Purpose: To award grants to encourage State educational agencies, local educational agencies, and schools to utilize technology to improve student achievement and college and career readiness, the skills of teachers and school leaders, and the efficiency and productivity of education systems at all levels.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

S.______________

To reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Referred to the Committee on __________________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by ________________

Viz:

1. On page 367, between lines 5 and 6, insert the following:

2. (10) by inserting after part F the following:

3. "PART G—INNOVATIVE TECHNOLOGY EXPANDS CHILDREN'S HORIZONS (I-TECH)"

4. "SEC. 5701. PURPOSES."

5. "The purposes of this part are—"

6. "(1) to improve the achievement, academic growth, and college and career readiness of all stu-"
“(2) to ensure all students have access to personalized, rigorous learning experiences that are supported through technology;

“(3) to ensure that educators have the knowledge and skills to use technology, including computer-based assessments and blended learning strategies, to personalize learning;

“(4) to ensure district and school leaders have the skills required to implement, and support school- and district-wide approaches for using technology to inform instruction, support teacher collaboration, and personalize learning;

“(5) to ensure that students in rural, remote, and underserved areas have the resources to take advantage of high-quality digital learning experiences, digital resources, and access to online courses taught by effective educators;

“(6) to ensure that students have increased access to online dual and concurrent enrollment opportunities, career and technical courses, and programs leading to a recognized postsecondary credential (as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102)), and courses taught by educators, including advanced coursework; and
“(7) to ensure that State educational agencies, 
local educational agencies, elementary schools, and 
secondary schools have the technological capacity, 
infrastructure, and technical support necessary to 
meet purposes described in paragraphs (1) through 
(7).

“SEC. 5702. DEFINITIONS.

“In this part:

“(1) DIGITAL LEARNING.—The term ‘digital 
learning’ means any instructional practice that effec-
tively uses technology to strengthen a student’s 
learning experience and encompasses a wide spec-
trum of tools and practices, including—

“(A) interactive learning resources that en-
gage students in academic content;

“(B) access to online databases and other 
primary source documents;

“(C) the use of data, data analytics, and 
information to personalize learning and provide 
targeted supplementary instruction;

“(D) student collaboration with content ex-
perts and peers;

“(E) online and computer-based assess-
ments;
“(F) digital learning content, software, or simulations;

“(G) access to online courses;

“(H) mobile devices for learning in school and at home;

“(I) learning environments that allow for rich collaboration and communication;

“(J) hybrid or blended learning, which occurs under direct instructor supervision at a school or other location away from home and, at least in part, through online delivery of instruction with some element of student control over time, place, path, or pace;

“(K) access to online course opportunities for students in rural or remote areas; and

“(L) discovery, modification, and sharing of openly licensed digital learning materials.

“(2) ELIGIBLE TECHNOLOGY.—The term ‘eligible technology’ means modern computer, and communication technology software, services, or tools, including computer or mobile devices, software applications, systems and platforms, and digital learning content, and related services and supports.

“(3) TECHNOLOGY READINESS SURVEY.—The term ‘technology readiness survey’ means a survey
completed by a local educational agency that provides standardized information on the quantity and types of technology infrastructure and access available to the students and in the community served by the local educational agency, including computer devices, Internet connectivity, operating systems, related network infrastructure, data systems, educator professional learning needs and priorities, and data security.

“(4) Universal design for learning.—The term ‘universal design for learning’ has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

“SEC. 5703. TECHNOLOGY GRANTS PROGRAM AUTHORIZED.

“(a) In general.—From the amounts appropriated under section 5708, the Secretary may reserve not more than 1.5 percent for national activities to support grantees and shall award the remainder to State educational agencies to strengthen State and local technological infrastructure and professional learning that supports digital learning through State activities under section 5705(c) and local activities under section 5706(c).

“(b) Grants to State Educational Agencies.—
“(1) RESERVATIONS.—From the amounts appropriated under section 5708 for any fiscal year, the Secretary shall reserve—

“(A) three-fourths of 1 percent for the Secretary of the Interior to provide assistance under this part for schools operated or funded by the Bureau of Indian Education; and

“(B) 1 percent to provide assistance under this part to the outlying areas.

“(2) GRANT ALLOTMENTS.—From the amounts appropriated under section 5708 for any fiscal year and remaining after the Secretary makes reservations under paragraph (1), the Secretary shall make a grant for the fiscal year to each State educational agency with an approved application under section 5704 in an amount that bears the same relationship to such remainder as the amount the State educational agency received under part A of title I for such year bears to the amount all State educational agencies with an approved application under section 5704 received under such part for such year.

“(c) MINIMUM.—The amount of a grant to a State educational agency under subsection (b)(2) for a fiscal year shall not be less than one-half of 1 percent of the
total amount made available for grants to all State educational agencies under such subsection for such year.

“(d) REALLOTMENT OF UNUSED FUNDS.—If any State educational agency does not apply for a grant under section 5704 for a fiscal year, or does not use the State educational agency’s entire grant allotment under subsection (b)(2) for such year, the Secretary shall reallocate the amount of the State educational agency’s grant, or the unused portion of the grant allotment, to the remaining State educational agencies that use their entire grant amounts under subsection (b)(2) for such year.

“(e) MATCHING FUNDS.—

“(1) IN GENERAL.—A State educational agency that receives a grant under subsection (b)(2) shall provide matching funds, from non-Federal sources, in an amount equal to 10 percent of the amount of grant funds provided to the State educational agency to carry out the activities supported by the grant. Such matching funds may be provided in cash or in-kind, except that any such in-kind contributions shall be provided for the purpose of supporting the State educational agency’s activities under section 5705(c).

“(2) WAIVER.—The Secretary may waive the matching requirement under paragraph (1) for a
State educational agency that demonstrates that such requirement imposes an undue financial hardship on the State educational agency.

"SEC. 5704. STATE APPLICATIONS.

"(a) APPLICATION.—To receive a grant under section 5703(b)(2), a State educational agency shall submit to the Secretary an application at such time and in such manner as the Secretary may require and containing the information described in subsection (b).

"(b) CONTENTS.—Each application submitted under subsection (a) shall include the following:

"(1) A description of how the State educational agency will meet the following goals:

"(A) Use technology to ensure all students achieve college and career readiness and digital literacy, including by providing high-quality education opportunities to economically or geographically isolated student populations.

"(B) Provide educators, school leaders, and administrators with the professional learning, tools, devices, content, and resources to—

"(i) personalize learning to improve student academic achievement; and
“(ii) discover, adapt, and share relevant high-quality open educational resources.

“(C) Enable local educational agencies to build the technological capacity and infrastructure.

“(2) An assurance that each local educational agency awarded a subgrant under this part has conducted a technology readiness survey and will take steps to address the readiness gaps identified not later than 3 years after the completion of the survey by the local educational agency.

“(3) An assurance that the State educational agency will ensure that the State educational agency’s technology systems and school-based technology systems are interoperable.

“(4) An assurance that the State educational agency will consider making content widely available through open educational resources when making purchasing decisions with funds received under this part.

“(5) A description of how the State educational agency will award subgrants to local educational agencies under section 5706.
“(6) A description of the process, activities, and performance measures that the State educational agency will use to evaluate the impact and effectiveness of the grant and subgrant funds awarded under this part across the State and in each local educational agency.

“(7) An assurance that the State educational agency consulted with local educational agencies in the development of the State educational agency’s application under this subsection.

“(8) An assurance that the State educational agency will provide matching funds as required under section 5703(e).


“SEC. 5705. STATE USE OF GRANT FUNDS.

“(a) Reservation for Subgrants to Support Technology Infrastructure.—Each State educational agency that receives a grant under section
5703(b)(2) shall expend not less than 90 percent of the
grant amount for each fiscal year to award subgrants to
local educational agencies in accordance with section
5706.

“(b) RESERVATION FOR STATE ACTIVITIES.—

“(1) IN GENERAL.—A State educational agency
shall reserve not more than 10 percent of the grant
received under section 5703(b)(2) for the State ac-
tivities described in subsection (c).

“(2) GRANT ADMINISTRATION.—

“(A) IN GENERAL.—Subject to subpara-
graph (B), of the amount reserved by a State
educational agency under paragraph (1), the
State educational agency may reserve for the
administration of the grant under this part not
more than—

“(i) 1 percent in the case of a State
educational agency awarding subgrants
under section 5706(a)(1); or

“(ii) 3 percent in the case of a State
educational agency awarding subgrants
under section 5706(a)(2).

“(B) SPECIAL RULE.—Notwithstanding
subparagraph (A), a State educational agency
that forms a State purchasing consortium under subsection (d)—

“(i) may reserve an additional 1 percent to carry out the activities described in subsection (d)(1); and

“(ii) may reserve amounts in addition to the percentage described in clause (i) if the State purchasing consortium receives direct approval from the local educational agencies receiving subgrants under section 5706(a) from the State educational agency prior to reserving more than the additional percentage authorized under clause (i).

“(c) STATE ACTIVITIES.—A State educational agency may use funds described in subsection (b) to carry out each of the following:

“(1) Except for the awarding of subgrants in accordance with section 5706, activities described in the State educational agency’s application under section 5704(b).

“(2) Providing technical assistance to local educational agencies to—

“(A) identify and address technology readiness needs;
“(B) use technology, consistent with the principles of universal design for learning, to support the learning needs of all students, including students who are children with disabilities and children who are limited English proficient;

“(C) build capacity for principals and local educational agency administrators to support teachers in using data and technology to improve teaching and personalize learning;

“(D) ensure that contractual requirements for third parties that have access to student data, its storage, or provide analytics on student data provide privacy protections consistent with the requirements of section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly known as the ‘Family Educational Rights and Privacy Act of 1974’); and

“(E) provide tools and processes to support the creation, modification, and distribution of open educational resources.

“(3) Developing or utilizing research-based or innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the
use of technology, including digital learning technologies and assistive technology.

“(4) Integrating and coordinating activities under this part with other educational resources and programs across the State.

“(5) Disseminating information, including making publicly available on the website of the State educational agency, promising practices to improve technology instruction, best practices for data security, and acquiring and implementing technology tools and applications.

“(6) Ensuring that teachers, paraprofessionals, library and media personnel, specialized instructional support personnel, and administrators possess the knowledge and skills to use technology to meet the goals described in section 5704(b)(1).

“(7) Coordinating with teacher, principal, and school leader preparation programs to ensure that preservice teachers, principals, and school leaders have the skills to implement digital learning programs effectively.

“(8) Supporting schools in rural and remote areas to expand access to high-quality digital learning opportunities.

“(d) PURCHASING CONSORTIA.—
“(1) IN GENERAL.—A State educational agency receiving a grant under section 5703(b)(2) may—

“(A) form a State purchasing consortium with 1 or more State educational agencies receiving such a grant to carry out the State activities described in subsection (c), including purchasing eligible technology;

“(B) encourage local educational agencies to form local purchasing consortia under section 5706(c)(4); and

“(C) promote pricing opportunities to local educational agencies for the purchase of eligible technology that are—

“(i) negotiated by the State educational agency or the State purchasing consortium of the State educational agency; and

“(ii) available to such local educational agencies.

“(2) RESTRICTIONS.—A State educational agency receiving a grant under section 5703(b)(2) shall not—

“(A) except for promoting the pricing opportunities described in paragraph (1)(C), make recommendations to local educational agencies
for, or require, use of any specific commercial
products and services by local educational agen-
cies;

“(B) require local educational agencies to
participate in a State purchasing consortia or
local purchasing consortia; or

“(C) use more than the amount reserved
under subsection (b) to carry out the activities
described in paragraph (1), unless the State
educational agency receives approval in accord-
ance with subsection (b)(2)(B).

“SEC. 5706. LOCAL SUBGRANTS.

“(a) Subgrants.—

“(1) Grants to local educational agencies.—From the grant funds provided under section
5703(b)(2) to a State educational agency that are
remaining after the State educational agency makes
reservations under section 5705(b) for any fiscal
year and subject to paragraph (2), the State edu-
cational agency shall award subgrants for the fiscal
year to local educational agencies served by the
State educational agency and with an approved ap-
lication under subsection (b) by allotting to each
such local educational agency an amount that bears
the same relationship to the remainder as the
amount received by the local educational agency under part A of title I for such year bears to the amount received by all such local educational agencies under such part for such year, except that no local educational agency may receive less than $20,000 for a year.

“(2) Competitive grants to local educational agencies.—If the amount of funds appropriated under section 5708 is less than $300,000,000 for any fiscal year, a State educational agency—

“(A) shall not award subgrants under paragraph (1); and

“(B) shall—

“(i) award subgrants, on a competitive basis, to local educational agencies based on the quality of applications submitted under subsection (b), including—

“(I) the level of technology readiness, as determined by the technology readiness surveys completed by local educational agencies submitting such applications; and

“(II) the technology plans described in subsection (b)(4) and how
the local educational agencies with such plans will carry out the alignment and coordination described in such subsection;

“(ii) give priority to local educational agencies that have demonstrated substantial need for assistance in acquiring and using technology, based on the agency’s technology readiness survey; and

“(iii) give priority to schools that serve students in rural and remote areas, schools in need of improvement and persistently lowest achieving schools, or schools with a high percentage of students aged 5 through 17 who are in poverty, as counted in the most recent census data approved by the Secretary, who are eligible for a free or reduced priced lunch under the Richard B. Russell National School Lunch Act, in families receiving assistance under the State program funded under part A of title IV of the Social Security Act, or eligible to receive medical assistance under the Medicaid program.
“(3) Definition of Local Educational Agency for Certain Fiscal Years.—For purposes of awarding subgrants under paragraph (2), the term ‘local educational agency’ means—

“(A) a local educational agency;
“(B) an educational service agency; or
“(C) a local educational agency and an educational service agency.

“(b) Application.—A local educational agency that desires to receive a subgrant under subsection (a) shall submit an application to the State at such time, in such manner, and accompanied by such information as the State educational agency may require, such as—

“(1) a description of how the local educational agency will carry out the goals described in subparagraphs (A) through (C) of section 5704(b)(1);
“(2) a description of the results of the technology readiness survey completed by the local educational agency and a description of the plan for the local educational agency to meet the goals described in paragraph (1) within 3 years of completing the survey;
“(3) a description of the local educational agency’s technology plan to carry out paragraphs (1) and (3) and how the agency will align and coordinate the
activities under this section with other activities across the local educational agency;

“(4) a description of the team of educators who will coordinate and carry out the activities under this section, including individuals with responsibility and expertise in instructional technology, teachers that specialize in supporting students who are children with disabilities and English learners, school leaders, technology officers, and staff responsible for assessments and data;

“(5) a description of how the local educational agency will build capacity for principals and local educational agency administrators to support teachers in developing data literacy skills and in implementing digital tools to support teaching and learning;

“(6) a description of how the local educational agency will procure content and ensure content quality; and

“(7) an assurance that the local educational agency will protect the privacy and safety of students and teachers, consistent with requirements section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly known as the ‘Family Educational Rights and Privacy Act of 1974’).
“(c) Use of Funds.—

“(1) Professional development in digital learning.—Subject to paragraph (3), a local educational agency receiving a subgrant under subsection (a) shall use not less than 50 percent of such funds to carry out professional development, as defined in section 9101, in digital learning for teachers, principals, school leaders, paraprofessionals, library and media personnel, specialized instructional support personnel, technology coordinators, and administrators in the use of technology to support student learning.

“(2) Technology infrastructure.—Subject to paragraph (3), a local educational agency receiving a subgrant under subsection (a) shall use not less than 25 percent of such funds to support activities for the acquisition of eligible technology needed to—

“(A) except for the activities described in paragraph (1), carry out activities described in the application submitted under subsection (b), including purchasing devices, equipment, and software applications; and
“(B) address readiness shortfalls identified under the technology readiness survey completed by the local educational agency.

“(3) MODIFICATION OF FUNDING ALLOCATIONS.—A State educational agency may authorize a local educational agency to modify the percentage of the local educational agency’s subgrant funds required to carry out the activities described in paragraph (1) or (2) if the local educational agency demonstrates that such modification will assist the local educational agency in more effectively carrying out such activities.

“(4) PURCHASING CONSORTIA.—Local educational agencies receiving subgrants under subsection (a) may—

“(A) form a local purchasing consortia with other such local educational agencies to carry out the activities described in this subsection, including purchasing eligible technology; and

“(B) use such funds for purchasing eligible technology through a State purchasing consortia under section 5706(d).

“(5) BLENDED LEARNING PROJECTS.—
“(A) In general.—A local educational agency receiving a subgrant under subsection (a) may use such funds to carry out a blended learning project, which shall include at least 1 of the following activities:

“(i) Planning activities, which may include development of new instructional models (including blended learning technology software and platforms), the purchase of digital instructional resources, initial professional development activities, and one-time information technology purchases, except that such expenditures may not include expenditures related to significant construction or renovation of facilities.

“(ii) Ongoing professional development for teachers, school leaders, or other personnel involved in the project that is designed to support the implementation and academic success of the project.

“(B) Non-federal match.—A local educational agency that carries out a blended learning project under this paragraph shall provide non-Federal matching funds equal to not less than 10 percent of the amount of funds
used to carry out such project that shall be used to carry out such project.

“(C) Definition of blended learning.—In this paragraph, the term ‘blended learning’ means a formal education program that leverages both technology-based and face-to-face instructional approaches that—

“(i) include an element of online or digital learning, combined with supervised learning time, and student-led learning, in which the elements are connected to provide an integrated learning experience; and

“(ii) where students are provided some control over time, path, or pace.

“SEC. 5707. REPORTING.

“(a) Local Educational Agencies.—Each local educational agency receiving a subgrant under section 5706 shall submit to the State educational agency that awarded such subgrant an annual report the meets the requirements of subsection (c).

“(b) State Educational Agencies.—Each State educational agency receiving a grant under section 5703(b)(2) shall submit to the Secretary an annual report that meets the requirements of subsection (c).
“(c) REPORT REQUIREMENTS.—A report submitted under subsection (a) or (b) shall include, at a minimum, a description of—

“(1) the status of the State educational agency’s plan described in section 5704(b) or the local education agency’s technology plan under section 5706(b)(3), as applicable;

“(2) the categories of eligible technology acquired with funds under this part and how such technology is being used;

“(3) the professional learning activities funded under this part, including types of activities and entities involved in providing such professional learning to classroom teachers and other staff, such as school librarians; and

“(4) the types of programs funded under this part.

“SEC. 5708. AUTHORIZATION.

“There are authorized to be appropriated such sums as may be necessary to carry out this part.”.”