

106TH CONGRESS
1ST SESSION

S. 1675

To provide for school dropout prevention, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30, 1999

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

A BILL

To provide for school dropout prevention, 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 “National Dropout Pre-
5 vention Act of 1999”.

6 **TITLE I—DROPOUT PREVENTION**

7 **SEC. 101. DROPOUT PREVENTION.**

8 Part C of title V of the Elementary and Secondary
9 Education Act of 1965 (20 U.S.C. 7261 et seq.) is amend-
10 ed to read as follows:

1 **“PART C—ASSISTANCE TO ADDRESS SCHOOL**
 2 **DROPOUT PROBLEMS**

3 **“Subpart 1—Coordinated National Strategy**

4 **“SEC. 5311. NATIONAL ACTIVITIES.**

5 “(a) NATIONAL PRIORITY.—It shall be a national pri-
 6 ority, for the 5-year period beginning on the date of enact-
 7 ment of the National Dropout Prevention Act of 1999, to
 8 lower the school dropout rate, and increase school comple-
 9 tion, for middle school and secondary school students in
 10 accordance with Federal law. As part of this priority, all
 11 Federal agencies that carry out activities that serve stu-
 12 dents at risk of dropping out of school or that are intended
 13 to help address the school dropout problem shall make
 14 school dropout prevention a top priority in the agencies’
 15 funding priorities during the 5-year period.

16 “(b) ENHANCED DATA COLLECTION.—The Secretary
 17 shall collect systematic data on the participation of dif-
 18 ferent racial and ethnic groups (including migrant and
 19 limited English proficient students) in all Federal pro-
 20 grams.

21 **“SEC. 5312. NATIONAL SCHOOL DROPOUT PREVENTION**
 22 **STRATEGY.**

23 “(a) PLAN.—The Director shall develop, implement,
 24 and monitor an interagency plan (in this section referred
 25 to as the ‘plan’) to assess the coordination, use of re-
 26 sources, and availability of funding under Federal law that

1 can be used to address school dropout prevention, or mid-
2 dle school or secondary school reentry. The plan shall be
3 completed and transmitted to the Secretary and Congress
4 not later than 180 days after the first Director is ap-
5 pointed.

6 “(b) COORDINATION.—The plan shall address inter-
7 and intra-agency program coordination issues at the Fed-
8 eral level with respect to school dropout prevention and
9 middle school and secondary school reentry, assess the tar-
10 geting of existing Federal services to students who are
11 most at risk of dropping out of school, and the cost-effec-
12 tiveness of various programs and approaches used to ad-
13 dress school dropout prevention.

14 “(c) AVAILABLE RESOURCES.—The plan shall also
15 describe the ways in which State and local agencies can
16 implement effective school dropout prevention programs
17 using funds from a variety of Federal programs, including
18 the programs under title I of this Act and the School-to-
19 Work Opportunities Act of 1994.

20 “(d) SCOPE.—The plan will address all Federal pro-
21 grams with school dropout prevention or school reentry
22 elements or objectives, programs under title I of this Act,
23 the School-to-Work Opportunities Act of 1994, part B of
24 title IV of the Job Training Partnership Act, subtitle C

1 of title I of the Workforce Investment Act of 1998, and
2 other programs.

3 **“SEC. 5313. NATIONAL CLEARINGHOUSE.**

4 “Not later than 6 months after the date of enactment
5 of the National Dropout Prevention Act of 1999, the Di-
6 rector shall establish a national clearinghouse on effective
7 school dropout prevention, intervention and reentry pro-
8 grams. The clearinghouse shall be established through a
9 competitive grant or contract awarded to an organization
10 with a demonstrated capacity to provide technical assist-
11 ance and disseminate information in the area of school
12 dropout prevention, intervention, and reentry programs.
13 The clearinghouse shall—

14 “(1) collect and disseminate to educators, par-
15 ents, and policymakers information on research, ef-
16 fective programs, best practices, and available Fed-
17 eral resources with respect to school dropout preven-
18 tion, intervention, and reentry programs, including
19 dissemination by an electronically accessible data-
20 base, a worldwide Web site, and a national journal;
21 and

22 “(2) provide technical assistance regarding se-
23 curing resources with respect to, and designing and
24 implementing, effective and comprehensive school

1 dropout prevention, intervention, and reentry pro-
2 grams.

3 **“SEC. 5314. NATIONAL RECOGNITION PROGRAM.**

4 “(a) IN GENERAL.—The Director shall carry out a
5 national recognition program that recognizes schools that
6 have made extraordinary progress in lowering school drop-
7 out rates under which a public middle school or secondary
8 school from each State will be recognized. The Director
9 shall use uniform national guidelines that are developed
10 by the Director for the recognition program and shall rec-
11 ognize schools from nominations submitted by State edu-
12 cational agencies.

13 “(b) ELIGIBLE SCHOOLS.—The Director may recog-
14 nize any public middle school or secondary school (includ-
15 ing a charter school) that has implemented comprehensive
16 reforms regarding the lowering of school dropout rates for
17 all students at that school.

18 “(c) SUPPORT.—The Director may make monetary
19 awards to schools recognized under this section, in
20 amounts determined by the Director. Amounts received
21 under this section shall be used for dissemination activities
22 within the school district or nationally.

1 **“Subpart 2—National School Dropout Prevention**
2 **Initiative**

3 **“SEC. 5321. FINDINGS.**

4 “Congress finds that, in order to lower dropout rates
5 and raise academic achievement levels, improved and rede-
6 signed schools must—

7 “(1) challenge all children to attain their high-
8 est academic potential; and

9 “(2) ensure that all students have substantial
10 and ongoing opportunities to—

11 “(A) achieve high levels of academic and
12 technical skills;

13 “(B) prepare for college and careers;

14 “(C) learn by doing;

15 “(D) work with teachers in small schools
16 within schools;

17 “(E) receive ongoing support from adult
18 mentors;

19 “(F) access a wide variety of information
20 about careers and postsecondary education and
21 training;

22 “(G) use technology to enhance and moti-
23 vate learning; and

24 “(H) benefit from strong links among mid-
25 dle schools, secondary schools, and postsec-
26 ondary institutions.

1 **“SEC. 5322. PROGRAM AUTHORIZED.**

2 “(a) ALLOTMENTS TO STATES.—

3 “(1) IN GENERAL.—From the sum made avail-
 4 able under section 5332(b) for a fiscal year the Sec-
 5 retary shall make an allotment to each State in an
 6 amount that bears the same relation to the sum as
 7 the amount the State received under title I for the
 8 preceding fiscal year bears to the amount received
 9 by all States under such title for the preceding fiscal
 10 year.

11 “(2) DEFINITION OF STATE.—In this subpart,
 12 the term ‘State’ means each of the several States of
 13 the United States, the District of Columbia, the
 14 Commonwealth of Puerto Rico, the United States
 15 Virgin Islands, Guam, American Samoa, the Com-
 16 monwealth of the Northern Mariana Islands, the Re-
 17 public of the Marshall Islands, the Federated States
 18 of Micronesia, and the Republic of Palau.

19 “(b) GRANTS.—From amounts made available to a
 20 State under subsection (a), the State educational agency
 21 may award grants to public middle schools or secondary
 22 schools, that have school dropout rates which are in the
 23 highest $\frac{1}{3}$ of all school dropout rates in the State, to en-
 24 able the schools to pay only the startup and implementa-
 25 tion costs of effective, sustainable, coordinated, and whole

1 school dropout prevention programs that involve activities
 2 such as—

3 “(1) professional development;

4 “(2) obtaining curricular materials;

5 “(3) release time for professional staff;

6 “(4) planning and research;

7 “(5) remedial education;

8 “(6) reduction in pupil-to-teacher ratios;

9 “(7) efforts to meet State student achievement
 10 standards; and

11 “(8) counseling for at-risk students.

12 “(c) INTENT OF CONGRESS.—It is the intent of Con-
 13 gress that the activities started or implemented under sub-
 14 section (a) shall be continued with funding provided under
 15 part A of title I.

16 “(d) AMOUNT.—

17 “(1) IN GENERAL.—Subject to subsection (d)
 18 and except as provided in paragraph (2), a grant
 19 under this subpart shall be awarded—

20 “(A) in the first year that a school receives
 21 a grant payment under this subpart, in an
 22 amount that is not less than \$50,000 and not
 23 more than \$100,000, based on factors such
 24 as—

25 “(i) school size;

1 “(ii) costs of the model being imple-
2 mented; and

3 “(iii) local cost factors such as poverty
4 rates;

5 “(B) in the second such year, in an
6 amount that is not less than 75 percent of the
7 amount the school received under this subpart
8 in the first such year;

9 “(C) in the third year, in an amount that
10 is not less than 50 percent of the amount the
11 school received under this subpart in the first
12 such year; and

13 “(D) in each succeeding year in an amount
14 that is not less than 30 percent of the amount
15 the school received under this subpart in the
16 first such year.

17 “(2) INCREASES.—The Director shall increase
18 the amount awarded to a school under this subpart
19 by 10 percent if the school creates smaller learning
20 communities within the school and the creation is
21 certified by the State educational agency.

22 “(e) DURATION.—A grant under this subpart shall
23 be awarded for a period of 3 years, and may be continued
24 for a period of 2 additional years if the State educational
25 agency determines, based on the annual reports described

1 in section 5328(a), that significant progress has been
2 made in lowering the school dropout rate for students par-
3 ticipating in the program assisted under this subpart com-
4 pared to students at similar schools who are not partici-
5 pating in the program.

6 **“SEC. 5323. STRATEGIES AND ALLOWABLE MODELS.**

7 “(a) STRATEGIES.—Each school receiving a grant
8 under this subpart shall implement research-based, sus-
9 tainable, and widely replicated, strategies for school drop-
10 out prevention and reentry that address the needs of an
11 entire school population rather than a subset of students.
12 The strategies may include—

13 “(1) specific strategies for targeted purposes;
14 and

15 “(2) approaches such as breaking larger schools
16 down into smaller learning communities and other
17 comprehensive reform approaches, creating alter-
18 native school programs, developing clear linkages to
19 career skills and employment, and addressing spe-
20 cific gatekeeper hurdles that often limit student re-
21 tention and academic success.

22 “(b) ALLOWABLE MODELS.—The Director shall an-
23 nually establish and publish in the Federal Register the
24 principles, criteria, models, and other parameters regard-
25 ing the types of effective, proven program models that are

1 allowed to be used under this subpart, based on existing
2 research.

3 “(c) CAPACITY BUILDING.—

4 “(1) IN GENERAL.—The Director, through a
5 contract with a non-Federal entity, shall conduct a
6 capacity building and design initiative in order to in-
7 crease the types of proven strategies for dropout
8 prevention on a schoolwide level.

9 “(2) NUMBER AND DURATION.—

10 “(A) NUMBER.—The Director shall award
11 not more than 5 contracts under this sub-
12 section.

13 “(B) DURATION.—The Director shall
14 award a contract under this section for a period
15 of not more than 5 years.

16 “(d) SUPPORT FOR EXISTING REFORM NET-
17 WORKS.—

18 “(1) IN GENERAL.—The Director shall provide
19 appropriate support to eligible entities to enable the
20 eligible entities to provide training, materials, devel-
21 opment, and staff assistance to schools assisted
22 under this subpart.

23 “(2) DEFINITION OF ELIGIBLE ENTITY.—The
24 term ‘eligible entity’ means an entity that, prior to

1 the date of enactment of the National Dropout Pre-
 2 vention Act of 1999—

3 “(A) provided training, technical assist-
 4 ance, and materials to 100 or more elementary
 5 schools or secondary schools; and

6 “(B) developed and published a specific
 7 educational program or design for use by the
 8 schools.

9 **“SEC. 5324. SELECTION OF SCHOOLS.**

10 “(a) SCHOOL APPLICATION.—

11 “(1) IN GENERAL.—Each school desiring a
 12 grant under this subpart shall submit an application
 13 to the State educational agency at such time, in
 14 such manner, and accompanied by such information
 15 as the State educational agency may require.

16 “(2) CONTENTS.—Each application submitted
 17 under paragraph (1) shall—

18 “(A) contain a certification from the local
 19 educational agency serving the school that—

20 “(i) the school has the highest number
 21 or rates of school dropouts in the age
 22 group served by the local educational agen-
 23 cy;

24 “(ii) the local educational agency is
 25 committed to providing ongoing oper-

1 ational support, for the school’s com-
2 prehensive reform plan to address the
3 problem of school dropouts, for a period of
4 5 years; and

5 “(iii) the local educational agency will
6 support the plan, including—

7 “(I) release time for teacher
8 training;

9 “(II) efforts to coordinate activi-
10 ties for feeder schools; and

11 “(III) encouraging other schools
12 served by the local educational agency
13 to participate in the plan;

14 “(B) demonstrate that the faculty and ad-
15 ministration of the school have agreed to apply
16 for assistance under this subpart, and provide
17 evidence of the school’s willingness and ability
18 to use the funds under this subpart, including
19 providing an assurance of the support of 80
20 percent or more of the professional staff at the
21 school;

22 “(C) describe the instructional strategies
23 to be implemented, how the strategies will serve
24 all students, and the effectiveness of the strate-
25 gies;

1 “(D) describe a budget and timeline for
2 implementing the strategies;

3 “(E) contain evidence of interaction with
4 an eligible entity described in section
5 5323(d)(2);

6 “(F) contain evidence of coordination with
7 existing resources;

8 “(G) provide an assurance that funds pro-
9 vided under this subpart will supplement and
10 not supplant other Federal, State, and local
11 funds;

12 “(H) describe how the activities to be as-
13 sisted conform with an allowable model de-
14 scribed in section 5323(b); and

15 “(I) demonstrate that the school and local
16 educational agency have agreed to conduct a
17 schoolwide program under 1114.

18 “(b) STATE AGENCY REVIEW AND AWARD.—The
19 State educational agency shall review applications and
20 award grants to schools under subsection (a) according to
21 a review by a panel of experts on school dropout preven-
22 tion.

23 “(c) CRITERIA.—The Director shall establish clear
24 and specific selection criteria for awarding grants to
25 schools under this subpart. Such criteria shall be based

1 on school dropout rates and other relevant factors for
2 State educational agencies to use in determining the num-
3 ber of grants to award and the type of schools to be award-
4 ed grants.

5 “(d) ELIGIBILITY.—A school is eligible to receive a
6 grant under this subpart if the school is—

7 “(1) a public school (including a public alter-
8 native school)—

9 “(A) that is eligible to receive assistance
10 under part A of title I, including a comprehen-
11 sive secondary school, a vocational or technical
12 secondary school, and a charter school; and

13 “(B)(i) that serves students 50 percent or
14 more of whom are low-income individuals; or

15 “(ii) with respect to which the feeder
16 schools that provide the majority of the incom-
17 ing students to the school serve students 50
18 percent or more of whom are low-income indi-
19 viduals; or

20 “(2) participating in a schoolwide program
21 under section 1114 during the grant period.

22 “(e) COMMUNITY-BASED ORGANIZATIONS.—A school
23 that receives a grant under this subpart may use the grant
24 funds to secure necessary services from a community-
25 based organization, including private sector entities, if—

1 “(1) the school approves the use;

2 “(2) the funds are used to provide school drop-
3 out prevention and reentry activities related to
4 schoolwide efforts; and

5 “(3) the community-based organization has
6 demonstrated the organization’s ability to provide ef-
7 fective services as described in section 107(a) of the
8 Job Training Partnership Act, or section 122 of the
9 Workforce Investment Act of 1998.

10 “(f) COORDINATION.—Each school that receives a
11 grant under this subpart shall coordinate the activities as-
12 sisted under this subpart with other Federal programs,
13 such as programs assisted under chapter 1 of subpart 2
14 of part A of title IV of the Higher Education Act of 1965
15 and the School-to-Work Opportunities Act of 1994.

16 **“SEC. 5325. DISSEMINATION ACTIVITIES.**

17 “Each school that receives a grant under this subpart
18 shall provide information and technical assistance to other
19 schools within the school district, including presentations,
20 document-sharing, and joint staff development.

21 **“SEC. 5326. PROGRESS INCENTIVES.**

22 “Notwithstanding any other provision of law, each
23 local educational agency that receives funds under title I
24 shall use such funding to provide assistance to schools
25 served by the agency that have not made progress toward

1 lowering school dropout rates after receiving assistance
2 under this subpart for 2 fiscal years.

3 **“SEC. 5327. SCHOOL DROPOUT RATE CALCULATION.**

4 “For purposes of calculating a school dropout rate
5 under this subpart, a school shall use—

6 “(1) the annual event school dropout rate for
7 students leaving a school in a single year determined
8 in accordance with the National Center for Edu-
9 cation Statistics’ Common Core of Data, if available;
10 or

11 “(2) in other cases, a standard method for cal-
12 culating the school dropout rate as determined by
13 the State educational agency.

14 **“SEC. 5328. REPORTING AND ACCOUNTABILITY.**

15 “(a) REPORTING.—In order to receive funding under
16 this subpart for a fiscal year after the first fiscal year a
17 school receives funding under this subpart, the school shall
18 provide, on an annual basis, to the Director a report re-
19 garding the status of the implementation of activities
20 funded under this subpart, the disaggregated outcome
21 data for students at schools assisted under this subpart
22 such as dropout rates, and certification of progress from
23 the eligible entity whose strategies the school is imple-
24 menting.

1 “(b) ACCOUNTABILITY.—On the basis of the reports
 2 submitted under subsection (a), the Director shall evaluate
 3 the effect of the activities assisted under this subpart on
 4 school dropout prevention compared to a control group.

5 **“SEC. 5329. PROHIBITION ON TRACKING.**

6 “(a) IN GENERAL.—A school shall be ineligible to re-
 7 ceive funding under this subpart for a fiscal year, if the
 8 school—

9 “(1) has in place a general education track;

10 “(2) provides courses with significantly dif-
 11 ferent material and requirements to students at the
 12 same grade level; or

13 “(3) fails to encourage all students to take a
 14 core curriculum of courses.

15 “(b) REGULATIONS.—The Secretary shall promul-
 16 gate regulations implementing subsection (a).

17 **“Subpart 3—Definitions; Authorization of**
 18 **Appropriations**

19 **“SEC. 5331. DEFINITIONS.**

20 “‘In this Act:

21 “(1) DIRECTOR.—The term ‘Director’ means
 22 the Director of the Office of Dropout Prevention and
 23 Program Completion established under section 220
 24 of the General Education Provisions Act.

1 “(2) LOW-INCOME.—The term ‘low-income’,
 2 used with respect to an individual, means an indi-
 3 vidual determined to be low-income in accordance
 4 with measures described in section 1113(a)(5).

5 “(3) SCHOOL DROPOUT.—The term ‘school
 6 dropout’ has the meaning given the term in section
 7 4(17) of the School-to-Work Opportunities Act of
 8 1994.

9 **“SEC. 5332. AUTHORIZATION OF APPROPRIATIONS.**

10 “(a) SUBPART 1.—There are authorized to be appro-
 11 priated to carry out subpart 1, \$5,000,000 for fiscal year
 12 2000 and such sums as may be necessary for each of the
 13 4 succeeding fiscal years.

14 “(b) SUBPART 2.—There are authorized to be appro-
 15 priated to carry out subpart 2, \$145,000,000 for fiscal
 16 year 2000 and such sums as may be necessary for each
 17 of the 4 succeeding fiscal years, of which—

18 “(1) \$125,000,000 shall be available to carry
 19 out section 5322; and

20 “(2) \$20,000,000 shall be available to carry out
 21 section 5323.”.

22 **SEC. 102. OFFICE OF DROPOUT PREVENTION AND PRO-**
 23 **GRAM COMPLETION.**

24 Title II of the Department of Education Organization
 25 Act (20 U.S.C. 3411) is amended—

4 “OFFICE OF DROPOUT PREVENTION AND PROGRAM

6 “SEC. 220. (a) ESTABLISHMENT.—There shall be in
7 the Department of Education an Office of Dropout Pre-
8 vention and Program Completion (hereafter in this section
9 referred to as the ‘Office’), to be administered by the Di-
10 rector of the Office of Dropout Prevention and Program
11 Completion. The Director of the Office shall report di-
12 rectly to the Secretary and shall perform such additional
13 functions as the Secretary may prescribe.

18 “(1) help coordinate Federal, State, and local
19 efforts to lower school dropout rates and increase
20 program completion by middle school, secondary
21 school, and college students;

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1 “(3) oversee the implementation of subpart 2 of
2 part C of title V of the Elementary and Secondary
3 Education Act of 1965;

4 “(4) develop and implement the National
5 School Dropout Prevention Strategy under section
6 5312 of the Elementary and Secondary Education
7 Act of 1965;

8 “(5) annually prepare and submit to Congress
9 and the Secretary a national report describing ef-
10 forts and recommended actions regarding school
11 dropout prevention and program completion;

12 “(6) recommend action to the Secretary and the
13 President, as appropriate, regarding school dropout
14 prevention and program completion; and

15 “(7) consult with and assist State and local
16 governments regarding school dropout prevention
17 and program completion.

18 “(c) SCOPE OF DUTIES.—The scope of the Director’s
19 duties under subsection (b) shall include examination of
20 all Federal and non-Federal efforts related to—

21 “(1) promoting program completion for children
22 attending middle school or secondary school;

23 “(2) programs to obtain a secondary school di-
24 ploma or its recognized equivalent (including general

1 equivalency diploma (GED) programs), or college
2 degree programs; and

3 “(3) reentry programs for individuals aged 12
4 to 24 who are out of school.

5 “(d) DETAILING.—In carrying out the Director’s du-
6 ties under this section, the Director may request the head
7 of any Federal department or agency to detail personnel
8 who are engaged in school dropout prevention activities
9 to another Federal department or agency in order to im-
10 plement the National School Dropout Prevention Strat-
11 egy.”.

12 **TITLE II—STATE** 13 **RESPONSIBILITIES**

14 **SEC. 201. STATE RESPONSIBILITIES.**

15 Title XIV of the Elementary and Secondary Edu-
16 cation Act of 1965 (20 U.S.C. 8801 et seq.) is amended
17 by adding at the end the following:

18 **“PART I—DROPOUT PREVENTION**

19 **“SEC. 14851. DROPOUT PREVENTION.**

20 “In order to receive any assistance under this Act,
21 a State educational agency shall comply with the following
22 provisions regarding school dropouts:

23 “(1) UNIFORM DATA COLLECTION.—Within 1
24 year after the date of enactment of the National
25 Dropout Prevention Act of 1999, a State educational

1 agency shall report to the Secretary and statewide,
 2 all school district and school data regarding school
 3 dropout rates in the State, and demographic break-
 4 downs, according to procedures that conform with
 5 the National Center for Education Statistics' Com-
 6 mon Core of Data.

7 “(2) ATTENDANCE-NEUTRAL FUNDING POLI-
 8 CIES.—Within 2 years after the date of enactment
 9 of the National Dropout Prevention Act of 1999, a
 10 State educational agency shall develop and imple-
 11 ment education funding formula policies for public
 12 schools that provide appropriate incentives to retain
 13 students in school throughout the school year, such
 14 as—

15 “(A) a student count methodology that
 16 does not determine annual budgets based on at-
 17 tendance on a single day early in the academic
 18 year; and

19 “(B) specific incentives for retaining en-
 20 rolled students throughout each year.

21 “(3) SUSPENSION AND EXPULSION POLICIES.—
 22 Within 2 years after the date of enactment of the
 23 National Dropout Prevention Act of 1999, a State
 24 educational agency shall develop uniform, long-term
 25 suspension and expulsion policies for serious infrac-

- 1 tions resulting in more than 10 days of exclusion
- 2 from school per academic year so that similar viola-
- 3 tions result in similar penalties.”.

