

110TH CONGRESS
1ST SESSION

H. R. 3763

To award competitive grants to eligible partnerships to enable the partnerships to implement innovative strategies at the secondary school level to improve student achievement and prepare at-risk students for postsecondary education and the workforce.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 4, 2007

Mr. LOEBSACK (for himself, Mr. PAYNE, Mr. HARE, and Ms. MATSUI) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To award competitive grants to eligible partnerships to enable the partnerships to implement innovative strategies at the secondary school level to improve student achievement and prepare at-risk students for postsecondary education and the workforce.

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 “Getting Retention and
5 Diplomas Up Among Today’s Enrolled Students Act” or
6 the “GRADUATES Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Since almost 90 percent of the fastest grow-
4 ing and best paying jobs now require some postsec-
5 ondary education, a secondary school diploma and
6 the skills to succeed in higher education and the
7 modern workplace are essential.

8 (2) Only $\frac{1}{3}$ of all high school students in the
9 United States graduate in 4 years prepared for a 4-
10 year institution of higher education. Another $\frac{1}{3}$
11 graduate, but without the skills and qualifications
12 necessary for success in higher education or the
13 workplace, and the rest will not graduate from high
14 school in 4 years, if at all.

15 (3) Dropouts from the class of 2006 will cost
16 the United States more than \$309,000,000,000 in
17 reduced earnings.

18 (4) The Nation's failure to meet the increasing
19 demand for skilled workers means that American
20 companies cannot fill a large number of jobs.
21 Eighty-one percent of American manufacturing com-
22 panies report experiencing a moderate to severe
23 shortage of qualified workers.

24 (5) International competition has made edu-
25 cation a national security issue. For example, the
26 United States currently runs a \$30,000,000,000 ad-

1 vanced technology trade deficit with China. Many
2 other countries are developing the technology, infra-
3 structure, and knowledge base to export quality
4 products with inexpensive labor. The education sys-
5 tem of the United States should support critical
6 thinking, creativity, and innovative approaches to
7 new opportunities, which are commodities that can-
8 not be outsourced.

9 (6) As the bar for success continues to be
10 raised, the responsibility to engender these attributes
11 with progressive programs and original models lies
12 squarely with the education system. It is imperative
13 that the United States develop and implement new,
14 innovative approaches to fully prepare every student
15 for the 21st century.

16 (7) Realigning the education system to meet
17 new, demanding requirements and face intensifying
18 competition requires effective, systemic reform. Iden-
19 tifying effective, replicable models that achieve this
20 goal is a critical step towards enhancing the pros-
21 pects of all students entering the modern workforce.

22 **SEC. 3. SECONDARY SCHOOL INNOVATION FUND.**

23 (a) SECONDARY SCHOOL INNOVATION FUND.—Title
24 I of the Elementary and Secondary Education Act of 1965
25 (20 U.S.C. 6301 et seq.) is amended—

1 (1) by redesignating part I as part J; and

2 (2) by inserting after section 1830 the fol-
3 lowing:

4 **“PART I—SECONDARY SCHOOL INNOVATION**
5 **FUND**

6 **“SEC. 1851. PURPOSES.**

7 “The purposes of this part are—

8 “(1) to improve the achievement of at-risk sec-
9 ondary school students and prepare such students
10 for higher education and the workforce;

11 “(2) to create evidence-based, replicable models
12 of innovation in secondary schools at the State and
13 local level; and

14 “(3) to support partnerships to create and in-
15 form innovation at the State and local level to im-
16 prove learning outcomes and transitions for sec-
17 ondary school students.

18 **“SEC. 1852. DEFINITIONS.**

19 “In this part:

20 “(1) ELIGIBLE PARTNERSHIP.—The term ‘eligi-
21 ble partnership’ means a partnership that includes—

22 “(A) not less than 1—

23 “(i) State educational agency; or

24 “(ii) local educational agency that is
25 eligible for assistance under part A; and

1 “(B) not less than 1—
2 “(i) institution of higher education;
3 “(ii) nonprofit organization;
4 “(iii) community-based organization;
5 “(iv) business; or
6 “(v) school development organization
7 or intermediary.

8 “(2) ELIGIBLE SCHOOL.—The term ‘eligible
9 school’ means a public secondary school served by a
10 local educational agency that is eligible for assist-
11 ance under part A.

12 “(3) HIGH SCHOOL.—The term ‘high school’
13 means a public school, including a public charter
14 high school, that provides education in any grade be-
15 ginning with grade 9 and ending with grade 12, as
16 determined under State law.

17 “(4) MIDDLE SCHOOL.—The term ‘middle
18 school’ means a public school, including a public
19 charter middle school, that provides middle edu-
20 cation in any grade beginning with grade 5 and end-
21 ing with grade 8, as determined under State law.

22 “(5) SECONDARY SCHOOL.—The term ‘sec-
23 ondary school’ has the meaning given the term in
24 section 9101.

1 **“SEC. 1853. SECONDARY SCHOOL INNOVATION FUND.**

2 “(a) PROGRAM AUTHORIZED.—

3 “(1) GRANTS TO ELIGIBLE PARTNERSHIPS.—

4 The Secretary is authorized to award grants, on a
5 competitive basis, to eligible partnerships to enable
6 the eligible partnerships to pay the Federal share of
7 the costs of implementing innovative strategies de-
8 scribed in subsection (f) to improve the achievement
9 of at-risk students in secondary schools.

10 “(2) SUBGRANTS TO ELIGIBLE SCHOOLS.—An
11 eligible partnership that receives a grant under this
12 part may use the grant funds to award a subgrant
13 to an eligible school to enable the eligible school to
14 implement innovative strategies described in sub-
15 section (f) to improve the achievement of at-risk stu-
16 dents at the eligible school.

17 “(b) RESERVATION OF FUNDS.—The Secretary shall
18 reserve 5 percent of the amounts appropriated under this
19 part for a fiscal year for the evaluation described in sub-
20 section (h).

21 “(c) APPLICATION.—

22 “(1) IN GENERAL.—An eligible partnership de-
23 siring a grant under this part shall submit an appli-
24 cation to the Secretary at such time, in such man-
25 ner, and containing such information as the Sec-
26 retary may require.

1 “(2) CONTENTS.—The application described in
2 paragraph (1) shall include—

3 “(A) a description of the eligible partner-
4 ship, the partners forming the eligible partner-
5 ship, and the roles and responsibilities of each
6 partner, and a demonstration of each partner’s
7 capacity to support the outlined roles and re-
8 sponsibilities;

9 “(B) a description of how funds will be
10 used to improve the achievement of at-risk stu-
11 dents in secondary schools;

12 “(C) a description of how the activities
13 funded by the grant will be innovative, sys-
14 temic, evidence-based, and replicable;

15 “(D) a description of each subgrant the el-
16 igible partnership will award to an eligible
17 school, including a description of the eligible
18 school; and

19 “(E) a description of how the eligible part-
20 nership will measure and report improvement
21 using the data collected under subsection (g)
22 and additional indicators of improvement pro-
23 posed by the partnership, such as student at-
24 tendance or participation, credit accumulation
25 rates, core course failure rates, college enroll-

1 ment and persistence rates, or number or per-
2 centage of students taking Advanced Placement
3 (AP), International Baccalaureate (IB), or
4 other postsecondary education courses, rigorous
5 postsecondary education preparatory courses, or
6 workforce apprenticeship and training pro-
7 grams.

8 “(d) APPLICATION REVIEW AND AWARD BASIS.—

9 “(1) GRANT REVIEW AND APPROVAL.—The
10 Secretary shall—

11 “(A) establish a peer review process to as-
12 sist in the review of the grant applications and
13 approval of the grants under this section; and

14 “(B) appoint to the peer review process—

15 “(i) individuals who are educators and
16 experts in—

17 “(I) secondary school reform;

18 “(II) accountability;

19 “(III) secondary school improve-
20 ment;

21 “(IV) innovative education mod-
22 els; and

23 “(V) other educational needs of
24 secondary school students; and

1 “(ii) not less than 1 parent or com-
2 munity representative; and

3 “(C) ensure that each grant award is of
4 sufficient size and scope to carry out the activi-
5 ties proposed in the grant application, including
6 the evaluation required under subsection (g)(3).

7 “(2) AWARD BASIS.—In awarding grants under
8 this part, the Secretary shall ensure, to the extent
9 practicable—

10 “(A) diversity in the type of activities
11 funded under the grants;

12 “(B) an equitable geographic distribution
13 of the grants, including urban and rural areas;
14 and

15 “(C) that the grants support activities—

16 “(i) that target different grade levels
17 of students at the secondary school level;
18 and

19 “(ii) in a variety of types of secondary
20 schools, including middle schools and high
21 schools.

22 “(e) FEDERAL SHARE, NON-FEDERAL SHARE.—

23 “(1) FEDERAL SHARE.—The Federal share of a
24 grant under this part shall be not more than 75 per-

1 cent of the costs of the activities assisted under the
2 grant.

3 “(2) NON-FEDERAL SHARE.—The non-Federal
4 share shall be not less than 25 percent of the costs
5 of the activities assisted under the grant, of which
6 not more than 10 percent of the costs of the activi-
7 ties assisted under the grant may be provided in-
8 kind, fairly evaluated.

9 “(f) USE OF FUNDS.—An eligible partnership receiv-
10 ing a grant under this part, or an eligible school receiving
11 a subgrant under this part, shall use grant or subgrant
12 funds, respectively, to carry out 1 or more of the following
13 activities:

14 “(1) Creating multiple pathways, including the
15 creation of new public schools, that offer students a
16 range of educational options designed to meet the
17 students’ needs and interests and to lead to a sec-
18 ondary school diploma consistent with readiness for
19 postsecondary education and the workforce, which
20 pathways may include—

21 “(A) alternative public schools that—

22 “(i) use innovative strategies such as
23 flexible hours;

24 “(ii) provide competency-based in-
25 struction and performance-based assess-

1 ment to improve educational outcomes for
2 various populations of overaged and under-
3 credited students or dropouts, such as—

4 “(I) students not making suffi-
5 cient progress to graduate with a reg-
6 ular secondary school diploma in the
7 standard number of years;

8 “(II) students who need to work
9 to support themselves or their fami-
10 lies;

11 “(III) pregnant and parenting
12 teens; and

13 “(IV) students returning from
14 the juvenile justice system;

15 “(B) career and technical education pro-
16 grams;

17 “(C) career academies;

18 “(D) early college and dual enrollment
19 learning opportunities; and

20 “(E) creating more personalized and en-
21 gaging learning environments for secondary
22 school students, such as—

23 “(i) establishing smaller learning com-
24 munities;

1 “(ii) creating student advisories and
2 developing peer engagement strategies in
3 which students lead guidance activities,
4 mentoring, or tutoring efforts;

5 “(iii) involving students and parents
6 in the development of individualized stu-
7 dent plans for secondary school success
8 and graduation and postsecondary transi-
9 tion;

10 “(iv) creating mechanisms for in-
11 creased student participation in school im-
12 provement efforts and in decisions affect-
13 ing the students’ own learning; and

14 “(v) creating new opportunities to bet-
15 ter utilize the grade 11 and grade 12 years
16 and creating better connectivity to postsec-
17 ondary education.

18 “(2) Creating expanded learning time opportu-
19 nities, which may include—

20 “(A) establishing a mandatory expanded
21 day, for all students transitioning into the first
22 year of high school, for academic catch-up and
23 enrichment;

1 “(B) providing arts or service learning op-
2 portunities with community-based cultural and
3 civic organizations; and

4 “(C) providing higher education and work-
5 based exposure, experience, and credit-bearing
6 learning opportunities in partnership with post-
7 secondary institutions and the workforce.

8 “(3) Improving student transitions from middle
9 school to high school and ensuring successful entry
10 into high school, which may include—

11 “(A) establishing summer transition pro-
12 grams for secondary school students
13 transitioning from middle school to high school
14 to ensure the students’ connection to the stu-
15 dents’ new high school and to orient the stu-
16 dents to the study skills and social skills nec-
17 essary for success in the high school;

18 “(B) providing for the sharing of data be-
19 tween high schools and feeder middle schools;

20 “(C) establishing quick response and recov-
21 ery programs in high school for secondary
22 school students transitioning into the students’
23 first year of high school so that such students
24 do not become truant or fall too far behind in
25 academics;

1 “(D) increasing the level of student sup-
2 ports, including academic and social-emotional
3 supports, especially for struggling students; and

4 “(E) aligning academic standards, cur-
5 ricula, and assessments between middle and
6 high schools.

7 “(4) Improving student transitions from sec-
8 ondary school to postsecondary education and the
9 workforce, which may include—

10 “(A) providing for the sharing of data be-
11 tween secondary schools and institutions of
12 higher education;

13 “(B) enabling dual enrollment and credit-
14 bearing learning opportunities;

15 “(C) establishing one or more early college
16 secondary schools that offer students a sec-
17 ondary school diploma and not more than 2
18 years of college credit within a 4- or 5-year pro-
19 gram;

20 “(D) providing enhanced higher education
21 and financial aid counseling; and

22 “(E) aligning the academic standards of
23 secondary school with the academic standards
24 of postsecondary education and the require-
25 ments and expectations of the workforce.

1 “(5) Increasing the autonomy and flexibility of
2 secondary schools, which may include—

3 “(A) establishing a process whereby exist-
4 ing schools can apply for flexibility in such
5 areas as scheduling, curricula, budgeting, and
6 governance; and

7 “(B) starting new small public secondary
8 schools that are guaranteed such autonomies.

9 “(6) Improving learning opportunities for sec-
10 ondary school students in rural schools, including
11 through the use of distance-learning opportunities
12 and other technology-based tools.

13 “(7) Redesigning a middle school—

14 “(A) to prevent student disengagement
15 and improve achievement; and

16 “(B) to better respond to early warning
17 signs that students are at risk of dropping out
18 of school, such as poor attendance, poor behav-
19 ior, or course failure.

20 “(8) Improving teaching and increasing aca-
21 demic rigor at the secondary school level, which may
22 include—

23 “(A) improving the alignment of academic
24 standards with the requirements and expecta-

1 tions of postsecondary education and the work-
2 force;

3 “(B) improving the teaching and assess-
4 ment of 21st century skills, including through
5 the development of formative assessment mod-
6 els;

7 “(C) increasing community involvement,
8 including leveraging community-based services
9 and opportunities to provide every student with
10 the academic and nonacademic supports nec-
11 essary for academic success;

12 “(D) increasing parental involvement, in-
13 cluding providing parents with the tools to navi-
14 gate, support, and influence their child’s aca-
15 demic career and choices through secondary
16 school graduation and into postsecondary edu-
17 cation and the workforce; and

18 “(E) addressing the learning needs of var-
19 ious student populations, including students
20 who are limited English proficient, late entrant
21 English language learners, and students with
22 disabilities.

23 “(g) DATA COLLECTION AND EVALUATION.—

24 “(1) COLLECTION OF DATA.—Each eligible
25 partnership receiving a grant under this part shall

1 collect and report annually to the Secretary such in-
2 formation on the results of the activities assisted
3 under the grant as the Secretary may reasonably re-
4 quire, including information on—

5 “(A) the number and percentage of stu-
6 dents who—

7 “(i) are served by the eligible partner-
8 ship;

9 “(ii) are assisted under this part; and

10 “(iii) graduate from secondary school
11 with a regular secondary school diploma in
12 the standard number of years;

13 “(B) the number and percentage of stu-
14 dents, at each grade level, who are—

15 “(i) served by the eligible partnership;

16 “(ii) assisted under this part; and

17 “(iii) on track to graduate from sec-
18 ondary school with a regular secondary
19 school diploma in the standard number of
20 years;

21 “(C) the number and percentage of stu-
22 dents, at each grade level, who—

23 “(i) are served by the eligible partner-
24 ship;

25 “(ii) are assisted under this part; and

1 “(iii) meet or exceed State challenging
2 student academic achievement standards in
3 mathematics, reading or language arts, or
4 science, as measured by the State aca-
5 demic assessments under section
6 1111(b)(3);

7 “(D) information consistent with the addi-
8 tional indicators of improvement proposed by
9 the eligible partnership in the grant application;
10 and

11 “(E) other information the Secretary may
12 require as necessary for the evaluation de-
13 scribed in subsection (h).

14 “(2) REPORTING OF DATA.—Each eligible part-
15 nership receiving a grant under this part shall
16 disaggregate the information required under para-
17 graph (1) in the same manner as information is
18 disaggregated under section 1111(h)(1)(C)(i).

19 “(3) EVALUATION.—

20 “(A) IN GENERAL.—Each eligible partner-
21 ship receiving a grant under this part shall
22 enter into a contract with an outside evaluator
23 to enable the evaluator to conduct—

1 “(i) an evaluation of the effectiveness
2 of the grant after the third year of imple-
3 mentation of the grant; and

4 “(ii) an evaluation of the effectiveness
5 of the grant after the final year of the
6 grant period.

7 “(B) DISTRIBUTION.—Upon completion of
8 an evaluation described in subparagraph (A),
9 the eligible partnership shall submit a copy of
10 the evaluation to the Secretary in a timely man-
11 ner.

12 “(h) EVALUATION; BEST PRACTICES.—

13 “(1) IN GENERAL.—From amounts reserved
14 under subsection (b), the Secretary shall—

15 “(A) enter into a contract with an outside
16 evaluator to enable the evaluator to conduct—

17 “(i) a comprehensive evaluation after
18 the third year of implementation on the ef-
19 fectiveness of all grants awarded under
20 this part; and

21 “(ii) a final evaluation following the
22 final year of the grant period with a focus
23 on improvement in student achievement as
24 a result of innovative strategies; and

1 “(B) disseminate best practices in improv-
2 ing the achievement of secondary school stu-
3 dents.

4 “(2) PEER REVIEW.—

5 “(A) IN GENERAL.—An evaluator receiving
6 a contract under this subsection shall—

7 “(i) establish a peer-review process to
8 assist in the review and approval of the
9 evaluations conducted under this sub-
10 section; and

11 “(ii) appoint individuals to the peer-
12 review process who are educators and ex-
13 perts in—

14 “(I) research and evaluation; and

15 “(II) the areas of expertise de-
16 scribed in subclauses (I) through (V)
17 of subsection (d)(1)(B)(i).

18 “(B) RESTRICTIONS ON USE.—The Sec-
19 retary shall not distribute or use the results of
20 any evaluation described in paragraph (1)(A)
21 until the results are peer-reviewed in accord-
22 ance with subparagraph (A).

23 “(i) CONTINUATION OF FUNDING.—An eligible part-
24 nership that receives a grant under this part shall only
25 be eligible to receive a grant payment for a fourth or fifth

1 year of the grant if the Secretary determines, on the basis
 2 of the evaluation of the grant under subsection
 3 (h)(1)(A)(i), that the performance of the eligible partner-
 4 ship under the grant has been satisfactory.

5 “(j) **RULE OF CONSTRUCTION REGARDING DISCRIMI-**
 6 **NATION.**—Nothing in this section shall be construed to
 7 permit discrimination on the basis of race, color, religion,
 8 sex, national origin, or disability in any program or activ-
 9 ity funded under this part.

10 **“SEC. 1854. AUTHORIZATION OF APPROPRIATIONS.**

11 “There is authorized to be appropriated to carry out
 12 this part \$500,000,000 for fiscal year 2008 and for each
 13 of the succeeding 5 years.”.

14 (b) **CONFORMING AMENDMENTS.**—The table of con-
 15 tents in section 2 of the Elementary and Secondary Edu-
 16 cation Act of 1965 (20 U.S.C. 6301 note) is amended—

17 (1) by striking the item relating to Part I and
 18 inserting the following:

“PART J—GENERAL PROVISIONS”;

19 and

20 (2) by inserting after the item relating to sec-
 21 tion 1830 the following:

“PART I—SECONDARY SCHOOL INNOVATION FUND

“Sec. 1851. Purposes.

“Sec. 1852. Definitions.

“Sec. 1853. Secondary school innovation fund.

“Sec. 1854. Authorization of appropriations.”.

