

112TH CONGRESS  
1ST SESSION

# S. 1178

To reauthorize the Enhancing Education Through Technology Act of 2001.

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IN THE SENATE OF THE UNITED STATES

JUNE 9, 2011

Mr. BINGAMAN (for himself, Mr. ROCKEFELLER, Mrs. MURRAY, and Mr. BLUMENTHAL) 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 reauthorize the Enhancing Education Through  
Technology Act of 2001.

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 “Achievement Through  
5 Technology and Innovation Reauthorization Act of 2011”.

6 **SEC. 2. ACHIEVEMENT THROUGH TECHNOLOGY AND INNO-**  
7 **VATION.**

8 Part D of title II of the Elementary and Secondary  
9 Education Act of 1965 (20 U.S.C. 6751 et seq.) is amend-  
10 ed to read as follows:

1                   **“PART D—ACHIEVEMENT THROUGH**  
2                   **TECHNOLOGY AND INNOVATION**

3   **“SEC. 2401. SHORT TITLE.**

4            “‘This part may be cited as the ‘Achievement Through  
5 Technology and Innovation Act of 2011’ or the ‘ATTAIN  
6 Act’.

7   **“SEC. 2402. PURPOSES AND GOALS.**

8            “The purposes and goals of this part are—

9                    “(1) to ensure that through effective and inno-  
10 vative uses of technology that every student has ac-  
11 cess to personalized, rigorous, and relevant learning  
12 to meet the goals of this Act to raise student  
13 achievement, close the achievement gap, and ensure  
14 highly effective teaching, and to prepare all students  
15 to be technology literate and college and career  
16 ready for the 21st century digital economy;

17                   “(2) to evaluate, build upon, and increase the  
18 use of evidence-based and innovative systemic school  
19 redesigns that center on the use of technology that  
20 leads to school improvement, improved productivity,  
21 and increased student achievement;

22                   “(3) to ensure that all educators are connected  
23 in an ongoing manner to technology-based and on-  
24 line resources and supports, including through en-  
25 hanced ongoing, meaningful professional develop-  
26 ment to ensure that—

1           “(A) all educators are technology literate  
2           and effectively use technology to improve in-  
3           struction; and

4           “(B) education administrators possess the  
5           capacity to—

6                   “(i) provide leadership in the use of  
7                   technology for systemic redesign of cur-  
8                   riculum, instruction, and the education en-  
9                   terprise; and

10                   “(ii) improve educational productivity;

11           “(4) to improve student engagement, oppor-  
12           tunity, attendance, graduation rates, and technology  
13           access through enhanced or redesigned curriculum  
14           or instruction;

15           “(5) to more effectively collect and use student  
16           performance and other data in a timely manner to  
17           inform instruction, address individualized student  
18           needs, support school decisionmaking, and support  
19           school improvement and increased student achieve-  
20           ment, including through delivery of computer-based  
21           and online assessments;

22           “(6) to enhance the use of technology, online  
23           and blended learning for systemic education trans-  
24           formation, including curricula redesign and new in-  
25           structional strategies to personalize learning; and

1           “(7) to increase education productivity and re-  
2           duce costs through the use of technology, blended  
3           and online learning, including for the delivery of on-  
4           line assessments.

5 **“SEC. 2403. DEFINITIONS.**

6           “In this part:

7           “(1) LOCAL EDUCATIONAL AGENCY.—The term  
8           ‘local educational agency’ includes a consortium of  
9           local educational agencies.

10          “(2) STUDENT TECHNOLOGY LITERACY.—The  
11          term ‘student technology literacy’ means student  
12          knowledge and skills in using contemporary informa-  
13          tion, communication, and learning technologies in a  
14          manner necessary for successful employment, life-  
15          long learning, and citizenship in the knowledge-  
16          based, digital, and global 21st century, as further  
17          defined by the State educational agency, which in-  
18          cludes, at a minimum, the ability—

19                 “(A) to effectively communicate and col-  
20                 laborate;

21                 “(B) to analyze and solve problems;

22                 “(C) to access, evaluate, manage, and cre-  
23                 ate information and otherwise gain information  
24                 literacy;

1           “(D) to demonstrate creative thinking,  
2           construct knowledge, and develop innovative  
3           products and processes; and

4           “(E) to do so in a safe and ethical manner.

5   **“SEC. 2404. AUTHORIZATION OF APPROPRIATIONS.**

6           “(a) IN GENERAL.—There are authorized to be ap-  
7   propriated to carry out this part, \$1,000,000,000 for fiscal  
8   year 2012, and such sums as may be necessary for each  
9   of the 5 succeeding fiscal years.

10          “(b) ALLOCATION OF FUNDS BETWEEN STATE AND  
11   LOCAL INITIATIVES.—The funds made available under  
12   subsection (a) shall be available to carry out subparts 1  
13   and 2, as described in subsection (d).

14          “(c) LIMITATION.—

15               “(1) LOCAL ADMINISTRATIVE COSTS.—Of the  
16   funds made available to a local educational agency  
17   under this part for a fiscal year, not more than 3  
18   percent may be used by the local educational agency  
19   for administrative costs.

20               “(2) STATE ADMINISTRATIVE COSTS.—Of the  
21   funds made available to a State educational agency  
22   under section 2412(a)(1)(A), not more than 60 per-  
23   cent may be used by the State educational agency  
24   for administrative costs.

25          “(d) TRIGGER.—For fiscal years—

1           “(1) for which the amount appropriated to  
2 carry out this part is less than \$300,000,000, all  
3 funds available under subsection (b)(2) shall be  
4 available to carry out subpart 2; and

5           “(2) for which the amount appropriated to  
6 carry out this part equals or is more than  
7 \$300,000,000, all funds available under subsection  
8 (b)(2) shall be available to carry out subpart 1.

9           **“Subpart 1—State and Local Grants**

10 **“SEC. 2411. ALLOTMENT AND REALLOTMENT.**

11           “(a) RESERVATIONS AND ALLOTMENT.—From the  
12 amount made available to carry out this subpart under  
13 section 2404(b)(2) for a fiscal year—

14           “(1) the Secretary shall reserve—

15           “(A)  $\frac{3}{4}$  of 1 percent for the Secretary of  
16 the Interior for programs under this subpart  
17 for schools operated or funded by the Bureau of  
18 Indian Affairs; and

19           “(B)  $\frac{1}{2}$  of 1 percent to provide assistance  
20 under this subpart to the outlying areas; and

21           “(2) subject to subsection (b), the Secretary  
22 shall use the remainder to award grants by allotting  
23 to each State educational agency an amount that  
24 bears the same relationship to such remainder for  
25 such year as the amount received under part A of

1 title I for such year by such State educational agen-  
 2 cy bears to the amount received under such part for  
 3 such year by all State educational agencies.

4 “(b) MINIMUM ALLOTMENT.—The amount of any  
 5 State educational agency’s allotment under subsection  
 6 (a)(2) for any fiscal year shall not be less than  $\frac{1}{2}$  of 1  
 7 percent of the amount made available for allotments to  
 8 State educational agencies under this subpart for such  
 9 year.

10 “(c) REALLOTMENT OF UNUSED FUNDS.—The Sec-  
 11 retary shall reallocate any unused amount of a State edu-  
 12 cational agency’s allotment to the remaining State edu-  
 13 cational agencies that use their entire allotments under  
 14 this subpart in accordance with this section.

15 **“SEC. 2412. USE OF ALLOTMENT BY STATE.**

16 “(a) IN GENERAL.—

17 “(1) IN GENERAL.—Of the amount provided to  
 18 a State educational agency under section 2411(a)(2)  
 19 for a fiscal year—

20 “(A) the State educational agency may use  
 21 not more than 5 percent of such amount or  
 22 \$100,000, whichever amount is greater, to  
 23 carry out activities under section 2414; and

1           “(B) the State educational agency shall  
2           distribute the remainder in accordance with  
3           paragraphs (2) and (3).

4           “(2) DISTRIBUTION OF REMAINDER.—The  
5           State educational agency shall carry out the fol-  
6           lowing:

7           “(A) The State educational agency shall  
8           use 60 percent of the remainder to award Im-  
9           proving Teaching and Learning through Tech-  
10          nology subgrants to local educational agencies  
11          having applications approved under section  
12          2415(c) for the activities described in section  
13          2416(b) by allotting to each such local edu-  
14          cational agency an amount that bears the same  
15          relationship to 60 percent of the remainder for  
16          such year as the amount received under part A  
17          of title I for such year by such local educational  
18          agency bears to the amount received under such  
19          part for such year by all local educational agen-  
20          cies within the State, subject to subsection  
21          (b)(2).

22          “(B) The State educational agency shall  
23          use 40 percent of the remainder to award Sys-  
24          temic School Redesign through Technology In-  
25          tegration subgrants, through a State-deter-



1           mined competitive process, to local educational  
2           agencies having applications approved under  
3           section 2415(b) for the activities described in  
4           section 2416(a).

5           “(3) OPTION IN YEARS WITH INSUFFICIENT  
6           AMOUNTS APPROPRIATED.—If the amount provided  
7           to a State educational agency under section  
8           2411(a)(2) for a fiscal year is not large enough to  
9           provide every local educational agency with a min-  
10          imum subgrant under subsection (b)(2), the State  
11          educational agency may distribute 100 percent of  
12          the remainder described in paragraph (1)(B) as ei-  
13          ther formula grants under paragraph (2)(A) or com-  
14          petitive grants under paragraph (2)(B).

15          “(b) SUFFICIENT AMOUNTS.—

16                 “(1) SPECIAL RULE.—In awarding subgrants  
17                 under subsection (a)(2)(B), the State educational  
18                 agency shall—

19                         “(A) ensure the subgrants are of sufficient  
20                         size and scope to be effective, consistent with  
21                         the purposes of this part;

22                         “(B) ensure subgrants are of sufficient du-  
23                         ration to be effective, consistent with the pur-  
24                         poses of this part, including by awarding sub-  
25                         grants for a period of not less than 2 years that

1           may be renewed for not more than an addi-  
2           tional 1 year;

3           “(C) give preference in the awarding of  
4           subgrants, and the providing of all technical as-  
5           sistance, to local educational agencies that serve  
6           schools in need of improvement, as identified  
7           under section 1116, including those schools  
8           with high populations of—

9                   “(i) students who are English Lan-  
10                   guage Learners;

11                   “(ii) students with disabilities; or

12                   “(iii) other subgroups of students who  
13                   have not met the State’s student academic  
14                   achievement standards; and

15           “(D) ensure an equitable distribution  
16           among urban and rural areas of the State, ac-  
17           cording to the demonstrated need for assistance  
18           under this subpart of the local educational  
19           agencies serving the areas.

20           “(2) MINIMUM FORMULA-BASED SUBGRANT.—

21           The amount of any local educational agency’s  
22           subgrant under subsection (a)(2)(A) for any fiscal  
23           year shall be not less than \$3,000.

24           “(c) REALLOTMENT OF UNUSED FUNDS.—If any  
25           local educational agency does not apply for a subgrant

1 under subsection (a) for a fiscal year, or does not use the  
2 local educational agency's entire allotment under this sub-  
3 part for such fiscal year, the State shall reallocate any unused  
4 funds to the remaining local educational agencies.

5 **“SEC. 2413. STATE APPLICATIONS.**

6 “(a) IN GENERAL.—To be eligible to receive a grant  
7 under this subpart, a State educational agency shall sub-  
8 mit to the Secretary, at such time and in such manner  
9 as the Secretary may specify, an application containing  
10 the contents described in subsection (b) and such other  
11 information as the Secretary may reasonably require.

12 “(b) CONTENTS.—Each State educational agency ap-  
13 plication submitted under subsection (a) shall include each  
14 of the following:

15 “(1) A description of how the State educational  
16 agency will support local educational agencies that  
17 receive subgrants under this subpart in meeting the  
18 purposes and goals of this part and the requirements  
19 of this subpart, including through technical assist-  
20 ance in using technology to redesign curriculum and  
21 instruction, improve educational productivity, and  
22 deliver computer-based and online assessment.

23 “(2) A description of the State educational  
24 agency's long-term goals and strategies for improv-  
25 ing student academic achievement, including student

1 technology literacy, through the effective use of tech-  
2 nology.

3 “(3) A description of the priority area upon  
4 which the State educational agency will focus its as-  
5 sistance under this subpart, which shall be identified  
6 from among the core academic subjects, grade levels,  
7 and student subgroup populations that may be caus-  
8 ing the most number of local educational agencies in  
9 the State to not make adequate yearly progress, as  
10 defined in section 1111(b)(2)(C).

11 “(4) A description of how the State educational  
12 agency will support local educational agencies to im-  
13 plement, professional development programs pursu-  
14 ant to section 2416(b)(1)(A).

15 “(5) A description of how the State educational  
16 agency will ensure that teachers, paraprofessionals,  
17 school librarians, and administrators possess the  
18 knowledge and skills to use technology—

19 “(A) for curriculum redesign to change  
20 teaching and learning and improve student  
21 achievement;

22 “(B) for assessment, data analysis, and to  
23 personalize learning;

24 “(C) to improve student technology lit-  
25 eracy; and

1           “(D) for their own ongoing professional de-  
2           velopment and for access to teaching resources  
3           and tools.

4           “(6) A description of the process, activities, and  
5           performance measures that the State educational  
6           agency will use to evaluate the impact and effective-  
7           ness of activities described in section 2414.

8           “(7) Identification of the State challenging aca-  
9           demic content standards and challenging student  
10          academic achievement standards that the State edu-  
11          cational agency will use to ensure that each student  
12          is technology literate consistent with the definition  
13          of student technology literacy, and a description of  
14          how the State educational agency will assess student  
15          performance in gaining technology literacy, only for  
16          the purpose of tracking progress towards achieving  
17          the 8th grade technology literacy goal and not for  
18          meeting adequate yearly progress goals, including  
19          through embedding such assessment items in other  
20          State tests or performance-based assessments port-  
21          folios, or through other valid and reliable means.  
22          Nothing in this subpart shall be construed to require  
23          States to develop a separate test to assess student  
24          technology literacy.

1           “(8) An assurance that financial assistance pro-  
2           vided under this subpart will supplement, and not  
3           supplant, State and local funds.

4           “(9) A description of how the State educational  
5           agency consulted with local educational agencies in  
6           the development of the State application.

7   **“SEC. 2414. STATE ACTIVITIES.**

8           “(a) MANDATORY ACTIVITIES.—From funds made  
9           available under section 2412(a)(1)(A), a State educational  
10          agency shall carry out each of the following activities:

11           “(1) Identify the State challenging academic  
12          content standards and challenging student academic  
13          achievement standards that the State educational  
14          agency will use to ensure that each student is tech-  
15          nology literate consistent with the definition of stu-  
16          dent technology literacy.

17           “(2) Assess student performance in gaining  
18          technology literacy consistent with paragraph (1), in-  
19          cluding through embedding such assessment items in  
20          other State tests, performance-based assessments, or  
21          portfolios, or through other means, except that such  
22          assessments shall be used only to track student tech-  
23          nology literacy and shall not be used to determine  
24          adequate yearly progress, and widely disseminate  
25          such results.

1           “(3) Provide guidance, technical assistance, and  
2           other assistance, including in the priority area iden-  
3           tified by the State pursuant to section 2413(b)(3),  
4           in using technology to improve teaching and rede-  
5           sign curriculum and instruction, improve educational  
6           productivity, and deliver computer-based and online  
7           assessment, and in submitting applications for fund-  
8           ing under this part to high-need local educational  
9           agencies—

10                   “(A) with the highest percentage or num-  
11                   ber of—

12                           “(i) students not achieving at the  
13                           State proficiency level; and

14                           “(ii) student populations described in  
15                           section 2412(b)(1)(C); and

16                   “(B) serving schools identified as in need  
17                   of improvement under section 1116.

18           “(b) PERMISSIVE ACTIVITIES.—From funds made  
19           available under section 2412(a)(1)(A), a State educational  
20           agency may carry out 1 or more of the following activities  
21           that assist local educational agencies:

22                   “(1) State leadership activities and technical as-  
23                   sistance that support achieving the purposes and  
24                   goals of this part.

1           “(2) Developing or utilizing research-based or  
2 innovative strategies for the delivery of specialized or  
3 rigorous academic courses and curricula through the  
4 use of technology, including distance learning tech-  
5 nologies.

6           “(3) Providing, or supporting local educational  
7 agencies in providing, sustained and intensive, high-  
8 quality professional development pursuant to section  
9 2416(b)(1)(A).

10           “(4) Assessing student performance in gaining  
11 technology literacy consistent with subsection (a)(2),  
12 including through embedding such assessment items  
13 in other State tests, performance-based assessments,  
14 or portfolios, or through other means.

15 **“SEC. 2415. LOCAL APPLICATIONS.**

16           “(a) IN GENERAL.—Each local educational agency  
17 desiring a subgrant under this subpart shall submit to the  
18 State educational agency an application containing a new  
19 or updated local long-range strategic educational tech-  
20 nology plan, and such other information as the State edu-  
21 cational agency may reasonably require that shall include  
22 each of the following:

23           “(1) A description of how the local educational  
24 agency will align and coordinate the local edu-



1 cational agency’s use of funds under this subpart  
2 with—

3 “(A) the school district technology plan;

4 “(B) the school district plans and activities  
5 for improving student achievement, including  
6 plans and activities under sections 1111, 1112,  
7 1116, and 2123, as applicable; and

8 “(C) funds available from other Federal,  
9 State, and local sources.

10 “(2) An assurance that financial assistance pro-  
11 vided under this subpart will supplement, and not  
12 supplant, other funds available to carry out activities  
13 assisted under this subpart.

14 “(3) A description of the process used to assess  
15 and, as needed, update technologies throughout the  
16 local educational agency.

17 “(4) Such other information as the State edu-  
18 cational agency may reasonably require.

19 “(b) COMPETITIVE GRANTS; SYSTEMIC SCHOOL RE-  
20 DESIGN THROUGH TECHNOLOGY INTEGRATION.—In addi-  
21 tion to the information described in subsection (a), a local  
22 educational agency submitting an application for a  
23 subgrant under section 2412(a)(2)(B) shall submit to the  
24 State educational agency an application containing each  
25 of the following:

1           “(1) A description of how the local educational  
2 agency will use the subgrant funds to implement  
3 systemic school redesign, which is a comprehensive  
4 set of programs, practices, and technologies that—

5           “(A) collectively lead to school or school  
6 district change and improvement, improve edu-  
7 cational productivity, and improve student  
8 achievement and technology literacy; and

9           “(B) incorporate all of the following ele-  
10 ments:

11           “(i) Reform or redesign of curriculum,  
12 instruction, assessment, use of data, or  
13 other practices through the use of tech-  
14 nology in order to increase student learn-  
15 ing opportunity, and engagement in learn-  
16 ing.

17           “(ii) Improvement of educator quality,  
18 knowledge and skills, and effectiveness  
19 through ongoing, sustainable, timely, and  
20 contextual professional development de-  
21 scribed in section 2416(b)(1)(A).

22           “(iii) Ongoing use of formative and  
23 other assessments and other timely data  
24 sources and data systems to more effec-

1                   tively identify individual student learning  
2                   needs and personalize learning.

3                   “(iv) Engagement of school district  
4                   leaders, school leaders, and classroom edu-  
5                   cators.

6                   “(v) Programs, practices, and tech-  
7                   nologies that are based on a review of the  
8                   best available research evidence or on de-  
9                   velopment and use of new and innovative  
10                  designs, programs, practices, and tech-  
11                  nologies.

12                  “(2) An assurance that the local educational  
13                  agency will use not less than 25 percent of the  
14                  subgrant funds to implement a program of profes-  
15                  sional development described in section  
16                  2416(b)(1)(A).

17                  “(3) A description of how the local educational  
18                  agency will evaluate the impact of 1 or more pro-  
19                  grams or activities carried out under this subpart.

20                  “(c) FORMULA GRANTS; IMPROVING TEACHING AND  
21                  LEARNING THROUGH TECHNOLOGY.—In addition to the  
22                  information described in subsection (a), a local educational  
23                  agency submitting an application for a subgrant under  
24                  section 2412(a)(2)(A) shall submit to the State edu-

1 cational agency an application containing each of the fol-  
2 lowing:

3 “(1) An assurance that the local educational  
4 agency will use not less than 40 percent of the  
5 subgrant funds for ensuring educators, including  
6 teachers and administrators, are technology literate,  
7 prepared to use technology to improve curriculum  
8 and instruction, and are connected online to sup-  
9 ports and resources, including for—

10 “(A) professional development described in  
11 section 2416(b)(1)(A); and

12 “(B) to provide educators with ongoing ac-  
13 cess to technology tools, applications, supports  
14 and other resources, including those related  
15 specifically to such professional development ac-  
16 tivities.

17 “(2) A description of the local educational agen-  
18 cy’s program of professional development required  
19 under paragraph (1)(A).

20 “(3) A description of the use of technology  
21 tools, applications, and other resources to improve  
22 student learning and achievement in the area of pri-  
23 ority identified under paragraph (4).

24 “(4) A description of the priority area subgrant  
25 funds will target, identified from among the core

1 academic subjects, grade levels, and student sub-  
2 group populations in which the most number of stu-  
3 dents served by the local educational agency are not  
4 proficient.

5 “(5) A description of how funds will be used to  
6 integrate technology to redesign curriculum or in-  
7 struction, implement computer-based and online as-  
8 sessments, improve use of data to personalize learn-  
9 ing, or improve education productivity.

10 “(d) COMBINED APPLICATIONS.—A local educational  
11 agency that submits an application under subsection (b),  
12 may, upon notice to the State educational agency, submit  
13 a single application that will also be considered as an ap-  
14 plication for subgrant funds awarded under subsection (c),  
15 if the application addresses each application requirement  
16 under subsections (a), (b), and (c).

17 **“SEC. 2416. LOCAL ACTIVITIES.**

18 “(a) COMPETITIVE GRANTS; SYSTEMIC SCHOOL RE-  
19 DESIGN THROUGH TECHNOLOGY INTEGRATION.—A local  
20 educational agency that receives funds through a subgrant  
21 under section 2412(a)(2)(B), shall carry out activities to  
22 improve student learning, technology literacy, and achieve-  
23 ment, as follows:

24 “(1) Use not less than 5 percent of such funds  
25 to evaluate the impact of 1 or more programs or ac-

1 activities carried out under the subgrant as identified  
2 in the local educational agency’s application and ap-  
3 proved by the State educational agency.

4 “(2) Use funds remaining after carrying out  
5 paragraph (1) to implement a plan for systemic  
6 school redesign in 1 or more schools, in accordance  
7 with section 2415(b)(1), including each of the fol-  
8 lowing:

9 “(A) Using not less than 25 percent of  
10 subgrant funds to ensure educators, including  
11 teachers and administrators, are technology lit-  
12 erate, prepared to use technology to improve  
13 curriculum and instruction, and are connected  
14 online to supports and resources, including  
15 through the following:

16 “(i) Professional development activi-  
17 ties, as described in subsection (b)(1)(A).

18 “(ii) The acquisition and implementa-  
19 tion of technology tools, applications, and  
20 other resources to provide educators with  
21 ongoing access and support, including for  
22 use in the professional development activi-  
23 ties described in clause (i).

24 “(B) Acquiring and effectively imple-  
25 menting technology tools, applications, and

1 other resources in conjunction with enhancing  
2 or redesigning the curriculum or instruction in  
3 order to—

4 “(i) increase student learning oppor-  
5 tunity or access, student engagement in  
6 learning, or student attendance or gradua-  
7 tion rates;

8 “(ii) improve student achievement in  
9 1 or more of the core academic subjects;  
10 and

11 “(iii) improve student technology lit-  
12 eracy.

13 “(C) Acquiring and effectively imple-  
14 menting technology tools, applications, and  
15 other resources to—

16 “(i) conduct ongoing formative and  
17 other assessments and use other timely  
18 data sources and data systems to more ef-  
19 fectively identify and address individual  
20 student learning needs;

21 “(ii) support personalized student  
22 learning, including through instructional  
23 software and digital content that supports  
24 the learning needs of each student, or  
25 through providing access to high-quality

1 courses and instructors otherwise not avail-  
 2 able except through technology and online  
 3 learning; and

4 “(iii) conduct other activities con-  
 5 sistent with research-based or innovative  
 6 systemic school redesign, including activi-  
 7 ties that increase parental involvement.

8 “(b) FORMULA GRANTS; IMPROVING TEACHING AND  
 9 LEARNING THROUGH TECHNOLOGY.—A local educational  
 10 agency that receives funds through a subgrant under sec-  
 11 tion 2412(a)(2)(A), shall carry out activities to improve  
 12 student learning, technology literacy, and achievement in  
 13 the area of priority identified under section 2415(c)(4),  
 14 as follows:

15 “(1) Use not less than 40 percent of such funds  
 16 for professional development activities that are  
 17 aligned with activities supported under section 2123  
 18 to improve educator quality and skills through sup-  
 19 port for the following:

20 “(A) Training of school personnel, which—

21 “(i) shall include the development, ac-  
 22 quisition, or delivery of—

23 “(I) training that is ongoing, sus-  
 24 tainable, timely, and directly related  
 25 to up-to-date teaching content areas;



1           “(II) training in strategies and  
2           pedagogy in the core academic sub-  
3           jects that involve use of technology  
4           and curriculum redesign as key com-  
5           ponents of changing teaching and  
6           learning and improving student  
7           achievement and technology literacy;

8           “(III) training in the use of com-  
9           puter-based and online assessments,  
10          and in the use of student performance  
11          and other data to individualized in-  
12          struction;

13          “(IV) training that includes on-  
14          going communication and follow-up  
15          with instructors, facilitators, and  
16          peers; and

17          “(ii) may include—

18                 “(I) the use of, and training of,  
19                 instructional technology specialists,  
20                 mentors, master teachers, or coaches  
21                 to serve as experts and train other  
22                 teachers in the effective use of tech-  
23                 nology; and

24                 “(II) the use of technology, such  
25                 as distance learning and online virtual

1 educator-to-educator peer commu-  
2 nities, as a means for delivering pro-  
3 fessional development.

4 “(B) The acquisition and implementation  
5 of technology tools, applications, and other re-  
6 sources to be employed in the professional de-  
7 velopment activities described in subparagraph  
8 (A).

9 “(2) Use funds remaining after carrying out  
10 paragraph (1) to acquire or implement technology  
11 tools, applications, and other resources to improve  
12 student learning, technology literacy, and achieve-  
13 ment in the area of priority identified by the local  
14 educational agency, including through 1 or more of  
15 the following:

16 “(A) Conducting ongoing formative assess-  
17 ment and using other timely data sources and  
18 data systems to more effectively identify and  
19 address individual student learning needs.

20 “(B) Supporting personalized student  
21 learning, including through instructional soft-  
22 ware and digital content that supports the  
23 learning needs of each student, or through pro-  
24 viding access to high-quality courses and in-

1           structors not otherwise available except through  
2           technology such as online learning.

3           “(C) Increasing parental involvement  
4           through improved communication with teachers  
5           and access to student assignments and grades.

6           “(D) Enhancing accountability, instruc-  
7           tion, and data-driven decisionmaking through  
8           data systems that allow for management, anal-  
9           ysis, and disaggregating of student, teacher,  
10          and school data.

11          “(E) Such other activities as are appro-  
12          priate and consistent with the goals and pur-  
13          poses of this part.

14          “(c) MULTIPLE GRANTS.—A local educational agency  
15          that receives a subgrant under subparagraph (A) and sub-  
16          paragraph (B) of section 2412(a)(2) may use all such  
17          subgrant funds for activities authorized under subsection  
18          (a).

19                   **“Subpart 2—State Competitive Grants**

20           **“SEC. 2421. STATE COMPETITIVE GRANTS.**

21          “(a) IN GENERAL.—From the amount made avail-  
22          able to carry out this subpart under section 2404(b)(2)  
23          for a fiscal year, the Secretary shall award grants to con-  
24          sortia of State educational agencies having applications

1 approved under subsection (b) for the activities described  
2 in subsection (d).

3 “(b) STATE CONSORTIA APPLICATIONS.—

4 “(1) IN GENERAL.—To be eligible to receive a  
5 grant under this subpart, a consortium of State edu-  
6 cational agencies shall submit to the Secretary an  
7 application at such time, in such manner, and con-  
8 taining such information as the Secretary may rea-  
9 sonably require, including the information described  
10 in paragraph (2).

11 “(2) CONTENTS.—An application submitted by  
12 a consortium of State educational agencies for a  
13 grant under this subpart shall include the following:

14 “(A) An identification of the States in-  
15 cluded in the consortium, and which State will  
16 act as both fiscal agent and lead grant adminis-  
17 trator.

18 “(B) A description of how the State edu-  
19 cational agencies will support local educational  
20 agencies in achieving the absolute priority of  
21 supporting enhanced use of technology, includ-  
22 ing online and blended learning for systemic  
23 education transformation, curricula redesign,  
24 and new instructional strategies to personalize  
25 learning.

1           “(C) An identification of an additional pri-  
2           ority the consortium will address and a descrip-  
3           tion of how the State educational agencies will  
4           support local educational agencies in achieving  
5           the priority. Such priority shall be 1 or more of  
6           the following:

7                   “(i) Preparing for and administering  
8                   State assessments online.

9                   “(ii) Using technology and blended  
10                  learning to improve education productivity  
11                  and reduce education costs.

12                  “(iii) Preparing the capacity of ad-  
13                  ministrators and other education leaders to  
14                  lead systemic education transformation  
15                  through technology.

16           “(D) A brief description of each State edu-  
17           cational agency’s long-term goals and strategies  
18           for improving student academic achievement,  
19           including student technology literacy, through  
20           the effective use of technology and how the  
21           grant will support that plan’s implementation  
22           and achievement.

23           “(E) A description of how the State edu-  
24           cational agencies will use grant funds to im-  
25           prove the knowledge and skills of educators, in-

1 including teachers and administrators, to more ef-  
2 fectively use technology.

3 “(F) A description of the process, activi-  
4 ties, and performance measures that the State  
5 educational agencies will use to evaluate the im-  
6 pact and effectiveness of activities and to dis-  
7 seminate those findings across the State and to  
8 other States outside the consortium.

9 “(G) An identification of the State chal-  
10 lenging academic content standards and chal-  
11 lenging student academic achievement stand-  
12 ards that the State educational agencies will  
13 use to ensure that each student is technology  
14 literate.

15 “(H) An assurance that financial assist-  
16 ance provided under this subpart will supple-  
17 ment, and not supplant, State and local funds  
18 available for activities described in this subpart.

19 “(I) A description of how the State edu-  
20 cational agencies consulted with local edu-  
21 cational agencies in the development of the ap-  
22 plication.

23 “(J) A listing of the local educational  
24 agencies that will receive subgrants, and a de-  
25 scription of the activities the local educational

1 agencies have agreed to undertake with such  
2 funds should the consortium be awarded a  
3 grant under this subpart.

4 “(K) A description of how the State edu-  
5 cational agencies will coordinate activities car-  
6 ried out with funds under this subpart with  
7 other Federal, State, and local funds and activi-  
8 ties in order to leverage their impact beyond  
9 what could be accomplished directly with grant  
10 funds.

11 “(c) AWARDS.—In awarding grants under this sub-  
12 part, the Secretary shall do the following:

13 “(1) Ensure the grants—

14 “(A) are of sufficient size and duration to  
15 be effective;

16 “(B) are distributed among States of di-  
17 verse geographic locations and populations; and

18 “(C) serve students of greatest need.

19 “(2) Use the following characteristics of States  
20 as absolute priorities for awarding grants:

21 “(A) States that base student advancement  
22 and graduation on demonstrated competency  
23 regardless of seat-time, or time spent in a tradi-  
24 tional classroom.

1           “(B) States that seek to ensure all stu-  
2           dents have access to high-quality digital content  
3           and online courses without arbitrary caps or  
4           other limitations on enrollment in online learn-  
5           ing.

6           “(C) Teacher certification or licensure re-  
7           quirements of the States require educators to  
8           be technology literate, including the ability to—

9                   “(i) integrate technology into cur-  
10                  riculum, instruction, and assessment;

11                  “(ii) use data to personalize learning;

12                  or

13                  “(iii) teach online.

14           “(D) States that allow the use of State  
15           funds for technology tools and applications, if  
16           appropriate, to meet program goals and re-  
17           quirements, including ensuring that the States’  
18           rules support adoption of electronic learning  
19           materials, including allowance that materials  
20           may be updated in an ongoing manner and can  
21           be acquired through subscription.

22           “(E) States have learning standards that  
23           include student technology literacy standards,  
24           and State learning performance standards that  
25           assess student technology literacy.



1           “(3) Use the following characteristics of States  
2 as competitive preference priorities for awarding  
3 grants:

4           “(A) Assessments delivered online and may  
5 be taken when students have completed a par-  
6 ticular course or unit of instruction, not at a  
7 specified time and date.

8           “(B) Teacher certification reciprocity  
9 agreements with 1 or more other States, includ-  
10 ing for online instruction.

11           “(C) Postsecondary and other teacher  
12 training institutions are required to provide, or  
13 supported in providing, training in online and  
14 blended instruction.

15           “(D) The States directly support tech-  
16 nology tools and applications and ensure all stu-  
17 dents and teachers have high-speed access to  
18 the Internet.

19           “(E) The States support policies or plans  
20 facilitating the use of student owned devices in  
21 schools or that facilitate home access to digital  
22 content.

23           “(F) The States have plans that support  
24 students with disabilities, advanced learners,

1 below-grade-level learners, and English lan-  
2 guage learners.

3 “(d) STATE CONSORTIUM USE OF FUNDS.—A State  
4 educational agency consortium that receives a grant under  
5 this subpart shall—

6 “(1) allocate not less than 75 percent of grant  
7 funds to local educational agencies to carry out the  
8 activities described in the consortium’s application;  
9 and

10 “(2) use the funds remaining after carrying out  
11 paragraph (1) for State-level activities, as described  
12 in the consortium’s application, including—

13 “(A) assessing the impact of grant funds;  
14 and

15 “(B) disseminating the findings of the con-  
16 sortium throughout the consortium and nation-  
17 ally.”.

○