

116TH CONGRESS
1ST SESSION

S. 1418

To establish the Strength in Diversity Program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 9, 2019

Mr. MURPHY (for himself, Mr. BLUMENTHAL, and Mr. SANDERS) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish the Strength in Diversity Program, and for other purposes.

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 “Strength in Diversity
5 Act of 2019”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to support the develop-
8 ment, implementation, and evaluation of comprehensive
9 strategies to address the effects of racial isolation or con-

1 centrated poverty by increasing diversity, including racial
 2 and socioeconomic diversity, in covered schools.

3 **SEC. 3. RESERVATION FOR NATIONAL ACTIVITIES.**

4 The Secretary may reserve not more than 5 percent
 5 of the amounts made available under section 10 for a fis-
 6 cal year to carry out activities of national significance re-
 7 lating to this Act, which may include—

8 (1) research, development, data collection, mon-
 9 itoring, technical assistance, evaluation, or dissemi-
 10 nation activities; and

11 (2) the development and maintenance of best
 12 practices for recipients of grants under section 4 and
 13 other experts in the field of school diversity.

14 **SEC. 4. GRANT PROGRAM AUTHORIZED.**

15 (a) AUTHORIZATION.—

16 (1) IN GENERAL.—From the amounts made
 17 available under section 10 and not reserved under
 18 section 3 for a fiscal year, the Secretary shall award
 19 grants in accordance with subsection (b) to eligible
 20 entities to develop or implement plans to improve di-
 21 versity and reduce or eliminate racial or socio-
 22 economic isolation in covered schools.

23 (2) TYPES OF GRANTS.—The Secretary may, in
 24 any fiscal year, award under paragraph (1)—

1 (A) planning grants to carry out the activi-
 2 ties described in section 6(a);

3 (B) implementation grants to carry out the
 4 activities described in section 6(b); or

5 (C) both such planning grants and imple-
 6 mentation grants.

7 (b) AWARD BASIS.—

8 (1) CRITERIA FOR EVALUATING APPLICA-
 9 TIONS.—The Secretary shall award grants under
 10 this section on a competitive basis, based on—

11 (A) the quality of the application sub-
 12 mitted by an eligible entity under section 5; and

13 (B) the likelihood, as determined by the
 14 Secretary, that the eligible entity will use the
 15 grant to improve student outcomes or outcomes
 16 on other performance measures described in
 17 section 7.

18 (2) PRIORITY.—In awarding grants under this
 19 section, the Secretary shall give priority to the fol-
 20 lowing eligible entities:

21 (A) First, to an eligible entity that pro-
 22 poses, in an application submitted under section
 23 5, to use the grant to support a program that
 24 addresses racial isolation by increasing diver-
 25 sity.

1 (B) Second, to an eligible entity that pro-
 2 poses, in an application submitted under section
 3 5, to use the grant to support a program that
 4 extends beyond one local educational agency,
 5 such as an inter-district or regional program.

6 (c) DURATION OF GRANTS.—

7 (1) PLANNING GRANT.—A planning grant
 8 awarded under this section shall be for a period of
 9 not more than 1 year.

10 (2) IMPLEMENTATION GRANT.—An implemen-
 11 tation grant awarded under this section shall be for
 12 a period of not more than 3 years, except that the
 13 Secretary may extend an implementation grant for
 14 an additional 2-year period if the eligible entity re-
 15 ceiving the grant demonstrates to the Secretary that
 16 the eligible entity is making significant progress, as
 17 determined by the Secretary, on the program per-
 18 formance measures described in section 7.

19 **SEC. 5. APPLICATIONS.**

20 In order to receive a grant under section 4, an eligible
 21 entity shall submit an application to the Secretary at such
 22 time, in such manner, and containing such information as
 23 the Secretary may require, including—

24 (1) a description of the program for which the
 25 eligible entity is seeking a grant, including—

1 (A) how the eligible entity proposes to use
2 the grant to improve the academic and life out-
3 comes of students in racial or socioeconomic
4 isolation in covered schools by supporting inter-
5 ventions that increase diversity in such covered
6 schools;

7 (B) in the case of an implementation
8 grant, the implementation grant plan described
9 in section 6(b)(1); and

10 (C) evidence, or if such evidence is not
11 available, a rationale based on current research,
12 regarding how the program will increase diver-
13 sity;

14 (2) in the case of an eligible entity proposing to
15 use any of the grant to benefit covered schools that
16 are racially isolated, a description of how the eligible
17 entity will identify and define racial isolation;

18 (3) in the case of an eligible entity proposing to
19 use any portion of the grant to benefit high-poverty
20 covered schools, a description of how the eligible en-
21 tity will identify and define income level and socio-
22 economic status;

23 (4) a description of the plan of the eligible enti-
24 ty for continuing the program after the grant period
25 ends;

1 (5) a description of how the eligible entity will
2 assess, monitor, and evaluate the impact of the ac-
3 tivities funded under the grant on student achieve-
4 ment and student enrollment diversity;

5 (6) an assurance that the eligible entity has
6 conducted, or will conduct, robust parent and com-
7 munity engagement, while planning for and imple-
8 menting the program, such as through—

9 (A) consultation with appropriate officials
10 from Indian Tribes or Tribal organizations ap-
11 proved by the Tribes located in the area served
12 by the eligible entity;

13 (B) consultation with other community en-
14 tities, including local housing or transportation
15 authorities;

16 (C) public hearings or other open forums
17 to inform the development of any formal strat-
18 egy to increase diversity; and

19 (D) outreach, in a language that parents
20 can understand, and consultation with families
21 in the targeted district or region that is de-
22 signed to ensure participation in the planning
23 and development of any formal strategy to in-
24 crease diversity;

1 (7) an estimate of the number of students that
2 the eligible entity plans to serve under the program
3 and the number of students to be served through ad-
4 ditional expansion of the program after the grant
5 period ends;

6 (8) an assurance that the eligible entity will—

7 (A) cooperate with the Secretary in evalu-
8 ating the program, including any evaluation
9 that might require data and information from
10 multiple recipients of grants under section 4;
11 and

12 (B) implement best practices developed
13 under section 3(2);

14 (9) an assurance that, to the extent possible,
15 the eligible entity has considered the potential impli-
16 cations of the grant activities on the demographics
17 and student enrollment of nearby covered schools
18 not included in the activities of the grant; and

19 (10) in the case of an eligible entity applying
20 for an implementation grant, a description of how
21 the eligible entity will—

22 (A) implement, replicate, or expand a
23 strategy based on a strong or moderate level of
24 evidence (as described in subclause (I) or (II)
25 of section 8101(21)(A)(i) of the Elementary

1 and Secondary Education Act of 1965 (20
2 U.S.C. 7801(21)(A)(i)); or

3 (B) test a promising strategy to increase
4 diversity in covered schools.

5 **SEC. 6. USES OF FUNDS.**

6 (a) **PLANNING GRANTS.**—Each eligible entity that re-
7 ceives a planning grant under section 4 shall use the grant
8 to support students in covered schools through the fol-
9 lowing activities:

10 (1) Completing a comprehensive assessment of,
11 with respect to the geographic area served by such
12 eligible entity—

13 (A) the educational outcomes and racial
14 and socioeconomic stratification of children at-
15 tending covered schools; and

16 (B) an analysis of the location and capac-
17 ity of program and school facilities and the ade-
18 quacy of local or regional transportation infra-
19 structure.

20 (2) Developing and implementing a robust fam-
21 ily and community engagement plan, including,
22 where feasible, public hearings or other open forums
23 that would precede and inform the development of a
24 formal strategy to improve diversity in covered
25 schools.

1 (3) Developing options, including timelines and
 2 cost estimates, for improving diversity in covered
 3 schools, such as weighted lotteries, revised feeder
 4 patterns, school boundary redesign, or regional co-
 5 ordination.

6 (4) Developing an implementation plan based
 7 on community preferences among the options devel-
 8 oped under paragraph (3).

9 (5) Building the capacity to collect and analyze
 10 data that provide information for transparency, con-
 11 tinuous improvement, and evaluation.

12 (6) Implementing best practices developed
 13 under section 3(2).

14 (b) IMPLEMENTATION GRANTS.—

15 (1) IMPLEMENTATION GRANT PLAN.—Each eli-
 16 gible entity that receives an implementation grant
 17 under section 4 shall implement a high-quality plan
 18 to support students at covered schools that in-
 19 cludes—

20 (A) a comprehensive set of strategies de-
 21 signed to improve academic outcomes for all
 22 students, particularly students of color and low-
 23 income students, by increasing diversity in cov-
 24 ered schools;

(B) evidence of strong family and community support for such strategies, including evidence that the eligible entity has engaged in meaningful family and community outreach activities;

(C) goals to increase diversity in covered schools over the course of the grant period;

(D) collection and analysis of data to provide transparency and support continuous improvement throughout the grant period; and

(E) a rigorous method of evaluation of the effectiveness of the program.

(2) IMPLEMENTATION GRANT ACTIVITIES.—

Each eligible entity that receives an implementation grant under section 4 may use the grant to carry out one or more of the following activities:

(A) Recruiting, hiring, or training additional teachers, administrators, and other instructional and support staff in new, expanded, or restructured covered schools, or other professional development activities for staff and administrators.

(B) Investing in specialized academic programs or facilities designed to encourage inter-district school attendance patterns.

1 (C) Developing or initiating a transpor-
2 tation plan for bringing students to and from
3 covered schools, if such transportation is sus-
4 tainable beyond the grant period and does not
5 represent a significant portion of the grant re-
6 ceived by an eligible entity under section 4.

7 **SEC. 7. PERFORMANCE MEASURES.**

8 The Secretary shall establish performance measures
9 for the programs and activities carried out through a
10 grant under section 4. These measures, at a minimum,
11 shall track the progress of each eligible entity in—

12 (1) improving academic and other develop-
13 mental or noncognitive outcomes for each subgroup
14 described in section 1111(b)(2)(B)(xi) of the Ele-
15 mentary and Secondary Education Act of 1965 (20
16 U.S.C. 6311(b)(2)(B)(xi)) that is served by the eligi-
17 ble entity on measures, including, as applicable,
18 by—

19 (A) increasing school readiness;

20 (B) increasing student achievement and
21 decreasing achievement gaps;

22 (C) increasing high school graduation
23 rates;

24 (D) increasing readiness for postsecondary
25 education and careers; and

1 (E) any other indicator the Secretary or el-
 2 igible entity may identify; and

3 (2) increasing diversity and decreasing racial or
 4 socioeconomic isolation in covered schools.

5 **SEC. 8. ANNUAL REPORTS.**

6 An eligible entity that receives a grant under section
 7 4 shall submit to the Secretary, at such time and in such
 8 manner as the Secretary may require, an annual report
 9 that includes—

10 (1) information on the progress of the eligible
 11 entity with respect to the performance measures de-
 12 scribed in section 7; and

13 (2) the data supporting such progress.

14 **SEC. 9. DEFINITIONS.**

15 In this Act:

16 (1) COVERED SCHOOL.—The term “covered
 17 school” means—

18 (A) a publicly funded early childhood edu-
 19 cation program;

20 (B) a public elementary school; or

21 (C) a public secondary school.

22 (2) ELIGIBLE ENTITY.—The term “eligible enti-
 23 ty” means a local educational agency, a consortium
 24 of such agencies, an educational service agency, or
 25 regional educational agency, that at the time of the

1 application of such eligible entity has significant
 2 achievement gaps and socioeconomic or racial seg-
 3regation within or between the school districts served
 4 by such entity.

5 (3) ESEA TERMS.—The terms “educational
 6 service agency”, “elementary school”, “local edu-
 7 cational agency”, “secondary school”, and “Sec-
 8 retary” have the meanings given such terms in sec-
 9 tion 8101 of the Elementary and Secondary Edu-
 10 cation Act of 1965 (20 U.S.C. 7801).

11 (4) PUBLICLY FUNDED EARLY CHILDHOOD
 12 EDUCATION PROGRAM.—The term “publicly funded
 13 early childhood education program” means an early
 14 childhood education program (as defined in section
 15 103(8) of the Higher Education Act of 1965 (20
 16 U.S.C. 1003(8))) that receives State or Federal
 17 funds.

18 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated to carry out
 20 this Act such sums as may be necessary for fiscal year
 21 2020 and each of the 5 succeeding fiscal years.

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