

111TH CONGRESS  
1ST SESSION

# S. 1029

To create a new incentive fund that will encourage States to adopt the  
21st Century Skills Framework.

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IN THE SENATE OF THE UNITED STATES

MAY 13, 2009

Mr. ROCKEFELLER (for himself, Ms. SNOWE, and Mr. KERRY) introduced the  
following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To create a new incentive fund that will encourage States  
to adopt the 21st Century Skills Framework.

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 “21st Century Skills  
5 Incentive Fund Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Students must be prepared in the core sub-  
9 jects of English, reading, mathematics, science, for-

1       eign languages, civics, government, economics, art,  
2       history, and geography.

3           (2) In order for our Nation’s students to be  
4       prepared to succeed in our communities and work-  
5       places, students need 21st century content, beyond  
6       the traditional core subjects, that includes global  
7       awareness, financial, economic, business and entre-  
8       preneurial literacy, civic literacy, and health and  
9       wellness awareness.

10          (3) Students need to go beyond just learning  
11       today’s academic context to develop critical thinking  
12       and problem solving skills, communication skills, cre-  
13       ativity and innovation skills, collaboration skills, con-  
14       textual learning skills, and information and media  
15       literacy skills.

16          (4) Information and communications technology  
17       literacy is the ability to use technology to develop  
18       21st century content knowledge and skills, in the  
19       content of learning core subjects, and students must  
20       be able to use technology to learn content and skills  
21       so that the students know how to learn, think criti-  
22       cally, solve problems, use information, communicate,  
23       innovate, and collaborate.

24          (5) Educators need to incorporate life skills into  
25       pedagogy, including leadership, ethics, account-

1 ability, adaptability, personal productivity, personal  
2 responsibility, self-direction, and social responsibility.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) **ELIGIBLE STATE.**—The term “eligible  
6 State” means a State that—

7 (A) develops a comprehensive plan for im-  
8 plementing a statewide 21st Century Skills ini-  
9 tiative;

10 (B) demonstrates a commitment to ad-  
11 vancing 21st Century Skills within—

12 (i) standards and assessments;

13 (ii) curriculum;

14 (iii) professional development; and

15 (iv) the learning environment;

16 (C) achieves broad support for a statewide  
17 21st Century Skills initiative from among the  
18 State’s education leaders (including classroom  
19 practitioners), business leaders, and civic lead-  
20 ers; and

21 (D) carries out 21st century assessments  
22 of education that measure the following prior-  
23 ities:

24 (i) Core subjects, and 21st century  
25 themes.

- 1 (ii) Life and career skills.  
2 (iii) Thinking and innovation skills.  
3 (iv) Information media and technology  
4 skills.

5 (2) FUND.—The term “Fund” means the 21st  
6 Century Skills Incentive Fund established under sec-  
7 tion 6(a).

8 (3) SECRETARY.—The term “Secretary” means  
9 the Secretary of Education.

10 **SEC. 4. GRANTS AUTHORIZED.**

11 (a) IN GENERAL.—The Secretary is authorized to  
12 award grants, from amounts available in the Fund, to eli-  
13 gible States having applications approved under section 5  
14 to enable the eligible States to pay the Federal share of  
15 the cost of establishing a statewide 21st Century Skills  
16 initiative.

17 (b) AWARD RULE.—The Secretary shall award  
18 grants under this Act on a first-come, first-served basis,  
19 so that the grants are awarded—

20 (1) to eligible States in the order the Secretary  
21 receives approvable applications; and

22 (2) in an amount determined on the basis of  
23 the amount of the non-Federal share identified, and  
24 supported by the information contained, in an ap-  
25 provable application.

1 (c) FEDERAL SHARE; NON-FEDERAL SHARE.—

2 (1) FEDERAL SHARE.—The Federal share shall  
3 be 50 percent.

4 (2) NON-FEDERAL SHARE.—The non-Federal  
5 share shall be provided from State sources or from  
6 foundation sources.

7 (d) DURATION.—The Secretary shall award each  
8 grant under this Act for not less than 1 and not more  
9 than 3 years.

10 (e) MAINTENANCE OF EFFORT.—The Secretary shall  
11 reduce the grant payable to an eligible State under this  
12 Act for a fiscal year by the amount, if any, by which the  
13 eligible State's expenditures for the activities assisted  
14 under the grant for the preceding fiscal year are less than  
15 such expenditures for the second fiscal year preceding the  
16 fiscal year for which the determination is made.

17 (f) SUPPLEMENT NOT SUPPLANT.—Grant funds pro-  
18 vided under this Act shall be used to supplement and not  
19 supplant other State funds expended for activities assisted  
20 under this Act.

21 **SEC. 5. APPLICATION.**

22 Each eligible State that desires a grant under this  
23 Act shall submit an application to the Secretary that—

24 (1) describes the 21st Century Skills initiative  
25 for which assistance is sought;

1           (2) includes evidence that the eligible State has  
2 met each of the eligibility criteria described in sub-  
3 paragraphs (A) through (D) of section 3(1);

4           (3) includes a description of how the eligible  
5 State will provide the non-Federal share of the grant  
6 funds; and

7           (4) includes a description of how the eligible  
8 State will continue to provide the non-Federal share  
9 throughout the duration of the grant and the suc-  
10 cessful statewide implementation of the 21st Cen-  
11 tury Skills initiative.

12 **SEC. 6. 21ST CENTURY SKILLS INCENTIVE FUND.**

13           (a) **FUND ESTABLISHED.**—The Secretary shall estab-  
14 lish a 21st Century Skills Incentive Fund.

15           (b) **DEPOSITS.**—The Secretary shall deposit into the  
16 Fund all amounts appropriated under section 8.

17           (c) **EXPENDITURES.**—The Secretary shall use  
18 amounts in the Fund to award grants to eligible States  
19 in accordance with this Act.

20 **SEC. 7. ADMINISTRATIVE PROVISIONS.**

21           (a) **IN GENERAL.**—The Secretary shall administer all  
22 aspects of the program assisted under this Act, including  
23 determining State eligibility, making grant awards, deter-  
24 mining award amounts and duration, and conducting pro-  
25 gram evaluations.

1 (b) EVALUATION.—Each eligible State receiving a  
2 grant under this Act—

3 (1) shall conduct an evaluation of the 21st Cen-  
4 tury Skills initiative assisted under this Act;

5 (2) shall use the non-Federal share described in  
6 section 5(3) to pay the costs of the evaluation; and

7 (3) shall submit a copy of the evaluation to the  
8 Secretary.

9 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

10 There are authorized to be appropriated to carry out  
11 this Act (other than section 7(b))—

12 (1) \$100,000,000 for fiscal year 2010;

13 (2) \$100,000,000 for fiscal year 2011; and

14 (3) such sums as may be necessary for each of  
15 the fiscal years 2012, 2013, and 2014.

16 **SEC. 9. SEPARATE PERCENTAGE LIMITATION FOR COR-**  
17 **PORATE CHARITABLE CONTRIBUTIONS TO**  
18 **21ST CENTURY SKILLS INITIATIVES OF ELIGI-**  
19 **BLE STATES.**

20 (a) IN GENERAL.—Section 170(b) of the Internal  
21 Revenue Code of 1986 (related to percentage limitations)  
22 is amended by adding at the end the following new para-  
23 graph:

1           “(4) SPECIAL RULE FOR CORPORATE CON-  
2           TRIBUTIONS TO 21ST CENTURY SKILLS INITIATIVES  
3           OF ELIGIBLE STATES.—

4                   “(A) IN GENERAL.—In the case of a cor-  
5                   poration which makes a 21st Century Skills ini-  
6                   tiative contribution, the limitation under para-  
7                   graph (2) shall apply separately with respect to  
8                   all such contributions and all other charitable  
9                   contributions.

10                   “(B) 21ST CENTURY SKILLS INITIATIVE  
11                   CONTRIBUTION.—For purposes of this para-  
12                   graph, the term ‘21st Century Skills initiative  
13                   contribution’ means a charitable contribution in  
14                   cash to an eligible State (as defined in section  
15                   3(1) of the 21st Century Skills Incentive Fund  
16                   Act) which has a grant application approved  
17                   under section 5 of such Act.”.

18           (b) EFFECTIVE DATE.—The amendment made by  
19 this section shall apply to contributions made after the  
20 date of the enactment of this Act.

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