

107<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 102

To provide assistance to address school dropout problems.

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IN THE SENATE OF THE UNITED STATES

JANUARY 22, 2001

Mr. BINGAMAN (for himself and Mr. REID) 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 provide assistance to address school dropout problems.

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. ASSISTANCE TO ADDRESS SCHOOL DROPOUT**  
4 **PROBLEMS.**

5 Part D of title I of the Elementary and Secondary  
6 Education Act of 1965 (20 U.S.C. 6421 et seq.) is amend-  
7 ed by adding at the end the following:



1 by economically disadvantaged students as compared  
2 to students who are not economically disadvantaged;

3 “(2) to establish and to consult with an inter-  
4 agency working group which shall—

5 “(A) address inter- and intra-agency pro-  
6 gram coordination issues at the Federal level  
7 with respect to school dropout prevention and  
8 middle school and secondary school reentry, as-  
9 sess the targeting of existing Federal services to  
10 students who are most at risk of dropping out  
11 of school, and the cost-effectiveness of various  
12 programs and approaches used to address  
13 school dropout prevention;

14 “(B) describe the ways in which State and  
15 local agencies can implement effective school  
16 dropout prevention programs using funds from  
17 a variety of Federal programs, including the  
18 programs under title I and the School-to-Work  
19 Opportunities Act of 1994; and

20 “(C) address all Federal programs with  
21 school dropout prevention or school reentry ele-  
22 ments or objectives, programs under title I of  
23 this Act, the School-to-Work Opportunities Act  
24 of 1994, subtitle C of title I of the Workforce

1 Investment Act of 1998, and other programs;  
2 and

3 “(3) carry out a national recognition program  
4 in accordance with subsection (b) that recognizes  
5 schools that have made extraordinary progress in  
6 lowering school dropout rates under which a public  
7 middle school or secondary school from each State  
8 will be recognized.

9 “(b) RECOGNITION PROGRAM.—

10 “(1) NATIONAL GUIDELINES.—The Secretary  
11 shall develop uniform national guidelines for the rec-  
12 ognition program which shall be used to recognize  
13 schools from nominations submitted by State edu-  
14 cational agencies.

15 “(2) ELIGIBLE SCHOOLS.—The Secretary may  
16 recognize under the recognition program any public  
17 middle school or secondary school (including a char-  
18 ter school) that has implemented comprehensive re-  
19 forms regarding the lowering of school dropout rates  
20 for all students at that school.

21 “(3) SUPPORT.—The Secretary may make mon-  
22 etary awards to schools recognized under the rec-  
23 ognition program in amounts determined by the Sec-  
24 retary. Amounts received under this section shall be

1 used for dissemination activities within the school  
2 district or nationally.

3 “(c) CAPACITY BUILDING.—

4 “(1) IN GENERAL.—The Secretary, through a  
5 contract with a non-Federal entity, may conduct a  
6 capacity building and design initiative in order to in-  
7 crease the types of proven strategies for dropout  
8 prevention and reentry that address the needs of an  
9 entire school population rather than a subset of stu-  
10 dents.

11 “(2) NUMBER AND DURATION.—

12 “(A) NUMBER.—The Secretary may award  
13 not more than 5 contracts under this sub-  
14 section.

15 “(B) DURATION.—The Secretary may  
16 award a contract under this subsection for a pe-  
17 riod of not more than 5 years.

18 “(d) SUPPORT FOR EXISTING REFORM NET-  
19 WORKS.—

20 “(1) IN GENERAL.—The Secretary may provide  
21 appropriate support to eligible entities to enable the  
22 eligible entities to provide training, materials, devel-  
23 opment, and staff assistance to schools assisted  
24 under this chapter.

1           “(2) DEFINITION OF ELIGIBLE ENTITY.—In  
 2 this subsection, the term ‘eligible entity’ means an  
 3 entity that, prior to the date of enactment of the  
 4 Dropout Prevention Act—

5           “(A) provided training, technical assist-  
 6           ance, and materials to 100 or more elementary  
 7           schools or secondary schools; and

8           “(B) developed and published a specific  
 9           educational program or design for use by the  
 10          schools.

11       **“Chapter 2—National School Dropout Prevention**  
 12   **Initiative**

13       **“SEC. 1461. PROGRAM AUTHORIZED.**

14       “(a) GRANTS.—

15           “(1) DISCRETIONARY GRANTS.—If the sum ap-  
 16           propriated under section 1472 for a fiscal year is  
 17           less than \$250,000,000, then the Secretary shall use  
 18           such sum to award grants, on a competitive basis,  
 19           to State educational agencies to enable the State  
 20           educational agencies to award grants under sub-  
 21           section (b).

22           “(2) FORMULA.—If the sum appropriated  
 23           under section 1472 for a fiscal year equals or ex-  
 24           ceeds \$250,000,000, then the Secretary shall use  
 25           such sum to make an allotment to each State in an

1 amount that bears the same relation to the sum as  
 2 the amount the State received under part A of title  
 3 I for the preceding fiscal year bears to the amount  
 4 received by all States under such part for the pre-  
 5 ceding fiscal year.

6 “(3) DEFINITION OF STATE.—In this chapter,  
 7 the term ‘State’ means each of the several States of  
 8 the United States, the District of Columbia, the  
 9 Commonwealth of Puerto Rico, the United States  
 10 Virgin Islands, Guam, American Samoa, the Com-  
 11 monwealth of the Northern Mariana Islands, the Re-  
 12 public of the Marshall Islands, the Federated States  
 13 of Micronesia, and the Republic of Palau.

14 “(b) GRANTS.—From amounts made available to a  
 15 State under subsection (a), the State educational agency  
 16 may award grants to public middle schools or secondary  
 17 schools that serve students in grades 6 through 12, that  
 18 have school dropout rates which are the highest of all  
 19 school dropout rates in the State, to enable the schools  
 20 to pay only the startup and implementation costs of effec-  
 21 tive, sustainable, coordinated, and whole school dropout  
 22 prevention programs that involve activities such as—

23 “(1) professional development;

24 “(2) obtaining curricular materials;

25 “(3) release time for professional staff;

1 “(4) planning and research;

2 “(5) remedial education;

3 “(6) reduction in pupil-to-teacher ratios;

4 “(7) efforts to meet State student achievement  
5 standards;

6 “(8) counseling and mentoring for at-risk stu-  
7 dents; and

8 “(9) comprehensive school reform models.

9 “(c) AMOUNT.—

10 “(1) IN GENERAL.—Subject to subsection (d)  
11 and except as provided in paragraph (2), a grant  
12 under this chapter shall be awarded—

13 “(A) in the first year that a school receives  
14 a grant payment under this chapter, based on  
15 factors such as—

16 “(i) school size;

17 “(ii) costs of the model or set of pre-  
18 vention and reentry strategies being imple-  
19 mented; and

20 “(iii) local cost factors such as poverty  
21 rates;

22 “(B) in the second such year, in an  
23 amount that is not less than 75 percent of the  
24 amount the school received under this chapter  
25 in the first such year;

1           “(C) in the third year, in an amount that  
2           is not less than 50 percent of the amount the  
3           school received under this chapter in the first  
4           such year; and

5           “(D) in each succeeding year in an amount  
6           that is not less than 30 percent of the amount  
7           the school received under this chapter in the  
8           first such year.

9           “(2) INCREASES.—The Secretary shall increase  
10          the amount awarded to a school under this chapter  
11          by 10 percent if the school creates smaller learning  
12          communities within the school and the creation is  
13          certified by the State educational agency.

14          “(d) DURATION.—A grant under this chapter shall  
15          be awarded for a period of 3 years, and may be continued  
16          for a period of 2 additional years if the State educational  
17          agency determines, based on the annual reports described  
18          in section 1467(a), that significant progress has been  
19          made in lowering the school dropout rate for students par-  
20          ticipating in the program assisted under this chapter com-  
21          pared to students at similar schools who are not partici-  
22          pating in the program.

23          **“SEC. 1462. STRATEGIES AND CAPACITY BUILDING.**

24          “Each school receiving a grant under this chapter  
25          shall implement research-based, sustainable, and widely

1 replicated, strategies for school dropout prevention and re-  
2 entry that address the needs of an entire school population  
3 rather than a subset of students. The strategies may  
4 include—

5           “(1) specific strategies for targeted purposes,  
6           such as effective early intervention programs de-  
7           signed to identify at-risk students, effective pro-  
8           grams encompassing traditionally underserved stu-  
9           dents, including racial and ethnic minorities and  
10          pregnant and parenting teenagers, designed to pre-  
11          vent such students from dropping out of school, and  
12          effective programs to identify and encourage youth  
13          who have already dropped out of school to reenter  
14          school and complete their secondary education; and

15           “(2) approaches such as breaking larger schools  
16          down into smaller learning communities and other  
17          comprehensive reform approaches, creating alter-  
18          native school programs, developing clear linkages to  
19          career skills and employment, and addressing spe-  
20          cific gatekeeper hurdles that often limit student re-  
21          tention and academic success.

22 **“SEC. 1463. SELECTION OF SCHOOLS.**

23           “(a) SCHOOL APPLICATION.—

24           “(1) IN GENERAL.—Each school desiring a  
25          grant under this chapter shall submit an application

1 to the State educational agency at such time, in  
2 such manner, and accompanied by such information  
3 as the State educational agency may require.

4 “(2) CONTENTS.—Each application submitted  
5 under paragraph (1) shall—

6 “(A) contain a certification from the local  
7 educational agency serving the school that—

8 “(i) the school has the highest number  
9 or rates of school dropouts in the age  
10 group served by the local educational agen-  
11 cy;

12 “(ii) the local educational agency is  
13 committed to providing ongoing oper-  
14 ational support, for the school’s com-  
15 prehensive reform plan to address the  
16 problem of school dropouts, for a period of  
17 5 years; and

18 “(iii) the local educational agency will  
19 support the plan, including—

20 “(I) release time for teacher  
21 training;

22 “(II) efforts to coordinate activi-  
23 ties for feeder schools; and

1                   “(III) encouraging other schools  
2                   served by the local educational agency  
3                   to participate in the plan;

4                   “(B) demonstrate that the faculty and ad-  
5                   ministration of the school have agreed to apply  
6                   for assistance under this chapter, and provide  
7                   evidence of the school’s willingness and ability  
8                   to use the funds under this chapter, including  
9                   providing an assurance of the support of 80  
10                  percent or more of the professional staff at the  
11                  school;

12                  “(C) describe the instructional strategies  
13                  to be implemented, how the strategies will serve  
14                  all students, and the effectiveness of the strate-  
15                  gies;

16                  “(D) describe a budget and timeline for  
17                  implementing the strategies;

18                  “(E) contain evidence of coordination with  
19                  existing resources;

20                  “(F) provide an assurance that funds pro-  
21                  vided under this chapter will supplement and  
22                  not supplant other Federal, State, and local  
23                  funds;

24                  “(G) describe how the activities to be as-  
25                  sisted conform with research-based knowledge

1 about school dropout prevention and reentry;  
2 and

3 “(H) demonstrate that the school and local  
4 educational agency have agreed to conduct a  
5 schoolwide program under section 1114.

6 “(b) STATE AGENCY REVIEW AND AWARD.—The  
7 State educational agency shall review applications and  
8 award grants to schools under subsection (a) according to  
9 a review by a panel of experts on school dropout preven-  
10 tion.

11 “(c) ELIGIBILITY.—A school is eligible to receive a  
12 grant under this chapter if the school is—

13 “(1) a public school (including a public alter-  
14 native school)—

15 “(A) that is eligible to receive assistance  
16 under part A of title I, including a comprehen-  
17 sive secondary school, a vocational or technical  
18 secondary school, or a charter school; and

19 “(B)(i) that serves students 50 percent or  
20 more of whom are low-income individuals; or

21 “(ii) with respect to which the feeder  
22 schools that provide the majority of the incom-  
23 ing students to the school serve students 50  
24 percent or more of whom are low-income indi-  
25 viduals; or

1           “(2) participating in a schoolwide program  
2           under section 1114 during the grant period.

3           “(d) COMMUNITY-BASED ORGANIZATIONS.—A school  
4           that receives a grant under this chapter may use the grant  
5           funds to secure necessary services from a community-  
6           based organization, including private sector entities, if—

7           “(1) the school approves the use;

8           “(2) the funds are used to provide school drop-  
9           out prevention and reentry activities related to  
10          schoolwide efforts; and

11          “(3) the community-based organization has  
12          demonstrated the organization’s ability to provide ef-  
13          fective services as described in section 122 of the  
14          Workforce Investment Act of 1998.

15          “(e) COORDINATION.—Each school that receives a  
16          grant under this chapter shall coordinate the activities as-  
17          sisted under this chapter with other Federal programs,  
18          such as programs assisted under chapter 1 of subpart 2  
19          of part A of title IV of the Higher Education Act of 1965  
20          and the School-to-Work Opportunities Act of 1994.

21          **“SEC. 1464. DISSEMINATION ACTIVITIES.**

22          “Each school that receives a grant under this chapter  
23          shall provide information and technical assistance to other  
24          schools within the school district, including presentations,  
25          document-sharing, and joint staff development.

1 **“SEC. 1465. PROGRESS INCENTIVES.**

2 “Notwithstanding any other provision of law, each  
3 local educational agency that receives funds under title I  
4 shall use such funding to provide assistance to schools  
5 served by the agency that have not made progress toward  
6 lowering school dropout rates after receiving assistance  
7 under this chapter for 2 fiscal years.

8 **“SEC. 1466. SCHOOL DROPOUT RATE CALCULATION.**

9 “For purposes of calculating a school dropout rate  
10 under this chapter, a school shall use—

11 “(1) the annual event school dropout rate for  
12 students leaving a school in a single year determined  
13 in accordance with the National Center for Edu-  
14 cation Statistics’ Common Core of Data, if available;  
15 or

16 “(2) in other cases, a standard method for cal-  
17 culating the school dropout rate as determined by  
18 the State educational agency.

19 **“SEC. 1467. REPORTING AND ACCOUNTABILITY.**

20 “(a) REPORTING.—In order to receive funding under  
21 this chapter for a fiscal year after the first fiscal year a  
22 school receives funding under this chapter, the school shall  
23 provide, on an annual basis, to the Secretary and the State  
24 educational agency a report regarding the status of the  
25 implementation of activities funded under this chapter, the  
26 outcome data for students at schools assisted under this

1 chapter disaggregated in the same manner as information  
2 under section 1451(a) (such as dropout rates), and certifi-  
3 cation of progress from the eligible entity whose strategies  
4 the school is implementing.

5 “(b) ACCOUNTABILITY.—On the basis of the reports  
6 submitted under subsection (a), the Secretary shall evalu-  
7 ate the effect of the activities assisted under this chapter  
8 on school dropout prevention compared to a control group.

9 **“SEC. 1468. STATE RESPONSIBILITIES.**

10 “(a) UNIFORM DATA COLLECTION.—Within 1 year  
11 after the date of enactment of the Dropout Prevention  
12 Act, a State educational agency that receives funds under  
13 this chapter shall report to the Secretary and statewide,  
14 all school district and school data regarding school drop-  
15 out rates in the State disaggregated in the same manner  
16 as information under section 1451(a), according to proce-  
17 dures that conform with the National Center for Edu-  
18 cation Statistics’ Common Core of Data.

19 “(b) ATTENDANCE-NEUTRAL FUNDING POLICIES.—  
20 Within 2 years after the date of enactment of the Dropout  
21 Prevention Act, a State educational agency that receives  
22 funds under this chapter shall develop and implement edu-  
23 cation funding formula policies for public schools that pro-  
24 vide appropriate incentives to retain students in school  
25 throughout the school year, such as—

1           “(1) a student count methodology that does not  
2           determine annual budgets based on attendance on a  
3           single day early in the academic year; and

4           “(2) specific incentives for retaining enrolled  
5           students throughout each year.

6           “(c) **SUSPENSION AND EXPULSION POLICIES.**—With-  
7           in 2 years after the date of enactment of the Dropout Pre-  
8           vention Act, a State educational agency that receives  
9           funds under this chapter shall develop uniform, long-term  
10          suspension and expulsion policies (that in the case of a  
11          child with a disability are consistent with the suspension  
12          and expulsion policies under the Individuals with Disabil-  
13          ities Education Act) for serious infractions resulting in  
14          more than 10 days of exclusion from school per academic  
15          year so that similar violations result in similar penalties.

16          “(d) **REGULATIONS.**—The Secretary shall promul-  
17          gate regulations implementing subsections (a) through (c).

18                   **“Chapter 3—Definitions; Authorization of**  
19                                   **Appropriations**

20          **“SEC. 1471. DEFINITIONS.**

21          “In this subpart:

22                  “(1) **LOW-INCOME.**—The term ‘low-income’,  
23                  used with respect to an individual, means an indi-  
24                  vidual determined to be low-income in accordance  
25                  with measures described in section 1113(a)(5).

1           “(2) SCHOOL DROPOUT.—The term ‘school  
2 dropout’ has the meaning given the term in section  
3 4(17) of the School-to-Work Opportunities Act of  
4 1994.

5 **“SEC. 1472. AUTHORIZATION OF APPROPRIATIONS.**

6           “There are authorized to be appropriated to carry out  
7 this subpart, \$250,000,000 for fiscal year 2001 and such  
8 sums as may be necessary for each of the 4 succeeding  
9 fiscal years, of which—

10           “(1) 10 percent shall be available to carry out  
11 chapter 1; and

12           “(2) 90 percent shall be available to carry out  
13 chapter 2.”.

○