

112TH CONGRESS
1ST SESSION

S. 154

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

IN THE SENATE OF THE UNITED STATES

JANUARY 25 (legislative day, JANUARY 5), 2011

Mr. KOHL (for himself and Mr. BROWN of Ohio) 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 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 2011”.

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 ENROLLMENT PROGRAM.**—The term
7 “dual enrollment program” means an academic pro-
8 gram through which a secondary school student is
9 able simultaneously to earn credit toward a sec-
10 ondary school diploma and a postsecondary degree
11 or credential.

12 (2) **EARLY COLLEGE HIGH SCHOOL.**—The term
13 “early college high school” means a public secondary
14 school, as defined in section 9101 of the Elementary
15 and Secondary Education Act of 1965 (20 U.S.C.
16 7801), that provides a course of study that enables
17 a student to earn a secondary school diploma and ei-
18 ther an associate’s degree or 1 to 2 years of postsec-
19 ondary credit toward a postsecondary degree or cre-
20 dential.

21 (3) **ELIGIBLE ENTITY.**—The term “eligible enti-
22 ty” means a local educational agency in a collabo-
23 rative partnership with an institution of higher edu-
24 cation. Such partnership also may include other en-

1 tities, such as a nonprofit organization with experi-
2 ence in youth development.

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

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

11 (6) SECRETARY.—The term “Secretary” means
12 the Secretary of Education.

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

18 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS; RESERVA-**
19 **TIONS.**

20 (a) IN GENERAL.—To carry out this Act, there are
21 authorized to be appropriated \$150,000,000 for fiscal year
22 2012 and such sums as may be necessary for each of fiscal
23 years 2013–2017.

24 (b) EARLY COLLEGE HIGH SCHOOLS.—The Sec-
25 retary shall reserve not less than 45 percent of the funds

1 appropriated under subsection (a) to support early college
2 high schools under section 5.

3 (c) OTHER DUAL ENROLLMENT PROGRAMS.—The
4 Secretary shall reserve not less than 45 percent of such
5 funds to support other dual enrollment programs (not in-
6 cluding early college high schools) under section 5.

7 (d) STATE GRANTS.—The Secretary shall reserve 10
8 percent of such funds, or \$10,000,000, whichever is less,
9 for grants to States under section 9.

10 **SEC. 5. AUTHORIZED PROGRAM.**

11 (a) IN GENERAL.—The Secretary is authorized to
12 award, on a competitive basis, 6-year grants to eligible en-
13 tities seeking to establish a new, or support an existing,
14 early college high school or other dual enrollment program.

15 (b) GRANT AMOUNT.—The Secretary shall ensure
16 that each grant under this section is of sufficient size to
17 enable grantees to carry out all required activities and oth-
18 erwise meet the purposes of this Act, except that a grant
19 under this section may not exceed \$2,000,000.

20 (c) MATCHING REQUIREMENT.—

21 (1) IN GENERAL.—An eligible entity shall con-
22 tribute matching funds toward the costs of the early
23 college high school or other dual enrollment program
24 to be supported under this section, of which not less

1 than half shall be from non-Federal sources, which
2 funds shall represent not less than the following:

3 (A) 20 percent of the grant amount re-
4 ceived in each of the first and second years of
5 the grant.

6 (B) 30 percent in each of the third and
7 fourth years.

8 (C) 40 percent in the fifth year.

9 (D) 50 percent in the sixth year.

10 (2) DETERMINATION OF AMOUNT CONTRIB-
11 UTED.—The Secretary shall allow an eligible entity
12 to satisfy the requirements of this subsection
13 through in-kind contributions.

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

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

22 (1) that propose to establish or support an
23 early college high school or other dual enrollment
24 program that will serve a student population of
25 which 40 percent or more are students counted

1 under section 1113(a)(5) of the Elementary and
 2 Secondary Education Act of 1965 (20 U.S.C.
 3 6313(a)(5)); and

4 (2) from States that provide assistance to early
 5 college high schools or other dual enrollment pro-
 6 grams, such as assistance to defray the costs of
 7 higher education, such as tuition, fees, and text-
 8 books.

9 (f) GEOGRAPHIC DISTRIBUTION.—The Secretary
 10 shall, to the maximum extent practicable, ensure that re-
 11 cipients of grants under this section are from a represent-
 12 ative cross-section of urban, suburban, and rural areas.

13 **SEC. 6. USE OF FUNDS.**

14 (a) MANDATORY ACTIVITIES.—An eligible entity
 15 shall use grant funds received under section 5 to support
 16 the activities described in its application under section 7,
 17 including the following:

18 (1) PLANNING YEAR.—In the case of a new
 19 early college high school or other dual enrollment
 20 program, during the first year of the grant—

21 (A) hiring a principal and staff, as appro-
 22 priate;

23 (B) designing the curriculum and sequence
 24 of courses in collaboration with, at a minimum,
 25 teachers from the local educational agency and

1 faculty from the partner institution of higher
2 education;

3 (C) informing parents and the community
4 about the school or program and opportunities
5 to become actively involved in the school or pro-
6 gram;

7 (D) establishing a course articulation proc-
8 ess for defining and approving courses for sec-
9 ondary school credit and credit toward a post-
10 secondary degree or credential;

11 (E) outreach programs to ensure that sec-
12 ondary school students and their families are
13 aware of the school or program;

14 (F) liaison activities among partners in the
15 eligible entity; and

16 (G) coordinating secondary and postsec-
17 ondary support services, academic calendars,
18 and transportation.

19 (2) IMPLEMENTATION PERIOD.—During the re-
20 mainder of the grant period—

21 (A) academic and social support services,
22 including counseling;

23 (B) liaison activities among partners in the
24 eligible entity;

1 (C) data collection and use of such data
2 for student and instructional improvement and
3 program evaluation;

4 (D) outreach programs to ensure that sec-
5 ondary school students and their families are
6 aware of the early college high school or other
7 dual enrollment program;

8 (E) professional development, including
9 joint professional development for secondary
10 school personnel and faculty from the institu-
11 tion of higher education; and

12 (F) school or program design and planning
13 team activities, including curriculum develop-
14 ment.

15 (b) ALLOWABLE ACTIVITIES.—An eligible entity may
16 use grant funds received under section 5 to support the
17 activities described in its application under section 7, in-
18 cluding—

19 (1) purchasing textbooks and equipment that
20 support the curriculum of the early college high
21 school or other dual enrollment program;

22 (2) developing learning opportunities for stu-
23 dents that complement classroom experiences, such
24 as internships, career-based capstone projects, and
25 opportunities to participate in the activities provided

1 under chapters 1 and 2 of subpart 2 of part A of
2 title IV of the Higher Education Act of 1965 (20
3 U.S.C. 1070a–11 et seq., 1070a–21 et seq.);

4 (3) transportation; and

5 (4) planning time for secondary school edu-
6 cators and educators from an institution of higher
7 education to collaborate.

8 **SEC. 7. APPLICATION.**

9 (a) IN GENERAL.—To receive a grant under section
10 5, an eligible entity shall submit to the Secretary an appli-
11 cation at such time, in such manner, and including such
12 information as the Secretary may require.

13 (b) CONTENTS OF APPLICATION.—At a minimum,
14 the application described in subsection (a) shall include
15 a description of—

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

18 (2) each partner in the eligible entity and the
19 partner’s experience with early college high schools
20 or other dual enrollment programs, key personnel
21 from each partner and such personnel’s responsibil-
22 ities for the school or program, and how the eligible
23 entity will work with secondary and postsecondary
24 teachers, other public and private entities, commu-
25 nity-based organizations, businesses, labor organiza-

1 tions, and parents to ensure that students will be
2 prepared to succeed in postsecondary education and
3 employment, which may include the development of
4 an advisory board;

5 (3) how the eligible entity will target and re-
6 cruit at-risk youth, including those at risk of drop-
7 ping out of school, students who are among the first
8 generation in their family to attend an institution of
9 higher education, and students from populations de-
10 scribed in section 1111(b)(2)(C)(v)(II) of the Ele-
11 mentary and Secondary Education Act of 1965 (20
12 U.S.C. 6311(b)(2)(C)(v)(II));

13 (4) a system of student supports, including
14 small group activities, tutoring, literacy and
15 numeracy skill development in all academic dis-
16 ciplines, parental and community outreach and en-
17 gagement, extended learning time, and activities to
18 improve readiness for postsecondary education, such
19 as academic seminars and counseling;

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

24 (6) how parents or guardians of students par-
25 ticipating in the early college high school or other

1 dual enrollment program will be informed of the stu-
2 dents' academic performance and progress and, if
3 required under paragraph (5), involved in the devel-
4 opment of the students' career and graduation
5 plans;

6 (7) coordination between the institution of high-
7 er education and the local educational agency, in-
8 cluding regarding academic calendars, provision of
9 student services, curriculum development, and pro-
10 fessional development;

11 (8) how the eligible entity will ensure that
12 teachers in the early college high school or other
13 dual enrollment program—

14 (A) receive appropriate professional devel-
15 opment and other supports, including profes-
16 sional development and supports to enable the
17 teachers to utilize effective parent and commu-
18 nity engagement strategies; and

19 (B) help English-language learners, stu-
20 dents with disabilities, and students from di-
21 verse cultural backgrounds to succeed;

22 (9) learning opportunities for students that
23 complement classroom experiences, such as intern-
24 ships, career-based capstone projects, and opportuni-
25 ties to participate in the activities provided under

1 chapters 1 and 2 of subpart 2 of part A of title IV
2 of the Higher Education Act of 1965 (20 U.S.C.
3 1070a–11 et seq., 1070a–21 et seq.);

4 (10) how policies, agreements, and the courses
5 in the program will ensure that postsecondary cred-
6 its earned will be transferable to, at a minimum,
7 public institutions of higher education within the
8 State, consistent with existing statewide articulation
9 agreements (as of the time of the application);

10 (11) student assessments and other measure-
11 ments of student achievement, including benchmarks
12 for student achievement;

13 (12) outreach programs to provide elementary
14 and secondary school students, especially those in
15 middle grades, and their parents, teachers, school
16 counselors, and principals with information about,
17 and academic preparation for, the early college high
18 school or other dual enrollment program;

19 (13) how the local educational agency and insti-
20 tution of higher education will work together, as ap-
21 propriate, to collect and use data for student and in-
22 structional improvement and program evaluation;

23 (14) how the eligible entity will help students
24 meet eligibility criteria for postsecondary courses

1 and ensure that students understand how their cred-
2 its will transfer; and

3 (15) how the eligible entity will access and le-
4 verage additional resources necessary to sustain the
5 early college high school or other dual enrollment
6 program after the grant expires, including by engag-
7 ing businesses and non-profit organizations.

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

10 (1) in the case of an early college high school,
11 the majority of courses offered, including of postsec-
12 ondary courses, will be offered at facilities of the
13 partnering institution of higher education;

14 (2) students will not be required to pay tuition
15 or fees for postsecondary courses offered as part of
16 the early college high school or other dual enrollment
17 program;

18 (3) upon completion of the requisite
19 coursework, each student shall receive an official
20 record of postsecondary credits that have been
21 earned;

22 (4) faculty teaching such postsecondary courses
23 meet the normal standards for faculty established by
24 the institution of higher education.

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

4 **SEC. 8. PEER REVIEW.**

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

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

13 (1) experts in the establishment and adminis-
14 tration of early college high schools or other dual en-
15 rollment programs from the secondary and postsec-
16 ondary perspective;

17 (2) faculty at institutions of higher education
18 and secondary school teachers with expertise in dual
19 enrollment; and

20 (3) experts in the education of students who
21 may be at risk of not completing their secondary
22 school education.

23 **SEC. 9. GRANTS TO STATES.**

24 (a) IN GENERAL.—The Secretary is authorized to
25 award, on a competitive basis, 5-year grants to State agen-

1 cies responsible for secondary or postsecondary education
2 for efforts to support or establish early college high schools
3 or other dual enrollment programs.

4 (b) GRANT AMOUNT.—The Secretary shall ensure
5 that each grant awarded under this section is of sufficient
6 size to enable the grantee to carry out all required activi-
7 ties.

8 (c) MATCHING REQUIREMENT.—A State receiving a
9 grant under this section shall contribute matching funds
10 from non-Federal sources toward the costs of carrying out
11 activities under this section, which funds shall represent
12 not less than 50 percent of the grant amount received in
13 each year of the grant.

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

20 (e) APPLICATION.—

21 (1) IN GENERAL.—To receive a grant under
22 this section, a State agency shall submit to the Sec-
23 retary an application at such time, in such manner,
24 and including such information as the Secretary may
25 require.

1 (2) CONTENTS OF APPLICATION.—At a min-
2 imum, the application described in paragraph (1)
3 shall include a description of—

4 (A) how the State will carry out all of the
5 required State activities described in subsection
6 (f);

7 (B) how the State will identify and elimi-
8 nate barriers to implementing effective early
9 college high schools and other dual enrollment
10 programs after the grant expires, including by
11 engaging businesses and non-profit organiza-
12 tions; and

13 (C) how the State will access and leverage
14 additional resources necessary to sustain early
15 college high schools or other dual enrollment
16 programs.

17 (f) STATE ACTIVITIES.—A State receiving a grant
18 under this section shall use such funds for—

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

24 (2) planning and implementing a statewide
25 strategy for expanding access to early college high

1 schools and other dual enrollment programs for stu-
2 dents who are underrepresented in higher education
3 to raise statewide rates of secondary school gradua-
4 tion, readiness for postsecondary education, and
5 completion of postsecondary degrees and credentials,
6 with a focus on at-risk students, including identi-
7 fying any obstacles to such a strategy under State
8 law or policy;

9 (3) providing technical assistance to early col-
10 lege high schools and other dual enrollment pro-
11 grams, such as brokering relationships and agree-
12 ments that forge a strong partnership between ele-
13 mentary and secondary and postsecondary partners;

14 (4) identifying policies that will improve the ef-
15 fectiveness and ensure the quality of early college
16 high schools and other dual enrollment programs,
17 such as access, funding, data and quality assurance,
18 governance, accountability, and alignment 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 other dual enrollment programs, which may include
23 providing instructional coaches who offer on-site
24 guidance;

1 (6) disseminating best practices in early college
2 high schools and other dual enrollment programs
3 from across the State and from other States; and

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

7 **SEC. 10. REPORTING AND OVERSIGHT.**

8 (a) REPORTING BY GRANTEES.—

9 (1) IN GENERAL.—The Secretary shall establish
10 uniform guidelines for all grantees under this Act
11 concerning the information that each grantee shall
12 report annually to the Secretary in order to dem-
13 onstrate progress toward achieving the purpose of
14 this Act.

15 (2) CONTENTS OF REPORT.—At a minimum, a
16 report submitted under this subsection by an eligible
17 entity receiving funds under section 5 for an early
18 college high school or other dual enrollment program
19 shall include the following information about the stu-
20 dents participating in the school or program, for
21 each category of students described in section
22 1111(h)(1)(C)(i) of the Elementary and Secondary
23 Education Act of 1965 (20 U.S.C.
24 6311(h)(1)(C)(i)):

25 (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 such Act of 1965 (20 U.S.C. 6311(b)(3)).

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

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

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

11 (F) Attendance rate, as appropriate.

12 (G) Graduation rate.

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

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

19 (b) REPORTING BY SECRETARY.—The Secretary an-
20 nually shall—

21 (1) prepare a report that compiles and analyzes
22 the information described in subsection (a) and iden-
23 tifies the best practices for achieving the purpose of
24 this Act; and

1 (2) submit the report to the Committee on
2 Health, Education, Labor, and Pensions of the Sen-
3 ate and the Committee on Education and the Work-
4 force of the House of Representatives.

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

10 (d) NATIONAL EVALUATION.—

11 (1) IN GENERAL.—Not later than 6 months
12 after the date on which funds are appropriated to
13 carry out this Act, the Secretary shall enter into a
14 contract with an independent organization to per-
15 form an evaluation of the grants awarded under this
16 Act.

17 (2) CONTENTS OF EVALUATION.—The evalua-
18 tion described in paragraph (1) shall apply rigorous
19 procedures to—

20 (A) obtain valid and reliable data con-
21 cerning participant outcomes, disaggregated by
22 relevant categories, which the Secretary shall
23 determine; and

1 (B) monitor the progress of students from
2 secondary school to and through postsecondary
3 education.

4 (e) **TECHNICAL ASSISTANCE.**—The Secretary shall
5 provide technical assistance to eligible entities concerning
6 best practices in early college high schools and other dual
7 enrollment programs and shall disseminate such best prac-
8 tices among eligible entities, State educational agencies,
9 and local educational agencies.

10 **SEC. 11. RULES OF CONSTRUCTION.**

11 (a) **EMPLOYEES.**—Nothing in this Act shall be con-
12 strued to alter or otherwise affect the rights, remedies,
13 and procedures afforded to the employees of local edu-
14 cational agencies (including schools) or institutions of
15 higher education under Federal, State, or local laws (in-
16 cluding applicable regulations or court orders) or under
17 the terms of collective bargaining agreements, memoranda
18 of understanding, or other agreements between such em-
19 ployees and their employers.

20 (b) **GRADUATION RATE.**—Notwithstanding any other
21 provision of law, a student who graduates from an early
22 college high school supported under this Act in the stand-
23 ard number of years for graduation described in the eligi-
24 ble entity’s application shall be considered to have grad-
25 uated on time for purposes of section 1111(b)(2)(C)(vi)

1 of the Elementary and Secondary Education Act of 1965
2 (20 U.S.C. 6311(b)(2)(C)(vi)).

○