

113TH CONGRESS
2D SESSION

S. 2349

To establish a grant program to enable States to promote participation in dual enrollment programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 15, 2014

Mr. SANDERS (for himself, Mr. LEAHY, Mr. MURPHY, Mr. KAINE, and Mr. REED) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish a grant program to enable States to promote participation in dual enrollment programs, 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 “Supporting College
5 Success Through Dual Enrollment Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The future strength of the democracy of the
9 United States, as well as the Nation’s economy, de-

1 pend upon ensuring a highly educated population
2 and a skilled workforce with the knowledge nec-
3 essary to compete in a globalized economy.

4 (2) The Bureau of Labor Statistics estimates
5 that a majority of the fastest-growing and highest-
6 paying occupations require some form of postsec-
7 ondary education, be it a 2-year degree, a 4-year de-
8 gree, or an industry-recognized credential.

9 (3) According to research conducted by the
10 Georgetown University Center on Education and the
11 Workforce, 63 percent of all new job openings by
12 2018 will require at least some college education.

13 (4) The cost of a college education is often the
14 most significant obstacle that many students face in
15 obtaining a college degree. Programs that help stu-
16 dents accumulate college credit in high school can
17 help reduce the overall cost of a college degree by as
18 much as 12.5 percent, thus reducing the financial
19 burden on students and taxpayers. Research has
20 found that for every 1,000,000 students entering
21 college with a semester's worth of credit, overall col-
22 lege expenditures are reduced by \$9,500,000,000.

23 (5) Although more students begin college today
24 than did 20 years ago, many are not graduating due
25 to substantial challenges in negotiating the transi-

1 tion from high school to college. Fewer than 20 per-
2 cent of students in grade 9 will graduate with a bac-
3 calaureate degree by the age of 24.

4 (6) Research conducted by the Department of
5 Education has found that postsecondary success is
6 predicated on both rigorous academic preparation
7 and a clear understanding of the expectations in col-
8 lege. The academic intensity of a student's high
9 school courses is a better predictor of whether a stu-
10 dent will complete a bachelor's degree than class
11 rank, grade point average, or standardized admis-
12 sion test scores.

13 (7) According to research conducted at the
14 Teachers' College at Columbia University, participa-
15 tion in dual enrollment programs is especially bene-
16 ficial for students who are traditionally underrep-
17 resented in higher education, including low-income,
18 first generation, and minority students.

19 (8) Students participating in dual enrollment
20 programs have better academic outcomes. Research
21 conducted in Florida, New York, and California
22 found that students in dual enrollment programs
23 were, on average, more likely to graduate from high
24 school, transition into a 4-year institution of higher
25 education, persist in postsecondary education, and

1 have a higher postsecondary grade point average, as
2 demonstrated by the following:

3 (A) Participants in New York City's dual
4 enrollment program, College Now, were more
5 likely than their peers to pursue a bacca-
6 laurate degree and had higher grade point
7 averages than nonparticipants. Further, there
8 was a positive correlation between participation
9 in dual enrollment and completion of a bacca-
10 laurate degree.

11 (B) Florida's dual enrollment program
12 participants were 4.3 percent more likely than
13 their peers to earn a high school diploma and
14 7.7 percent more likely to enroll in a 4-year in-
15 stitution of higher education, and earned, on
16 average, 15.1 more college credits than non-
17 participants.

18 (C) In Missouri, dual enrollment students
19 had an 89 percent likelihood of returning for
20 their second year of college, compared to 76
21 percent for students who entered college with
22 no previous college credit.

23 **SEC. 3. DEFINITIONS.**

24 In this Act:

1 (1) DUAL ENROLLMENT.—The term “dual en-
2 rollment” means a program through which a sec-
3 ondary school student—

4 (A) takes courses offered through an insti-
5 tution of higher education while the student is
6 enrolled in secondary school; and

7 (B) earns both secondary school and post-
8 secondary credit for the courses described in
9 subparagraph (A).

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

14 (3) MODERATE- TO LOW-INCOME STUDENT.—
15 The term “moderate- to low-income student” means
16 a student from a family whose income is less than
17 90 percent of the median income for the State for
18 a family of the size involved.

19 (4) POVERTY LINE.—The term “poverty line”
20 means the poverty line (as defined in section 673(2)
21 of the Community Services Block Grant Act (42
22 U.S.C. 9902(2))) applicable to a family of the size
23 involved.

24 (5) SECONDARY SCHOOL.—The term “sec-
25 ondary school” has the meaning given the term in

1 section 9101 of the Elementary and Secondary Edu-
2 cation Act of 1965 (20 U.S.C. 7801 et seq.).

3 (6) SECRETARY.—The term “Secretary” means
4 the Secretary of Education.

5 (7) STATE.—The term “State” means the sev-
6 eral States of the United States, the District of Co-
7 lumbia, the Commonwealth of Puerto Rico, Guam,
8 American Samoa, the United States Virgin Islands,
9 and the Commonwealth of the Northern Mariana Is-
10 lands.

11 **SEC. 4. GRANTS AUTHORIZED.**

12 (a) PROGRAM AUTHORIZED.—From amounts appro-
13 priated to carry out this Act, the Secretary shall make
14 grants, from allotments under subsection (b), to States to
15 enable the States to pay the Federal share of the costs
16 of activities designed to promote participation in dual-en-
17 rollment programs by moderate- to low-income students.

18 (b) DETERMINATION OF ALLOTMENT.—

19 (1) AMOUNT OF ALLOTMENT.—Subject to para-
20 graph (2), the allotment provided under this sub-
21 section to each State that submits an approved ap-
22 plication for a fiscal year shall be equal to the sum
23 of—

24 (A) the amount that bears the same rela-
25 tion to 50 percent of the amount appropriated

1 under section 8 for such fiscal year as the num-
2 ber of residents in the State aged 5 through 17
3 who are living below the poverty line bears to
4 the total number of such residents in all States
5 that submitted approved applications; and

6 (B) the amount that bears the same rela-
7 tion to 50 percent of the amount appropriated
8 under section 8 for such fiscal year as the num-
9 ber of residents in the State aged 15 through
10 44 who are living below the poverty line bears
11 to the total number of such residents in all
12 States that submitted approved applications.

13 (2) MINIMUM AMOUNT.—The allotment for
14 each State under this section for a fiscal year shall
15 not be an amount that is less than 0.5 percent of
16 the total amount appropriated under section 8 for
17 such fiscal year.

18 (c) FEDERAL SHARE.—The Federal share of the cost
19 of the activities funded under this Act shall not exceed
20 80 percent. The non-Federal share of the cost of such ac-
21 tivities may be provided in cash or in kind, fairly evalu-
22 ated, including services.

23 (d) SUPPLEMENT, NOT SUPPLANT.—Funds received
24 by a State under a grant under this Act shall be used

1 to supplement, and not supplant, non-Federal funds ex-
 2 pended for dual enrollment programs.

3 **SEC. 5. APPLICATION AND APPROVAL.**

4 (a) APPLICATION.—A State desiring a grant under
 5 this section shall submit an application to the Secretary
 6 at such time, in such manner, and containing such infor-
 7 mation as the Secretary may require. The application
 8 shall—

9 (1) describe the State’s proposed program to
 10 support dual enrollment programs, which shall in-
 11 clude—

12 (A) aligning the kindergarten through
 13 grade 12, higher education, and career and
 14 technical education systems of the State to sup-
 15 port dual enrollment programs;

16 (B) requiring each local educational agency
 17 in the State, or each public institution of higher
 18 education that is partnering with a local edu-
 19 cational agency pursuant to paragraph (2), to
 20 provide a counselor, advisor, or advisor working
 21 in conjunction with a school counselor, who spe-
 22 cializes in dual enrollment, to provide high-qual-
 23 ity advice to secondary school students and
 24 their parents on the dual enrollment program

1 options, course selection, and other related
2 issues;

3 (C) ensuring that every public secondary
4 school, including every public charter school, in
5 the State offers a high-quality dual enrollment
6 program, and that all secondary school students
7 are informed about, or engaged in, the dual en-
8 rollment program by grade 10 or an earlier
9 grade;

10 (D) directly addressing participation in
11 dual enrollment programs among low-income
12 students;

13 (E) developing a plan to ensure that path-
14 ways are available, and barriers are removed, in
15 order to allow secondary school students partici-
16 pating in dual enrollment programs to matricu-
17 late to institutions of higher education, and at-
18 tain a degree or appropriate certification;

19 (F) developing a system of accountability;
20 and

21 (G) addressing the problems that students
22 and schools in small communities face with re-
23 spect to dual enrollment programs, including
24 the difficulties in providing such students with

1 the opportunity to participate at campuses of
2 institutions of higher education;

3 (2) include an assurance that every local edu-
4 cational agency in the State will form a partnership
5 with 1 or more 2-year or 4-year degree-granting in-
6 stitutions of higher education to coordinate dual en-
7 rollment programs, under which the institution of
8 higher education—

9 (A) has the responsibility to administer the
10 dual enrollment program, with the cooperation
11 of the local educational agency; and

12 (B) determines the curriculum, standards,
13 and instructors to be used in the dual enroll-
14 ment program;

15 (3) include an assurance that the State will
16 align State policy to ensure, to the maximum extent
17 practicable, credits earned through a dual enrollment
18 program are recognized throughout the system of
19 public higher education of the State and count as
20 credits earned for both secondary school graduation
21 and graduation from a public institution of higher
22 education;

23 (4) include an assurance that the State will es-
24 tablish a policy to encourage matriculation and cred-
25 it agreements among local educational agencies and

1 institutions of higher education to encourage low-in-
2 come students to attain a baccalaureate degree;

3 (5) include an assurance that the State will es-
4 tablish a policy to encourage access to dual enroll-
5 ment courses for as many students as possible and
6 to prevent student disqualification for participation
7 as much as possible, with eligibility requirements
8 that—

9 (A) are based on quantifiable, valid, and
10 reliable measures of a student's ability to suc-
11 ceed in a postsecondary education course;

12 (B) use a consistent standard of readiness
13 for postsecondary education for all secondary
14 schools and public institutions of higher edu-
15 cation in the State; and

16 (C) are consistent with the eligibility
17 standards established by the partner institution
18 of higher education of the dual enrollment pro-
19 gram;

20 (6) include an assurance that the State will es-
21 tablish policies that—

22 (A) maximize, to the extent practicable,
23 the number of dual enrollment program stu-
24 dents who take courses on the campuses of in-
25 stitutions of higher education, in classrooms

1 with postsecondary education students, and
2 with professors of the institutions of higher
3 education;

4 (B) in any case where providing courses of
5 the dual enrollment program on a campus of an
6 institution of higher education is not prac-
7 ticable, ensure that each course of the dual en-
8 rollment program that is taught in secondary
9 schools—

10 (i) is developed by the institution of
11 higher education partner;

12 (ii) is fully comparable with the
13 courses offered at the campus of the insti-
14 tution of higher education;

15 (iii) is augmented with campus experi-
16 ences when reasonably achievable; and

17 (iv) is taught by an instructor from
18 the partner institution of higher education,
19 where practicable, or, if not practicable, by
20 an instructor who is selected, supervised,
21 and evaluated by the institution of higher
22 education; and

23 (C) provide that all instructors of dual en-
24 rollment program classes are assessed by the
25 partner institution of higher education in the

1 same way that such institutions assess their
 2 own faculty;

3 (7) describe how the State will incorporate dual
 4 enrollment program opportunities with programs
 5 and services provided under subpart 2 of part A of
 6 title IV of the Higher Education Act of 1965
 7 (1070a–21 et seq.);

8 (8) include an assurance that the State edu-
 9 cational agency and the State system of public insti-
 10 tutions of higher education will develop a plan to in-
 11 crease enrollment in postsecondary education among
 12 moderate- or low-income students and populations
 13 underrepresented in higher education, including
 14 underrepresented minorities, throughout the State;

15 (9) describe how the State will align the State’s
 16 career and technical education policy with dual en-
 17 rollment programs, which may include—

18 (A) establishing flexible pathways, which
 19 are career sequences that begin in secondary
 20 school and continue in postsecondary education;
 21 and

22 (B) establishing State policies that—

23 (i) broaden access to career and tech-
 24 nical education and that provide needed

1 supports to students participating in career
 2 and technical education; and

3 (ii) support inclusion of work-based
 4 learning in flexible pathways, as described
 5 in subparagraph (A);

6 (10) demonstrate that the State has enacted
 7 funding models that ensure that local educational
 8 agencies and institutions of higher education who
 9 participate in dual enrollment programs do not lose
 10 per-pupil funding for dually enrolled students; and

11 (11) include an assurance that a student's par-
 12 ticipation in a dual enrollment program shall not
 13 negatively impact the student's eligibility for State
 14 financial assistance for postsecondary education.

15 (b) APPROVAL.—The Secretary shall approve any ap-
 16 plication for a State program that includes the compo-
 17 nents described in subsection (a).

18 **SEC. 6. USE OF FUNDS.**

19 (a) IN GENERAL.—

20 (1) IN GENERAL.—A State receiving a grant
 21 under this Act shall use grant funds to carry out
 22 any of the following activities:

23 (A) Paying for tuition for moderate- to
 24 low-income students to take postsecondary-level

1 courses while enrolled in secondary school
2 through a dual enrollment program.

3 (B) Textbooks, fees, and other expenses
4 associated with a student's attendance of a
5 course offered through a dual enrollment pro-
6 gram.

7 (C) Counseling and support services for
8 students and families regarding dual enrollment
9 programs, including services that will improve
10 the postsecondary education enrollment and
11 program completion rates of students in dual
12 enrollment programs or reduce the postsec-
13 ondary education costs for such students.

14 (D) Creation of a credit-bearing, or non-
15 credit-bearing, course to ensure that low-income
16 and first generation college students—

17 (i) are prepared for postsecondary
18 education studies to be offered through a
19 dual enrollment program; and

20 (ii) have the requisite academic and
21 nonacademic skills and resources necessary
22 to succeed, understand expectations, help
23 navigate the postsecondary education envi-
24 ronment, and be able to advocate for them-
25 selves.

1 (E) Options to encourage participation in
 2 dual enrollment programs by students and
 3 schools from small communities.

4 (F) Other activities that support the pur-
 5 poses of this Act, as proposed and approved by
 6 the Secretary in the application.

7 (2) TRANSPORTATION COSTS.—A State receiv-
 8 ing a grant under this Act that has additional grant
 9 funds available after carrying out activities described
 10 in paragraph (1), may use such funds to pay for the
 11 costs of providing transportation for students in
 12 rural areas to participate in dual enrollment pro-
 13 grams.

14 (b) FOCUS AREAS.—A State receiving a grant under
 15 this Act shall focus the activities supported under this sec-
 16 tion on dual enrollment programs offered through sec-
 17 ondary schools in the State that—

18 (1) are located in an area of high poverty;

19 (2) serve a large number or percentage of stu-
 20 dents from populations underrepresented in higher
 21 education;

22 (3) have a high secondary school dropout rate;

23 (4) have a low percentage of graduates who
 24 enter postsecondary education;

1 (5) are in a county or region of the State with
 2 low postsecondary education aspiration and attain-
 3 ment rates; or

4 (6) are small schools whose academic offerings
 5 are limited by scale.

6 **SEC. 7. STUDENT FINANCIAL AID ELIGIBILITY.**

7 The Secretary shall ensure that—

8 (1) a student’s participation in a dual enroll-
 9 ment program does not negatively impact the stu-
 10 dent’s eligibility for financial assistance under the
 11 Higher Education Act of 1965 (20 U.S.C. 1001 et
 12 seq.); and

13 (2) for purposes of part C of title I, title IV,
 14 and any other provision, of such Act—

15 (A) students participating in a dual enroll-
 16 ment program are not classified as first-time,
 17 full-time students of the partner institution of
 18 higher education of the program during the stu-
 19 dent’s participation; and

20 (B) in the case of a student who attends
 21 a dual enrollment program and then matricu-
 22 lates to an institution of higher education, the
 23 student’s first year at such institution shall be
 24 considered to be the student’s first year of a
 25 program of undergraduate education, regardless

1 of the number of postsecondary credits that the
2 student has previously earned through the dual
3 enrollment program.

4 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

5 There are authorized to be appropriated to carry out
6 this Act \$150,000,000 for fiscal year 2015 and each suc-
7 ceeding fiscal year.

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