

111TH CONGRESS  
1ST SESSION

# H. R. 1578

To authorize the Secretary of Education to make grants to support early college high schools and other dual enrollment programs.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 2009

Mr. KILDEE introduced the following bill; which was referred to the Committee on Education and Labor

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## A BILL

To authorize the Secretary of Education to make grants to support early college high schools and other dual enrollment programs.

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 “Fast Track to College  
5 Act of 2009”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to increase high school  
8 graduation rates and the percentage of students who com-  
9 plete a recognized postsecondary credential by the age of  
10 26, including among low-income students and students

1 from other populations underrepresented in higher edu-  
2 cation.

3 **SEC. 3. DEFINITIONS.**

4 For purposes of this Act:

5 (1) DUAL ENROLLMENT PROGRAM.—The term  
6 “dual enrollment program” means an academic pro-  
7 gram through which a high school student is able si-  
8 multaneously to earn credit toward a high school di-  
9 ploma and a postsecondary degree or certificate.

10 (2) EARLY COLLEGE HIGH SCHOOL.—The term  
11 “early college high school” means a high school that  
12 provides a course of study that enables a student to  
13 earn a high school diploma and either an associate’s  
14 degree or one to two years of college credit toward  
15 a postsecondary degree or credential.

16 (3) EDUCATIONAL SERVICE AGENCY.—The  
17 term “educational service agency” has the meaning  
18 given such term in section 9101(17) of the Elemen-  
19 tary and Secondary Education Act of 1965.

20 (4) ELIGIBLE ENTITY.—The term “eligible enti-  
21 ty” means a local educational agency, which may be  
22 an educational service agency, in a collaborative  
23 partnership with an institution of higher education.  
24 Such partnership also may include other entities,

1 such as a nonprofit organization with experience in  
2 youth development.

3 (5) INSTITUTION OF HIGHER EDUCATION.—The  
4 term “institution of higher education” has the  
5 meaning given such term in section 101 of the High-  
6 er Education Act of 1965.

7 (6) LOCAL EDUCATIONAL AGENCY.—The term  
8 “local educational agency” has the meaning given  
9 such term in section 9101(26) of the Elementary  
10 and Secondary Education Act of 1965.

11 (7) SECRETARY.—The term “Secretary” means  
12 the Secretary of Education.

13 (8) LOW-INCOME STUDENT.—The term “low-in-  
14 come student” means a student described in section  
15 1113(a)(5) of the Elementary and Secondary Edu-  
16 cation Act of 1965.

17 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS; RESERVA-**  
18 **TIONS.**

19 (a) IN GENERAL.—To carry out this Act, there are  
20 authorized to be appropriated \$150,000,000 for fiscal year  
21 2010 and such sums as may be necessary for each of fiscal  
22 years 2011 through 2015.

23 (b) EARLY COLLEGE HIGH SCHOOLS.—The Sec-  
24 retary shall reserve not less than 45 percent of the funds

1 appropriated under subsection (a) to support early college  
2 high schools under section 5.

3 (c) DUAL ENROLLMENT PROGRAMS.—The Secretary  
4 shall reserve not less than 45 percent of such funds to  
5 support dual enrollment programs (other than early col-  
6 lege high schools) under section 5.

7 (d) STATE GRANTS.—The Secretary shall reserve 10  
8 percent of such funds, or \$10,000,000, whichever is less,  
9 for grants to States under section 9.

10 **SEC. 5. AUTHORIZED PROGRAM.**

11 (a) IN GENERAL.—The Secretary is authorized to  
12 award 6-year grants to eligible entities seeking to establish  
13 a new, or support an existing, early college high school  
14 or other dual enrollment program in accordance with sec-  
15 tion 6.

16 (b) GRANT AMOUNT.—The Secretary shall ensure  
17 that grants are of sufficient size to enable grantees to  
18 carry out all required activities and otherwise meet the  
19 purposes of this Act, except that a grant under this section  
20 may not exceed \$2,000,000.

21 (c) MATCHING REQUIREMENT.—

22 (1) IN GENERAL.—An eligible entity shall con-  
23 tribute matching funds toward the costs of the early  
24 college high school or other dual enrollment program  
25 to be supported under this section, of which not less

1 than half shall be from non-Federal sources, which  
2 funds shall represent not less than the following:

3 (A) 20 percent of the grant amount re-  
4 ceived in each of the first and second years of  
5 the grant.

6 (B) 30 percent in each of the third and  
7 fourth years.

8 (C) 40 percent in the fifth year.

9 (D) 50 percent in the sixth year.

10 (2) DETERMINATION OF AMOUNT CONTRIB-  
11 UTED.—The Secretary shall allow an eligible entity  
12 to satisfy the requirement of this subsection through  
13 in-kind contributions.

14 (d) SUPPLEMENT, NOT SUPPLANT.—An eligible enti-  
15 ty shall use a grant received under this section only to  
16 supplement funds that would, in the absence of such  
17 grant, be made available from non-Federal funds for sup-  
18 port of the activities described in the eligible entity's appli-  
19 cation under section 7, and not to supplant such funds.

20 (e) PRIORITY.—In awarding grants under this sec-  
21 tion, the Secretary shall give priority to applicants—

22 (1) that propose to establish or support an  
23 early college high school or other dual enrollment  
24 program that will serve a student population of  
25 which 40 percent or more are students counted

1 under section 1113(a)(5) of the Elementary and  
2 Secondary Education Act of 1965; and

3 (2) from States that provide assistance to early  
4 college high schools or other dual enrollment pro-  
5 grams, such as assistance to defray the costs of  
6 higher education (including costs of tuition, fees,  
7 and textbooks).

8 (f) GEOGRAPHIC DISTRIBUTION.—The Secretary  
9 shall, to the maximum extent practicable, ensure that  
10 grantees are from a representative cross-section of urban,  
11 suburban, and rural areas.

12 **SEC. 6. USES OF FUNDS.**

13 (a) MANDATORY ACTIVITIES.—An eligible entity  
14 shall use grant funds received under section 5 to support  
15 the activities described in its application under section 7,  
16 including the following:

17 (1) PLANNING YEAR.—In the case of a new  
18 early college high school or dual enrollment program,  
19 during the first year of the grant—

20 (A) hiring a principal and staff, as appro-  
21 priate;

22 (B) designing the curriculum and sequence  
23 of courses in collaboration with (at a minimum)  
24 teachers from the local educational agency and

1 faculty from the partner institution of higher  
2 education;

3 (C) informing parents and the community  
4 about the school or program and opportunities  
5 to become actively involved in the school or pro-  
6 gram;

7 (D) establishing a course articulation proc-  
8 ess for defining and approving courses for high  
9 school and college credit;

10 (E) outreach programs to ensure that mid-  
11 dle and high school students and their families  
12 are aware of the early college high school or  
13 dual enrollment program;

14 (F) liaison activities among partners in the  
15 eligible entity; and

16 (G) coordinating secondary and postsec-  
17 ondary support services, academic calendars,  
18 and transportation.

19 (2) IMPLEMENTATION PERIOD.—During the re-  
20 mainder of the grant period—

21 (A) academic and social support services,  
22 including counseling;

23 (B) liaison activities among partners in the  
24 eligible entity;

1           (C) data collection and use of such data  
2           for student and instructional improvement and  
3           program evaluation;

4           (D) outreach programs to ensure that mid-  
5           dle and high school students and their families  
6           are aware of the early college high school or  
7           dual enrollment program;

8           (E) professional development, including  
9           joint professional development for secondary  
10          school and faculty from the institution of higher  
11          education; and

12          (F) school or program design and planning  
13          team activities, including curriculum develop-  
14          ment.

15          (b) ALLOWABLE ACTIVITIES.—An eligible entity may  
16          also use grant funds received under section 5 otherwise  
17          to support the activities described in its application under  
18          section 7, including—

19               (1) purchasing textbooks and equipment that  
20               support the school or program’s curriculum;

21               (2) developing learning opportunities for stu-  
22               dents that complement classroom experiences, such  
23               as internships, career-based capstone projects, and  
24               opportunities provided under chapters 1 and 2 of



1 subpart 2 of part A of title IV of the Higher Edu-  
2 cation Act of 1965;

3 (3) transportation; and

4 (4) planning time for high school and college  
5 educators to collaborate.

6 **SEC. 7. APPLICATION.**

7 (a) IN GENERAL.—To receive a grant under section  
8 5, an eligible entity shall submit to the Secretary an appli-  
9 cation at such time, in such manner, and including such  
10 information as the Secretary determines to be appropriate.

11 (b) CONTENTS OF APPLICATION.—At a minimum,  
12 the application described in subsection (a) shall include  
13 a description of—

14 (1) the early college high school’s or other dual  
15 enrollment program’s budget;

16 (2) each partner in the eligible entity and its  
17 experience with early college high schools or other  
18 dual enrollment programs, key personnel from each  
19 partner and their responsibilities for the early col-  
20 lege high school or dual enrollment program, and  
21 how the eligible entity will work with secondary and  
22 postsecondary teachers, other public and private en-  
23 tities, community-based organizations, businesses,  
24 labor organizations, and parents to ensure that stu-  
25 dents will be prepared to succeed in postsecondary

1 education and employment, which may include the  
2 development of an advisory board;

3 (3) how the eligible entity will target and re-  
4 cruit at-risk youth, including those at risk of drop-  
5 ping out of school, first generation college students,  
6 and students from populations described in section  
7 1111(b)(2)(C)(v)(II) of the Elementary and Sec-  
8 ondary Education Act of 1965;

9 (4) a system of student supports including, but  
10 not limited to, small group activities, tutoring, lit-  
11 eracy and numeracy skill development in all aca-  
12 demic disciplines, parental and community outreach  
13 and engagement, extended learning time, and college  
14 readiness activities, such as early college academic  
15 seminars and counseling;

16 (5) in the case of an early college high school,  
17 how a graduation and career plan will be developed,  
18 consistent with State graduation requirements, for  
19 each student and reviewed each semester;

20 (6) how parents or guardians of dually enrolled  
21 students will be informed of their academic perform-  
22 ance and progress and, subject to paragraph (5), in-  
23 volved in the development of their career and grad-  
24 uation plan;

1           (7) coordination that will occur between the in-  
2           stitution of higher education and the local edu-  
3           cational agency, including regarding academic cal-  
4           endars, provision of student services, curriculum de-  
5           velopment, and professional development;

6           (8) how the eligible entity will ensure that  
7           teachers in the early college high school or other  
8           dual enrollment program receive appropriate profes-  
9           sional development and other supports, including to  
10          enable them to utilize effective parent and commu-  
11          nity engagement strategies, and help English-lan-  
12          guage learners, students with disabilities, and stu-  
13          dents from diverse cultural backgrounds to succeed;

14          (9) learning opportunities for students that  
15          complement classroom experiences, such as intern-  
16          ships, career-based capstone projects, and opportuni-  
17          ties provided under chapters 1 and 2 of subpart 2  
18          of part A of title IV of the Higher Education Act  
19          of 1965;

20          (10) how policies, agreements, and courses  
21          taken will ensure that postsecondary credits earned  
22          will be transferable to, at a minimum, public institu-  
23          tions of higher education within the State, consistent  
24          with existing statewide articulation agreements;

1           (11) student assessments and other measure-  
2           ments of student achievement including benchmarks  
3           for student achievement;

4           (12) outreach programs to provide elementary  
5           and secondary school students, especially those in  
6           middle grades, and their parents, teachers, school  
7           counselors, and principals information about and  
8           academic preparation for the early college high  
9           school or other dual enrollment program;

10          (13) how the local educational agency and insti-  
11          tution of higher education will work together, as ap-  
12          propriate, to collect and use data for student and in-  
13          structional improvement and program evaluation;

14          (14) how the eligible entity will help students  
15          meet eligibility criteria for postsecondary courses  
16          and ensure that students understand how their cred-  
17          its will transfer; and

18          (15) how the eligible entity will access and le-  
19          verage additional resources necessary to sustain the  
20          early college high school or other dual enrollment  
21          program after the grant expires, including by engag-  
22          ing businesses and non-profit organizations.

23          (c) ASSURANCES.—An eligible entity’s application  
24          under subsection (a) shall include assurances that—

1           (1) in the case of an early college high school,  
2           the majority of courses offered, including of postsec-  
3           ondary courses, will be offered at facilities of the in-  
4           stitution of higher education;

5           (2) students will not be required to pay tuition  
6           or fees for postsecondary courses;

7           (3) postsecondary credits earned will be tran-  
8           scribed upon completion of the requisite course  
9           work; and

10          (4) faculty teaching postsecondary courses meet  
11          the normal standards for faculty established by the  
12          institution of higher education.

13          (d) WAIVER.—The Secretary may waive the require-  
14          ment of subsection (c)(1) upon a showing that it is im-  
15          practical to apply due to geographic considerations.

16          **SEC. 8. PEER REVIEW.**

17          (a) PEER REVIEW OF APPLICATIONS.—The Sec-  
18          retary shall establish peer review panels to review applica-  
19          tions submitted pursuant to section 7 to advise the Sec-  
20          retary regarding such applications.

21          (b) COMPOSITION OF PEER REVIEW PANELS.—The  
22          Secretary shall ensure that each peer review panel is not  
23          comprised wholly of full-time officers or employees of the  
24          Federal Government and includes, at a minimum—

1           (1) experts in the establishment and adminis-  
2           tration of early college high schools or other dual en-  
3           rollment programs from the secondary and postsec-  
4           ondary perspective;

5           (2) faculty at institutions of higher education  
6           and secondary school teachers with expertise in dual  
7           enrollment; and

8           (3) experts in the education of at-risk students.

9   **SEC. 9. GRANTS TO STATES.**

10       (a) **IN GENERAL.**—The Secretary is authorized to  
11       award 5-year grants to State agencies responsible for sec-  
12       ondary or postsecondary education for efforts to support  
13       or establish early college high schools or other dual enroll-  
14       ment programs.

15       (b) **GRANT AMOUNT.**—The Secretary shall ensure  
16       that grants are of sufficient size to enable grantees to  
17       carry out all required activities.

18       (c) **MATCHING REQUIREMENT.**—A State shall con-  
19       tribute matching funds from non-Federal sources toward  
20       the costs of carrying out activities under this section,  
21       which funds shall represent not less than 50 percent of  
22       the grant amount.

23       (d) **PRIORITY.**—In awarding grants under this sec-  
24       tion, the Secretary shall give priority to States that pro-  
25       vide assistance to early college high schools or other dual

1 enrollment programs, such as assistance to defray the  
2 costs of higher education, such as tuition, fees, and text-  
3 books.

4 (e) APPLICATION.—To receive a grant under this sec-  
5 tion, a State agency shall submit to the Secretary an appli-  
6 cation at such time, in such manner, and including such  
7 information as the Secretary determines to be appropriate.

8 (f) CONTENTS OF APPLICATION.—At a minimum, the  
9 application described in subsection (e) shall include—

10 (1) how the State will carry out all of the re-  
11 quired State activities described in subsection (g);

12 (2) how the State will identify and eliminate  
13 barriers to implementing effective early college high  
14 schools and dual enrollment programs after the  
15 grant expires, including by engaging businesses and  
16 non-profit organizations;

17 (3) how the State will access and leverage addi-  
18 tional resources necessary to sustain early college  
19 high schools or other dual enrollment programs; and

20 (4) such other information as the Secretary de-  
21 termines to be appropriate.

22 (g) STATE ACTIVITIES.—A State receiving a grant  
23 under this section shall use such funds for—

24 (1) creating outreach programs to ensure that  
25 middle and high school students, their families, and

1 community members are aware of early college high  
2 schools and dual enrollment programs in the State;

3 (2) planning and implementing a statewide  
4 strategy for expanding access to early college high  
5 schools and dual enrollment programs for students  
6 who are underrepresented in higher education to  
7 raise statewide rates of high school graduation, col-  
8 lege readiness, and completion of postsecondary de-  
9 grees and credentials, with a focus on at-risk stu-  
10 dents, including identifying any obstacles to such a  
11 strategy under State law or policy;

12 (3) providing technical assistance to early col-  
13 lege high schools and other dual enrollment pro-  
14 grams, such as brokering relationships and agree-  
15 ments that forge a strong partnership between ele-  
16 mentary and secondary and postsecondary partners;

17 (4) identifying policies that will improve the ef-  
18 fectiveness and ensure the quality of early college  
19 high schools and dual enrollment programs, such as  
20 access, funding, data and quality assurance, govern-  
21 ance, accountability and alignment policies;

22 (5) planning and delivering statewide training  
23 and peer learning opportunities for school leaders  
24 and teachers from early college high schools and  
25 dual enrollment programs, which may include pro-



1       viding instructional coaches who offer on-site guid-  
2       ance;

3               (6) disseminating best practices in early college  
4       high schools and dual enrollment programs from  
5       across the State and from other States; and

6               (7) facilitating Statewide data collection, re-  
7       search and evaluation, and reporting to policymakers  
8       and other stakeholders.

9       **SEC. 10. REPORTING AND OVERSIGHT.**

10       (a) REPORTING BY GRANTEES.—

11               (1) IN GENERAL.—The Secretary shall establish  
12       uniform guidelines for all grantees concerning infor-  
13       mation such grantees annually shall report to the  
14       Secretary to demonstrate a grantee’s progress to-  
15       ward achieving the goals of this Act.

16               (2) CONTENTS OF REPORT.—At a minimum,  
17       the report described in paragraph (1) shall include,  
18       for eligible entities receiving funds under section 5,  
19       for students participating in the early college high  
20       school or other dual enrollment program within each  
21       category of students described in section  
22       1111(h)(1)(C)(i) of the Elementary and Secondary  
23       Education Act of 1965:

24               (A) The number of students.

1           (B) The percentage of students scoring ad-  
2 vanced, proficient, basic, and below basic on the  
3 assessments described in section 1111(b)(3) of  
4 the Elementary and Secondary Education Act  
5 of 1965.

6           (C) The performance of students on other  
7 assessments or measurements of achievement.

8           (D) The number of secondary school cred-  
9 its earned.

10          (E) The number of postsecondary credits  
11 earned.

12          (F) Attendance rate, as appropriate.

13          (G) Graduation rate.

14          (H) Placement in postsecondary education  
15 or advanced training, in military service, and in  
16 employment.

17          (I) A description of the school or pro-  
18 gram's student, parent, and community out-  
19 reach and engagement.

20          (b) REPORTING BY SECRETARY.—The Secretary an-  
21 nually shall compile and analyze the information described  
22 in subsection (a) and shall submit a report containing such  
23 analysis to the Committee on Health, Education, Labor,  
24 and Pensions of the Senate and the Committee on Edu-  
25 cation and Labor of the House of Representatives. The

1 report shall include identification of best practices for  
2 achieving the goals of this Act.

3 (c) MONITORING VISITS.—The Secretary’s designee  
4 shall visit each grantee at least once for the purpose of  
5 helping the grantee achieve the goals of this Act and to  
6 monitor the grantee’s progress toward achieving such  
7 goals.

8 (d) NATIONAL EVALUATION.—Not later than 6  
9 months after the date on which funds are appropriated  
10 to carry out this Act, the Secretary shall enter into a con-  
11 tract with an independent organization to perform an eval-  
12 uation of the grants awarded under this Act. Such evalua-  
13 tion shall apply rigorous procedures to obtain valid and  
14 reliable data concerning participants’ outcomes by social  
15 and academic characteristics and monitor the progress of  
16 students from high school to and through postsecondary  
17 education.

18 (e) TECHNICAL ASSISTANCE.—The Secretary shall  
19 provide technical assistance to eligible entities concerning  
20 best practices in early college high schools and dual enroll-  
21 ment programs and shall disseminate such best practices  
22 among eligible entities and State and local educational  
23 agencies.

1 **SEC. 11. RULES OF CONSTRUCTION.**

2 (a) EMPLOYEES.—Nothing in this Act shall be con-  
3 strued to alter or otherwise affect the rights, remedies,  
4 and procedures afforded to the employees of local edu-  
5 cational agencies (including schools) or institutions of  
6 higher education under Federal, State, or local laws (in-  
7 cluding applicable regulations or court orders) or under  
8 the terms of collective bargaining agreements, memoranda  
9 of understanding, or other agreements between such em-  
10 ployees and their employers.

11 (b) GRADUATION RATE.—A student who graduates  
12 from an early college high school supported under this Act  
13 in the standard number of years for graduation described  
14 in the eligible entity's application shall be considered to  
15 have graduated on time for purposes of section  
16 1111(b)(2)(C)(6) of the Elementary and Secondary Edu-  
17 cation Act of 1965.

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