

108TH CONGRESS
1ST SESSION

H. R. 3085

To improve graduation rates by authorizing the Secretary of Education to make grants to improve adolescent literacy, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 16, 2003

Mr. HINOJOSA (for himself, Mrs. DAVIS of California, Mr. GRIJALVA, Ms. LEE, Mr. CASE, Ms. JACKSON-LEE of Texas, Mrs. NAPOLITANO, Mr. SERRANO, Mr. FROST, Mr. ETHERIDGE, Mr. VAN HOLLEN, Ms. SOLIS, Mr. RODRIGUEZ, Mrs. JONES of Ohio, Mr. OWENS, Ms. LINDA T. SÁNCHEZ of California, Ms. WOOLSEY, Mr. BECERRA, Mr. ACEVEDO-VILÁ, and Mr. CARDOZA) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To improve graduation rates by authorizing the Secretary of Education to make grants to improve adolescent literacy, 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 “Graduation for All
5 Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

1 (1) Failure to earn a high school diploma has
2 serious economic and social consequences for individ-
3 uals and the Nation.

4 (2) Recent studies show that less than 75 per-
5 cent of all eighth graders graduate from high school
6 in 5 years, and in urban schools the rate falls below
7 50 percent.

8 (3) 40 percent of students attending high-mi-
9 nority-enrollment secondary schools enroll in reme-
10 dial coursework when entering higher education in
11 an effort to gain the skills their secondary education
12 failed to provide.

13 (4) Students who receive concentrated, focused
14 support in literacy graduate from high school and
15 attend college in far greater numbers.

16 (5) On the 2002 National Assessment of Edu-
17 cational Progress, one in four students in the eighth
18 grade scored below basic in reading.

19 (6) Improving the literacy skills of adolescents
20 is a key factor in improving high school graduation
21 rates.

22 **TITLE I—IMPROVING**
23 **ADOLESCENT LITERACY**

24 **SEC. 101. PURPOSES.**

25 The purposes of this title are—

1 (1) to provide assistance to State educational
2 agencies and local educational agencies in estab-
3 lishing effective research-based reading programs for
4 students attending secondary schools (including mid-
5 dle schools and high schools, as defined by the local
6 education agency) including economically disadvan-
7 taged students, students from major racial and eth-
8 nic groups, students with disabilities, students with
9 limited English proficiency, migrant children, and
10 homeless children;

11 (2) to provide adequate resources to schools to
12 hire, and to provide in-service training for, at least
13 one literacy coach per 600 students or 20 teachers,
14 whichever requires the greater number of literacy
15 coaches, who can assist all teachers to incorporate
16 research-based reading and writing instruction or
17 English as a second language instruction into their
18 teaching of mathematics, science, history, civics, ge-
19 ography, literature, language arts, and other core
20 academic subjects;

21 (3) to provide assistance to State educational
22 agencies and local educational agencies in strength-
23 ening reading and writing instruction and providing
24 diagnostic reading assessments and comprehensive
25 research-based programs and instructional materials

1 that will improve overall reading and writing per-
2 formance among students attending secondary
3 schools; and

4 (4) to provide assistance to State educational
5 agencies and local educational agencies to develop
6 and implement individual graduation plans for stu-
7 dents who are most at risk of not graduating from
8 high school so that such students graduate with a
9 high school diploma before reaching 21 years of age
10 or the maximum age for high school attendance in
11 accordance with State law.

12 **SEC. 102. PROGRAM AUTHORIZED.**

13 The Secretary is authorized to establish a program,
14 in accordance with the requirements of this title, that will
15 provide funds to State educational agencies and local edu-
16 cational agencies to establish reading and writing pro-
17 grams to improve overall reading and writing performance
18 among students attending secondary schools (including
19 middle and high schools, as defined by the local education
20 agency).

21 **SEC. 103. GRANTS TO STATES.**

22 (a) ALLOCATION TO STATES.—The Secretary shall
23 allocate funds to States—

24 (1) to establish a reading and writing partner-
25 ship to increase the literacy skills for all students,

1 including strategies for economically disadvantaged
2 students, students from major racial and ethnic
3 groups, students with disabilities, students with lim-
4 ited English proficiency, migrant children, and
5 homeless children;

6 (2) to coordinate applications for subgrants
7 under this title; and

8 (3) to oversee and evaluate the State's activities
9 under this title.

10 (b) LENGTH OF GRANT.—Grants made to States
11 under this title shall be in effect for a period of 6 years.

12 (c) APPLICATIONS.—In order to receive a grant
13 under this title, a State shall submit to the Secretary an
14 application in a form established by the Secretary, which
15 satisfies the following conditions:

16 (1) The application shall not be consolidated
17 with an application made under the Elementary and
18 Secondary Education Act of 1965 (20 U.S.C. 6301
19 et seq.).

20 (2) The application shall include assurances
21 that the State—

22 (A) has established a reading and writing
23 partnership that—

24 (i) coordinated the application; and

1 (ii) will assist in administering the
2 program; and

3 (B) will participate, if requested, in the ex-
4 ternal national evaluation of the program.

5 (3) The application shall include a program
6 plan that contains a description of the following:

7 (A) How the State will assist local edu-
8 cational agencies in implementing grants, in-
9 cluding providing ongoing professional develop-
10 ment for literacy coaches, teachers, paraprofes-
11 sionals, and administrators.

12 (B) How the State will help local edu-
13 cational agencies identify screening, diagnostic,
14 and classroom-based instructional reading and
15 writing assessments.

16 (C) How the State will help local edu-
17 cational agencies identify scientifically based
18 materials and programs.

19 (D) How the State will help local edu-
20 cational agencies identify materials, programs,
21 and assessments for economically disadvantaged
22 students, students from major racial and ethnic
23 groups, students with disabilities, students with
24 limited English proficiency, migrant children,
25 and homeless children.

1 (E) How the State will ensure that profes-
2 sional development is based on scientifically
3 based reading research, will effectively improve
4 instructional practices for reading and writing,
5 and is coordinated with professional develop-
6 ment activities funded through other programs.

7 (F) How funded activities will help teach-
8 ers and other instructional staff to implement
9 scientifically based components of reading in-
10 struction.

11 (G) The subgrant process, including how
12 the State will ensure that eligible local edu-
13 cational agencies receiving subgrants will use
14 practices based on scientifically based reading
15 research.

16 (H) How the State will build on, and pro-
17 mote coordination among, reading and writing
18 programs in the State to increase overall effec-
19 tiveness in reading and writing instruction, in-
20 cluding effectiveness among economically dis-
21 advantaged students, students from major ra-
22 cial and ethnic groups, students with disabil-
23 ities, students with limited English proficiency,
24 migrant children, and homeless children.

1 (I) How the State will assist local edu-
2 cational agencies receiving subgrants under this
3 title in providing one-on-one counseling to de-
4 velop graduation plans for students at risk of
5 not graduating on time.

6 (J) How the State will assess and evaluate
7 the effectiveness of eligible local educational
8 agency activities on a regular basis.

9 (d) USE OF FUNDS.—

10 (1) SUBGRANTS.—Each State shall allocate 80
11 percent of the funds the State receives under this
12 title to local educational agencies, utilizing a com-
13 petitive priority based upon the graduation rate for
14 students attending middle schools and high schools.

15 (2) STATE-LEVEL ACTIVITIES.—

16 (A) IN GENERAL.—Each State educational
17 agency shall use 20 percent of the grant funds
18 the State educational agency receives under this
19 title—

20 (i) to carry out State-level activities
21 described in subsection (c);

22 (ii) to provide technical support to
23 local educational agencies and high-quality
24 professional development to teachers and
25 literacy coaches;

1 (iii) to provide grants to secondary
2 schools that have low graduation rates but
3 are not in a local education agency with
4 low graduation rates; and

5 (iv) for administrative costs.

6 (B) LIMITATION.—Not more than 10 per-
7 cent of the grant funds distributed to a State
8 under this title for any fiscal year may be used
9 for planning, administration, and reporting.

10 (e) NOTICE TO LOCAL EDUCATION AGENCIES.—
11 Each State receiving a grant under this title shall provide
12 notice to all eligible local educational agencies about the
13 availability of subgrants under this title.

14 (f) REVIEW OF APPLICATIONS.—State applications
15 shall be reviewed by the Secretary in the order in which
16 they are received.

17 **SEC. 104. SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.**

18 (a) ELIGIBILITY REQUIREMENT.—To be eligible to
19 receive a subgrant under this title, a local educational
20 agency shall be among the local educational agencies in
21 the State with the lowest graduation rates for public sec-
22 ondary school students (as defined in section
23 1111(b)(2)(C)(vi) of the Elementary and Secondary Edu-
24 cation Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi))).

25 (b) APPLICATIONS.—

1 (1) IN GENERAL.—Local educational agencies
2 shall submit applications to the State in the form
3 and according to the schedule established by the
4 State.

5 (2) CONTENTS.—In addition to any other infor-
6 mation required by the State, applications for sub-
7 grants under this title shall demonstrate how the
8 local educational agency will carry out the following
9 required activities:

10 (A) Reading assessments.

11 (B) Reading programs.

12 (C) Reading and writing programs for eco-
13 nomically disadvantaged students, students
14 from major racial and ethnic groups, students
15 with disabilities, students with limited English
16 proficiency, migrant children, and homeless
17 children.

18 (D) One-on-one counseling to develop grad-
19 uation plans for students at risk of not grad-
20 uating on time.

21 (E) Selection and implementation of in-
22 structional materials based on scientifically
23 based reading research.

24 (F) Professional development, including in-
25 struction on how to identify and work with eco-

1 nominally disadvantaged students, students
2 from major racial and ethnic groups, students
3 with disabilities, students with limited English
4 proficiency, migrant children, and homeless
5 children.

6 (G) Evaluation strategies.

7 (H) Reporting.

8 (I) Providing access to reading material,
9 including reading materials for economically
10 disadvantaged students, students from major
11 racial and ethnic groups, students with disabili-
12 ties, students with limited English proficiency,
13 migrant children, and homeless children.

14 (3) CONSORTIA.—Local educational agencies
15 may apply to the State for a grant as a consortium,
16 if each member of the consortium meets the eligi-
17 bility requirement described in subsection (a).

18 (c) USE OF FUNDS.—A local educational agency re-
19 ceiving a subgrant under this title shall use the funds to
20 provide the following services at the middle school and
21 high school levels (as defined by the agency):

22 (1) Hiring and providing inservice training for
23 literacy coaches who shall—

24 (A) work with classroom teachers to incor-
25 porate reading and writing instruction within

1 all subject areas, during regular classroom peri-
2 ods and after school and summer school pro-
3 grams, for all students, including economically
4 disadvantaged students, students from major
5 racial and ethnic groups, students with disabil-
6 ities, students with limited English proficiency,
7 migrant children, and homeless children;

8 (B) work with classroom teachers to iden-
9 tify students with reading problems and provide
10 remediation or referral for additional services;

11 (C) in partnership with classroom teachers,
12 diagnose and remediate reading difficulties of
13 the lowest performing students (including low-
14 performing economically disadvantaged stu-
15 dents, students from major racial and ethnic
16 groups, students with disabilities, students with
17 limited English proficiency, migrant children,
18 and homeless children) by providing intensive,
19 research-based instruction (including before-
20 and after-school and summer sessions) focused
21 on reading and writing skills and geared toward
22 ensuring that such students can perform rig-
23 orous academic coursework in high school; and

1 (D) assess and organize student data on
2 literacy and communicate such data to school
3 administrators.

4 (2) Providing one-on-one counseling to all stu-
5 dents, beginning in grade 9, who are at risk of not
6 graduating on time because of insufficient accumula-
7 tion of credits, failure to pass State graduation ex-
8 aminations, or low or failing grades, which coun-
9 seling shall include—

10 (A) developing individual graduation plans
11 for such students so that they are able to grad-
12 uate from high school with a standard diploma
13 before reaching 21 years of age or the max-
14 imum age for high school attendance in accord-
15 ance with State law;

16 (B) working with students and their par-
17 ents or caregivers to develop an individual grad-
18 uation plan that will define each student's ca-
19 reer and education goals, ensure enrollment in
20 the coursework necessary for graduation and
21 preparation for postsecondary education and
22 work, and identify the courses and supple-
23 mental services necessary to meet those goals;

24 (C) advocating for the student, helping the
25 student to access the services and supports nec-

1 essary to achieving the goals in the individual
2 graduation plan; and

3 (D) ensuring that limited or non-English
4 speaking parents are able to understand the
5 goals outlined in such plan and to participate in
6 assisting their child in meeting such goals;

7 (3) As necessary, hiring personnel to implement
8 the requirements of paragraph (2).

9 (4) Reviewing, analyzing, developing, and,
10 where possible, adapting curricula to ensure literacy
11 skills are taught within the content area subjects.

12 (5) Providing reading professional development
13 for all teachers in middle and high schools that ad-
14 dresses both remedial and higher level literacy skills
15 for students in the applicable curricula.

16 (6) Providing professional development for all
17 teachers, administrators, and paraprofessionals,
18 where appropriate, in middle and high schools that
19 addresses the literacy needs of economically dis-
20 advantaged students, students from major racial and
21 ethnic groups, students with disabilities, students
22 with limited English proficiency, migrant children,
23 and homeless children.

24 (7) Procuring and implementing instructional
25 materials, including screening, diagnostic, and class-

1 room-based instructional reading and writing assess-
2 ments, and software and other educational tech-
3 nology.

4 (8) Evaluating the effectiveness of the instruc-
5 tional strategies, teacher professional development
6 programs, and other interventions that are imple-
7 mented under the subgrant.

8 (d) EVALUATIONS.—A local educational agency re-
9 ceiving a subgrant under this title shall provide to the
10 State administering the subgrant interim reports, which
11 may be included as part of a consolidated annual report,
12 on the effectiveness of the interventions implemented
13 using the subgrant after year 3 and year 6 of the subgrant
14 award period.

15 **SEC. 105. AUTHORIZATION OF APPROPRIATIONS; ALLOCA-**
16 **TIONS.**

17 (a) AUTHORIZATION.—For the purposes of carrying
18 out this title, there are authorized to be appropriated
19 \$1,000,000,000 for fiscal year 2004 and such sums as
20 may be necessary for the 5 succeeding fiscal years.

21 (b) SPECIAL RULE.—

22 (1) IN GENERAL.—If the funds appropriated
23 under this section for a fiscal year are less than
24 \$500,000,000, then the Secretary shall award
25 grants, on a competitive basis, directly to eligible

1 local educational agencies to establish reading and
2 writing programs to improve overall reading and
3 writing performance among students in middle
4 school and secondary school.

5 (2) ELIGIBILITY REQUIREMENT.—To be eligible
6 to receive a grant under this subsection, a local edu-
7 cational agency shall be among the local educational
8 agencies in the State with the lowest graduation
9 rates for public secondary school students (as de-
10 fined in section 1111(b)(2)(C)(vi) of the Elementary
11 and Secondary Education Act of 1965 (20 U.S.C.
12 6311(b)(2)(C)(vi))).

13 (c) STATE ALLOCATIONS.—

14 (1) IN GENERAL.—Of the funds appropriated
15 under subsection (a), 95 percent shall be allocated to
16 the States submitting applications under this title.

17 (2) MINIMUM.—The minimum State allocation
18 is 0.25 percent of the total amount allocated to
19 States.

20 (3) PUERTO RICO.—For any fiscal year, Puerto
21 Rico shall receive an allocation that represents not
22 more than the percentage of the total allocation it
23 received under part A of title I of the Elementary
24 and Secondary Education Act of 1965 (20 U.S.C.
25 6311 et seq.) for the preceding fiscal year.

1 (4) SUPPLEMENT, NOT SUPPLANT.—States
2 shall not use funds received under this title to sup-
3 plant funding already being provided by the State
4 for such activities or for other educational activities.
5 Funds may only be used to provide new services au-
6 thorized under this title.

7 (5) REALLOCATION.—If a State does not apply
8 for funding, the Secretary shall reallocate such
9 State’s funds to the remaining States.

10 (d) FUNDS RETAINED BY THE SECRETARY.—Funds
11 retained by the Secretary shall be used to fund national
12 activities in support of the programs funded under this
13 title, except that the Secretary may not make direct grants
14 to local educational agencies except as provided in sub-
15 section (b).

16 (e) LOCAL EDUCATIONAL AGENCY SUBGRANTS.—

17 (1) MINIMUM.—For any fiscal year, each eligi-
18 ble local educational agency shall receive a minimum
19 subgrant amount equal to at least the percentage of
20 the total allocation it received under part A of title
21 I of the Elementary and Secondary Education Act
22 of 1965 (20 U.S.C. 6311 et seq.) for the preceding
23 fiscal year.

24 (2) FULL IMPLEMENTATION.—Subgrants to eli-
25 gible local educational agencies shall be of sufficient

1 size and scope to enable such entities to fully imple-
2 ment programs.

3 (3) SUPPLEMENT, NOT SUPPLANT.—Local edu-
4 cational agencies shall not use funds received under
5 this title to supplant funding already being provided
6 by a local educational agency for such activities or
7 for other educational activities. Funds may only be
8 used to provide new services authorized under this
9 title.

10 **SEC. 106. DEFINITIONS.**

11 For the purposes of this title:

12 (1) INDIVIDUAL GRADUATION PLAN.—The term
13 “individual graduation plan” means a written plan,
14 developed in partnership school personnel, parents,
15 and students, to list the steps necessary for the indi-
16 vidual to achieve high school graduation with a
17 standard diploma.

18 (2) LITERACY COACH.—The term “literacy
19 coach” means a certified teacher, with a dem-
20 onstrated effectiveness in teaching reading to stu-
21 dents with specialized needs and the ability to work
22 with classroom teachers to improve their instruc-
23 tional techniques to support reading and writing im-
24 provement, who works on site at a school to—

1 (A) train teachers from across the cur-
2 riculum to incorporate the teaching of reading
3 and writing skills into their instruction of con-
4 tent;

5 (B) train teachers to assess students' read-
6 ing and writing skills and identify students re-
7 quiring remediation; and

8 (C) provide or assess remedial literacy in-
9 struction, including for after school and sum-
10 mer school programs, for students requiring at-
11 tention, including economically disadvantaged
12 students, students from major racial and ethnic
13 groups, students with disabilities, students with
14 limited English proficiency, migrant children,
15 and homeless children.

16 (3) SECRETARY.—The term “Secretary” means
17 the Secretary of Education.

18 (4) STATE.—The term “State” means the 50
19 States, the Bureau of Indian Affairs, the District of
20 Columbia, Puerto Rico, the Virgin Islands, Guam,
21 American Samoa, and the Commonwealth of the
22 Northern Mariana Islands.

1 **TITLE II—Accountability**

2 **SEC. 201. ACCOUNTABILITY FOR ADEQUATE YEARLY**
3 **PROGRESS.**

4 Section 1111(b)(2)(C) of the Elementary and Sec-
5 ondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C))
6 is amended—

7 (1) in clause (v)—

8 (A) by striking the semicolon at the end of
9 subclause (II) and inserting a period; and

10 (B) by inserting after subclause (II) the
11 following:

12 “(III) In the case of secondary
13 schools, the graduation rates for all
14 students as described in clause (vi);”;
15 and

16 (2) by amending clause (vi) to read as follows:

17 “(vi) in accordance with subparagraph
18 (D), includes graduation rates for public
19 secondary school students (defined as the
20 percentage of students who graduate from
21 secondary school with a regular diploma,
22 as defined by the State, before reaching 21
23 years of age or the maximum age for high
24 school attendance in accordance with State

1 law), measured separately for each group
2 described in clause (v).”.

3 **SEC. 202. GRADUATION RATE INFORMATION ON ANNUAL**
4 **STATE REPORT CARDS.**

5 Section 1111(h)(1)(C) of the Elementary and Sec-
6 ondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C))
7 is amended—

8 (1) in clause (vii), by striking “and” at the end;

9 (2) in clause (viii), by striking the period at the
10 end and inserting “; and”; and

11 (3) by adding at the end the following:

12 “(ix) for secondary schools, informa-
13 tion in the aggregate on graduate rates de-
14 scribed in section 1111(b)(2)(C)(vi),
15 disaggregated as described in clause (i).”.

16 **SEC. 203. ADULT EDUCATION AND FAMILY LITERACY ACT**
17 **ADMINISTRATIVE PROVISIONS.**

18 Section 241 of the Adult Education and Family Lit-
19 eracy Act (20 U.S.C. 9251) is amended by adding at the
20 end the following:

21 “(c) REPORTS.—

22 “(1) REPORTS TO THE SECRETARY.—An eligi-
23 ble agency receiving funds under this title shall an-
24 nually provide the Secretary with a report on the
25 number participants who are 16, 17, or 18 years of

1 age in the programs and services provided under
2 section 231, disaggregated by race, ethnicity, gen-
3 der, limited English proficiency status, disability,
4 and socioeconomic status.

5 “(2) REPORTS TO CONGRESS.—Not later than
6 June 30, 2005, and by June 30 annually thereafter,
7 the Secretary shall submit a report to the Congress
8 containing the results of the eligible agency reports
9 required by paragraph (1).”.

○