activities described in section 7, a State
24 educational agency receiving a grant under subsection
25 (a)(1)(A) may use not more than 4 percent of the grant

1 funds to carry out high-quality technical assistance for
2 local educational agencies in the State.

3 **SEC. 6. SUBGRANTS.**

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

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

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

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

22 (c) **SUBGRANT AGREEMENT.**—As part of a memo-
23 randum of understanding described in section 5(b)(1)(A),
24 and as a requirement for receiving a subgrant under this
25 Act, a participating local educational agency shall—

1 (1) establish ambitious 3-year enrollment and
2 performance goals for each subgroup of students,
3 and intermediate annual targets for each subgroup
4 of students to bridge districtwide inequities (accord-
5 ing to race, sex, socioeconomic status, disability sta-
6 tus, and status as an English learner) in—

7 (A) advanced coursework;

8 (B) STEM program participation and per-
9 formance; or

10 (C) both advanced coursework and STEM
11 program participation and performance;

12 (2) specify the enrollment mechanism that the
13 local educational agency will use for its various ad-
14 vanced courses or programs, which shall include
15 open enrollment or universal screening, including in
16 the case of universal screening, a description of what
17 assessments will be used to determine enrollment as
18 described in section 4(5), and a justification for why
19 each assessment was selected;

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 2 or more
21 of the following activities:

22 (1) Conducting community engagement (includ-
23 ing by assembling a local advisory council) with re-
24 gard to changes to advanced courses or programs.

1 (2) Not later than 1 year after funding is re-
2 ceived, training school leaders, academic counselors
3 or advisors, and teachers on strategies for bridging
4 inequities (according to race and ethnicity, sex, so-
5 cioeconomic status, disability status, and status as
6 an English learner) in advanced coursework or pro-
7 gram participation and performance.

8 (3) Expanding enrollment in advanced courses
9 or programs for underrepresented students.

10 (4) Not later than 1 year after funding is re-
11 ceived, implementing open enrollment or universal
12 screening for all advanced courses and programs, in-
13 cluding—

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

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

23 (5) Launching advanced courses or programs,
24 or expand enrollment capacity in advanced courses
25 or programs, which may include gifted and talented

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

5 (6) Providing direct services, such as tutoring,
6 to students from underrepresented groups to enable
7 those students to thrive academically in advanced
8 courses and programs, and if applicable, prioritize
9 services to be delivered by paraprofessionals or other
10 qualified school personnel.

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

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

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

24 (3) Covering the cost of advanced coursework
25 fees for low-income students.

1 (4) Using funds to train or hire teachers to
2 teach advanced coursework.

3 (5) Strengthening or developing a positive
4 school climate through teacher training and profes-
5 sional development, including implicit bias training,
6 identity-affirming curricula, peer mentoring, pro-
7 grams to recruit and retain diverse educators, en-
8 gaging and supporting families, and expanding alter-
9 natives to punitive and exclusionary discipline prac-
10 tices.

11 (c) NONPROFIT ENTITY.—An institution of higher
12 education or other nonprofit entity receiving a grant under
13 section 5(a)(1)(C) may use the grant to carry out one or
14 more of the following activities for students in rural areas
15 and students who otherwise lack access to advanced
16 courses or programs:

17 (1) Providing direct services, such as tutoring,
18 to students from underrepresented groups to enable
19 those students to thrive academically in advanced
20 courses and programs, which may include gifted and
21 talented programs, 8th grade Algebra I, Advanced
22 Placement, International Baccalaureate, dual enroll-
23 ment, early college high school, embedded enrich-
24 ment (for elementary and middle school students),

1 open honors (for high school students), or any simi-
2 larly advanced courses or programs.

3 (2) Purchasing curricula and materials for ad-
4 vanced courses and programs, such as calculators,
5 books, and laboratory materials.

6 (3) Covering the cost of advanced coursework
7 exams for low-income students.

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

9 (a) REPORT TO SECRETARY.—

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

15 (A) A description of the training that the
16 local educational agency receiving a grant, or
17 local educational agencies receiving a subgrant
18 in the State, as applicable, conducted to train
19 school leaders, academic counselors or advisors,
20 and teachers on strategies for bridging inequi-
21 ties (according to race and ethnicity, sex, socio-
22 economic status, disability status, and status as
23 an English learner) in advanced coursework or
24 program participation and performance, includ-
25 ing the number of people trained and what

1 schools those trained individuals are affiliated
2 with.

3 (B) A listing of the advanced courses or
4 programs available at the local educational
5 agency receiving a grant, or at each local edu-
6 cational agency that received a subgrant, as ap-
7 plicable, and the student enrollment mechanism
8 for each of those courses or programs. If a local
9 educational agency uses universal screening in-
10 stead of open enrollment, then the list shall in-
11 clude a description of what assessments will be
12 used to determine enrollment as described in
13 section 4(5).

14 (C) The number and percentages of stu-
15 dents in the State (or in the local educational
16 agency, in the case of a local educational agen-
17 cy receiving a grant) that are enrolled in ad-
18 vanced courses or programs, disaggregated and
19 cross-tabulated by race and ethnicity, sex, dis-
20 ability status, socioeconomic status, and status
21 as an English learner.

22 (D) The academic outcomes (such as
23 grades or exam scores) of students enrolled in
24 advanced courses or programs in the State (or
25 in the local educational agency, in the case of

1 a local educational agency receiving a grant),
2 disaggregated and cross-tabulated by race and
3 ethnicity, sex, disability status, socioeconomic
4 status, and status as an English learner.

5 (E) A final budget for how the State or
6 local educational agency spent funding awarded
7 through the grant.

8 (F) A narrative articulating whether the
9 State or local educational agency receiving a
10 grant met its annual intermediate targets for
11 equitable enrollment and performance among
12 underrepresented subgroups of students in ad-
13 vanced coursework or programs, including anal-
14 ysis for why the State did or did not meet these
15 targets across underrepresented subgroups of
16 students, and a plan to remediate any gaps for
17 the coming grant year. This narrative shall also
18 include the analysis from the local advisory
19 council (in the case of a grantee that is a local
20 educational agency) or the State advisory coun-
21 cil (in the case of a grantee that is a State edu-
22 cational agency).

23 (G) A description of communication with
24 families, including how parents were notified
25 of—

- 1 (i) advanced coursework opportunities;
- 2 (ii) the value of the programs; and
- 3 (iii) the ability to opt out.

4 (2) OTHER NONPROFIT ENTITIES.—Not later
5 than 60 days after the end of each year of the grant,
6 each nonprofit entity receiving a grant under section
7 5(a)(1)(C) shall prepare and submit to the Secretary
8 a report containing the information described in sub-
9 paragraph (C) through (F) of paragraph (1) with re-
10 spect to students that are enrolled in advanced
11 courses or programs provided by the nonprofit entity
12 and the nonprofit entity’s targets.

13 (b) BONUS.—

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

1 educational agency's advanced coursework equity goals
2 described in section 6(e)(1).

3 (2) LOCAL EDUCATIONAL AGENCY.—The local
4 educational agency receiving a grant under section
5 5(a)(1)(B) that achieves the greatest growth toward
6 that local educational agency's advanced coursework
7 enrollment and performance equity goals described
8 in section 5(b)(2)(H) at the end of the first grant
9 year shall receive a bonus payment of 5 percent of
10 the original grant amount (to be used during the
11 subsequent grant year). A local educational agency
12 shall direct not less than 50 percent of the bonus
13 funds to the schools that achieved the greatest
14 growth toward the local educational agency's ad-
15 vanced coursework equity goals described in section
16 5(b)(2)(H).

17 (c) EVALUATION.—At the end of the 3-year grant pe-
18 riod, the Secretary shall prepare and submit to Congress
19 a report containing an evaluation of the grant program
20 under this Act and a summary of the reports submitted
21 under subsection (a). The evaluation shall contain an anal-
22 ysis of the effectiveness of the program, including the im-
23 pact of the grants on equitable enrollment and perform-
24 ance in advanced courses and programs. This evaluation

1 shall provide recommendations based on the Secretary's
2 findings from the grant program.

3 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated to carry out
5 this Act \$266,000,000 for fiscal year 2023, \$266,000,000
6 for fiscal year 2024, and \$266,000,000 for fiscal year
7 2025.

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