

111TH CONGRESS
1ST SESSION

S. 1129

To authorize the Secretary of Education to award grants to local educational agencies to improve college enrollment.

IN THE SENATE OF THE UNITED STATES

MAY 21, 2009

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

A BILL

To authorize the Secretary of Education to award grants to local educational agencies to improve college enrollment.

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 “Pathways to College
5 Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) An educated workforce is crucial to the suc-
9 cess of the United States economy. Access to higher
10 education for all students is critical to maintaining

1 an educated workforce. More than 80 percent of the
2 23,000,000 jobs that will be created in the next 10
3 years will require postsecondary education. Only 36
4 percent of all 18- to 24-year olds are currently en-
5 rolled in postsecondary education.

6 (2) Workers with bachelor's degrees earn on av-
7 erage \$17,000 more annually than workers with only
8 high school diplomas. Workers who earn bachelor's
9 degrees can be expected to earn \$1,000,000 more
10 over a lifetime than those who only finished high
11 school.

12 (3) In order to prepare students for college, all
13 schools should—

14 (A) provide student guidance to engage
15 students in college and career awareness; and

16 (B) ensure that students enroll in a rig-
17 orous curriculum to prepare for postsecondary
18 education.

19 (4) The Department of Education reports that
20 the average student-to-counselor ratio in high
21 schools is 315:1. This is far higher than the ratio
22 recommended by the American School Counselor As-
23 sociation, which is 250:1. While school counselors at
24 private schools spend an average of 58 percent of
25 their time on postsecondary education counseling,

1 school counselors in public schools spend an average
2 of 25 percent of their time on postsecondary edu-
3 cation counseling.

4 (5) While just 57 percent of students from the
5 lowest income quartile enroll in college, 87 percent
6 of students from the top income quartile enroll. Of
7 students who were in eighth grade in 2000, only 20
8 percent of the lowest-income students are projected
9 to attain a bachelor's degree by 2012, compared to
10 68 percent of the highest income group, according to
11 the Advisory Committee on Student Financial As-
12 sistance in 2006.

13 (6) A recent report by the Consortium on Chi-
14 cago School Research found that only 41 percent of
15 Chicago public school students who aspire to go to
16 college took the steps necessary to apply to and en-
17 roll in a 4-year institution of higher education. The
18 report also reveals that only $\frac{1}{3}$ of Chicago students
19 who want to attend a 4-year institution of higher
20 education enroll in a school that matches their quali-
21 fications. Even among students qualified to attend a
22 selective college, 29 percent enrolled in a community
23 college or did not enroll at all.

24 (7) The Consortium found that many Chicago
25 public school students do not complete the Free Ap-

1 plication for Federal Student Aid, even though stu-
 2 dents who apply for Federal financial aid are 50
 3 percent more likely to enroll in college. Sixty-five
 4 percent of public secondary school counselors at low-
 5 income schools believe that students and parents are
 6 discouraged from considering college as an option
 7 due to lack of knowledge about financial aid.

8 (8) Low-income and first-generation families
 9 often overestimate the cost of tuition and underesti-
 10 mate available aid; students from these backgrounds
 11 have access to fewer college application resources
 12 and financial aid resources than other groups, and
 13 are less likely to fulfill their postsecondary plans as
 14 a result.

15 (9) College preparation intervention programs
 16 can double the college-going rates for at-risk youth,
 17 can expand students' educational aspirations, and
 18 can boost college enrollment and graduation rates.

19 **SEC. 3. GRANT PROGRAM.**

20 (a) DEFINITIONS.—In this Act:

21 (1) COLLEGE-GOING RATE.—The term “college-
 22 going rate” means the percentage of high school
 23 graduates who enroll at an institution of higher edu-
 24 cation in the school year immediately following grad-
 25 uation from high school.

1 (2) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—

2 The term “eligible local educational agency” means
3 a local educational agency in which a majority of the
4 high schools served by the agency are high-need high
5 schools.

6 (3) HIGH-NEED HIGH SCHOOL.—The term
7 “high-need high school” means a high school in
8 which not less than 50 percent of the students en-
9 rolled in the school are—

10 (A) eligible to receive a free or reduced
11 price lunch under the Richard B. Russell Na-
12 tional School Lunch Act (42 U.S.C. 1751 et
13 seq.);

14 (B) eligible to be counted under section
15 1124(c) of the Elementary and Secondary Edu-
16 cation Act of 1965 (20 U.S.C. 6333(c)); or

17 (C) in families eligible for assistance under
18 the State program funded under part A of title
19 IV of the Social Security Act (42 U.S.C. 601 et
20 seq.).

21 (4) HIGH SCHOOL.—The term “high school”
22 means a nonprofit institutional day or residential
23 school, including a public charter high school, that
24 provides high school education, as determined under
25 State law.

1 (5) HIGH SCHOOL GRADUATION RATE.—The
2 term “high school graduation rate”—

3 (A) means the percentage of students who
4 graduate from high school with a regular di-
5 ploma in the standard number of years; and

6 (B) is clarified in section 200.19(b)(1) of
7 title 34, Code of Federal Regulations.

8 (6) INSTITUTION OF HIGHER EDUCATION.—The
9 term “institution of higher education” has the
10 meaning given the term in section 101(a) of the
11 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

12 (7) LOCAL EDUCATIONAL AGENCY.—The term
13 “local educational agency” has the meaning given
14 the term in section 9101 of the Elementary and Sec-
15 ondary Education Act of 1965 (20 U.S.C. 7801).

16 (8) PARENT.—The term “parent” has the
17 meaning given the term in section 9101 of the Ele-
18 mentary and Secondary Education Act of 1965 (20
19 U.S.C. 7801).

20 (9) SECRETARY.—The term “Secretary” means
21 the Secretary of Education.

22 (b) COMPETITIVE GRANTS TO ELIGIBLE LOCAL
23 EDUCATIONAL AGENCIES.—The Secretary is authorized
24 to award grants, on a competitive basis, to eligible local

1 educational agencies to carry out the activities described
2 in this section.

3 (c) DURATION.—Grants awarded under this section
4 shall be 5 years in duration.

5 (d) DISTRIBUTION.—In awarding grants under this
6 section, the Secretary shall ensure that the grants are dis-
7 tributed among the different geographic regions of the
8 United States, and among eligible local educational agen-
9 cies serving urban and rural areas.

10 (e) APPLICATIONS.—

11 (1) IN GENERAL.—Each eligible local edu-
12 cational agency desiring a grant under this section
13 shall submit an application to the Secretary at such
14 time, in such manner, and accompanied by such in-
15 formation as the Secretary may reasonably require.

16 (2) CONTENTS.—Each application submitted
17 under paragraph (1) shall include a description of
18 the program to be carried out with grant funds
19 and—

20 (A) a detailed description of the high
21 school population to be targeted by the pro-
22 gram, the particular college-access needs of
23 such population, and the resources available for
24 meeting such needs;

1 (B) measurable objectives of the program,
2 including goals for increasing the number of
3 college applications submitted by each student
4 and the number of students submitting applica-
5 tions, increasing Free Application for Federal
6 Student Aid completion rates, and increasing
7 school-wide college-going rates across the local
8 educational agency;

9 (C) a description of the local educational
10 agency's plan to work cooperatively, where ap-
11 plicable, with programs funded under chapters
12 1 and 2 of subpart 2 of part A of title IV of
13 the Higher Education Act of 1965 (20 U.S.C.
14 1070a–11 et seq. and 1070a–21 et seq.), in-
15 cluding the extent to which the agency commits
16 to sharing facilities, providing access to stu-
17 dents, and developing compatible recordkeeping
18 systems;

19 (D) a description of the activities, services,
20 and training to be provided by the program, in-
21 cluding a plan to provide structure and support
22 for all students in the college search, planning,
23 and application process;

1 (E) a description of the methods to be
2 used to evaluate the outcomes and effectiveness
3 of the program;

4 (F) an assurance that grant funds will be
5 used to supplement, and not supplant, any
6 other Federal, State, or local funds available to
7 carry out activities of the type carried out
8 under the grant;

9 (G) an explanation of the method used for
10 calculating college enrollment rates for each
11 high school served by the eligible local edu-
12 cational agency that is based on externally
13 verified data, and, when possible, aligned with
14 existing State or local methods;

15 (H) a plan to make the program sustain-
16 able over time, including the use of matching
17 funds from non-Federal sources; and

18 (I) a description of the local educational
19 agency's plan to work cooperatively, where ap-
20 plicable, with the program funded under part H
21 of title VIII of the Higher Education Act of
22 1965 (20 U.S.C. 1161h et seq.), including the
23 extent to which the agency commits to using
24 and leveraging—

- 1 (i) the needs assessment and rec-
- 2 ommendations;
- 3 (ii) the model for measuring college
- 4 enrollment; and
- 5 (iii) comprehensive services.

6 (3) METHOD OF CALCULATING ENROLLMENT
7 RATES.—

8 (A) IN GENERAL.—A method included in
9 an application under paragraph (2)(G)—

- 10 (i) shall, at a minimum, track stu-
- 11 dents' first-time enrollment in institutions
- 12 of higher education; and
- 13 (ii) may track progress toward com-
- 14 pletion of a postsecondary degree.

15 (B) DEVELOPMENT IN CONJUNCTION.—An
16 eligible local educational agency may develop a
17 method pursuant to paragraph (2)(G) in con-
18 junction with an existing public or private enti-
19 ty that currently maintains such a method.

20 (f) SPECIAL CONSIDERATION.—In awarding grants
21 under this section, the Secretary shall give special consid-
22 eration to applications from eligible local educational
23 agencies serving schools with the highest percentages of
24 poverty.

25 (g) USE OF FUNDS.—

1 (1) IN GENERAL.—An eligible local educational
2 agency that receives a grant under this section shall
3 develop and implement, or expand, a program to in-
4 crease the number of low-income students who enroll
5 in postsecondary educational institutions, including
6 institutions with competitive admissions criteria.

7 (2) REQUIRED USE OF FUNDS.—Each program
8 funded under this section shall—

9 (A) provide professional development to
10 high school teachers and school counselors in
11 postsecondary education advising;

12 (B) implement a comprehensive college
13 guidance program for all students in a high
14 school served by an eligible local educational
15 agency under this section that—

16 (i) ensures that all students and their
17 parents, are regularly notified throughout
18 the students' time in high school, begin-
19 ning in the first year of high school, of—

20 (I) high school graduation re-
21 quirements;

22 (II) college entrance require-
23 ments;

24 (III) the economic and social
25 benefits of higher education;

1 (IV) college expenses, including
 2 information about expenses by institu-
 3 tional type, differences between stick-
 4 er price and net price, and expenses
 5 beyond tuition; and

6 (V) the resources for paying for
 7 college, including the availability, eli-
 8 gibility, and variety of financial aid;

9 (ii) provides assistance to students in
 10 registering for and preparing for college
 11 entrance tests;

12 (iii) provides one-on-one guidance and
 13 assistance to students in applying to an in-
 14 stitution of higher education and in apply-
 15 ing for Federal financial aid assistance and
 16 other State, local, and private financial aid
 17 assistance and scholarships;

18 (iv) provides opportunities for stu-
 19 dents to explore postsecondary opportuni-
 20 ties outside of the school setting, such as
 21 college fairs, career fairs, college tours,
 22 workplace visits, or other similar activities;
 23 and

24 (v) provides not less than 1 meeting
 25 for each student, not later than the first

1 semester of the first year of high school,
2 with a school counselor, college access per-
3 sonnel (including personnel involved in pro-
4 grams funded under chapters 1 and 2 of
5 subpart 2 of part A of title IV of the High-
6 er Education Act of 1965 (20 U.S.C.
7 1070a–11 et seq. and 1070a–21 et seq.)),
8 trained teacher, or other professional or or-
9 ganization, such as a community-based or-
10 ganization, approved by the school, to dis-
11 cuss postsecondary options, outline post-
12 secondary goals, and create a plan to
13 achieve those goals, and provides not less
14 than 2 meetings in each year to discuss
15 progress on the plan;

16 (C) ensure that each high school served by
17 the eligible local educational agency develops a
18 comprehensive, school-wide plan of action to
19 strengthen the college-going culture within the
20 high school; and

21 (D) create or maintain a postsecondary ac-
22 cess center in the school setting that provides
23 information on colleges and universities, career
24 opportunities, and financial aid options and
25 provide a setting in which professionals working

1 in college access programs, such as those fund-
 2 ed under chapters 1 and 2 of subpart 2 of part
 3 A of title IV of the Higher Education Act of
 4 1965 (20 U.S.C. 1070a–11 et seq. and 1070a–
 5 21 et seq.), can meet with students.

6 (3) ALLOWABLE USE OF FUNDS.—Each pro-
 7 gram funded under this section may—

8 (A) establish mandatory postsecondary
 9 planning classes for high school students to as-
 10 sist in the college preparation and application
 11 process;

12 (B) hire and train postsecondary coaches
 13 with expertise in the college-going process to
 14 supplement existing school counselors;

15 (C) increase the number of school coun-
 16 selors who specialize in the college-going proc-
 17 ess serving students;

18 (D) train student leaders to assist in the
 19 creation of a college-going culture in their
 20 schools;

21 (E) establish partnerships with programs
 22 funded under chapters 1 and 2 of subpart 2 of
 23 part A of title IV of the Higher Education Act
 24 of 1965 (20 U.S.C. 1070a–11 et seq. and
 25 1070a–21 et seq.), and with community and

1 nonprofit organizations to increase college-going
2 rates at high schools served by the eligible local
3 educational agency;

4 (F) provide long-term postsecondary follow
5 up with graduates of the high schools served by
6 the eligible local educational agencies, including
7 increasing alumni involvement in mentoring and
8 advising roles within the high school; and

9 (G) deliver college and career planning cur-
10 riculum as a stand-alone course, or embedded
11 in other classes, or delivered through the guid-
12 ance curriculum by the school counselor for all
13 students in high school.

14 (h) SUPPLEMENT, NOT SUPPLANT.—Funds made
15 available under this section shall be used to supplement,
16 and not supplant, other Federal, State, and local funds
17 available to carry out the activities described in this sec-
18 tion.

19 (i) TECHNICAL ASSISTANCE.—The Secretary, di-
20 rectly or through contracting through a full and open
21 process with 1 or more organizations that have dem-
22 onstrated experience providing technical assistance to
23 raise school-wide college-going rates in local educational
24 agencies in not less than 3 States, shall provide technical

1 assistance to grantees in carrying out this section. The
2 technical assistance shall—

3 (1) provide assistance in the calculation and
4 analysis of college-going rates for all grant recipi-
5 ents;

6 (2) provide semi-annual analysis to each grant
7 recipient recommending best practices based on a
8 comparison of the recipient's data with that of high
9 schools with similar demographics; and

10 (3) provide annual best practices conferences
11 for all grant recipients.

12 (j) REPORTING REQUIREMENTS.—Each eligible local
13 educational agency receiving a grant under this section
14 shall collect and report annually to the Secretary such in-
15 formation for the local educational agency and for each
16 high school assisted under this section on the results of
17 the activities assisted under the grant as the Secretary
18 may reasonably require, including information on—

19 (1) the number and percentage of students who
20 enroll in an institution of higher education in the
21 school year immediately following the students' high
22 school graduation as measured by externally verified
23 school-wide college enrollment data;

1 (2) the number and percentage of students who
2 graduate from high school on time with a regular
3 high school diploma;

4 (3) the number and percentage of students, at
5 each grade level, who are on track to graduate from
6 high school on time and with a regular high school
7 diploma;

8 (4) the number and percentage of senior high
9 school students who apply to an institution of higher
10 education and the average number of applications
11 completed and submitted by students;

12 (5) the number and percentage of senior high
13 school students who file the Free Application for
14 Federal Student Aid forms;

15 (6) the number and percentage of students, in
16 grade 10, who take early admissions assessments,
17 such as the PSAT;

18 (7) the number and percentage of students, in
19 grades 11 and 12, who take the SAT or ACT, and
20 the students' mean scores on such assessments;

21 (8) where data are available, the number and
22 percentage of students enrolled in remedial mathe-
23 matics or English courses during their freshman
24 year at an institution of higher education;

1 (9) the number and percentage of students, in
 2 grades 11 and 12, enrolled in not less than 2 of the
 3 following:

4 (A) a dual credit course; or

5 (B) an Advanced Placement or Inter-
 6 national Baccalaureate course; and

7 (10) the number and percentage of students
 8 who meet or exceed State reading or language arts,
 9 mathematics, or science standards, as measured by
 10 State academic assessments required under section
 11 1111(b)(3) of the Elementary and Secondary Edu-
 12 cation Act of 1965 (20 U.S.C. 6311(b)(3)).

13 (k) REPORTING OF DATA.—Each eligible local edu-
 14 cational agency receiving a grant under this section shall
 15 report to the Secretary, where possible, the information
 16 required under subsection (j) disaggregated in the same
 17 manner as information is disaggregated under section
 18 1111(h)(1)(C)(i) of the Elementary and Secondary Edu-
 19 cation Act of 1965 (20 U.S.C. 6311(h)(1)(C)(i)).

20 (l) EVALUATIONS BY GRANTEES.—Each eligible local
 21 educational agency that receives a grant under this section
 22 shall—

23 (1) conduct periodic evaluations of the effective-
 24 ness of the activities carried out under the grant to-
 25 ward increasing school-wide college-going rates;

1 (2) use such evaluations to refine and improve
 2 activities conducted with the grant and the perform-
 3 ance measures for such activities; and

4 (3) make the results of such evaluations pub-
 5 licly available, including by providing public notice of
 6 such availability.

7 (m) REPORT.—From the amount appropriated for
 8 any fiscal year, the Secretary shall reserve such sums as
 9 may be necessary—

10 (1) to conduct an independent evaluation, by
 11 grant or by contract, of the programs carried out
 12 under this section, which shall include an assessment
 13 of the impact of the program on high school gradua-
 14 tion rates and college-going rates; and

15 (2) to prepare and submit a report on the re-
 16 sults of the evaluation described in paragraph (1) to
 17 the Committee on Health, Education, Labor, and
 18 Pensions of the Senate and the Committee on Edu-
 19 cation and Labor of the House of Representatives.

20 (n) AUTHORIZATION OF APPROPRIATIONS.—There
 21 are authorized to be appropriated to carry out this section
 22 such sums as may be necessary for fiscal year 2010 and
 23 each of the 5 succeeding fiscal years.

○