

112TH CONGRESS
1ST SESSION

S. 1306

To provide for secondary school reform.

IN THE SENATE OF THE UNITED STATES

JUNE 30, 2011

Mrs. HAGAN (for herself, Mr. WHITEHOUSE, Mrs. MURRAY, and Mr. KOHL)
introduced the following bill; which was read twice and referred to the
Committee on Health, Education, Labor, and Pensions

A BILL

To provide for secondary school reform.

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 “Secondary School Re-
5 form Act of 2011”.

6 **SEC. 2. SECONDARY SCHOOL REFORM.**

7 (a) PURPOSE.—The purpose of this section is to en-
8 sure students graduate from secondary school with the
9 knowledge and skills needed to succeed in college and the
10 workforce and to increase graduation rates by providing
11 grants to eligible entities to provide schools with the nec-

1 essary resources to implement innovative and effective sec-
2 ondary school reform strategies.

3 (b) DEFINITIONS.—In this section:

4 (1) COMPETENCY-BASED LEARNING MODEL.—

5 The term “competency-based learning model” means
6 an educational model in which students advance
7 upon mastery, educators use explicit and measurable
8 learning objectives to empower students, and assess-
9 ments are used as a learning experience for stu-
10 dents.

11 (2) EFFECTIVE SECONDARY SCHOOL REFORM

12 STRATEGIES.—The term “effective secondary school
13 reform strategies” means a set of programs, inter-
14 ventions, and activities with demonstrated effective-
15 ness in improving the academic achievement of
16 struggling students or dropouts.

17 (3) ELIGIBLE ENTITY.—The term “eligible enti-

18 ty” means a high-need local educational agency in
19 partnership with 1 or more external partners.

20 (4) ELIGIBLE SECONDARY SCHOOL.—The term

21 “eligible secondary school” means a high school
22 that—

23 (A) is eligible for funds under part A of
24 title I of the Elementary and Secondary Edu-
25 cation Act of 1965 (20 U.S.C. 6311 et seq.);

1 (B) has a graduation rate below 75 per-
2 cent;

3 (C) does not receive grant funds under sec-
4 tion 1003(g) of the Elementary and Secondary
5 Education Act of 1965 (20 U.S.C. 6303(g));
6 and

7 (D) is identified as in need of improvement
8 by a local educational agency based on a dis-
9 trict-wide needs analysis and capacity assess-
10 ment.

11 (5) EXTERNAL PARTNER.—The term “external
12 partner” means a public or private nonprofit organi-
13 zation, public or private nonprofit institution of
14 higher education, or nonprofit charter management
15 organization, with a demonstrated record of success-
16 ful secondary school reform.

17 (6) FEEDER MIDDLE SCHOOL.—The term
18 “feeder middle school” means an elementary school
19 or secondary school ending in grade 8 from which a
20 majority of students go on to attend an eligible sec-
21 ondary school.

22 (7) SECRETARY.—The term “Secretary” means
23 the Secretary of Education.

24 (8) STRUGGLING STUDENT.—The term “strug-
25 gling student” means a student who exhibits out-

1 comes or behaviors that indicate the student is at an
2 increased risk for low academic achievement and is
3 unlikely to achieve secondary school graduation in
4 the standard number of years.

5 (c) GRANTS AUTHORIZED.—

6 (1) IN GENERAL.—

7 (A) RESERVATION.—

8 (i) IN GENERAL.—From the total
9 amount of funds appropriated to carry out
10 this section for a fiscal year, the Secretary
11 may reserve not more than 2.5 percent for
12 national activities, which the Secretary
13 shall use for technical assistance, data col-
14 lection and dissemination, reporting activi-
15 ties, and the evaluation described in clause
16 (ii).

17 (ii) EVALUATION.—From the amount
18 reserved under clause (i), the Director of
19 the Institute of Education Sciences shall
20 conduct an evaluation of the impact of the
21 activities carried out under this section.

22 (B) GRANTS.—From the total amount of
23 funds appropriated to carry out this section for
24 a fiscal year and not reserved under subpara-
25 graph (A), the Secretary shall award grants, on

1 a competitive basis, to eligible entities, based on
2 the quality of the applications submitted, of
3 which—

4 (i) not more than 25 percent of grant
5 funds shall be used for activities described
6 in subsection (e)(1); and

7 (ii) not less than 75 percent of grant
8 funds shall be used for activities described
9 in paragraphs (2) and (3) of subsection (e)
10 and subsection (f).

11 (2) GRANT DURATION.—Grants awarded under
12 this section shall be for a period of 5 years, condi-
13 tional after 3 years on satisfactory progress on the
14 performance indicators described in subsection
15 (d)(2)(E).

16 (3) ANNUAL REPORT.—Each eligible entity that
17 receives a grant under this section shall submit to
18 the Secretary, at such time and in such manner as
19 the Secretary may require, an annual report includ-
20 ing data on the entity's progress on the performance
21 indicators described in subsection (d)(2)(E).

22 (d) APPLICATION.—

23 (1) IN GENERAL.—An eligible entity that de-
24 sires a grant under this section shall submit an ap-
25 plication to the Secretary at such time, in such man-

1 ner, and containing such information as the Sec-
2 retary may reasonably require.

3 (2) CONTENTS.—Each application submitted
4 under paragraph (1) shall include, at a minimum, a
5 description of the following:

6 (A) How the eligible entity will use funds
7 awarded under this section to carry out the ac-
8 tivities described in subsection (e)(1).

9 (B) The external partner's capacity and
10 record of success in secondary school reform
11 and how the eligible entity will sustain the ac-
12 tivities proposed, including the availability of
13 funds from non-Federal sources and coordina-
14 tion with other funding sources.

15 (C) How the eligible entity conducted a
16 comprehensive needs analysis and capacity as-
17 sessment of the secondary schools served by the
18 eligible entity to identify eligible secondary
19 schools. The needs analysis and capacity assess-
20 ment shall carry out the following:

21 (i) Examine each secondary school's
22 data in the aggregate and disaggregated by
23 each of the categories of students described
24 in section 1111(b)(2)(C)(v)(II) of the Ele-
25 mentary and Secondary Education Act of

1 1965 (20 U.S.C. 6311(b)(2)(C)(v)(II)) on
2 the following:

3 (I) Graduation rate and charac-
4 teristics of those students that are not
5 graduating, including such students'
6 attendance, behavior, suspension
7 rates, course performance, and credit
8 accumulation rates.

9 (II) Rates of dropout recovery
10 (re-entry).

11 (III) Rates of college remedi-
12 ation, enrollment, persistence, and
13 completion.

14 (IV) Performance with respect to
15 measures of career success.

16 (ii) Examine each secondary school
17 and feeder middle school's data in the ag-
18 gregate, and disaggregated by each of the
19 categories of students described in section
20 1111(b)(2)(C)(v)(II) of the Elementary
21 and Secondary Education Act of 1965 (20
22 U.S.C. 6311(b)(2)(C)(v)(II)), as applica-
23 ble, on the following:

24 (I) Student academic achieve-
25 ment, including the percentage of stu-

1 dents who have on-time credit accu-
2 mulation at the end of each grade and
3 the percent of students failing a core,
4 credit-bearing, reading or language
5 arts, science, or mathematics course,
6 or failing 2 or more of any courses.

7 (II) Percent of students who have
8 an attendance rate lower than 90 per-
9 cent.

10 (III) Annual rates of expulsions,
11 suspensions, school violence, harass-
12 ment, and bullying.

13 (IV) Annual, average credit accu-
14 mulation.

15 (V) Annual, average attendance
16 rates.

17 (VI) Annual rates of student mo-
18 bility.

19 (VII) Curriculum alignment
20 across all grade levels.

21 (VIII) Non-academic barriers
22 that impact student achievement and
23 the availability of student and aca-
24 demic support services to address
25 those barriers.

1 (iii) Examine and include a descrip-
2 tion of each eligible secondary school's ca-
3 pacity to implement the school reform ac-
4 tivities under subsection (e)(3), includ-
5 ing—

6 (I) the number, experience, train-
7 ing level, responsibilities, and stability
8 of existing administrative, instruc-
9 tional, and non-instructional staff for
10 the eligible secondary school;

11 (II) the budget, including how
12 Federal, State, and local funds are
13 being spent, as of the time of the as-
14 sessment, for instruction and oper-
15 ations at the school level for staff sal-
16 aries, instructional materials, profes-
17 sional development, and student sup-
18 port services, in order to establish the
19 extent to which existing resources
20 need to and can be reallocated to sup-
21 port the needed eligible secondary
22 school activities; and

23 (III) the technical assistance, ad-
24 ditional resources, and staff necessary

1 to implement the activities identified
2 in subsection (e).

3 (iv) Include an assessment of the eli-
4 gible entity's capacity to provide technical
5 assistance, additional staff, and resources
6 to implement the activities described in
7 subsection (e).

8 (D) The strategies chosen to be imple-
9 mented at the eligible secondary schools, includ-
10 ing—

11 (i) a rationale for reform strategies
12 selected for each of the eligible secondary
13 schools, including how the chosen strategy
14 will most effectively address the needs
15 identified through the needs analysis;

16 (ii) each eligible secondary school's ca-
17 pacity to implement the chosen reform
18 strategies, including the quality of external
19 partners and the qualifications of school
20 leaders; and

21 (iii) a description of the performance
22 of the eligible secondary schools and feeder
23 middle schools, including the information
24 requested in clauses (i) and (ii) of subpara-
25 graph (C).

1 (E) The performance indicators and tar-
2 gets the eligible entity will use to assess the ef-
3 fectiveness of the activities implemented under
4 this section and to determine whether the eligi-
5 ble secondary schools and feeder middle schools
6 will receive funds in years 4 and 5, including,
7 in the aggregate and disaggregated by each of
8 the categories of students described in section
9 1111(b)(2)(C)(v)(II) of the Elementary and
10 Secondary Education Act of 1965 (20 U.S.C.
11 6311(b)(2)(C)(v)(II)), as applicable, includ-
12 ing—

13 (i) graduation rates;

14 (ii) dropout recovery (re-entry) rates;

15 (iii) percentage of students with not
16 less than a 90 percent attendance rate;

17 (iv) percentage of students who have
18 on-time credit accumulation at the end of
19 each grade and the percentage of students
20 failing a core, credit-bearing, reading or
21 language arts, science, or mathematics
22 course, or failing 2 or more of any courses;

23 (v) average annual credit accumula-
24 tion rates;

- 1 (vi) rates of expulsions, suspensions,
 2 school violence, harassment, and bullying;
 3 (vii) annual, average attendance rates;
 4 (viii) annual rates of student mobility;
 5 (ix) college remediation, enrollment,
 6 persistence, and completion rates; and
 7 (x) percentage of students success-
 8 fully—
- 9 (I) completing Advanced Place-
 10 ment (AP) or International Bacca-
 11 laureate (IB) courses;
- 12 (II) completing rigorous postsec-
 13 ondary education courses; or
- 14 (III) enrolling in and completing,
 15 as applicable, career and technical
 16 education, registered apprenticeship
 17 and workforce training programs.

18 (e) REQUIRED USES OF FUNDS.—

19 (1) IN GENERAL.—An eligible entity that re-
 20 ceives a grant under this section shall use the grant
 21 funds to—

- 22 (A) implement an early warning indicator
 23 and intervention system to help all middle
 24 schools and high schools served by the eligible
 25 entity's local educational agency to identify

1 struggling students and to create a system of
2 evidence-based interventions to be used by all
3 schools to effectively intervene, by—

4 (i) identifying and analyzing, through
5 the use of longitudinal data of past cohorts
6 of students, the academic and behavioral
7 indicators that most reliably predict drop-
8 ping out of secondary school, such as at-
9 tendance, behavior, academic performance
10 in core courses, and earned on time pro-
11 motion from grade-to-grade;

12 (ii) analyzing the distribution of
13 struggling students in secondary schools
14 across all grades;

15 (iii) analyzing student progress and
16 performance on the indicators identified
17 under clause (i) to guide decisionmaking;

18 (iv) analyzing academic indicators to
19 determine whether students are on track
20 for on-time secondary school graduation
21 and college and career readiness;

22 (v) analyzing student data to assist
23 students in grade and school transitions
24 from kindergarten through high school
25 graduation; and

1 (vi) developing a mechanism for regu-
2 larly collecting, reporting, and making ac-
3 cessible to all schools served by the eligible
4 entity—

5 (I) student-level data on the indi-
6 cators identified under clause (i);

7 (II) student-level progress and
8 performance, as described in clause
9 (iii);

10 (III) student-level data on the in-
11 dicators described in clause (iv); and

12 (IV) information about the im-
13 pact of interventions on student out-
14 comes and progress;

15 (B) provide support and credit recovery op-
16 portunities for struggling students at secondary
17 schools served by the eligible entity by offering
18 activities, such as—

19 (i) a flexible school schedule to ad-
20 dress struggling students' academic needs;

21 (ii) competency-based learning models
22 and performance-based assessments to im-
23 prove educational outcomes for over-aged
24 or under-credited students;

1 (iii) an opportunity to work with a
2 teacher in a small group on core academic
3 subjects; and

4 (iv) the provision of support services;

5 (C) provide dropout recovery or re-entry
6 programs to secondary schools that are de-
7 signed to encourage and support dropouts re-
8 turning to an educational system, program, or
9 institution following an extended absence in
10 order to obtain a regular secondary school di-
11 ploma and essential workforce skills by—

12 (i) conducting outreach to students
13 who have dropped out;

14 (ii) making information about effec-
15 tive, local dropout recovery programs pub-
16 licly available; and

17 (iii) providing school counseling serv-
18 ices;

19 (D) provide evidence-based grade and
20 school transition programs and supports from
21 kindergarten through high school graduation,
22 including by ensuring curricula alignment; and

23 (E) provide school leaders, instructional
24 staff, non-instructional staff, students, and

1 families with high-quality, easily accessible in-
2 formation about—

3 (i) secondary school graduation re-
4 quirements;

5 (ii) postsecondary education applica-
6 tion processes;

7 (iii) admissions processes and require-
8 ments, including all public financial aid
9 and private scholarship and other grant
10 aid opportunities; and

11 (iv) other programs and services for
12 increasing rates of college access and suc-
13 cess for students from low-income families.

14 (2) REQUIRED USE OF FUNDS IN FEEDER MID-
15 DLE SCHOOLS.—An eligible entity that receives a
16 grant under this section shall use the grant funds in
17 feeder middle schools to improve the academic
18 achievement of their students and prepare them for
19 rigorous secondary school course work by taking ac-
20 tions such as—

21 (A) using early warning indicator and
22 intervention systems described in paragraph
23 (1)(A) to inform coordinated academic and be-
24 havioral supports to improve outcomes of their
25 students;

1 (B) creating a personalized learning envi-
2 ronment by developing an academic plan for
3 each student and assigning not less than 1
4 adult to each student to help monitor student
5 progress;

6 (C) providing high-quality professional de-
7 velopment opportunities to school leaders,
8 teachers, and other school staff to prepare staff
9 to—

10 (i) address the academic challenges of
11 students in middle grades;

12 (ii) understand the developmental
13 needs of students in the middle grades and
14 how to address them in an educational set-
15 ting;

16 (iii) implement data-driven interven-
17 tions; and

18 (iv) provide academic guidance to stu-
19 dents so the students can achieve the aca-
20 demic goals established in their academic
21 plans; and

22 (D) implementing organizational practices
23 and school schedules that allow for collaborative
24 staff participation, team teaching, and common
25 instructional planning time.

1 (3) REQUIRED USE OF FUNDS IN ELIGIBLE
2 SECONDARY SCHOOLS.—An eligible entity that re-
3 ceives a grant under this section shall use the grant
4 funds in eligible secondary schools to carry out the
5 following:

6 (A) Personalize the school experience by
7 taking steps such as—

8 (i) creating Academic Support Labs
9 where struggling students can receive per-
10 sonalized instruction and opportunities for
11 credit recovery;

12 (ii) having small classes with a low
13 teacher-student ratio;

14 (iii) implementing competency-based
15 models;

16 (iv) providing ongoing monitoring of
17 student academic achievement and the nec-
18 essary supports so the students are on
19 track for on-time secondary school gradua-
20 tion and college and career readiness; or

21 (v) cohort or block scheduling.

22 (B) Increase student engagement by pro-
23 viding service-learning, experiential, and work-
24 based and other learning opportunities, such
25 as—

1 (i) rigorous and relevant project-based
2 contextual learning opportunities;

3 (ii) internship opportunities, including
4 work-based internships;

5 (iii) community service, learning ap-
6 prenticeships, and job shadowing; and

7 (iv) college campus visits, and college
8 and career counseling.

9 (C) Provide school leaders with autonomy
10 through a flexible budget and hiring authority.

11 (D) Implement high-quality professional
12 development for teachers and school leadership
13 teams and provide increased opportunities for
14 teachers to work collaboratively and to partici-
15 pate in common planning, within and across
16 grades and subjects, to improve instruction.

17 (E) Improve curriculum and instruction,
18 by taking actions such as—

19 (i) implementing a college and career
20 ready curriculum for all students;

21 (ii) adopting effective, evidence-based
22 curriculum and instructional materials
23 aligned to high academic standards for all
24 students; and

1 (iii) increasing rigor through Ad-
2 vanced Placement courses, International
3 Baccalaureate courses, or another highly
4 rigorous, evidence-based, postsecondary
5 preparatory program culminating in an ex-
6 amination administered by a nationally
7 recognized educational association, as ap-
8 proved by the Secretary.

9 (F) Develop an individual graduation plan
10 for each student that defines each student’s ca-
11 reer and postsecondary education goals, and
12 provides the individualized evidence-based inter-
13 ventions necessary to meet the goals.

14 (G) Implement 1 of the following effective
15 secondary school reform strategies to prepare
16 students for college and a career, and to im-
17 prove graduation rates:

18 (i) Graduation Promise Academies,
19 which include—

20 (I) 9th grade academies taught
21 by teams of teachers who work with
22 small groups of students;

23 (II) Career Academies for upper
24 grades;

1 (III) extended learning periods,
2 such as cohort or block scheduling, to
3 reduce the number of students for
4 whom teachers are responsible and
5 the number of courses students are
6 taking at any one time;

7 (IV) an after-hours credit recov-
8 ery program;

9 (V) curriculum coaches who pro-
10 vide high-quality professional develop-
11 ment and support;

12 (VI) partnerships among parents,
13 teachers, administrators, community-
14 based organizations, and community
15 members focused on improving stu-
16 dent achievement; and

17 (VII) a college-going culture, in-
18 cluding student supports and guid-
19 ance.

20 (ii) Career Academies, which—

21 (I) establish career pathways by
22 implementing a college and career
23 ready curriculum that integrates rig-
24 orous academics, career and technical
25 education, and experiential learning

- 1 for high school students in high-skill,
2 high-demand industries in collabora-
3 tion with local and regional employers;
- 4 (II) provide counseling to ad-
5 vance students' college and career
6 goals;
- 7 (III) collaborate with local em-
8 ployers to develop and provide work-
9 based experiences for high school stu-
10 dents;
- 11 (IV) establish an advisory com-
12 mittee that includes local and regional
13 employers, nonprofit institutions of
14 higher education, and others, to assist
15 in the Career Academies' development
16 and implementation;
- 17 (V) modernize career-related
18 equipment utilized by students; and
- 19 (VI) provide dual enrollment op-
20 portunities with college credit-bearing
21 courses, including accelerated certifi-
22 cate programs with community col-
23 leges or other industry-recognized cer-
24 tificates.
- 25 (iii) Early College Schools, which—

- 1 (I) partner with 1 or more public
2 or nonprofit institutions of higher
3 education;
- 4 (II) conduct outreach programs
5 to ensure that middle school and high
6 school students and their families are
7 aware of the Early College Schools;
- 8 (III) design curriculum and se-
9 quence of courses in collaboration
10 with teachers from the eligible sec-
11 ondary school and faculty from the
12 partner institution of higher education
13 so that students may simultaneously
14 earn credits towards a high school di-
15 ploma and either an associate degree
16 or transferable postsecondary edu-
17 cation credits toward a postsecondary
18 degree;
- 19 (IV) coordinate secondary and
20 postsecondary support services, aca-
21 demic calendars, and transportation
22 to allow students to visit and take
23 courses at the institutions of higher
24 education; and

1 (V) provide academic and sup-
2 port services, including financial aid
3 counseling, to enable students to make
4 informed choices about their programs
5 of study and ensure they are on track
6 to college and career readiness.

7 (f) ALLOWABLE USES OF FUNDS.—An eligible entity
8 that receives a grant under this section may use grant
9 funds to—

10 (1) improve community and family engagement
11 in the educational attainment and achievement of
12 struggling students and dropouts by—

13 (A) leveraging community-based services
14 and opportunities to provide every student with
15 the academic and other supports necessary for
16 academic success; and

17 (B) increasing family engagement by pro-
18 viding families with the necessary tools and
19 data to support their children’s academic
20 achievement and navigate the public school sys-
21 tem;

22 (2) provide extended learning opportunities,
23 such as—

1 (A) redesigning the school day, week, or
2 year to create extended learning time in core
3 subjects; or

4 (B) utilizing block scheduling to create
5 longer class periods that allow teachers the time
6 to teach in depth and to use a variety of in-
7 structional strategies that meet the needs of
8 different kinds of learners;

9 (3) increase student supports through evidence-
10 based use of student advisories, school counseling
11 opportunities, case management, and one-on-one
12 mentoring; and

13 (4) create smaller learning communities.

14 (g) MATCHING FUNDS.—

15 (1) IN GENERAL.—An eligible entity that re-
16 ceives a grant under this section shall provide
17 matching funds, from non-Federal sources, in an
18 amount equal to not less than 20 percent of the
19 amount of grant funds awarded in the first 3 years
20 of the grant, not less than 50 percent of the amount
21 awarded in the fourth year of the grant, and not less
22 than 75 percent of the amount awarded in the fifth
23 year of the grant, as applicable.

24 (2) WAIVER.—The Secretary may waive all or
25 part of the matching requirement described in para-

1 graph (1) for any fiscal year for an eligible entity if
2 the Secretary determines that applying the matching
3 requirement to such eligible entity would result in
4 serious hardship or an inability to carry out the au-
5 thorized activities described in subsection (e).

6 (h) SUPPLEMENT NOT SUPPLANT.—An eligible enti-
7 ty shall use Federal funds received under this section only
8 to supplement the funds that would, in the absence of such
9 Federal funds, be made available from other Federal and
10 non-Federal sources for the activities described in this sec-
11 tion, and not to supplant such funds.

12 (i) AUTHORIZATION OF APPROPRIATIONS.—There
13 are authorized to be appropriated to carry out this Act
14 \$300,000,000 for fiscal year 2012 and such sums as may
15 be necessary for each of the 5 succeeding fiscal years.

○