

113TH CONGRESS
1ST SESSION

H. R. 3435

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

OCTOBER 30, 2013

Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. GRIJALVA, Ms. BROWN of Florida, Mr. CUMMINGS, Ms. CHU, Ms. NORTON, Ms. ROYBAL-ALLARD, Mr. RYAN of Ohio, Ms. WILSON of Florida, Mr. CARTWRIGHT, Mr. CARSON of Indiana, Ms. JACKSON LEE, Mr. HONDA, Mr. HINOJOSA, Mrs. NAPOLITANO, Mrs. NEGRETE MCLEOD, Mr. POLIS, Ms. KAPTUR, Ms. CLARKE, Ms. LORETTA SANCHEZ of California, Mr. RANGEL, Mrs. DAVIS of California, Mr. PIERLUISI, Mr. CICILLINE, Mr. LOWENTHAL, Mr. HOLT, Mr. GARAMENDI, Ms. BASS, and Mr. TAKANO) introduced the following bill; which was referred to the Committee on Education and the Workforce

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Put School Counselors
3 Where They’re Needed Act”.

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

6 Part H of title I of the Elementary and Secondary
7 Education Act of 1965 (20 U.S.C. 6551 et seq.) is amend-
8 ed by adding at the end the following:

9 **“Subpart 3—Demonstration Project for Additional**
10 **Secondary School Counselors**

11 **“SEC. 1841. FINDINGS.**

12 “The Congress finds the following:

13 “(1) Nationally, only 70 percent of students
14 graduate from high school with a regular high school
15 diploma.

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

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

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

1 “(5) The dropout rate for students with disabili-
2 ties is approximately twice that of general education
3 students.

4 “(6) High school is the final transition into
5 adulthood and the world of work as students begin
6 defining their independence and forging their own
7 pathways. As our next generation of leaders, our
8 youth, are deciding their futures, they are faced with
9 many challenges, including peer pressure and bul-
10 lying, high-stakes testing, the challenges of college
11 admissions, the scholarship and financial aid appli-
12 cation process, and entrance into an ever more com-
13 petitive job market. Students need guidance and
14 skills to help them navigate these complex decisions,
15 which have serious and life changing consequences.

16 “(7) School counseling programs are essential
17 for students to achieve optimal personal growth, ac-
18 quire positive social skills and values, set appropriate
19 career goals, and realize full academic potential to
20 become productive, contributing members of the
21 world community.

22 “(8) Professional secondary school counselors
23 are highly qualified educators with a mental health
24 perspective who understand and respond to the chal-

1 lenges presented by today’s diverse student popu-
2 lation.

3 “(9) The professional secondary school coun-
4 selor holds a master’s degree or higher in school
5 counseling (or the substantial equivalent), and is
6 certified or licensed by the State in which the coun-
7 selor works.

8 “(10) Professional secondary school counselors
9 are integral to the total educational program. They
10 provide proactive leadership that engages all stake-
11 holders in the delivery of programs and services to
12 help the student achieve success in school. Profes-
13 sional secondary school counselors align and work
14 with the school’s mission to support the academic
15 achievement of all students as they prepare for the
16 ever-changing world of the 21st century.

17 “(11) Professional secondary school counselors’
18 opportunities to assist students are often hindered
19 by extraordinarily high student-to-counselor ratios.
20 Currently, the average student-to-counselor ratio in
21 America’s public schools is 471 to 1. The American
22 School Counselor Association, the American Coun-
23 seling Association, and the National Association for
24 College Admissions Counseling all recommend a
25 ratio of one school counselor to 250 students and a

1 lower ratio for counselors working primarily with
2 students at risk.

3 **“SEC. 1842. DEMONSTRATION PROJECT.**

4 “(a) IN GENERAL.—From amounts made available to
5 carry out this subpart, the Secretary shall carry out a
6 demonstration project under which the Secretary makes
7 grants on a competitive basis to secondary schools that
8 receive funds under this title and have a four-year ad-
9 justed cohort graduation rate of 60 percent or lower.

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

12 “(1) to provide additional school counselors
13 during that period; and

14 “(2) to provide additional resources (such as
15 professional development expenses or travel expenses
16 for home visits, and any services and materials re-
17 ferred to in subsection (d)) and to pay overhead ex-
18 penses.

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

23 “(d) SCOPE OF COUNSELING.—The additional school
24 counselors shall identify students who are at risk of not
25 graduating in 4 years and shall provide counseling pri-

1 marily to those students. The counselors may identify such
2 students at any time, but shall strive to identify them be-
3 fore they enter grade 9. Services shall be provided as long
4 as necessary, including to the extent allowable and appro-
5 priate, after the student's cohort graduation date. The
6 counseling provided—

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

14 “(2) shall include meetings with each student so
15 identified and with the teachers, tutors, supple-
16 mental educational services providers, and parents of
17 the student, and may also include meetings with
18 other relevant individuals, such as a probation offi-
19 cer, mentor, coach, or employer of the student.

20 “(e) SUPPLEMENT NOT SUPPLANT.—Funds under
21 this subpart shall be used to supplement, not supplant,
22 funds from non-Federal sources. The additional school
23 counselors provided through funds under this subpart
24 must be in addition to any employees who work in the
25 secondary school guidance or counseling office, such as

1 counselors, college admissions specialists, career develop-
2 ment specialists, guidance information specialists, or any
3 other professional or paraprofessional.

4 “(f) ADDITIONAL GRANT PERIODS.—

5 “(1) IN GENERAL.—A school that receives a
6 grant under this subpart and demonstrates adequate
7 improvement over the period of the grant is eligible
8 to receive a second grant for a second period. If the
9 school again demonstrates adequate improvement
10 over that second period, the school is eligible to re-
11 ceive a third grant for a third period. The third
12 grant shall provide amounts that decrease for each
13 year of the third period and require the school to
14 provide corresponding increases in non-Federal
15 funds.

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

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

1 **“SEC. 1843. DEFINITIONS.**

2 “For purposes of this subpart:

3 “(1) **FOUR-YEAR ADJUSTED COHORT GRADUA-**
4 **TION RATE.**—The term ‘four-year adjusted cohort
5 graduation rate’ means the number of students who
6 earned a regular high school diploma at the conclu-
7 sion of their fourth year, before their fourth year, or
8 during a summer session immediately following their
9 fourth year, divided by the number of students who
10 formed the adjusted cohort for that graduating
11 class.

12 “(2) **ADJUSTED COHORT.**—

13 “(A) **IN GENERAL.**—Subject to the other
14 subparagraphs of this paragraph, the term ‘ad-
15 justed cohort’ means the students who entered
16 grade 9 together, and any students that trans-
17 ferred into the cohort in grades 9 through 12
18 minus any students removed from the cohort.

19 “(B) **TRANSFERS IN.**—The term ‘transfers
20 in’ means the students who enroll or re-enroll
21 after the beginning of the entering cohort’s first
22 year in high school, up to and including in
23 grade 12.

24 “(C) **COHORT REMOVAL.**—To remove stu-
25 dents from the cohort, the school or local edu-

1 educational agency must confirm that the stu-
2 dent—

3 “(i) has transferred out;

4 “(ii) is in the custody of the juvenile
5 justice system; or

6 “(iii) is deceased.

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

1 graduates for reporting and accountability pur-
2 poses.

3 “(E) TREATMENT OF OTHER LEAVERS
4 AND WITHDRAWALS.—Students who were re-
5 tained in grade, enrolled in a GED program, or
6 left school for any other reason may not be
7 counted as transfers out for the purpose of cal-
8 culating graduation rates and must remain in
9 the adjusted cohort.

10 “(F) SPECIAL RULE.—For those high
11 schools that start after ninth grade, the cohort
12 shall be calculated based on the earliest high
13 school grade.

14 “(3) REGULAR HIGH SCHOOL DIPLOMA.—

15 “(A) IN GENERAL.—The term ‘regular
16 high school diploma’ means the standard high
17 school diploma awarded to the preponderance of
18 students in the State that is fully aligned with
19 State standards, or a higher diploma, and does
20 not include GEDs, certificates of attendance, or
21 any lesser diploma award.

22 “(B) SPECIAL RULE.—For those students
23 who have significant cognitive disabilities and
24 are assessed using an alternate assessment
25 aligned to alternate achievement standards, re-

1 ceipt of a regular high school diploma or State-
 2 defined alternate diploma aligned with comple-
 3 tion of their entitlement under the Individuals
 4 with Disabilities Education Act shall be counted
 5 as graduates with a regular high school diploma
 6 for the purposes of this Act. No more than one
 7 percent of students can be counted as graduates
 8 with a regular high school diploma under this
 9 subparagraph.

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

11 “There are authorized to be appropriated to carry out
 12 this subpart \$5,000,000 for each of fiscal years 2014
 13 through 2017.”.

14 **SEC. 3. TABLE OF CONTENTS.**

15 The table of contents in section 2 of the Elementary
 16 and Secondary Education Act of 1965 is amended by in-
 17 serting after the item relating to section 1830 the fol-
 18 lowing:

“SUBPART 3—DEMONSTRATION PROJECT FOR ADDITIONAL SECONDARY
 SCHOOL COUNSELORS

- “Sec. 1841. Findings.
- “Sec. 1842. Demonstration project.
- “Sec. 1843. Definitions.
- “Sec. 1844. Authorization of appropriations.”.

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