

107TH CONGRESS
1ST SESSION

S. 103

To provide for advanced placement programs.

IN THE SENATE OF THE UNITED STATES

JANUARY 22, 2001

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

A BILL

To provide for advanced placement programs.

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. ADVANCED PLACEMENT PROGRAMS.**

4 Title X of the Elementary and Secondary Education
5 Act of 1965 (20 U.S.C. 8001 et seq.) is amended by add-
6 ing at the end the following:

7 **“PART L—ADVANCED PLACEMENT** 8 **PROGRAMS**

9 **“SEC. 10995A. SHORT TITLE.**

10 “This part may be cited as the ‘Access to High
11 Standards Act’.

1 **“SEC. 10995B. FINDINGS AND PURPOSES.**

2 “(a) FINDINGS.—Congress finds that—

3 “(1) far too many students are not being pro-
4 vided sufficient academic preparation in secondary
5 school, which results in limited employment opportu-
6 nities, college dropout rates of over 25 percent for
7 the first year of college, and remediation for almost
8 one-third of incoming college freshmen;

9 “(2) there is a growing consensus that raising
10 academic standards, establishing high academic ex-
11 pectations, and showing concrete results are at the
12 core of improving public education;

13 “(3) modeling academic standards on the well-
14 known program of advanced placement courses is an
15 approach that many education leaders and almost
16 half of all States have endorsed;

17 “(4) advanced placement programs already are
18 providing 30 different college-level courses, serving
19 almost 60 percent of all secondary schools, reaching
20 over 1,000,000 students (of whom 80 percent attend
21 public schools, 55 percent are females, and 30 per-
22 cent are minorities), and providing test scores that
23 are accepted for college credit at over 3,000 colleges
24 and universities, every university in Germany,
25 France, and Austria, and most institutions in Can-
26 ada and the United Kingdom;

1 “(5) 24 States are now funding programs to in-
 2 crease participation in advanced placement pro-
 3 grams, including 19 States that provide funds for
 4 advanced placement teacher professional develop-
 5 ment, 3 States that require that all public secondary
 6 schools offer advanced placement courses, 10 States
 7 that pay the fees for advanced placement tests for
 8 some or all students, and 4 States that require that
 9 their public universities grant uniform academic
 10 credit for scores of 3 or better on advanced place-
 11 ment tests; and

12 “(6) the State programs described in paragraph
 13 (5) have shown the responsiveness of schools and
 14 students to such programs, raised the academic
 15 standards for both students participating in such
 16 programs and other children taught by teachers who
 17 are involved in advanced placement courses, and
 18 shown tremendous success in increasing enrollment,
 19 achievement, and minority participation in advanced
 20 placement programs.

21 “(b) PURPOSES.—The purposes of this part are—

22 “(1) to encourage more of the 600,000 students
 23 who take advanced placement courses but do not
 24 take advanced placement exams each year to dem-

1 onstrate their achievements through taking the
2 exams;

3 “(2) to build on the many benefits of advanced
4 placement programs for students, which benefits
5 may include the acquisition of skills that are impor-
6 tant to many employers, Scholastic Aptitude Tests
7 (SAT) scores that are 100 points above the national
8 averages, and the achievement of better grades in
9 secondary school and in college than the grades of
10 students who have not participated in the programs;

11 “(3) to support State and local efforts to raise
12 academic standards through advanced placement
13 programs, and thus further increase the number of
14 students who participate and succeed in advanced
15 placement programs;

16 “(4) to increase the availability and broaden the
17 range of schools that have advanced placement pro-
18 grams, which programs are still often distributed un-
19 evenly among regions, States, and even secondary
20 schools within the same school district, while also in-
21 creasing and diversifying student participation in the
22 programs;

23 “(5) to build on the State programs described
24 in subsection (a)(5) and demonstrate that larger and

1 more diverse groups of students can participate and
2 succeed in advanced placement programs;

3 “(6) to provide greater access to advanced
4 placement courses for low-income and other dis-
5 advantaged students;

6 “(7) to provide access to advanced placement
7 courses for secondary school juniors at schools that
8 do not offer advanced placement programs, increase
9 the rate of secondary school juniors and seniors who
10 participate in advanced placement courses to 25 per-
11 cent of the secondary school student population, and
12 increase the numbers of students who receive ad-
13 vanced placement test scores for which college aca-
14 demic credit is awarded; and

15 “(8) to increase the participation of low-income
16 individuals in taking advanced placement tests
17 through the payment or partial payment of the costs
18 of the advanced placement test fees.

19 **“SEC. 10995C. FUNDING DISTRIBUTION RULE.**

20 “From amounts appropriated under section 10995H
21 for a fiscal year, the Secretary shall give first priority to
22 funding activities under section 10995F, and shall dis-
23 tribute any remaining funds not so applied according to
24 the following ratio:

1 “(1) Seventy percent of the remaining funds
2 shall be available to carry out section 10995D.

3 “(2) Thirty percent of the remaining funds
4 shall be available to carry out section 10995E.

5 **“SEC. 10995D. ADVANCED PLACEMENT PROGRAM GRANTS.**

6 “(a) GRANTS AUTHORIZED.—

7 “(1) IN GENERAL.—From amounts appro-
8 priated under section 10995H and made available
9 under section 10995C(1) for a fiscal year, the Sec-
10 retary shall award grants, on a competitive basis, to
11 eligible entities to enable the eligible entities to carry
12 out the authorized activities described in subsection
13 (c).

14 “(2) DURATION AND PAYMENTS.—

15 “(A) DURATION.—The Secretary shall
16 award a grant under this section for a period
17 of 3 years.

18 “(B) PAYMENTS.—The Secretary shall
19 make grant payments under this section on an
20 annual basis.

21 “(3) DEFINITION OF ELIGIBLE ENTITY.—In
22 this section, the term ‘eligible entity’ means a State
23 educational agency, or a local educational agency, in
24 the State.

1 “(b) PRIORITY.—In awarding grants under this sec-
2 tion the Secretary shall give priority to eligible entities
3 submitting applications under subsection (d) that
4 demonstrate—

5 “(1) a pervasive need for access to advanced
6 placement incentive programs;

7 “(2) the involvement of business and commu-
8 nity organizations in the activities to be assisted;

9 “(3) the availability of matching funds from
10 State or local sources to pay for the cost of activities
11 to be assisted;

12 “(4) a focus on developing or expanding ad-
13 vanced placement programs and participation in the
14 core academic areas of English, mathematics, and
15 science; and

16 “(5)(A) in the case of an eligible entity that is
17 a State educational agency, the State educational
18 agency carries out programs in the State that
19 target—

20 “(i) local educational agencies serving
21 schools with a high concentration of low-income
22 students; or

23 “(ii) schools with a high concentration of
24 low-income students; or

1 “(B) in the case of an eligible entity that is a
 2 local educational agency, the local educational agen-
 3 cy serves schools with a high concentration of low-
 4 income students.

5 “(c) AUTHORIZED ACTIVITIES.—An eligible entity
 6 may use grant funds under this section to expand access
 7 for low-income individuals to advanced placement incen-
 8 tive programs that involve—

9 “(1) teacher training;

10 “(2) preadvanced placement course develop-
 11 ment;

12 “(3) curriculum coordination and articulation
 13 between grade levels that prepare students for ad-
 14 vanced placement courses;

15 “(4) curriculum development;

16 “(5) books and supplies; and

17 “(6) any other activity directly related to ex-
 18 panding access to and participation in advanced
 19 placement incentive programs particularly for low-in-
 20 come individuals.

21 “(d) APPLICATION.—Each eligible entity desiring a
 22 grant under this section shall submit an application to the
 23 Secretary at such time, in such manner, and accompanied
 24 by such information as the Secretary may require.

25 “(e) DATA COLLECTION AND REPORTING.—

1 “(1) DATA COLLECTION.—Each eligible entity
2 receiving a grant under this section shall annually
3 report to the Secretary—

4 “(A) the number of students taking ad-
5 vanced placement courses who are served by the
6 eligible entity;

7 “(B) the number of advanced placement
8 tests taken by students served by the eligible
9 entity;

10 “(C) the scores on the advanced placement
11 tests; and

12 “(D) demographic information regarding
13 individuals taking the advanced placement
14 courses and tests disaggregated by race, eth-
15 nicity, sex, English proficiency status, and so-
16 cioeconomic status.

17 “(2) REPORT.—The Secretary shall annually
18 compile the information received from each eligible
19 entity under paragraph (1) and report to Congress
20 regarding the information.

21 **“SEC. 10995E. ONLINE ADVANCED PLACEMENT COURSES.**

22 “(a) GRANTS AUTHORIZED.—From amounts appro-
23 priated under section 10995H and made available under
24 section 10995C(2) for a fiscal year, the Secretary shall
25 award grants to State educational agencies to enable such

1 agencies to award grants to local educational agencies to
 2 provide students with online advanced placement courses.

3 “(b) STATE EDUCATIONAL AGENCY APPLICA-
 4 TIONS.—

5 “(1) APPLICATION REQUIRED.—Each State
 6 educational agency desiring a grant under this sec-
 7 tion shall submit an application to the Secretary at
 8 such time, in such manner, and accompanied by
 9 such information as the Secretary may require.

10 “(2) AWARD BASIS.—The Secretary shall award
 11 grants under this section on a competitive basis.

12 “(c) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—
 13 Each State educational agency receiving a grant award
 14 under subsection (b) shall award grants to local edu-
 15 cational agencies within the State to carry out activities
 16 described in subsection (e). In awarding grants under this
 17 subsection, the State educational agency shall give priority
 18 to local educational agencies that—

19 “(1) serve high concentrations of low-income
 20 students;

21 “(2) serve rural areas; and

22 “(3) the State educational agency determines
 23 will not have access to online advanced placement
 24 courses without assistance provided under this sec-
 25 tion.

1 “(d) **CONTRACTS.**—A local educational agency that
 2 receives a grant under this section may enter into a con-
 3 tract with a nonprofit or for-profit organization to provide
 4 the online advanced placement courses, including con-
 5 tracting for necessary support services.

6 “(e) **USES.**—Grant funds provided under this section
 7 may be used to purchase the online curriculum, to train
 8 teachers with respect to the use of online curriculum, or
 9 to purchase course materials.

10 **“SEC. 10995F. ADVANCED PLACEMENT INCENTIVE PRO-**
 11 **GRAM.**

12 “(a) **GRANTS AUTHORIZED.**—From amounts appro-
 13 priated under section 10995H and made available under
 14 section 10995C for a fiscal year, the Secretary shall award
 15 grants to State educational agencies having applications
 16 approved under subsection (c) to enable the State edu-
 17 cational agencies to reimburse low-income individuals to
 18 cover part or all of the costs of advanced placement test
 19 fees, if the low-income individuals—

20 “(1) are enrolled in an advanced placement
 21 class; and

22 “(2) plan to take an advanced placement test.

23 “(b) **AWARD BASIS.**—In determining the amount of
 24 the grant awarded to each State educational agency under
 25 this section for a fiscal year, the Secretary shall consider

1 the number of children eligible to be counted under section
2 1124(c) in the State in relation to the number of such
3 children so counted in all the States.

4 “(c) INFORMATION DISSEMINATION.—A State edu-
5 cational agency shall disseminate information regarding
6 the availability of advanced placement test fee payments
7 under this section to eligible individuals through secondary
8 school teachers and guidance counselors.

9 “(d) APPLICATIONS.—Each State educational agency
10 desiring a grant under this section shall submit an appli-
11 cation to the Secretary at such time, in such manner, and
12 accompanied by such information as the Secretary may
13 require. At a minimum, each State educational agency ap-
14 plication shall—

15 “(1) describe the advanced placement test fees
16 the State educational agency will pay on behalf of
17 low-income individuals in the State from grant funds
18 made available under this section;

19 “(2) provide an assurance that any grant funds
20 received under this section, other than funds used in
21 accordance with subsection (e), shall be used only to
22 pay for advanced placement test fees; and

23 “(3) contain such information as the Secretary
24 may require to demonstrate that the State will en-
25 sure that a student is eligible for payments under

1 this section, including documentation required under
2 chapter 1 of subpart 2 of part A of title IV of the
3 Higher Education Act of 1965.

4 “(e) ADDITIONAL USES OF FUNDS.—If each eligible
5 low-income individual in a State pays not more than a
6 nominal fee to take an advanced placement test in a core
7 subject, then a State educational agency may use grant
8 funds made available under this section that remain after
9 advanced placement test fees have been paid on behalf of
10 all eligible low-income individuals in the State, for activi-
11 ties directly related to increasing—

12 “(1) the enrollment of low-income individuals in
13 advanced placement courses;

14 “(2) the participation of low-income individuals
15 in advanced placement courses; and

16 “(3) the availability of advanced placement
17 courses in schools serving high-poverty areas.

18 “(f) SUPPLEMENT, NOT SUPPLANT.—Grant funds
19 provided under this section shall supplement, and not sup-
20 plant, other non-federal funds that are available to assist
21 low-income individuals in paying for the cost of advanced
22 placement test fees.

23 “(g) REGULATIONS.—The Secretary shall prescribe
24 such regulations as are necessary to carry out this section.

1 “(h) REPORT.—Each State educational agency annu-
2 ally shall report to the Secretary information regarding—

3 “(1) the number of low-income individuals in
4 the State who received assistance under this section;
5 and

6 “(2) any activities carried out pursuant to sub-
7 section (e).

8 “(i) DEFINITIONS.—In this section:

9 “(1) ADVANCED PLACEMENT TEST.—The term
10 ‘advanced placement test’ includes only an advanced
11 placement test approved by the Secretary for the
12 purposes of this section.

13 “(2) LOW-INCOME INDIVIDUAL.—The term
14 ‘low-income individual’ has the meaning given the
15 term in section 402A(g)(2) of the Higher Education
16 Act of 1965.

17 **“SEC. 10995G. DEFINITIONS.**

18 “In this part:

19 “(1) ADVANCED PLACEMENT INCENTIVE PRO-
20 GRAM.—The term ‘advanced placement incentive
21 program’ means a program that provides advanced
22 placement activities and services to low-income indi-
23 viduals.

24 “(2) ADVANCED PLACEMENT TEST.—The term
25 ‘advanced placement test’ means an advanced place-

1 ment test administered by the College Board or ap-
 2 proved by the Secretary.

3 “(3) HIGH CONCENTRATION OF LOW-INCOME
 4 STUDENTS.—The term ‘high concentration of low-in-
 5 come students’, used with respect to a State edu-
 6 cational agency, local educational agency or school,
 7 means an agency or school, as the case may be, that
 8 serves a student population 40 percent or more of
 9 whom are from families with incomes below the pov-
 10 erty level, as determined in the same manner as the
 11 determination is made under section 1124(c)(2).

12 “(4) LOW-INCOME INDIVIDUAL.—The term
 13 ‘low-income individual’ means, other than for pur-
 14 poses of section 10995F, a low-income individual (as
 15 defined in section 402A(g)(2) of the Higher Edu-
 16 cation Act of 1965 who is academically prepared to
 17 take successfully an advanced placement test as de-
 18 termined by a school teacher or advanced placement
 19 coordinator taking into consideration factors such as
 20 enrollment and performance in an advanced place-
 21 ment course or superior academic ability.

22 “(5) INSTITUTION OF HIGHER EDUCATION.—
 23 The term ‘institution of higher education’ has the
 24 meaning given the term in section 101(a) of the
 25 Higher Education Act of 1965.

1 “(6) STATE.—The term ‘State’ means each of
2 the several States of the United States, the District
3 of Columbia, the Commonwealth of Puerto Rico,
4 Guam, American Samoa, the United States Virgin
5 Islands, the Republic of the Marshall Islands, the
6 Federated States of Micronesia, and the Republic of
7 Palau.

8 **“SEC. 10995H. AUTHORIZATION OF APPROPRIATIONS.**

9 “For the purpose of carrying out this part, there are
10 authorized to be appropriated \$50,000,000 for fiscal year
11 2001, and such sums as may be necessary for each of the
12 4 succeeding fiscal years.”.

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