

109TH CONGRESS
1ST SESSION

H. R. 547

To improve graduation rates by authorizing the Secretary of Education to make grants to improve adolescent literacy, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2005

Mr. HINOJOSA (for himself, Mr. GENE GREEN of Texas, Mr. MCGOVERN, Mr. VAN HOLLEN, Mr. MENENDEZ, Mr. FILNER, Mrs. DAVIS of California, Mr. WEINER, Mr. GONZALEZ, Mr. ANDREWS, Mr. OWENS, Ms. LEE, Mrs. MCCARTHY, Mrs. NAPOLITANO, Mr. SCHIFF, Mr. KUCINICH, Mr. ORTIZ, Mr. BECERRA, Mr. GUTIERREZ, Mr. GRIJALVA, Mr. PAYNE, Ms. LINDA T. SÁNCHEZ of California, Ms. MILLENDER-McDONALD, Mr. CARDOZA, Ms. MCCOLLUM of Minnesota, Mr. DELAHUNT, Mr. ABERCROMBIE, Mr. CLEAVER, Mr. REYES, Mr. ACKERMAN, Mr. DOGGETT, Ms. WATSON, Mr. PALLONE, Mr. UDALL of New Mexico, Mr. HONDA, Mr. WEXLER, Mr. NADLER, Mr. SERRANO, Mr. FATTAH, Mr. ETHERIDGE, Mr. RUSH, Mr. DAVIS of Illinois, Ms. VELÁZQUEZ, Mr. BACA, Mr. HOLT, Mr. RANGEL, Mr. STARK, Ms. WOOLSEY, Mr. PASTOR, Mr. NEAL of Massachusetts, Mr. PASCRELL, Mr. WU, Mr. GEORGE MILLER of California, Ms. SOLIS, Mrs. JONES of Ohio, Mr. CASE, Mr. EMANUEL, Mr. HOYER, Mr. CUELLAR, Mr. SALAZAR, Mr. FRANK of Massachusetts, Ms. ROYBAL-ALLARD, Mr. TAYLOR of North Carolina, Mr. SCOTT of Virginia, Mr. KIND, Mrs. CAPPS, Ms. JACKSON-LEE of Texas, Mr. ENGEL, and Mr. EDWARDS) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To improve graduation rates by authorizing the Secretary of Education to make grants to improve adolescent literacy, 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 “Graduation for All
5 Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

8 (1) Failure to earn a high school diploma has
9 serious economic and social consequences for individ-
10 uals and the Nation.

11 (2) Recent studies show that less than 75 per-
12 cent of all eighth graders graduate from high school
13 in 5 years, and in urban schools the rate falls below
14 50 percent.

15 (3) 40 percent of students attending high-mi-
16 nority-enrollment secondary schools enroll in reme-
17 dial coursework when entering higher education in
18 an effort to gain the skills their secondary education
19 failed to provide.

20 (4) Students who receive concentrated, focused
21 support in literacy graduate from high school and
22 attend college in far greater numbers.

23 (5) On the 2002 National Assessment of Edu-
24 cational Progress, one in four students in the eighth
25 grade scored below basic in reading.

1 (6) Improving the literacy skills of adolescents
2 is a key factor in improving high school graduation
3 rates.

4 **TITLE I—IMPROVING** 5 **ADOLESCENT LITERACY**

6 **SEC. 101. PURPOSES.**

7 The purposes of this title are—

8 (1) to provide assistance to State educational
9 agencies and local educational agencies in estab-
10 lishing effective research-based reading programs for
11 students attending secondary schools (including mid-
12 dle schools and high schools, as defined by the local
13 education agency) including economically disadvan-
14 tagged students, students from major racial and eth-
15 nic groups, students with disabilities, students with
16 limited English proficiency, migrant children, and
17 homeless children;

18 (2) to provide adequate resources to schools to
19 hire, and to provide in-service training for, at least
20 one literacy coach per 600 students or 20 teachers,
21 whichever requires the greater number of literacy
22 coaches, who can assist all teachers to incorporate
23 research-based reading and writing instruction or
24 English as a second language instruction into their
25 teaching of mathematics, science, history, civics, ge-

1 ography, literature, language arts, and other core
2 academic subjects;

3 (3) to provide assistance to State educational
4 agencies and local educational agencies in strength-
5 ening reading and writing instruction and providing
6 diagnostic reading assessments and comprehensive
7 research-based programs and instructional materials
8 that will improve overall reading and writing per-
9 formance among students attending secondary
10 schools; and

11 (4) to provide assistance to State educational
12 agencies and local educational agencies to develop
13 and implement individual graduation plans for stu-
14 dents who are most at risk of not graduating from
15 high school so that such students graduate with a
16 high school diploma before reaching 21 years of age
17 or the maximum age for high school attendance in
18 accordance with State law.

19 **SEC. 102. PROGRAM AUTHORIZED.**

20 The Secretary is authorized to establish a program,
21 in accordance with the requirements of this title, that will
22 provide funds to State educational agencies and local edu-
23 cational agencies to establish reading and writing pro-
24 grams to improve overall reading and writing performance
25 among students attending secondary schools (including

1 middle and high schools, as defined by the local education
2 agency).

3 **SEC. 103. GRANTS TO STATES.**

4 (a) ALLOCATION TO STATES.—The Secretary shall
5 allocate funds to States—

6 (1) to establish a reading and writing partner-
7 ship to increase the literacy skills for all students,
8 including strategies for economically disadvantaged
9 students, students from major racial and ethnic
10 groups, students with disabilities, students with lim-
11 ited English proficiency, migrant children, and
12 homeless children;

13 (2) to coordinate applications for subgrants
14 under this title; and

15 (3) to oversee and evaluate the State's activities
16 under this title.

17 (b) LENGTH OF GRANT.—Grants made to States
18 under this title shall be in effect for a period of 6 years.

19 (c) APPLICATIONS.—In order to receive a grant
20 under this title, a State shall submit to the Secretary an
21 application in a form established by the Secretary, which
22 satisfies the following conditions:

23 (1) The application shall not be consolidated
24 with an application made under the Elementary and

1 Secondary Education Act of 1965 (20 U.S.C. 6301
2 et seq.).

3 (2) The application shall include assurances
4 that the State—

5 (A) has established a reading and writing
6 partnership that—

7 (i) coordinated the application; and

8 (ii) will assist in administering the
9 program; and

10 (B) will participate, if requested, in the ex-
11 ternal national evaluation of the program.

12 (3) The application shall include a program
13 plan that contains a description of the following:

14 (A) How the State will assist local edu-
15 cational agencies in implementing grants, in-
16 cluding providing ongoing professional develop-
17 ment for literacy coaches, teachers, paraprofes-
18 sionals, and administrators.

19 (B) How the State will help local edu-
20 cational agencies identify screening, diagnostic,
21 and classroom-based instructional reading and
22 writing assessments.

23 (C) How the State will help local edu-
24 cational agencies identify scientifically based
25 materials and programs.

1 (D) How the State will help local edu-
2 cational agencies identify materials, programs,
3 and assessments for economically disadvantaged
4 students, students from major racial and ethnic
5 groups, students with disabilities, students with
6 limited English proficiency, migrant children,
7 and homeless children.

8 (E) How the State will ensure that profes-
9 sional development is based on scientifically
10 based reading research, will effectively improve
11 instructional practices for reading and writing,
12 and is coordinated with professional develop-
13 ment activities funded through other programs.

14 (F) How funded activities will help teach-
15 ers and other instructional staff to implement
16 scientifically based components of reading in-
17 struction.

18 (G) The subgrant process, including how
19 the State will ensure that eligible local edu-
20 cational agencies receiving subgrants will use
21 practices based on scientifically based reading
22 research.

23 (H) How the State will build on, and pro-
24 mote coordination among, reading and writing
25 programs in the State to increase overall effec-

1 tiveness in reading and writing instruction, in-
2 cluding effectiveness among economically dis-
3 advantaged students, students from major ra-
4 cial and ethnic groups, students with disabil-
5 ities, students with limited English proficiency,
6 migrant children, and homeless children.

7 (I) How the State will assist local edu-
8 cational agencies receiving subgrants under this
9 title in providing one-on-one counseling to de-
10 velop graduation plans for students at risk of
11 not graduating on time.

12 (J) How the State will assess and evaluate
13 the effectiveness of eligible local educational
14 agency activities on a regular basis.

15 (d) USE OF FUNDS.—

16 (1) SUBGRANTS.—Each State shall allocate 80
17 percent of the funds the State receives under this
18 title to local educational agencies, utilizing a com-
19 petitive priority based upon the graduation rate for
20 students attending middle schools and high schools.

21 (2) STATE-LEVEL ACTIVITIES.—

22 (A) IN GENERAL.—Each State educational
23 agency shall use 20 percent of the grant funds
24 the State educational agency receives under this
25 title—

1 (i) to carry out State-level activities
2 described in subsection (c);

3 (ii) to provide technical support to
4 local educational agencies and high-quality
5 professional development to teachers and
6 literacy coaches;

7 (iii) to provide grants to secondary
8 schools that have low graduation rates but
9 are not in a local education agency with
10 low graduation rates; and

11 (iv) for administrative costs.

12 (B) LIMITATION.—Not more than 10 per-
13 cent of the grant funds distributed to a State
14 under this title for any fiscal year may be used
15 for planning, administration, and reporting.

16 (e) NOTICE TO LOCAL EDUCATION AGENCIES.—
17 Each State receiving a grant under this title shall provide
18 notice to all eligible local educational agencies about the
19 availability of subgrants under this title.

20 (f) REVIEW OF APPLICATIONS.—State applications
21 shall be reviewed by the Secretary in the order in which
22 they are received.

23 **SEC. 104. SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.**

24 (a) ELIGIBILITY REQUIREMENT.—To be eligible to
25 receive a subgrant under this title, a local educational

1 agency shall be among the local educational agencies in
2 the State with the lowest graduation rates for public sec-
3 ondary school students (as defined in section
4 1111(b)(2)(C)(vi) of the Elementary and Secondary Edu-
5 cation Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi))).

6 (b) APPLICATIONS.—

7 (1) IN GENERAL.—Local educational agencies
8 shall submit applications to the State in the form
9 and according to the schedule established by the
10 State.

11 (2) CONTENTS.—In addition to any other infor-
12 mation required by the State, applications for sub-
13 grants under this title shall demonstrate how the
14 local educational agency will carry out the following
15 required activities:

16 (A) Reading assessments.

17 (B) Reading programs.

18 (C) Reading and writing programs for eco-
19 nomically disadvantaged students, students
20 from major racial and ethnic groups, students
21 with disabilities, students with limited English
22 proficiency, migrant children, and homeless
23 children.

1 (D) One-on-one counseling to develop grad-
2 uation plans for students at risk of not grad-
3 uating on time.

4 (E) Selection and implementation of in-
5 structional materials based on scientifically
6 based reading research.

7 (F) Professional development, including in-
8 struction on how to identify and work with eco-
9 nomically disadvantaged students, students
10 from major racial and ethnic groups, students
11 with disabilities, students with limited English
12 proficiency, migrant children, and homeless
13 children.

14 (G) Evaluation strategies.

15 (H) Reporting.

16 (I) Providing access to reading material,
17 including reading materials for economically
18 disadvantaged students, students from major
19 racial and ethnic groups, students with disabil-
20 ities, students with limited English proficiency,
21 migrant children, and homeless children.

22 (3) CONSORTIA.—Local educational agencies
23 may apply to the State for a grant as a consortium,
24 if each member of the consortium meets the eligi-
25 bility requirement described in subsection (a).

1 (c) USE OF FUNDS.—A local educational agency re-
2 ceiving a subgrant under this title shall use the funds to
3 provide the following services at the middle school and
4 high school levels (as defined by the agency):

5 (1) Hiring and providing inservice training for
6 literacy coaches who shall—

7 (A) work with classroom teachers to incor-
8 porate reading and writing instruction within
9 all subject areas, during regular classroom peri-
10 ods and after school and summer school pro-
11 grams, for all students, including economically
12 disadvantaged students, students from major
13 racial and ethnic groups, students with disabil-
14 ities, students with limited English proficiency,
15 migrant children, and homeless children;

16 (B) work with classroom teachers to iden-
17 tify students with reading problems and provide
18 remediation or referral for additional services;

19 (C) in partnership with classroom teachers,
20 diagnose and remediate reading difficulties of
21 the lowest performing students (including low-
22 performing economically disadvantaged stu-
23 dents, students from major racial and ethnic
24 groups, students with disabilities, students with
25 limited English proficiency, migrant children,

1 and homeless children) by providing intensive,
2 research-based instruction (including before-
3 and after-school and summer sessions) focused
4 on reading and writing skills and geared toward
5 ensuring that such students can perform rig-
6 orous academic coursework in high school; and

7 (D) assess and organize student data on
8 literacy and communicate such data to school
9 administrators.

10 (2) Providing one-on-one counseling to all stu-
11 dents, beginning in grade 9, who are at risk of not
12 graduating on time because of insufficient accumula-
13 tion of credits, failure to pass State graduation ex-
14 aminations, or low or failing grades, which coun-
15 seling shall include—

16 (A) developing individual graduation plans
17 for such students so that they are able to grad-
18 uate from high school with a standard diploma
19 before reaching 21 years of age or the max-
20 imum age for high school attendance in accord-
21 ance with State law;

22 (B) working with students and their par-
23 ents or caregivers to develop an individual grad-
24 uation plan that will define each student's ca-
25 reer and education goals, ensure enrollment in

1 the coursework necessary for graduation and
2 preparation for postsecondary education and
3 work, and identify the courses and supple-
4 mental services necessary to meet those goals;

5 (C) advocating for the student, helping the
6 student to access the services and supports nec-
7 essary to achieving the goals in the individual
8 graduation plan; and

9 (D) ensuring that limited or non-English
10 speaking parents are able to understand the
11 goals outlined in such plan and to participate in
12 assisting their child in meeting such goals;

13 (3) As necessary, hiring personnel to implement
14 the requirements of paragraph (2).

15 (4) Reviewing, analyzing, developing, and,
16 where possible, adapting curricula to ensure literacy
17 skills are taught within the content area subjects.

18 (5) Providing reading professional development
19 for all teachers in middle and high schools that ad-
20 dresses both remedial and higher level literacy skills
21 for students in the applicable curricula.

22 (6) Providing professional development for all
23 teachers, administrators, and paraprofessionals,
24 where appropriate, in middle and high schools that
25 addresses the literacy needs of economically dis-

1 \$1,000,000,000 for fiscal year 2006 and such sums as
2 may be necessary for the 5 succeeding fiscal years.

3 (b) SPECIAL RULE.—

4 (1) IN GENERAL.—If the funds appropriated
5 under this section for a fiscal year are less than
6 \$500,000,000, then the Secretary shall award
7 grants, on a competitive basis, directly to eligible
8 local educational agencies to establish reading and
9 writing programs to improve overall reading and
10 writing performance among students in middle
11 school and secondary school.

12 (2) ELIGIBILITY REQUIREMENT.—To be eligible
13 to receive a grant under this subsection, a local edu-
14 cational agency shall be among the local educational
15 agencies in the State with the lowest graduation
16 rates for public secondary school students (as de-
17 fined in section 1111(b)(2)(C)(vi) of the Elementary
18 and Secondary Education Act of 1965 (20 U.S.C.
19 6311(b)(2)(C)(vi))).

20 (c) STATE ALLOCATIONS.—

21 (1) IN GENERAL.—Of the funds appropriated
22 under subsection (a), 95 percent shall be allocated to
23 the States submitting applications under this title.

1 (2) MINIMUM.—The minimum State allocation
2 is 0.25 percent of the total amount allocated to
3 States.

4 (3) PUERTO RICO.—For any fiscal year, Puerto
5 Rico shall receive an allocation that represents not
6 more than the percentage of the total allocation it
7 received under part A of title I of the Elementary
8 and Secondary Education Act of 1965 (20 U.S.C.
9 6311 et seq.) for the preceding fiscal year.

10 (4) SUPPLEMENT, NOT SUPPLANT.—States
11 shall not use funds received under this title to sup-
12 plant funding already being provided by the State
13 for such activities or for other educational activities.
14 Funds may only be used to provide new services au-
15 thorized under this title.

16 (5) REALLOCATION.—If a State does not apply
17 for funding, the Secretary shall reallocate such
18 State's funds to the remaining States.

19 (d) FUNDS RETAINED BY THE SECRETARY.—Funds
20 retained by the Secretary shall be used to fund national
21 activities in support of the programs funded under this
22 title, except that the Secretary may not make direct grants
23 to local educational agencies except as provided in sub-
24 section (b).

25 (e) LOCAL EDUCATIONAL AGENCY SUBGRANTS.—

1 (1) MINIMUM.—For any fiscal year, each eligi-
2 ble local educational agency shall receive a minimum
3 subgrant amount equal to at least the percentage of
4 the total allocation it received under part A of title
5 I of the Elementary and Secondary Education Act
6 of 1965 (20 U.S.C. 6311 et seq.) for the preceding
7 fiscal year.

8 (2) FULL IMPLEMENTATION.—Subgrants to eli-
9 gible local educational agencies shall be of sufficient
10 size and scope to enable such entities to fully imple-
11 ment programs.

12 (3) SUPPLEMENT, NOT SUPPLANT.—Local edu-
13 cational agencies shall not use funds received under
14 this title to supplant funding already being provided
15 by a local educational agency for such activities or
16 for other educational activities. Funds may only be
17 used to provide new services authorized under this
18 title.

19 **SEC. 106. DEFINITIONS.**

20 For the purposes of this title:

21 (1) INDIVIDUAL GRADUATION PLAN.—The term
22 “individual graduation plan” means a written plan,
23 developed in partnership school personnel, parents,
24 and students, to list the steps necessary for the indi-

1 vidual to achieve high school graduation with a
2 standard diploma.

3 (2) LITERACY COACH.—The term “literacy
4 coach” means a certified teacher, with a dem-
5 onstrated effectiveness in teaching reading to stu-
6 dents with specialized needs and the ability to work
7 with classroom teachers to improve their instruc-
8 tional techniques to support reading and writing im-
9 provement, who works on site at a school to—

10 (A) train teachers from across the cur-
11 riculum to incorporate the teaching of reading
12 and writing skills into their instruction of con-
13 tent;

14 (B) train teachers to assess students’ read-
15 ing and writing skills and identify students re-
16 quiring remediation; and

17 (C) provide or assess remedial literacy in-
18 struction, including for after school and sum-
19 mer school programs, for students requiring at-
20 tention, including economically disadvantaged
21 students, students from major racial and ethnic
22 groups, students with disabilities, students with
23 limited English proficiency, migrant children,
24 and homeless children.

1 (3) SECRETARY.—The term “Secretary” means
2 the Secretary of Education.

3 (4) STATE.—The term “State” means the 50
4 States, the Bureau of Indian Affairs, the District of
5 Columbia, Puerto Rico, the Virgin Islands, Guam,
6 American Samoa, and the Commonwealth of the
7 Northern Mariana Islands.

8 **TITLE II—ACCOUNTABILITY**

9 **SEC. 201. ACCOUNTABILITY FOR ADEQUATE YEARLY** 10 **PROGRESS.**

11 Section 1111(b)(2)(C) of the Elementary and Sec-
12 ondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C))
13 is amended—

14 (1) in clause (v)—

15 (A) by striking the semicolon at the end of
16 subclause (II) and inserting a period; and

17 (B) by inserting after subclause (II) the
18 following:

19 “(III) In the case of secondary
20 schools, the graduation rates for all
21 students as described in clause (vi);”;
22 and

23 (2) by amending clause (vi) to read as follows:

24 “(vi) in accordance with subparagraph
25 (D), includes graduation rates for public

1 secondary school students (defined as the
2 percentage of students who graduate from
3 secondary school with a regular diploma,
4 as defined by the State, before reaching 21
5 years of age or the maximum age for high
6 school attendance in accordance with State
7 law), measured separately for each group
8 described in clause (v).”.

9 **SEC. 202. GRADUATION RATE INFORMATION ON ANNUAL**
10 **STATE REPORT CARDS.**

11 Section 1111(h)(1)(C) of the Elementary and Sec-
12 ondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C))
13 is amended—

14 (1) in clause (vii), by striking “and” at the end;

15 (2) in clause (viii), by striking the period at the
16 end and inserting “; and”; and

17 (3) by adding at the end the following:

18 “(ix) for secondary schools, informa-
19 tion in the aggregate on graduate rates de-
20 scribed in section 1111(b)(2)(C)(vi),
21 disaggregated as described in clause (i).”.

1 **SEC. 203. ADULT EDUCATION AND FAMILY LITERACY ACT**

2 **ADMINISTRATIVE PROVISIONS.**

3 Section 241 of the Adult Education and Family Lit-
4 eracy Act (20 U.S.C. 9251) is amended by adding at the
5 end the following:

6 “(c) REPORTS.—

7 “(1) REPORTS TO THE SECRETARY.—An eligi-
8 ble agency receiving funds under this title shall an-
9 nually provide the Secretary with a report on the
10 number participants who are 16, 17, or 18 years of
11 age in the programs and services provided under
12 section 231, disaggregated by race, ethnicity, gen-
13 der, limited English proficiency status, disability,
14 and socioeconomic status.

15 “(2) REPORTS TO CONGRESS.—Not later than
16 June 30, 2007, and by June 30 annually thereafter,
17 the Secretary shall submit a report to the Congress
18 containing the results of the eligible agency reports
19 required by paragraph (1).”.

○