

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.

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## 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

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## 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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