

113TH CONGRESS
2D SESSION

S. 2860

To authorize the Secretary of Education to make grants to support early college high schools and other dual or concurrent enrollment programs.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 18, 2014

Mr. COONS (for himself, Mr. BROWN, Mr. JOHNSON of South Dakota, and Mrs. HAGAN) 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 make grants to support early college high schools and other dual or concurrent enrollment 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. SHORT TITLE.**

4 This Act may be cited as the “Fast Track to College
5 Act of 2014”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to increase secondary
8 school graduation rates and the percentage of students
9 who complete a recognized postsecondary credential by the

1 age of 26, including among low-income students and stu-
2 dents from other populations underrepresented in higher
3 education.

4 **SEC. 3. DEFINITIONS.**

5 In this Act:

6 (1) DUAL OR CONCURRENT ENROLLMENT PRO-
7 GRAM.—The term “dual or concurrent enrollment
8 program” means an academic program through
9 which a secondary school student is able simulta-
10 neously to earn credit toward a secondary school di-
11 ploma and a postsecondary degree or credential.

12 (2) EARLY COLLEGE HIGH SCHOOL.—The term
13 “early college high school” means a secondary school
14 that provides a course of study that enables a stu-
15 dent to earn a secondary school diploma and either
16 an associate’s degree or 1 to 2 years of postsec-
17 ondary credit toward a postsecondary degree or cre-
18 dential.

19 (3) EDUCATIONAL SERVICE AGENCY.—The
20 term “educational service agency” has the meaning
21 given such term in section 9101 of the Elementary
22 and Secondary Education Act of 1965 (20 U.S.C.
23 7801).

24 (4) ELIGIBLE ENTITY.—The term “eligible enti-
25 ty” means a partnership between a local educational

1 agency, which may be an educational service agency,
 2 and an institution of higher education. Such part-
 3 nership also may include other entities, such as a
 4 nonprofit organization with experience in youth de-
 5 velopment.

6 (5) INSTITUTION OF HIGHER EDUCATION.—The
 7 term “institution of higher education” has the
 8 meaning given such term in section 101 of the High-
 9 er Education Act of 1965 (20 U.S.C. 1001).

10 (6) LOCAL EDUCATIONAL AGENCY.—The term
 11 “local educational agency” has the meaning given
 12 such term in section 9101 of the Elementary and
 13 Secondary Education Act of 1965 (20 U.S.C. 7801).

14 (7) LOW-INCOME STUDENT.—The term “low-in-
 15 come student” means a student described in section
 16 1113(a)(5) of the Elementary and Secondary Edu-
 17 cation Act of 1965 (20 U.S.C. 6313(a)(5)).

18 (8) SECRETARY.—The term “Secretary” means
 19 the Secretary of Education.

20 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS; RESERVA-**
 21 **TIONS.**

22 (a) IN GENERAL.—To carry out this Act, there are
 23 authorized to be appropriated \$150,000,000 for fiscal year
 24 2015 and such sums as may be necessary for each of fiscal
 25 years 2016 through 2020.

1 (b) EARLY COLLEGE HIGH SCHOOLS.—The Sec-
 2 retary shall reserve not less than 45 percent of the funds
 3 appropriated under subsection (a) to support early college
 4 high schools under section 5.

5 (c) DUAL OR CONCURRENT ENROLLMENT PRO-
 6 GRAMS.—The Secretary shall reserve not less than 45 per-
 7 cent of the funds appropriated under subsection (a) to
 8 support dual or concurrent enrollment programs (other
 9 than early college high schools) under section 5.

10 (d) STATE GRANTS.—The Secretary shall reserve 10
 11 percent of the funds appropriated under subsection (a),
 12 or \$10,000,000, whichever is less, for grants to States
 13 under section 9.

14 **SEC. 5. AUTHORIZED PROGRAM.**

15 (a) IN GENERAL.—The Secretary is authorized to
 16 award 6-year grants to eligible entities seeking to establish
 17 a new, or support an existing, early college high school
 18 or other dual or concurrent enrollment program in accord-
 19 ance with section 6.

20 (b) GRANT AMOUNT.—The Secretary shall ensure
 21 that grants are of sufficient size to enable grantees to
 22 carry out all required activities and otherwise meet the
 23 purposes of this Act, except that a grant under this section
 24 may not exceed \$2,000,000.

25 (c) MATCHING REQUIREMENT.—

1 (1) IN GENERAL.—An eligible entity shall con-
2 tribute matching funds toward the costs of the early
3 college high school or other dual or concurrent en-
4 rollment program to be supported under this section,
5 of which not less than half shall be from non-Fed-
6 eral sources, which funds shall represent not less
7 than the following:

8 (A) 20 percent of the grant amount re-
9 ceived in each of the first and second years of
10 the grant.

11 (B) 30 percent in each of the third and
12 fourth years.

13 (C) 40 percent in the fifth year.

14 (D) 50 percent in the sixth year.

15 (2) DETERMINATION OF AMOUNT CONTRIB-
16 UTED.—The Secretary shall allow an eligible entity
17 to satisfy the requirement of this subsection through
18 in-kind contributions.

19 (d) SUPPLEMENT, NOT SUPPLANT.—An eligible enti-
20 ty shall use a grant received under this section only to
21 supplement funds that would, in the absence of such
22 grant, be made available from non-Federal funds for sup-
23 port of the activities described in the eligible entity's appli-
24 cation under section 7, and not to supplant such funds.

1 (e) PRIORITY.—In awarding grants under this sec-
 2 tion, the Secretary shall give priority to applicants—

3 (1) that propose to establish or support an
 4 early college high school or other dual or concurrent
 5 enrollment program that will serve a student popu-
 6 lation of which 40 percent or more are students
 7 counted under section 1113(a)(5) of the Elementary
 8 and Secondary Education Act of 1965 (20 U.S.C.
 9 6313(a)(5)); and

10 (2) from States that provide assistance to early
 11 college high schools or other dual or concurrent en-
 12 rollment programs, such as assistance to defray the
 13 costs of higher education (including costs of tuition,
 14 fees, and textbooks).

15 (f) GEOGRAPHIC DISTRIBUTION.—The Secretary
 16 shall, to the maximum extent practicable, ensure that
 17 grantees are from a representative cross-section of urban,
 18 suburban, and rural areas.

19 **SEC. 6. USES OF FUNDS.**

20 (a) MANDATORY ACTIVITIES.—An eligible entity
 21 shall use grant funds received under section 5 to support
 22 the activities described in its application under section 7,
 23 including the following:

24 (1) PLANNING YEAR.—In the case of a new
 25 early college high school or dual or concurrent en-

1 rollment program, during the first year of the
2 grant—

3 (A) hiring a principal and staff, as appro-
4 priate;

5 (B) designing the curriculum and sequence
6 of courses (which shall not be mandated, di-
7 rected, or controlled by the Secretary or other
8 officer or employee of the Federal Government)
9 in collaboration with (at a minimum) teachers
10 from the local educational agency and faculty
11 from the partner institution of higher edu-
12 cation;

13 (C) informing parents and the community
14 about the school or program and opportunities
15 to become actively involved in the school or pro-
16 gram;

17 (D) establishing a course articulation proc-
18 ess for defining and approving courses for sec-
19 ondary school and postsecondary credit or cre-
20 dential;

21 (E) outreach programs to ensure that sec-
22 ondary school students and their families are
23 aware of the early college high school or dual
24 or concurrent enrollment program;

1 (F) liaison activities among partners in the
2 eligible entity; and

3 (G) coordinating secondary and postsec-
4 ondary support services, academic calendars,
5 and transportation.

6 (2) IMPLEMENTATION PERIOD.—During the re-
7 mainder of the grant period—

8 (A) academic and social support services,
9 including counseling;

10 (B) liaison activities among partners in the
11 eligible entity;

12 (C) data collection and use of such data
13 for student and instructional improvement and
14 program evaluation;

15 (D) outreach programs to ensure that sec-
16 ondary school students and their families are
17 aware of the early college high school or dual
18 or concurrent enrollment program;

19 (E) professional development, including
20 joint professional development for educators
21 from the secondary school and faculty from the
22 institution of higher education; and

23 (F) school or program design and planning
24 team activities, including curriculum develop-
25 ment.

1 (b) ALLOWABLE ACTIVITIES.—An eligible entity may
2 also use grant funds received under section 5 otherwise
3 to support the activities described in its application under
4 section 7, including—

5 (1) purchasing textbooks and equipment that
6 support the school or program’s curriculum;

7 (2) developing learning opportunities for stu-
8 dents that complement classroom experiences, such
9 as internships, career-based capstone projects, and
10 opportunities provided under chapters 1 and 2 of
11 subpart 2 of part A of title IV of the Higher Edu-
12 cation Act of 1965 (20 U.S.C. 1070a–11 et seq.);

13 (3) transportation; and

14 (4) planning time for educators from a sec-
15 ondary school and educators from an institution of
16 higher education to collaborate.

17 **SEC. 7. APPLICATION.**

18 (a) IN GENERAL.—To receive a grant under section
19 5, an eligible entity shall submit to the Secretary an appli-
20 cation at such time, in such manner, and including such
21 information as the Secretary determines to be appropriate.

22 (b) CONTENTS OF APPLICATION.—At a minimum,
23 the application described in subsection (a) shall include
24 a description of—

1 (1) the budget of the early college high school
2 or other dual or concurrent enrollment program;

3 (2) each partner in the eligible entity and such
4 partner's experience with early college high schools
5 or other dual or concurrent enrollment programs,
6 and a description of key personnel from each partner
7 and their responsibilities for the early college high
8 school or dual or concurrent enrollment program;

9 (3) how the eligible entity will work with sec-
10 ondary and postsecondary teachers, other public and
11 private entities, community-based organizations,
12 businesses, labor organizations, and parents to en-
13 sure that students will be prepared to succeed in
14 postsecondary education and employment, which
15 may include the development of an advisory board;

16 (4) how the eligible entity will target and re-
17 cruit at-risk youth, including those at risk of drop-
18 ping out of school, first generation college students,
19 and students from populations described in section
20 1111(b)(2)(C)(v)(II) of the Elementary and Sec-
21 ondary Education Act of 1965 (20 U.S.C.
22 6311(b)(2)(C)(v)(II));

23 (5) a system of student supports including
24 small group activities, tutoring, literacy and
25 numeracy skill development in all academic dis-

1 ciplines, parental and community outreach and en-
 2 gagement, extended learning time, and college readi-
 3 ness activities, such as early college academic semi-
 4 nars and counseling;

5 (6) in the case of an early college high school,
 6 how a graduation and career plan will be developed,
 7 consistent with State graduation requirements, for
 8 each student and reviewed each semester;

9 (7) how parents or guardians of students in the
 10 early college high school or dually enrolled students
 11 will be informed of their academic performance and
 12 progress and, subject to paragraph (6), involved in
 13 the development of their career and graduation plan;

14 (8) coordination that will occur between the in-
 15 stitution of higher education and the local edu-
 16 cational agency, including regarding academic cal-
 17 endars, provision of student services, curriculum de-
 18 velopment, and professional development;

19 (9) how the eligible entity will ensure that
 20 teachers in the early college high school or other
 21 dual or concurrent enrollment program receive ap-
 22 propriate professional development and other sup-
 23 ports, including to enable them to utilize effective
 24 parent and community engagement strategies, and
 25 help students with limited English proficiency, stu-

1 dents with disabilities, and students from diverse
2 cultural backgrounds to succeed;

3 (10) learning opportunities for students that
4 complement classroom experiences, such as intern-
5 ships, career-based capstone projects, and opportuni-
6 ties provided under chapters 1 and 2 of subpart 2
7 of part A of title IV of the Higher Education Act
8 of 1965 (20 U.S.C. 1070a–11 et seq.);

9 (11) how policies, agreements, and courses
10 taken will ensure that postsecondary credits earned
11 will be transferable to, at a minimum, public institu-
12 tions of higher education within the State, consistent
13 with existing statewide articulation agreements;

14 (12) student assessments and other measure-
15 ments of student achievement including benchmarks
16 for student achievement;

17 (13) outreach programs to provide elementary
18 and secondary school students, especially those in
19 middle grades, and their parents, teachers, school
20 counselors, and principals information about and
21 academic preparation for the early college high
22 school or other dual or concurrent enrollment pro-
23 gram;

24 (14) how the local educational agency and insti-
25 tution of higher education will work together, as ap-

1 appropriate, to collect and use data for student and in-
 2 structional improvement and program evaluation;

3 (15) how the eligible entity will help students
 4 meet eligibility criteria for postsecondary courses
 5 and ensure that students understand how their cred-
 6 its will transfer; and

7 (16) how the eligible entity will access and le-
 8 verage additional resources necessary to sustain the
 9 early college high school or other dual or concurrent
 10 enrollment program after the grant expires, includ-
 11 ing by engaging businesses and nonprofit organiza-
 12 tions.

13 (c) ASSURANCES.—An eligible entity’s application
 14 under subsection (a) shall include assurances that—

15 (1) in the case of an early college high school,
 16 the majority of courses offered, including postsec-
 17 ondary courses, will be offered at facilities of the in-
 18 stitution of higher education;

19 (2) students will not be required to pay tuition
 20 or fees for postsecondary courses;

21 (3) postsecondary credits earned will be tran-
 22 scribed upon completion of the requisite course
 23 work; and

1 (4) faculty teaching postsecondary courses meet
2 the normal standards for faculty established by the
3 institution of higher education.

4 (d) WAIVER.—The Secretary may waive the require-
5 ment of subsection (c)(1) upon a showing that it is im-
6 practical to apply due to geographic considerations.

7 **SEC. 8. PEER REVIEW.**

8 (a) PEER REVIEW OF APPLICATIONS.—The Sec-
9 retary shall establish peer review panels to review applica-
10 tions submitted pursuant to section 7 and to advise the
11 Secretary regarding such applications.

12 (b) COMPOSITION OF PEER REVIEW PANELS.—The
13 Secretary shall ensure that each peer review panel is not
14 comprised wholly of full-time officers or employees of the
15 Federal Government and includes, at a minimum—

16 (1) experts in the establishment and adminis-
17 tration of early college high schools or other dual or
18 concurrent enrollment programs from the secondary
19 and postsecondary perspective;

20 (2) faculty at institutions of higher education
21 and secondary school teachers with expertise in dual
22 enrollment; and

23 (3) experts in the education of at-risk students.

1 **SEC. 9. GRANTS TO STATES.**

2 (a) IN GENERAL.—The Secretary is authorized to
3 award 5-year grants to State agencies responsible for sec-
4 ondary or postsecondary education for efforts to support
5 or establish early college high schools or other dual or con-
6 current enrollment programs.

7 (b) GRANT AMOUNT.—The Secretary shall ensure
8 that grants are of sufficient size to enable grantees to
9 carry out all required activities.

10 (c) MATCHING REQUIREMENT.—A State shall con-
11 tribute matching funds from non-Federal sources toward
12 the costs of carrying out activities under this section,
13 which funds shall represent not less than 50 percent of
14 the grant amount.

15 (d) PRIORITY.—In awarding grants under this sec-
16 tion, the Secretary shall give priority to States that pro-
17 vide assistance to early college high schools or other dual
18 or concurrent enrollment programs, such as assistance to
19 defray the costs of higher education, such as tuition, fees,
20 and textbooks.

21 (e) APPLICATION.—To receive a grant under this sec-
22 tion, a State agency shall submit to the Secretary an appli-
23 cation at such time, in such manner, and including such
24 information as the Secretary determines to be appropriate.

25 (f) CONTENTS OF APPLICATION.—At a minimum, the
26 application described in subsection (e) shall include—

1 (1) a description of how the State will carry out
 2 all of the required State activities described in sub-
 3 section (g);

4 (2) a description of how the State will identify
 5 and eliminate barriers to implementing effective
 6 early college high schools and dual or concurrent en-
 7 rollment programs after the grant expires, including
 8 by engaging businesses and nonprofit organizations;

9 (3) a description of how the State will access
 10 and leverage additional resources necessary to sus-
 11 tain early college high schools or other dual or con-
 12 current enrollment programs; and

13 (4) such other information as the Secretary de-
 14 termines to be appropriate.

15 (g) STATE ACTIVITIES.—A State receiving a grant
 16 under this section shall use such funds for—

17 (1) creating outreach programs to ensure that
 18 secondary school students, their families, and com-
 19 munity members are aware of early college high
 20 schools and dual or concurrent enrollment programs
 21 in the State;

22 (2) planning and implementing a statewide
 23 strategy for expanding access to early college high
 24 schools and dual or concurrent enrollment programs
 25 for students who are underrepresented in higher

1 education to raise statewide rates of secondary
2 school graduation, readiness for postsecondary edu-
3 cation, and completion of postsecondary degrees and
4 credentials, with a focus on at-risk students, includ-
5 ing identifying any obstacles to such a strategy
6 under State law or policy;

7 (3) providing technical assistance to early col-
8 lege high schools and other dual or concurrent en-
9 rollment programs, such as brokering relationships
10 and agreements that forge a strong partnership be-
11 tween elementary and secondary and postsecondary
12 partners;

13 (4) identifying policies that will improve the ef-
14 fectiveness and ensure the quality of early college
15 high schools and dual or concurrent enrollment pro-
16 grams, such as access, funding, data and quality as-
17 surance, governance, accountability and alignment
18 policies;

19 (5) planning and delivering statewide training
20 and peer learning opportunities for school leaders
21 and teachers from early college high schools and
22 dual or concurrent enrollment programs, which may
23 include providing instructional coaches who offer on-
24 site guidance;

1 (6) disseminating best practices in early college
 2 high schools and dual or concurrent enrollment pro-
 3 grams from across the State and from other States;
 4 and

5 (7) facilitating statewide data collection, re-
 6 search and evaluation, and reporting to policymakers
 7 and other stakeholders.

8 **SEC. 10. REPORTING AND OVERSIGHT.**

9 (a) REPORTING BY GRANTEES.—

10 (1) IN GENERAL.—The Secretary shall establish
 11 uniform guidelines for all grantees concerning infor-
 12 mation such grantees annually shall report to the
 13 Secretary to demonstrate a grantee’s progress to-
 14 ward achieving the goals of this Act.

15 (2) CONTENTS OF REPORT.—At a minimum,
 16 the report described in paragraph (1) shall include,
 17 for eligible entities receiving funds under section 5,
 18 for students participating in the early college high
 19 school or other dual or concurrent enrollment pro-
 20 gram within each category of students described in
 21 section 1111(h)(1)(C)(i) of the Elementary and Sec-
 22 ondary Education Act of 1965 (20 U.S.C.
 23 6311(h)(1)(C)(i)):

24 (A) The number of students.

1 (B) The percentage of students scoring ad-
 2 vanced, proficient, basic, and below basic on the
 3 assessments described in section 1111(b)(3) of
 4 the Elementary and Secondary Education Act
 5 of 1965 (20 U.S.C. 6311(b)(3)).

6 (C) The performance of students on other
 7 assessments or measurements of achievement.

8 (D) The number of secondary school cred-
 9 its earned.

10 (E) The number of postsecondary credits
 11 earned.

12 (F) Attendance rate, as appropriate.

13 (G) Graduation rate.

14 (H) Placement in postsecondary education
 15 or advanced training, in military service, and in
 16 employment.

17 (I) A description of the school or pro-
 18 gram's student, parent, and community out-
 19 reach and engagement.

20 (b) REPORTING BY SECRETARY.—The Secretary an-
 21 nually shall compile and analyze the information described
 22 in subsection (a) and shall submit a report containing such
 23 analysis to the Committee on Health, Education, Labor,
 24 and Pensions of the Senate and the Committee on Edu-
 25 cation and the Workforce of the House of Representatives.

1 The report shall include identification of best practices for
2 achieving the goals of this Act.

3 (c) MONITORING VISITS.—The Secretary’s designee
4 shall visit each grantee at least once for the purpose of
5 helping the grantee achieve the goals of this Act and to
6 monitor the grantee’s progress toward achieving such
7 goals.

8 (d) NATIONAL EVALUATION.—Not later than 6
9 months after the date on which funds are appropriated
10 to carry out this Act, the Secretary shall enter into a con-
11 tract with an independent organization to perform an eval-
12 uation of the grants awarded under this Act. Such evalua-
13 tion shall apply rigorous procedures to obtain valid and
14 reliable data concerning participants’ outcomes by social
15 and academic characteristics and monitor the progress of
16 students from secondary school to and through postsec-
17 ondary education.

18 (e) TECHNICAL ASSISTANCE.—The Secretary shall
19 provide technical assistance to eligible entities concerning
20 best practices in early college high schools and dual or con-
21 current enrollment programs and shall disseminate such
22 best practices among eligible entities and State and local
23 educational agencies.

1 **SEC. 11. RULES OF CONSTRUCTION.**

2 (a) EMPLOYEES.—Nothing in this Act shall be con-
3 strued to alter or otherwise affect the rights, remedies,
4 and procedures afforded to the employees of local edu-
5 cational agencies (including schools) or institutions of
6 higher education under Federal, State, or local laws (in-
7 cluding applicable regulations or court orders) or under
8 the terms of collective bargaining agreements, memoranda
9 of understanding, or other agreements between such em-
10 ployees and their employers.

11 (b) GRADUATION RATE.—A student who graduates
12 from an early college high school supported under this Act
13 in the standard number of years for graduation described
14 in the eligible entity’s application shall be considered to
15 have graduated on time for purposes of section
16 1111(b)(2)(C)(vi) of the Elementary and Secondary Edu-
17 cation Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)).

○