

106TH CONGRESS
2D SESSION

S. 2970

To provide for summer academic enrichment programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 27, 2000

Mr. WYDEN (for himself, Mr. BAYH, Mr. BREAUX, and Ms. LANDRIEU) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide for summer academic enrichment programs, and for other purposes.

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 “Student Education En-
5 richment Demonstration Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) States are establishing new and higher aca-
9 demic standards for students in kindergarten
10 through grade 12;

1 (2) no Federal funding streams are specifically
2 designed to help States and school districts with the
3 costs of providing students who are struggling aca-
4 demically, with the extended learning time and accel-
5 erated curricula that the students need to meet high
6 academic standards;

7 (3) forty-eight States now require State ac-
8 countability tests to determine student grade-level
9 performance and progress;

10 (4) nineteen States currently rate the perform-
11 ance of all schools or identify low-performing schools
12 through State accountability tests;

13 (5) sixteen States now have the power to close,
14 take over, or overhaul chronically failing schools on
15 the basis of those tests;

16 (6) fourteen States provide high-performing
17 schools with monetary rewards on the basis of those
18 tests;

19 (7) nineteen States currently require students
20 to pass State accountability tests to graduate from
21 high school;

22 (8) six States currently link student promotion
23 to results on State accountability tests;

1 (9) excessive percentages of students are not
2 meeting their State standards and are failing to per-
3 form at high levels on State accountability tests; and

4 (10) while the Chicago Public School District
5 implemented the Summer Bridge Program to help
6 remediate their students in 1997, no State has yet
7 created and implemented a similar program to com-
8 plement the education accountability programs of
9 the State.

10 **SEC. 3. PURPOSE.**

11 The purpose of this Act is to provide Federal support
12 through a new demonstration program to States and local
13 educational agencies, to enable the States and agencies to
14 develop models for high quality summer academic enrich-
15 ment programs that are specifically designed to help pub-
16 lic school students who are not meeting State-determined
17 performance standards.

18 **SEC. 4. DEFINITIONS.**

19 In this Act:

20 (1) ELEMENTARY SCHOOL; SECONDARY
21 SCHOOL; LOCAL EDUCATIONAL AGENCY; STATE EDU-
22 CATIONAL AGENCY.—The terms “elementary
23 school”, “secondary school”, “local educational agen-
24 cy”, and “State educational agency” have the mean-
25 ings given the terms in section 14101 of the Ele-

1 elementary and Secondary Education Act of 1965 (20
2 U.S.C. 8801).

3 (2) SECRETARY.—The term “Secretary” means
4 the Secretary of Education.

5 (3) STUDENT.—The term “student” means an
6 elementary school or secondary school student.

7 **SEC. 5. GRANTS TO STATES.**

8 (a) IN GENERAL.—The Secretary shall establish a
9 demonstration program through which the Secretary shall
10 make grants to State educational agencies, on a competi-
11 tive basis, to enable the agencies to assist local educational
12 agencies in carrying out high quality summer academic en-
13 richment programs as part of statewide education ac-
14 countability programs.

15 (b) ELIGIBILITY AND SELECTION.—

16 (1) ELIGIBILITY.—For a State educational
17 agency to be eligible to receive a grant under sub-
18 section (a), the State served by the State educational
19 agency shall—

20 (A) have in effect all standards and assess-
21 ments required under section 1111 of the Ele-
22 mentary and Secondary Education Act of 1965
23 (20 U.S.C. 6311); and

24 (B) compile and annually distribute to par-
25 ents a public school report card that, at a min-

1 imum, includes information on student and
2 school performance for each of the assessments
3 required under section 1111 of the Elementary
4 and Secondary Education Act of 1965.

5 (2) SELECTION.—In selecting States to receive
6 grants under this section, the Secretary shall make
7 the selections in a manner consistent with the pur-
8 pose of this Act.

9 (c) APPLICATION.—

10 (1) IN GENERAL.—To be eligible to receive a
11 grant under this section, a State educational agency
12 shall submit an application to the Secretary at such
13 time, in such manner, and containing such informa-
14 tion as the Secretary may require.

15 (2) CONTENTS.—Such application shall
16 include—

17 (A) information describing specific measur-
18 able goals and objectives to be achieved in the
19 State through the summer academic enrichment
20 programs carried out under this Act, which may
21 include specific measurable annual educational
22 goals and objectives relating to—

23 (i) increased student academic
24 achievement;

1 (ii) decreased student dropout rates;

2 or

3 (iii) such other factors as the State

4 educational agency may choose to measure;

5 and

6 (B) information on criteria, established or

7 adopted by the State, that—

8 (i) the State will use to select local

9 educational agencies for participation in

10 the summer academic enrichment pro-

11 grams carried out under this Act; and

12 (ii) at a minimum, will assure that

13 grants provided under this Act are pro-

14 vided to—

15 (I) the local educational agencies

16 in the State that have the highest per-

17 centage of students not meeting basic

18 or minimum required standards for

19 State assessments required under sec-

20 tion 1111 of the Elementary and Sec-

21 ondary Education Act of 1965;

22 (II) local educational agencies

23 that submit grant applications under

24 section 6 describing programs that the

1 State determines would be both highly
2 successful and replicable; and

3 (III) an assortment of local edu-
4 cational agencies serving urban, sub-
5 urban, and rural areas.

6 **SEC. 6. GRANTS TO LOCAL EDUCATIONAL AGENCIES.**

7 (a) IN GENERAL.—

8 (1) FIRST YEAR.—

9 (A) IN GENERAL.—For the first year that
10 a State educational agency receives a grant
11 under this Act, the State educational agency
12 shall use the funds made available through the
13 grant to make grants to eligible local edu-
14 cational agencies in the State to pay for the
15 Federal share of the cost of carrying out the
16 summer academic enrichment programs, except
17 as provided in subparagraph (B).

18 (B) TECHNICAL ASSISTANCE AND PLAN-
19 NING ASSISTANCE.—The State educational
20 agency may use not more than 5 percent of the
21 funds—

22 (i) to provide to the local educational
23 agencies technical assistance that is
24 aligned with the curriculum of the agencies
25 for the programs;

1 (ii) to enable the agencies to obtain
2 such technical assistance from entities
3 other than the State educational agency
4 that have demonstrated success in using
5 the curriculum; and

6 (iii) to assist the agencies in planning
7 activities to be carried out under this Act.

8 (2) SUCCEEDING YEARS.—

9 (A) IN GENERAL.—For the second and
10 third year that a State educational agency re-
11 ceives a grant under this Act, the State edu-
12 cational agency shall use the funds made avail-
13 able through the grant to make grants to eligi-
14 ble local educational agencies in the State to
15 pay for the Federal share of the cost of car-
16 rying out the summer academic enrichment pro-
17 grams, except as provided in subparagraph (B).

18 (B) TECHNICAL ASSISTANCE AND PLAN-
19 NING ASSISTANCE.—The State educational
20 agency may use not more than 5 percent of the
21 funds—

22 (i) to provide to the local educational
23 agencies technical assistance that is
24 aligned with the curriculum of the agencies
25 for the programs;

1 (ii) to enable the agencies to obtain
2 such technical assistance from entities
3 other than the State educational agency
4 that have demonstrated success in using
5 the curriculum; and

6 (iii) to assist the agencies in evalu-
7 ating activities carried out under this Act.

8 (b) APPLICATION.—

9 (1) IN GENERAL.—To be eligible to receive a
10 grant under this section, a local educational agency
11 shall submit an application to the State educational
12 agency at such time, in such manner, and containing
13 by such information as the Secretary or the State
14 may require.

15 (2) CONTENTS.—The State shall require that
16 such an application shall include, to the greatest ex-
17 tent practicable—

18 (A) information that—

19 (i) demonstrates that the local edu-
20 cational agency will carry out a summer
21 academic enrichment program funded
22 under this section—

23 (I) that provides intensive high
24 quality programs that are aligned
25 with challenging State content and

1 student performance standards and
2 that are focused on reinforcing and
3 boosting the core academic skills and
4 knowledge of students who are strug-
5 gling academically, as determined by
6 the State;

7 (II) that focuses on accelerated
8 learning, rather than remediation, so
9 that students served through the pro-
10 gram will master the high level skills
11 and knowledge needed to meet the
12 highest State standards or to perform
13 at high levels on all State assessments
14 required under section 1111 of the El-
15 elementary and Secondary Education
16 Act of 1965 (20 U.S.C. 6311);

17 (III) that is based on, and incor-
18 porates best practices developed from,
19 research-based enrichment methods
20 and practices;

21 (IV) that has a proposed cur-
22 riculum that is directly aligned with
23 State content and student perform-
24 ance standards;

1 (V) for which only teachers who
2 are certified and licensed, and are
3 otherwise fully qualified teachers, pro-
4 vide academic instruction to students
5 enrolled in the program;

6 (VI) that offers to staff in the
7 program professional development and
8 technical assistance that are aligned
9 with the approved curriculum for the
10 program; and

11 (VII) that incorporates a paren-
12 tal involvement component that seeks
13 to involve parents in the program's
14 topics and students' daily activities;
15 and

16 (ii) may include—

17 (I) the proposed curriculum for
18 the summer academic enrichment pro-
19 gram;

20 (II) the local educational agen-
21 cy's plan for recruiting highly quali-
22 fied and highly effective teachers to
23 participate in the program; and

24 (III) a schedule for the program
25 that indicates that the program is of

1 sufficient duration and intensity to
2 achieve the State's goals and objec-
3 tives described in section 5(c)(2)(A);

4 (B) an outline indicating how the local
5 educational agency will utilize other applicable
6 Federal, State, local, or other funds, other than
7 funds made available through the grant, to sup-
8 port the program;

9 (C) an explanation of how the local edu-
10 cational agency will ensure that only highly
11 qualified personnel who volunteer to work with
12 the type of student targeted for the program
13 will work with the program and that the in-
14 struction provided through the program will be
15 provided by qualified teachers;

16 (D) an explanation of the types of inten-
17 sive training or professional development,
18 aligned with the curriculum of the program,
19 that will be provided for staff of the program;

20 (E) an explanation of the facilities to be
21 used for the program;

22 (F) an explanation regarding the duration
23 of the periods of time that students and teach-
24 ers in the program will have contact for instruc-
25 tional purposes (such as the hours per day and

1 days per week of that contact, and the total
2 length of the program);

3 (G) an explanation of the proposed stu-
4 dent/teacher ratio for the program, analyzed by
5 grade level;

6 (H) an explanation of the grade levels that
7 will be served by the program;

8 (I) an explanation of the approximate cost
9 per student for the program;

10 (J) an explanation of the salary costs for
11 teachers in the program;

12 (K) a description of a method for evalu-
13 ating the effectiveness of the program at the
14 local level;

15 (L) information describing specific measur-
16 able goals and objectives, for each academic
17 subject in which the program will provide in-
18 struction, that are consistent with, or more rig-
19 orous than, the adequate yearly progress goals
20 established by the State under section 1111 of
21 the Elementary and Secondary Education Act
22 of 1965;

23 (M) a description of how the local edu-
24 cational agency will involve parents and the

1 community in the program in order to raise
2 academic achievement; and

3 (N) a description of how the local edu-
4 cational agency will acquire any needed tech-
5 nical assistance that is aligned with the cur-
6 riculum of the agency for the program, from
7 the State educational agency or other entities
8 with demonstrated success in using the cur-
9 riculum.

10 (c) PRIORITY.—In making grants under this section,
11 the State educational agency shall give priority to appli-
12 cants who demonstrate a high level of need for the summer
13 academic enrichment programs.

14 (d) FEDERAL SHARE.—

15 (1) IN GENERAL.—The Federal share of the
16 cost described in subsection (a) is 50 percent.

17 (2) NON-FEDERAL SHARE.—The non-Federal
18 share of the cost may be provided in cash or in kind,
19 fairly evaluated, including plant, equipment, or serv-
20 ices.

21 **SEC. 7. SUPPLEMENT NOT SUPPLANT.**

22 Funds appropriated pursuant to the authority of this
23 Act shall be used to supplement and not supplant other
24 Federal, State, and local public or private funds expended
25 to provide academic enrichment programs.

1 **SEC. 8. REPORTS.**

2 (a) STATE REPORTS.—Each State educational agen-
3 cy that receives a grant under this Act shall annually pre-
4 pare and submit to the Secretary a report. The report
5 shall describe—

6 (1) the method the State educational agency
7 used to make grants to eligible local educational
8 agencies and to provide assistance to schools under
9 this Act;

10 (2) the specific measurable goals and objectives
11 described in section 5(c)(2)(A) for the State as a
12 whole and the extent to which the State met each of
13 the goals and objectives in the year preceding the
14 submission of the report;

15 (3) the specific measurable goals and objectives
16 described in section 6(b)(2)(L) for each of the local
17 educational agencies receiving a grant under this Act
18 in the State and the extent to which each of the
19 agencies met each of the goals and objectives in that
20 preceding year;

21 (4) the steps that the State will take to ensure
22 that any such local educational agency who did not
23 meet the goals and objectives in that year will meet
24 the goals and objectives in the year following the
25 submission of the report or the plan that the State
26 has for revoking the grant of such an agency and re-

1 distributing the grant funds to existing or new pro-
2 grams;

3 (5) how eligible local educational agencies and
4 schools used funds provided by the State educational
5 agency under this Act; and

6 (6) the degree to which progress has been made
7 toward meeting the goals and objectives described in
8 section 5(c)(2)(A).

9 (b) REPORT TO CONGRESS.—The Secretary shall an-
10 nually prepare and submit to Congress a report. The re-
11 port shall describe—

12 (1) the methods the State educational agencies
13 used to make grants to eligible local educational
14 agencies and to provide assistance to schools under
15 this Act;

16 (2) how eligible local educational agencies and
17 schools used funds provided under this Act; and

18 (3) the degree to which progress has been made
19 toward meeting the goals and objectives described in
20 sections 5(c)(2)(A) and 6(b)(2)(L).

21 (c) GOVERNMENT ACCOUNTING OFFICE REPORT TO
22 CONGRESS.—The Comptroller General of the United
23 States shall conduct a study regarding the demonstration
24 program carried out under this Act and the impact of the
25 program on student achievement. The Comptroller Gen-

1 eral shall prepare and submit to Congress a report con-
2 taining the results of the study.

3 **SEC. 9. ADMINISTRATION.**

4 The Secretary shall develop program guidelines for
5 and oversee the demonstration program carried out under
6 this Act.

7 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

8 There are authorized to be appropriated to carry out
9 this Act \$25,000,000 for each of fiscal years 2001 through
10 2004.

11 **SEC. 11. TERMINATION.**

12 The authority provided by this Act terminates 3 years
13 after the date of enactment of this Act.

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