

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5671

To amend the Elementary and Secondary Education Act of 1965 to create a demonstration project to fund additional secondary school counselors in troubled title I schools to reduce the dropout rate.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 1, 2010

Ms. LINDA T. SÁNCHEZ of California (for herself, Ms. CORRINE BROWN of Florida, Ms. DELAURO, Mr. ELLISON, Mr. GORDON of Tennessee, Mr. GRIJALVA, Mr. HARE, Mr. HONDA, Mr. HINCHEY, Ms. MCCOLLUM, Ms. RICHARDSON, Mr. HOLT, and Ms. SHEA-PORTER) introduced the following bill; which was referred to the Committee on Education and Labor

---

## A BILL

To amend the Elementary and Secondary Education Act of 1965 to create a demonstration project to fund additional secondary school counselors in troubled title I schools to reduce the dropout rate.

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 “Put School Counselors  
5 Where They’re Needed Act”.

1 **SEC. 2. DEMONSTRATION PROJECT FOR ADDITIONAL SEC-**  
2 **ONDARY SCHOOL COUNSELORS.**

3 Part H (20 U.S.C. 6551 et seq.) of title I of the Ele-  
4 mentary and Secondary Education Act of 1965 is amend-  
5 ed by adding at the end the following:

6 **“Subpart 3—Demonstration Project for Additional**  
7 **Secondary School Counselors**

8 **“SEC. 1841. FINDINGS.**

9 “The Congress finds the following:

10 “(1) Nationally, only 70 percent of students  
11 graduate from high school with a regular high school  
12 diploma.

13 “(2) Every school day, 7,000 American high  
14 school students become dropouts.

15 “(3) High school students living in low-income  
16 families drop out of school at three times the rate  
17 of their peers from high-income families.

18 “(4) Only about 55 percent of African Amer-  
19 ican students and 52 percent of Hispanic students  
20 graduate on time from high school with a regular di-  
21 ploma, compared to 78 percent of white students.

22 “(5) The dropout rate for students with disabil-  
23 ities is approximately twice that of general education  
24 students.

25 “(6) High school is the final transition into  
26 adulthood and the world of work as students begin

1 separating from parents and exploring and defining  
2 their independence. Students who are deciding who  
3 they are and what they will do when they graduate  
4 face many pressures, including high-stakes testing,  
5 the challenges of college admissions, the scholarship  
6 and financial aid application process, and entrance  
7 into a competitive job market. They need guidance  
8 in these complex decisions, which have serious and  
9 life changing consequences.

10 “(7) School counseling programs are essential  
11 for students to achieve optimal personal growth, ac-  
12 quire positive social skills and values, set appropriate  
13 career goals, and realize full academic potential to  
14 become productive, contributing members of the  
15 world community.

16 “(8) Professional secondary school counselors  
17 are highly qualified educators with a mental health  
18 perspective who understand and respond to the chal-  
19 lenges presented by today’s diverse student popu-  
20 lation.

21 “(9) The professional secondary school coun-  
22 selor holds a master’s degree or higher in school  
23 counseling (or the substantial equivalent), and is  
24 certified or licensed by the State in which the coun-  
25 selor works.

1           “(10) Professional secondary school counselors  
2           are integral to the total educational program. They  
3           provide proactive leadership that engages all stake-  
4           holders in the delivery of programs and services to  
5           help the student achieve success in school. Profes-  
6           sional secondary school counselors align and work  
7           with the school’s mission to support the academic  
8           achievement of all students as they prepare for the  
9           ever-changing world of the 21st Century.

10           “(11) Professional secondary school counselors’  
11           opportunities to assist students are often hindered  
12           by extraordinarily high student-to-counselor ratios.  
13           Currently, the average student-to-counselor ratio in  
14           America’s public schools is 460 to 1. The American  
15           School Counselor Association, the American Coun-  
16           seling Association, and the National Association for  
17           College Admissions Counseling all recommend a  
18           ratio of one school counselor to 250 students and a  
19           lower ratio for counselors working primarily with  
20           students at risk.

21   **“SEC. 1842. DEMONSTRATION PROJECT.**

22           “(a) IN GENERAL.—From amounts made available to  
23           carry out this subpart, the Secretary shall carry out a  
24           demonstration project under which the Secretary makes  
25           grants on a competitive basis to secondary schools that

1 receive funds under this title and have a four-year ad-  
2 justed cohort graduation rate of 60 percent or lower.

3 “(b) GRANTS.—A grant under this subpart shall be  
4 for a period of 4 years and may be used—

5 “(1) to provide additional school counselors  
6 during that period; and

7 “(2) to provide additional resources (such as  
8 professional development expenses or travel expenses  
9 for home visits, and any services and materials re-  
10 ferred to in subsection (d)) and to pay overhead ex-  
11 penses.

12 “(c) SENSE OF CONGRESS.—It is the sense of Con-  
13 gress that a participating school should aim to provide,  
14 under subsection (b)(1), one additional counselor per 250  
15 students at risk.

16 “(d) SCOPE OF COUNSELING.—The additional school  
17 counselors shall identify students who are at risk of not  
18 graduating in 4 years and shall provide counseling pri-  
19 marily to those students. The counselors may identify such  
20 students at any time, but shall strive to identify them be-  
21 fore they enter grade 9. Services shall be provided as long  
22 as necessary, including to the extent allowable and appro-  
23 priate, after the student’s cohort graduation date. The  
24 counseling provided—

1           “(1) may include a full panoply of services, in-  
2           cluding an individual graduation plan and other re-  
3           sources, such as appropriate course placement and  
4           supplemental services (to include not only supple-  
5           mental educational services tutoring if available at  
6           the school site, but also other tutoring as necessary,  
7           along with supplemental books and materials); and

8           “(2) shall include meetings with each student so  
9           identified and with the teachers, tutors, supple-  
10          mental educational services providers, and parents of  
11          the student, and may also include meetings with  
12          other relevant individuals, such as a probation offi-  
13          cer, mentor, coach, or employer of the student.

14          “(e) SUPPLEMENT NOT SUPPLANT.—Funds under  
15          this subpart shall be used to supplement, not supplant,  
16          funds from non-Federal sources. The additional school  
17          counselors provided through funds under this subpart  
18          must be in addition to any employees who work in the  
19          secondary school guidance or counseling office, such as  
20          counselors, college admissions specialists, career develop-  
21          ment specialists, guidance information specialists, or any  
22          other professional or paraprofessional.

23          “(f) ADDITIONAL GRANT PERIODS.—

24                 “(1) IN GENERAL.—A school that receives a  
25                 grant under this subpart and demonstrates adequate

1 improvement over the period of the grant is eligible  
2 to receive a second grant for a second period. If the  
3 school again demonstrates adequate improvement  
4 over that second period, the school is eligible to re-  
5 ceive a third grant for a third period. The third  
6 grant shall provide amounts that decrease for each  
7 year of the third period and require the school to  
8 provide corresponding increases in non-Federal  
9 funds.

10 “(2) ADEQUATE IMPROVEMENT.—For purposes  
11 of paragraph (1), a school demonstrates adequate  
12 improvement over a grant period if the four-year ad-  
13 justed cohort graduation rate increases (or is pro-  
14 jected to increase) by 10 percent or more over that  
15 period.

16 “(g) SELECTION.—The Secretary shall carry out the  
17 demonstration project in at least 10 schools. The first five  
18 schools selected to participate shall each be from a dif-  
19 ferent State.

20 **“SEC. 1843. DEFINITIONS.**

21 “For purposes of this subpart:

22 “(1) FOUR-YEAR ADJUSTED COHORT GRADUA-  
23 TION RATE.—The term ‘four-year adjusted cohort  
24 graduation rate’ means the number of students who  
25 earned a regular high school diploma at the conclu-

1 sion of their fourth year, before their fourth year, or  
2 during a summer session immediately following their  
3 fourth year, divided by the number of students who  
4 formed the adjusted cohort for that graduating  
5 class.

6 “(2) ADJUSTED COHORT.—

7 “(A) IN GENERAL.—Subject to the other  
8 subparagraphs of this paragraph, the term ‘ad-  
9 justed cohort’ means the students who entered  
10 grade 9 together, and any students that trans-  
11 ferred into the cohort in grade 9 through 12  
12 minus any students removed from the cohort.

13 “(B) TRANSFERS IN.—The term ‘transfers  
14 in’ means the students who enroll or re-enroll  
15 after the beginning of the entering cohort’s first  
16 year in high school, up to and including in  
17 grade 12.

18 “(C) COHORT REMOVAL.—To remove stu-  
19 dents from the cohort, the school or local edu-  
20 cational agency must confirm that the stu-  
21 dent—

22 “(i) has transferred out;

23 “(ii) is in the custody of the juvenile  
24 justice system; or

25 “(iii) is deceased.

1           “(D) TRANSFERS OUT.—The term ‘trans-  
2           fers out’ means the students the school or local  
3           educational agency has confirmed have trans-  
4           ferred to another school, local educational agen-  
5           cy, or other educational program for which they  
6           are expected to receive a regular high school di-  
7           ploma. Confirmation of a student’s transfer to  
8           another school, local educational agency, or pro-  
9           gram requires formal documentation that the  
10          student enrolled in the receiving school. Stu-  
11          dents enrolled in a GED or other alternative  
12          educational program that does not issue or pro-  
13          vide credits toward the issuance of a regular  
14          high school diploma are not considered trans-  
15          fers out. Students who were enrolled, but for  
16          whom there is no confirmation of transfer or  
17          completion, may not be labeled transfers or er-  
18          rors, but must remain in the cohort as non-  
19          graduates for reporting and accountability pur-  
20          poses.

21           “(E) TREATMENT OF OTHER LEAVERS  
22          AND WITHDRAWALS.—Students who were re-  
23          tained in grade, enrolled in a GED program, or  
24          left school for any other reason may not be  
25          counted as transfers out for the purpose of cal-

1           culating graduation rates and must remain in  
2           the adjusted cohort.

3           “(F) SPECIAL RULE.—For those high  
4           schools that start after ninth grade, the cohort  
5           shall be calculated based on the earliest high  
6           school grade.

7           “(3) REGULAR HIGH SCHOOL DIPLOMA.—

8           “(A) IN GENERAL.—The term ‘regular  
9           high school diploma’ means the standard high  
10          school diploma awarded to the preponderance of  
11          students in the State that is fully aligned with  
12          State standards, or a higher diploma, and does  
13          not include GEDs, certificates of attendance, or  
14          any lesser diploma award.

15          “(B) SPECIAL RULE.—For those students  
16          who have significant cognitive disabilities and  
17          are assessed using an alternate assessment  
18          aligned to alternate achievement standards, re-  
19          ceipt of a regular high school diploma or State-  
20          defined alternate diploma aligned with comple-  
21          tion of their entitlement under the Individuals  
22          with Disabilities Education Act shall be counted  
23          as graduates with a regular high school diploma  
24          for the purposes of this Act. No more than one  
25          percent of students can be counted as graduates

1           with a regular high school diploma under this  
2           subparagraph.

3 **“SEC. 1844. AUTHORIZATION OF APPROPRIATIONS.**

4           “There are authorized to be appropriated to carry out  
5 this subpart \$3,000,000 for each of fiscal years 2011  
6 through 2014.”.

○