

111TH CONGRESS  
1ST SESSION

# S. 1129

To authorize the Secretary of Education to award grants to local educational agencies to improve college enrollment.

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IN THE SENATE OF THE UNITED STATES

MAY 21, 2009

Mr. DURBIN (for himself and Mr. BURR) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To authorize the Secretary of Education to award grants to local educational agencies to improve college enrollment.

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 “Pathways to College  
5 Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) An educated workforce is crucial to the suc-  
9 cess of the United States economy. Access to higher  
10 education for all students is critical to maintaining

1 an educated workforce. More than 80 percent of the  
2 23,000,000 jobs that will be created in the next 10  
3 years will require postsecondary education. Only 36  
4 percent of all 18- to 24-year olds are currently en-  
5 rolled in postsecondary education.

6 (2) Workers with bachelor's degrees earn on av-  
7 erage \$17,000 more annually than workers with only  
8 high school diplomas. Workers who earn bachelor's  
9 degrees can be expected to earn \$1,000,000 more  
10 over a lifetime than those who only finished high  
11 school.

12 (3) In order to prepare students for college, all  
13 schools should—

14 (A) provide student guidance to engage  
15 students in college and career awareness; and

16 (B) ensure that students enroll in a rig-  
17 orous curriculum to prepare for postsecondary  
18 education.

19 (4) The Department of Education reports that  
20 the average student-to-counselor ratio in high  
21 schools is 315:1. This is far higher than the ratio  
22 recommended by the American School Counselor As-  
23 sociation, which is 250:1. While school counselors at  
24 private schools spend an average of 58 percent of  
25 their time on postsecondary education counseling,

1 school counselors in public schools spend an average  
2 of 25 percent of their time on postsecondary edu-  
3 cation counseling.

4 (5) While just 57 percent of students from the  
5 lowest income quartile enroll in college, 87 percent  
6 of students from the top income quartile enroll. Of  
7 students who were in eighth grade in 2000, only 20  
8 percent of the lowest-income students are projected  
9 to attain a bachelor's degree by 2012, compared to  
10 68 percent of the highest income group, according to  
11 the Advisory Committee on Student Financial As-  
12 sistance in 2006.

13 (6) A recent report by the Consortium on Chi-  
14 cago School Research found that only 41 percent of  
15 Chicago public school students who aspire to go to  
16 college took the steps necessary to apply to and en-  
17 roll in a 4-year institution of higher education. The  
18 report also reveals that only  $\frac{1}{3}$  of Chicago students  
19 who want to attend a 4-year institution of higher  
20 education enroll in a school that matches their quali-  
21 fications. Even among students qualified to attend a  
22 selective college, 29 percent enrolled in a community  
23 college or did not enroll at all.

24 (7) The Consortium found that many Chicago  
25 public school students do not complete the Free Ap-

1       plication for Federal Student Aid, even though stu-  
2       dents who apply for Federal financial aid are 50  
3       percent more likely to enroll in college. Sixty-five  
4       percent of public secondary school counselors at low-  
5       income schools believe that students and parents are  
6       discouraged from considering college as an option  
7       due to lack of knowledge about financial aid.

8               (8) Low-income and first-generation families  
9       often overestimate the cost of tuition and underesti-  
10      mate available aid; students from these backgrounds  
11      have access to fewer college application resources  
12      and financial aid resources than other groups, and  
13      are less likely to fulfill their postsecondary plans as  
14      a result.

15              (9) College preparation intervention programs  
16      can double the college-going rates for at-risk youth,  
17      can expand students' educational aspirations, and  
18      can boost college enrollment and graduation rates.

19 **SEC. 3. GRANT PROGRAM.**

20       (a) DEFINITIONS.—In this Act:

21              (1) COLLEGE-GOING RATE.—The term “colle-  
22      going rate” means the percentage of high school  
23      graduates who enroll at an institution of higher edu-  
24      cation in the school year immediately following grad-  
25      uation from high school.

1 (2) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—

2 The term “eligible local educational agency” means  
3 a local educational agency in which a majority of the  
4 high schools served by the agency are high-need high  
5 schools.

6 (3) HIGH-NEED HIGH SCHOOL.—The term  
7 “high-need high school” means a high school in  
8 which not less than 50 percent of the students en-  
9 rolled in the school are—

10 (A) eligible to receive a free or reduced  
11 price lunch under the Richard B. Russell Na-  
12 tional School Lunch Act (42 U.S.C. 1751 et  
13 seq.);

14 (B) eligible to be counted under section  
15 1124(c) of the Elementary and Secondary Edu-  
16 cation Act of 1965 (20 U.S.C. 6333(c)); or

17 (C) in families eligible for assistance under  
18 the State program funded under part A of title  
19 IV of the Social Security Act (42 U.S.C. 601 et  
20 seq.).

21 (4) HIGH SCHOOL.—The term “high school”  
22 means a nonprofit institutional day or residential  
23 school, including a public charter high school, that  
24 provides high school education, as determined under  
25 State law.

1           (5) HIGH SCHOOL GRADUATION RATE.—The  
2 term “high school graduation rate”—

3           (A) means the percentage of students who  
4 graduate from high school with a regular di-  
5 ploma in the standard number of years; and

6           (B) is clarified in section 200.19(b)(1) of  
7 title 34, Code of Federal Regulations.

8           (6) INSTITUTION OF HIGHER EDUCATION.—The  
9 term “institution of higher education” has the  
10 meaning given the term in section 101(a) of the  
11 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

12           (7) LOCAL EDUCATIONAL AGENCY.—The term  
13 “local educational agency” has the meaning given  
14 the term in section 9101 of the Elementary and Sec-  
15 ondary Education Act of 1965 (20 U.S.C. 7801).

16           (8) PARENT.—The term “parent” has the  
17 meaning given the term in section 9101 of the Ele-  
18 mentary and Secondary Education Act of 1965 (20  
19 U.S.C. 7801).

20           (9) SECRETARY.—The term “Secretary” means  
21 the Secretary of Education.

22           (b) COMPETITIVE GRANTS TO ELIGIBLE LOCAL  
23 EDUCATIONAL AGENCIES.—The Secretary is authorized  
24 to award grants, on a competitive basis, to eligible local

1 educational agencies to carry out the activities described  
2 in this section.

3 (c) DURATION.—Grants awarded under this section  
4 shall be 5 years in duration.

5 (d) DISTRIBUTION.—In awarding grants under this  
6 section, the Secretary shall ensure that the grants are dis-  
7 tributed among the different geographic regions of the  
8 United States, and among eligible local educational agen-  
9 cies serving urban and rural areas.

10 (e) APPLICATIONS.—

11 (1) IN GENERAL.—Each eligible local edu-  
12 cational agency desiring a grant under this section  
13 shall submit an application to the Secretary at such  
14 time, in such manner, and accompanied by such in-  
15 formation as the Secretary may reasonably require.

16 (2) CONTENTS.—Each application submitted  
17 under paragraph (1) shall include a description of  
18 the program to be carried out with grant funds  
19 and—

20 (A) a detailed description of the high  
21 school population to be targeted by the pro-  
22 gram, the particular college-access needs of  
23 such population, and the resources available for  
24 meeting such needs;

1 (B) measurable objectives of the program,  
2 including goals for increasing the number of  
3 college applications submitted by each student  
4 and the number of students submitting applica-  
5 tions, increasing Free Application for Federal  
6 Student Aid completion rates, and increasing  
7 school-wide college-going rates across the local  
8 educational agency;

9 (C) a description of the local educational  
10 agency's plan to work cooperatively, where ap-  
11 plicable, with programs funded under chapters  
12 1 and 2 of subpart 2 of part A of title IV of  
13 the Higher Education Act of 1965 (20 U.S.C.  
14 1070a–11 et seq. and 1070a–21 et seq.), in-  
15 cluding the extent to which the agency commits  
16 to sharing facilities, providing access to stu-  
17 dents, and developing compatible recordkeeping  
18 systems;

19 (D) a description of the activities, services,  
20 and training to be provided by the program, in-  
21 cluding a plan to provide structure and support  
22 for all students in the college search, planning,  
23 and application process;

1 (E) a description of the methods to be  
2 used to evaluate the outcomes and effectiveness  
3 of the program;

4 (F) an assurance that grant funds will be  
5 used to supplement, and not supplant, any  
6 other Federal, State, or local funds available to  
7 carry out activities of the type carried out  
8 under the grant;

9 (G) an explanation of the method used for  
10 calculating college enrollment rates for each  
11 high school served by the eligible local edu-  
12 cational agency that is based on externally  
13 verified data, and, when possible, aligned with  
14 existing State or local methods;

15 (H) a plan to make the program sustain-  
16 able over time, including the use of matching  
17 funds from non-Federal sources; and

18 (I) a description of the local educational  
19 agency's plan to work cooperatively, where ap-  
20 plicable, with the program funded under part H  
21 of title VIII of the Higher Education Act of  
22 1965 (20 U.S.C. 1161h et seq.), including the  
23 extent to which the agency commits to using  
24 and leveraging—

- 1 (i) the needs assessment and rec-  
2 ommendations;  
3 (ii) the model for measuring college  
4 enrollment; and  
5 (iii) comprehensive services.

6 (3) METHOD OF CALCULATING ENROLLMENT  
7 RATES.—

8 (A) IN GENERAL.—A method included in  
9 an application under paragraph (2)(G)—

10 (i) shall, at a minimum, track stu-  
11 dents' first-time enrollment in institutions  
12 of higher education; and

13 (ii) may track progress toward com-  
14 pletion of a postsecondary degree.

15 (B) DEVELOPMENT IN CONJUNCTION.—An  
16 eligible local educational agency may develop a  
17 method pursuant to paragraph (2)(G) in con-  
18 junction with an existing public or private enti-  
19 ty that currently maintains such a method.

20 (f) SPECIAL CONSIDERATION.—In awarding grants  
21 under this section, the Secretary shall give special consid-  
22 eration to applications from eligible local educational  
23 agencies serving schools with the highest percentages of  
24 poverty.

25 (g) USE OF FUNDS.—

1           (1) IN GENERAL.—An eligible local educational  
2 agency that receives a grant under this section shall  
3 develop and implement, or expand, a program to in-  
4 crease the number of low-income students who enroll  
5 in postsecondary educational institutions, including  
6 institutions with competitive admissions criteria.

7           (2) REQUIRED USE OF FUNDS.—Each program  
8 funded under this section shall—

9           (A) provide professional development to  
10 high school teachers and school counselors in  
11 postsecondary education advising;

12           (B) implement a comprehensive college  
13 guidance program for all students in a high  
14 school served by an eligible local educational  
15 agency under this section that—

16           (i) ensures that all students and their  
17 parents, are regularly notified throughout  
18 the students' time in high school, begin-  
19 ning in the first year of high school, of—

20           (I) high school graduation re-  
21 quirements;

22           (II) college entrance require-  
23 ments;

24           (III) the economic and social  
25 benefits of higher education;

1 (IV) college expenses, including  
2 information about expenses by institu-  
3 tional type, differences between stick-  
4 er price and net price, and expenses  
5 beyond tuition; and

6 (V) the resources for paying for  
7 college, including the availability, eli-  
8 gibility, and variety of financial aid;

9 (ii) provides assistance to students in  
10 registering for and preparing for college  
11 entrance tests;

12 (iii) provides one-on-one guidance and  
13 assistance to students in applying to an in-  
14 stitution of higher education and in apply-  
15 ing for Federal financial aid assistance and  
16 other State, local, and private financial aid  
17 assistance and scholarships;

18 (iv) provides opportunities for stu-  
19 dents to explore postsecondary opportuni-  
20 ties outside of the school setting, such as  
21 college fairs, career fairs, college tours,  
22 workplace visits, or other similar activities;  
23 and

24 (v) provides not less than 1 meeting  
25 for each student, not later than the first

1 semester of the first year of high school,  
2 with a school counselor, college access per-  
3 sonnel (including personnel involved in pro-  
4 grams funded under chapters 1 and 2 of  
5 subpart 2 of part A of title IV of the High-  
6 er Education Act of 1965 (20 U.S.C.  
7 1070a–11 et seq. and 1070a–21 et seq.)),  
8 trained teacher, or other professional or or-  
9 ganization, such as a community-based or-  
10 ganization, approved by the school, to dis-  
11 cuss postsecondary options, outline post-  
12 secondary goals, and create a plan to  
13 achieve those goals, and provides not less  
14 than 2 meetings in each year to discuss  
15 progress on the plan;

16 (C) ensure that each high school served by  
17 the eligible local educational agency develops a  
18 comprehensive, school-wide plan of action to  
19 strengthen the college-going culture within the  
20 high school; and

21 (D) create or maintain a postsecondary ac-  
22 cess center in the school setting that provides  
23 information on colleges and universities, career  
24 opportunities, and financial aid options and  
25 provide a setting in which professionals working

1 in college access programs, such as those fund-  
2 ed under chapters 1 and 2 of subpart 2 of part  
3 A of title IV of the Higher Education Act of  
4 1965 (20 U.S.C. 1070a–11 et seq. and 1070a–  
5 21 et seq.), can meet with students.

6 (3) ALLOWABLE USE OF FUNDS.—Each pro-  
7 gram funded under this section may—

8 (A) establish mandatory postsecondary  
9 planning classes for high school students to as-  
10 sist in the college preparation and application  
11 process;

12 (B) hire and train postsecondary coaches  
13 with expertise in the college-going process to  
14 supplement existing school counselors;

15 (C) increase the number of school coun-  
16 selors who specialize in the college-going proc-  
17 ess serving students;

18 (D) train student leaders to assist in the  
19 creation of a college-going culture in their  
20 schools;

21 (E) establish partnerships with programs  
22 funded under chapters 1 and 2 of subpart 2 of  
23 part A of title IV of the Higher Education Act  
24 of 1965 (20 U.S.C. 1070a–11 et seq. and  
25 1070a–21 et seq.), and with community and

1 nonprofit organizations to increase college-going  
2 rates at high schools served by the eligible local  
3 educational agency;

4 (F) provide long-term postsecondary follow  
5 up with graduates of the high schools served by  
6 the eligible local educational agencies, including  
7 increasing alumni involvement in mentoring and  
8 advising roles within the high school; and

9 (G) deliver college and career planning cur-  
10 riculum as a stand-alone course, or embedded  
11 in other classes, or delivered through the guid-  
12 ance curriculum by the school counselor for all  
13 students in high school.

14 (h) SUPPLEMENT, NOT SUPPLANT.—Funds made  
15 available under this section shall be used to supplement,  
16 and not supplant, other Federal, State, and local funds  
17 available to carry out the activities described in this sec-  
18 tion.

19 (i) TECHNICAL ASSISTANCE.—The Secretary, di-  
20 rectly or through contracting through a full and open  
21 process with 1 or more organizations that have dem-  
22 onstrated experience providing technical assistance to  
23 raise school-wide college-going rates in local educational  
24 agencies in not less than 3 States, shall provide technical

1 assistance to grantees in carrying out this section. The  
2 technical assistance shall—

3           (1) provide assistance in the calculation and  
4 analysis of college-going rates for all grant recipi-  
5 ents;

6           (2) provide semi-annual analysis to each grant  
7 recipient recommending best practices based on a  
8 comparison of the recipient's data with that of high  
9 schools with similar demographics; and

10           (3) provide annual best practices conferences  
11 for all grant recipients.

12       (j) REPORTING REQUIREMENTS.—Each eligible local  
13 educational agency receiving a grant under this section  
14 shall collect and report annually to the Secretary such in-  
15 formation for the local educational agency and for each  
16 high school assisted under this section on the results of  
17 the activities assisted under the grant as the Secretary  
18 may reasonably require, including information on—

19           (1) the number and percentage of students who  
20 enroll in an institution of higher education in the  
21 school year immediately following the students' high  
22 school graduation as measured by externally verified  
23 school-wide college enrollment data;

1           (2) the number and percentage of students who  
2 graduate from high school on time with a regular  
3 high school diploma;

4           (3) the number and percentage of students, at  
5 each grade level, who are on track to graduate from  
6 high school on time and with a regular high school  
7 diploma;

8           (4) the number and percentage of senior high  
9 school students who apply to an institution of higher  
10 education and the average number of applications  
11 completed and submitted by students;

12           (5) the number and percentage of senior high  
13 school students who file the Free Application for  
14 Federal Student Aid forms;

15           (6) the number and percentage of students, in  
16 grade 10, who take early admissions assessments,  
17 such as the PSAT;

18           (7) the number and percentage of students, in  
19 grades 11 and 12, who take the SAT or ACT, and  
20 the students' mean scores on such assessments;

21           (8) where data are available, the number and  
22 percentage of students enrolled in remedial mathe-  
23 matics or English courses during their freshman  
24 year at an institution of higher education;

1           (9) the number and percentage of students, in  
2           grades 11 and 12, enrolled in not less than 2 of the  
3           following:

4                   (A) a dual credit course; or

5                   (B) an Advanced Placement or Inter-  
6           national Baccalaureate course; and

7           (10) the number and percentage of students  
8           who meet or exceed State reading or language arts,  
9           mathematics, or science standards, as measured by  
10          State academic assessments required under section  
11          1111(b)(3) of the Elementary and Secondary Edu-  
12          cation Act of 1965 (20 U.S.C. 6311(b)(3)).

13          (k) REPORTING OF DATA.—Each eligible local edu-  
14          cational agency receiving a grant under this section shall  
15          report to the Secretary, where possible, the information  
16          required under subsection (j) disaggregated in the same  
17          manner as information is disaggregated under section  
18          1111(h)(1)(C)(i) of the Elementary and Secondary Edu-  
19          cation Act of 1965 (20 U.S.C. 6311(h)(1)(C)(i)).

20          (l) EVALUATIONS BY GRANTEES.—Each eligible local  
21          educational agency that receives a grant under this section  
22          shall—

23                   (1) conduct periodic evaluations of the effective-  
24                  ness of the activities carried out under the grant to-  
25                  ward increasing school-wide college-going rates;

1           (2) use such evaluations to refine and improve  
2           activities conducted with the grant and the perform-  
3           ance measures for such activities; and

4           (3) make the results of such evaluations pub-  
5           licly available, including by providing public notice of  
6           such availability.

7           (m) REPORT.—From the amount appropriated for  
8           any fiscal year, the Secretary shall reserve such sums as  
9           may be necessary—

10           (1) to conduct an independent evaluation, by  
11           grant or by contract, of the programs carried out  
12           under this section, which shall include an assessment  
13           of the impact of the program on high school gradua-  
14           tion rates and college-going rates; and

15           (2) to prepare and submit a report on the re-  
16           sults of the evaluation described in paragraph (1) to  
17           the Committee on Health, Education, Labor, and  
18           Pensions of the Senate and the Committee on Edu-  
19           cation and Labor of the House of Representatives.

20           (n) AUTHORIZATION OF APPROPRIATIONS.—There  
21           are authorized to be appropriated to carry out this section  
22           such sums as may be necessary for fiscal year 2010 and  
23           each of the 5 succeeding fiscal years.

○